or not a handful of reporters shall be allowed to enter China. The issue is whether the press shall play in matters of foreign policy the same role that it plays in domestic questions. To put the question bluntly: is the press in matters of foreign policy an instrument of policy or an independent check on policy, an independent enlightener of the people of the United States?

It seems to me that under our system of government the press must exercise, in foreign policy, the same independence as it does in domestic matters. Under our system of government, it is not for the Congress and certainly not for the executive branch to decide where legitimate representatives of the press shall go to get the news. If they are alert newsmen they will go wherever they can. If they are willing to take the real risks of unsanctioned travel in dangerous regions abroad they are performing a very real and courageous service for the people of the Nation. They most certainly ought not to be subject to punishment or threat of reprisal from the Government or any of its officials for their courage. It is bad enough, as you well know, when other governments place obstacles in the path of legitimate news gathering abroad. It is indefensible when those obstacles arise from the policies and actions of our own Government.

Before concluding, I should like to turn to one other shortcoming which I believe must be corrected if this country is going to have the kind of foreign policy that fully serves the interests of the people of the United States. It is, in some respects, the most fundamental, the most costly and, in the last analysis, the most dangerous shortcoming of present policy.

I refer to the tendency within the executive branch to base the international actions of this country almost exclusively on fear of the Russians. Fear as a factor in international relations is not much different than it is in human relations. If it is excessive, if it is out of proportion to the danger which induces it, fear may produce unnecessary and excessive action and, in some instances, it will prevent reasonable and necessary action.

For years, I have listened in Congress to officials of the executive branch, under both Democratic and Republican administrations—officials of the Department of Defense, the Department of State, the Voice of America, and countless other agencies—justify their requests for ever-increasing appropriations. Many of these requests have had high constructive merit in terms of the interests of the United States and I have not hesitated to vote for them. Yet, increasingly, the element of fear has been brought in to justify these requests. These justifications have sometimes reached a point where it has seemed that the executive branch has been acting in foreign policy preponderantly on the basis of two fears: Fear of what the Russians might do in the world and fear of what Congress might do to appropriations if there were no Russians to fear.

Certainly this country must maintain a healthy concern with the threat which communism poses to freedom. Certainly there are continuing dangers to the peace and well-being of this country and other countries in the totalitarian power of the Soviet Union and in the erratic, unpredictable and frequently ruthless behavior of its rulers.

There is also a danger, however, in the tendency on the part of the executive agencies to inflate this fear, whether the inflation derives from an eagerness to insure appropriations or from simple miscalculation. This inflation can only lead as it has been leading to a costly and futile effort to build absolute security in a nonexistent fortress Free World. It can also lead, as it has also been leading among the people of the United States, to a revulsion with these excesses and to the unwarranted expectation that we may be able to obtain absolute security more cheaply in a fortress America.

There is no likelihood, in my opinion, that this country or any country will find absolute security regardless of what course is pursued, regardless of how much is spent or done to that end. There are, however, degrees of insecurity and I believe that an effective foreign policy can lower the degree of insecurity. It can reduce the international dangers under which we all live and labor. It can do so at the same time that it lightens the burden of Government expenditures all of us sustain because of these dangers.

Foreign policy can act in this fashion, however, only if the judgments of the international situation on which it is based are not distorted by a stimulated and excessive fear. It can do so only if the actions which are pursued under that policy are effectively adjusted to the real situation, the actual dangers that confront the Nation.

That is why I emphasize tonight that I believe it is time for the executive branch to put aside the excess of fear that has underlain much of our policy in recent years. It is time to recognize that if Russia is strong in a material sense, this Nation is and can remain stronger provided it is united and properly led. It is time to recognize that if there are dangers to freedom in the ideology of communism, there are even greater dangers to communism in the doctrines of liberty.

What I am suggesting, in short, is that foreign policy if it is to serve fully the interests of the people of this country, must be based less on fear and more on faith. I do not speak of faith in the Russians or even of excessive faith in allies. I speak rather of faith in ourselves, in the intelligence, the courage and the steadfastness of the people of this country and faith in the power and in the ultimate triumph of freedom throughout the world. It is on that faith that this Nation has grown to greatness. It is on that faith that we must depend, that we can depend, to find the way to a just and enduring peace.

# SENATE

## TUESDAY, AUGUST 20, 1957

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

Eternal God, in whose peace our restless spirits are quieted, in a world so filled with terror and cruel hatred, we are grateful for the gladness of the morning, the deep calm of the night, for trees and flowers and birds, and for fleecy clouds against the infinite blue. For all the tender ministries of human love, we bless Thy name.

At this noonday altar of Thy grace, we pray that in all the difficult decisions affecting the public welfare, Thy will, not ours, be done.

May our imperfect stewardship express something of Thee and for Thee, before our little day ebbs out and the evening shadows creep about us and our work is done.

We ask it in the name of the Holy One against whose truth the gates of hell cannot prevail. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Monday, August 19, 1957, was approved, and its reading was dispensed with.

### MESSAGES FROM THE PRESIDENT

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

### EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

### EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON TORT CLAIMS PAID BY CANAL ZONE GOVERNMENT

A letter from the Governor, Canal Zone Government, Balboa Heights, C. Z., transmitting, pursuant to law, a report on tort claims paid by that government, for the period July 1, 1956, to June 30, 1957 (with an accompanying report); to the Committee on the Judiciary.

WORKS OF IMPROVEMENT IN LOUISIANA AND TEXAS

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on the upper Bayou Nezpique watershed, La., and the Alamo Arroyo and Diablo Arroyo watershed, Tex. (with accompanying papers); to the Committee on Public Works.

### RESOLUTION OF STATE BAR OF ARIZONA

The VICE PRESIDENT laid before the Senate a resolution adopted by the State bar of Arizona, favoring the enactment of legislation to permit a taxpayer who is successful in litigation with the United States in tax matters to recover court costs and reasonable attorney's fees, which was referred to the Committee on the Judiciary.

### CALL OF THE ROLL

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

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Case, N. J. | Frear |
| Allott | Case, S. Dak. | Fulbright |
| Anderson | Chavez | Goldwater |
| Barrett | Clark | Gore |
| Beall | Cooper | Green |
| Bennett | Cotton | Hayden |
| Bible | Curtis | Hickenlooper |
| Bricker | Dirksen | Hill |
| Bush | Douglas | Holland |
| Butler | Dworshak | Hruska |
| Byrd | Eastland | Humphrey |
| Carlson | Ellender | Ives |
| Carroll | Ervin | Jackson |

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

| | | |
|---|---|---|
| Javits | Martin, Pa. | Scott |
| Jenner | McClellan | Smathers |
| Johnson, Tex. | McNamara | Smith, Maine |
| Johnston, S. C. | Monroney | Smith, N. J. |
| Kefauver | Morse | Sparkman |
| Kennedy | Morton | Stennis |
| Kerr | Mundt | Symington |
| Knowland | Neuberger | Talmadge |
| Kuchel | O'Mahoney | Thurmond |
| Langer | Pastore | Thye |
| Lausche | Potter | Watkins |
| Long | Purtell | Wiley |
| Magnuson | Robertson | Williams |
| Malone | Russell | Yarborough |
| Mansfield | Saltonstall | Young |
| Martin, Iowa | Schoeppel | |

Mr. MANSFIELD. I announce that the Senator from Montana [Mr. MURRAY] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business, attending the Economic Conference of the Organization of American States at Buenos Aires.

The Senator from Missouri [Mr. HENNINGS] is absent by leave because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate to represent the Senate at the Latin American Economic Conference in Buenos Aires.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The Senator from West Virginia [Mr. REVERCOMB] is absent on official business.

The PRESIDING OFFICER (Mr. MORTON in the chair). A quorum is present.

## MORNING HOUR

The PRESIDING OFFICER. The Senate having met today following an adjournment, there is the usual morning hour. Under the order entered yesterday, statements are limited to 3 minutes.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes (Rept. No. 1045).

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

S. 2107. A bill to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States (Rept. No. 1050); and

S. 2792. A bill to amend the Immigration and Nationality Act, and for other purposes (Rept. No. 1057).

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

S. 2606. A bill to amend Private Law 498, Eighty-third Congress (68 Stat. A108), so as to permit the payment of an attorney fee (Rept. No. 1051).

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

S. 984. A bill conferring jurisdiction on the Court of Claims to make certain findings with respect to the amount of compensation to which certain independent ore producers are equitably entitled for uranium supplied by them to the United States during the period May 1, 1943, to August 5, 1945, and to provide for payment of the amounts so determined (Rept. No. 1052).

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

H. R. 3367. An act to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors (Rept. No. 1047); and

H. R. 4193. An act to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538–540) (Rept. No. 1048).

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

H. R. 2938. An act for the relief of Cooperative for American Remittances to Everywhere, Inc. (Rept. No. 1049).

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

H. R. 1591. An act for the relief of the Pacific Customs Brokerage Co., of Detroit, Mich. (Rept. No. 1046).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

H. R. 8679. An act to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress (Rept. No. 1054).

By Mr. PURTELL, from the Committee on Labor and Public Welfare, without amendment:

S. 1889. A bill to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf (Rept. No. 1058).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, without amendment:

S. 314. A bill to assist the United States cotton textile industry in regaining its equitable share of the world market (Rept. No. 1056).

By Mr. WILLIAMS, from the Committee on Agriculture and Forestry, without amendment:

S. 304. A bill to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes (Rept. No. 1055).

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

H. R. 6894. An act to amend the Tariff Act of 1930 as it relates to unmanufactured mica and mica films and splittings; together with minority views (Rept. No. 1053).

## EXTENSION OF SUBCOMMITTEE ON DISARMAMENT UNTIL JANUARY 31, 1958

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 192) to extend the Subcommittee on Disarmament until January 31, 1958, and submitted a report (No. 1044) thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That Senate Resolution 151 extending the Subcommittee on Disarmament, 85th Congress, 1st session, agreed to June 26, 1957, is hereby amended as follows:

(a) In section 2, strike out "August 31, 1957," and substitute in lieu thereof "January 31, 1958."

(b) In section 3, strike out "August 31, 1957," and substitute in lieu thereof "January 31, 1958."

(c) In section 4, strike out "$10,000" and substitute in lieu thereof "$40,000."

## EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BYRD, from the Committee on Finance:

Robert W. Dill, of New York, to be collector of customs for customs collection district No. 10, with headquarters at New York, N. Y.

W. Rae Dempsey, Jr., of Maryland, to be collector of customs in customs collection district No. 13, with headquarters at Baltimore, Md.

James P. Winne, of Hawaii, to be collector of customs in customs collection district No. 32, with headquarters at Honolulu, Hawaii; and

Harry Edwards, of New York, to be surveyor of customs in customs collection district No. 10, with headquarters at New York, N. Y.

## BILLS INTRODUCED

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

By Mr. HAYDEN:

S. 2813. A bill to provide for certain credits to the Salt River Valley Water Users' Association and the Salt River Project Agricultural Improvement and Power District in consideration of the transfer to the Government of property in Phoenix, Ariz.; to the Committee on Interior and Insular Affairs.

By Mr. POTTER:

S. 2814. A bill for the relief of Garry Lee Park; to the Committee on the Judiciary.

By Mr. BRICKER:

S. 2815. A bill to provide for the appointment of two additional district judges for the Northern District of Ohio and one additional district judge for the Southern District of Ohio; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2816. A bill for the relief of Concepcion Ramiro (Romelio) Gamboa; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. BUTLER) (by request):

S. 2817. A bill to authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel equivalent to the steamship *United States;* to the Committee on Interstate and Foreign Commerce.

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

By Mr. IVES:

S. 2818. A bill for the relief of Sarina L. De Trabout, Lina Trabout, and Esther Trabout; and

S. 2819. A bill for the relief of Mrs. Hermine Melamed; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 2820. A bill to amend Public Law 854 of the 84th Congress; to the Committee on Post Office and Civil Service.

By Mr. CASE of South Dakota (by request):

S. 2821. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

S. 2822. A bill to authorize the construction of certain works of improvement in the Missouri River for power and other purposes; to the Committee on Public Works.

By Mr. KEFAUVER:

S. 2823. A bill for the relief of Giuseppina Difoca; to the Committee on the Judiciary.

## PRINTING AS A SENATE DOCUMENT COMPILATION OF PROPOSED CONSTITUTIONAL AMENDMENTS FOR THE PERIOD OF 2D SESSION OF 69TH CONGRESS THROUGH THE 84TH CONGRESS

Mr. EASTLAND submitted the following resolution (S. Res. 189), which was referred to the Committee on Rules and Administration:

*Resolved*, That there be printed as a Senate document a list of proposed amendments to the Constitution of the United States submitted during the 69th Congress, 2d session, through the 84th Congress, as compiled by the Senate Library, under the direction of the Secretary of the Senate, and that 1,500 additional copies be printed for the use of the Committee on the Judiciary.

## ADMISSION OF BONA FIDE NEWS REPRESENTATIVES TO ALL COUNTRIES ABROAD

Mr. FULBRIGHT. Mr. President, I have long assumed that the free press in this country derives its existence, not from a dispensation of the executive branch of the Government but from the Constitution of the United States. I have long assumed that while the executive branch may not have an explicit constitutional duty to encourage freedom of the press, it has an implied obligation to do so and, certainly, an obligation to refrain from impeding this essential element in the democratic process.

These assumptions which, I believe, I share with most other citizens of this country, have been challenged during this session of Congress. They have been challenged by the policies and administrative regulations of the Department of State pertaining to the travel of newsmen to China.

While the question has arisen over whether or not American newsmen are to enter China, the issue is, in fact, much broader.

In the last analysis, the issue is whether the press of this Nation is to fulfill in foreign relations the same function that it does in other matters—the function of independent enlightenment of the people of the United States. Or is it, instead, to be reduced by inhibitions imposed by the administration, by official threats and reprisals, to the role of Government-controlled tool of policy?

It is the latter role in which the free press will ultimately be cast if the present policies of the Department of State are permitted to stand unchallenged. It is true that the Department of State does not assert the right to control what is printed in the press relevant to foreign relations. The right to print, however, is seriously limited unless it is accompanied by the widest possible freedom to gather and verify the information that is printed.

It is this right, this right of movement abroad to obtain information, over which the Department of State does assert control. Ironically, it claims this power through its own administrative interpretation of acts of Congress. The Department says, in effect, that the Congress has given the Secretary of State the power—virtually the obligation—to forbid newsmen to travel to China. And what it says with respect to China today, it can say with respect to Europe, Africa, or Asia tomorrow, if it so chooses.

This is a strange and arbitrary doctrine, a dangerous doctrine. Carried to its logical conclusion, it will deny to the people of the United States, and to the Congress a major source of independent information by which to weigh the adequacy or inadequacy of the foreign policies that are pursued by the executive branch. It acts even now to deny that branch itself data which newsmen might gather in China, data which might be of value in formulating policies with respect to this largest and most volatile country in Asia. It is, in short, a head-in-the-sand doctrine, with the Department of State not only burying its own head but insisting that the people of this country do the same.

I believe it is time for the Senate of the United States to disassociate itself from this foolishness. This body ought to make clear once and for all that it does not share the interpretation which the Department of State has put upon legislative acts as they involve the right of newsmen to travel abroad. This body ought to make clear that the Department of State, instead of itself restricting the movement of legitimate newsmen, should make every effort to open areas which are now closed to them by the policies of other governments. This body ought to make clear that if, for reasons of policy, the Department cannot supply newsmen with the full protection of the passport, it will at least not take reprisals against them if they are courageous enough to risk travel without it for the purpose of gathering information for the people of this country.

For months now, the Department has wrangled with representatives of the press over the conditions under which newsmen might be permitted to go to China. I am introducing at this time a resolution which will make it clear what the sense of the Senate is in this matter. It will make clear, that as far as the Senate is concerned, legitimate representatives of the press should be permitted to exercise their independent judgment on where to travel to get the news and that it is the function of the Secretary of State to assist rather than hinder them in their movements abroad.

Mr. President, I send to the desk a Senate resolution and ask that it be received and appropriately referred, and I ask unanimous consent that the resolution be printed at this point in the body of the RECORD.

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

The resolution (S. Res. 190) submitted by Mr. FULBRIGHT, was referred to the Committee on Foreign Relations, as follows:

Whereas abridgment of freedom of the press is prohibited by the first amendment to the Constitution, and such freedom is essential to the preservation of responsible government in the United States; and

Whereas a free press is not and must not become, an instrumentality of the domestic or foreign policies of the Government of the United States or any of its branches but must remain an indispensable and independent source of enlightenment for the people of the United States; and

Whereas the effective functioning of a free press depends upon the widest possible access to facts both within and without the United States and the pursuit of such facts requires the freest possible movement of representatives of the press throughout the world; and

Whereas it is incompatible with the concept and effective functioning of a free press for officials of the Government of the United States to assert the right to impede the movements of bona fide representatives of news-gathering organizations into any areas of the world into which they are able to gain access and are willing to go: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

1. The Secretary of State should exercise the powers of his office to encourage and to facilitate the entrance of bona fide representatives of news gathering organizations into all countries abroad for the purpose of gathering news;

2. The departments and agencies of the executive branch of the Government should not interpret existing legislation or make administrative regulations in such a way as to deny or impede the free movement throughout the world of such bona fide representatives except as such movement may be specifically proscribed by law.

3. If, for reasons of policy or conditions abroad beyond their control, the departments and agencies of the executive branch of the Government are unable to extend normal governmental protection to such bona fide representatives desirous of traveling abroad in any areas, they should so advise but should not, except as may be specifically required by law, forbid such travel or in any way take measures of reprisal against such representatives who enter those areas on their own responsibility.

## INVESTIGATION OF JUVENILE DELINQUENCY—AMENDMENT OF SENATE RESOLUTION 52

Mr. EASTLAND (for Mr. HENNINGS) submitted the following resolution (S. Res. 191), which was referred to the Committee on Rules and Administration:

*Resolved*, That section 4 of Senate Resolution 52, 85th Congress, 1st session, authorizing an investigation of juvenile delinquency in the United States, agreed to on January 30, 1957, is amended by striking out "$50,000" and inserting in lieu thereof "$60,000."

## EXTENSION OF SUBCOMMITTEE ON DISARMAMENT UNTIL JANUARY 31, 1958

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 192) to extend the Subcommittee on Disarmament until January 31, 1958, which was referred to the Committee on Rules and Administration.

(See resolution printed in full where it appears under the heading "Reports of Committees.")

## CONSTRUCTION AND SALE OF A SUPERLINER PASSENGER VESSEL

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the construction and sale by the Federal Maritime

Board of a superliner passenger vessel equivalent to the steamship *United States*. I ask unanimous consent to have printed in the RECORD a statement which I have prepared relating to the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2817) to authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel equivalent to the steamship *United States*, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

I introduce for appropriate reference a bill which would authorize the replacement of the steamship *America* with a modern superliner.

An undertaking of this type would ordinarily be handled at the executive agency level as provided for in the Merchant Marine Act of 1936, as has been the practice in the past. This then would be followed, of course, by Congressional activity in connection with the appropriation of adequate money for the project. I believe, however, that the capital requirements from both private and Government sources, the commercial value of the ship, and its defense potential are so great as to make this project extremely unique. The issues involved in a sister ship to the steamship *United States* call for full hearings by the appropriate committees of the Congress and thorough study.

This conclusion is not new for as far back as 1950, in connection with the construction of the original steamship *United States* and following one of the most elaborate studies of the merchant marine ever undertaken, the Merchant Marine Subcommittee of the Interstate and Foreign Commerce Committee recommended an identical procedure. Senate Report 2494, 81st Congress, 2d session, on page 8 states:

"Whether the construction of a superliner, as has been approved by the old Maritime Commission, is an answer to the passenger-vessel problem or not has come under critical scrutiny by the General Accounting Office and Congressional expenditure committees, with particular criticism centered upon the extraordinary portion ($24 million) of the total cost ($71 million) which was allocated to national defense features of the ship. The members of the subcommittee, fully aware of the recommendation of the President's Advisory Committee on the Merchant Marine that a superliner of 50,000 gross tons be built, seriously question the advisability of future construction of such behemoths without Congressional approval."

On page 36 of the same report there is concluded:

"Recent investigations by the Committee on Expenditures of the House of Representatives anent subsidies granted for construction of the superliner are evidence that, regardless of the merits in the case, latent criticism of the form as well as the substance of our shipping-aid program will find its best vehicle for expression in some such project. Limitations of size and speed might well be written into the existing statute with provisions for public hearings for exceptional cases. It is deemed of far greater value to the Government, the operator, or the public to have the merits of these exceptional cases aired openly beforehand rather than after the decision has been taken, thereby avoiding the type of prejudicial criticism which overshadows the merits of the case."

Under the terms of this bill we would be doing precisely what was then recommended and be moving in a direction which I earnestly believe is the wisest possible procedure today.

No student of American maritime affairs can reject the necessity in our national interest of remaining strong at sea with a balanced and adequate merchant fleet. In the passenger area our fleet is furthest from up-to-date. My colleagues will perhaps be surprised to learn that there is in active private operation today only 41 passenger ships under American flag compared with 123 at the outbreak of World War II. In terms of passenger capacity, we have but one-third of the quantity of accommodations we possessed before World War II in spite of the fact that overseas travel by ship has been steadily increasing.

Greece, Spain, Sweden, Norway and even the Soviet Union actually have more passenger service than in 1939. France, the United Kingdom and the Netherlands are making monumental efforts to restore their war-torn passenger fleets to prewar levels. There is clearly a universal effort to meet the stepped up demands for travel by sea. Forty-eight passenger ships are being built throughout the world, but only four in the United States. A superliner of the type envisioned will offer more than double the capacity of the ship it will replace.

Although it is my belief that a sister ship to the steamship *United States* is necessary to serve the traveling public, it is perhaps even more necessary from a national defense viewpoint. It could carry, if called upon, a full division of troops and their supplies half way around the world at speeds in excess of 30 knots without refueling or reprovisioning. It is important, therefore, to be alert to the dangers pointed out clearly in the latest joint study of the Navy and the Maritime Administration. They reported a serious deficiency in quality and speed requirements of our troop lift mobilization inventory, with only 11 percent of our troop ships capable of speeds in excess of 20 knots. The construction of a new superliner will be the greatest single step we could possibly take in overcoming this potential national catastrophe.

Mr. BUTLER. Mr. President, I should like to address a question to the Senator from Washington.

As I understand, the Senator from Washington has just introduced a bill providing for the construction of a new *United States*.

Mr. MAGNUSON. The Senator is correct.

Mr. BUTLER. With the permission of the Senator from Washington, I ask unanimous consent that a statement which I have prepared be printed in the RECORD following the statement of the Senator from Washington.

Mr. MAGNUSON. I welcome the Senator's statement. I should be glad to have the Senator from Maryland as a cosponsor.

Mr. BUTLER. I should like to be a cosponsor of the bill just introduced by the Senator from Washington.

Mr. MAGNUSON. It is introduced by request.

Mr. BUTLER. I thank the Senator from Washington.

The statement submitted by Mr. BUTLER was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

It gives me great pleasure to join with the senior Senator from Washington in the introduction of a bill calling for the construction of a superliner—sister ship of the S. S. *United States*.

I can think of no instrument which would serve better the Nation's interest from so many different points of view than the one proposed in this bill. It will increase substantially the passenger facilities for overseas travel with a ship which will fly the American flag, operated by an American company, paying taxes to the American Government. It will give employment to about 1,000 American seamen and be constructed in an American yard with American skills and know-how to meet American standards. A ship of this type is urgently needed as all of us who try to travel on American vessels particularly at the height of a season can appreciate.

The construction of such a vessel will be a significant step forward in our Nation's effort to catch up with the passenger capacity we possessed before World War II and a large part of which has since been lost to our traveling public. In 1939, the single lift capacity of our 123 passenger ships totaled 37,741. Today it totals but 13,508 in but 41 ships. We are obviously not keeping pace with the record level of travel that has been set in each of the last several years and which once again is above prewar levels. I do not propose that the growing travel business should, through forfeiture, accrue entirely through the benefit of foreign merchant fleets. We are today building but four passenger ships for our own merchant fleet. This is less than 10 percent of the world's total construction, in spite of the fact that our citizens travel abroad more than those of any other nation. In contrast with our limited construction, I note that the British have 9 new passenger ships on the ways, the Netherlands the same number, and Italy, 8.

As an integral part of our national defense, a superliner will serve as the most proper type of troop transport should it ever again be necessary for our boys in uniform to move overseas. With a speed in excess of 30 knots, it avoids the jeopardy many other less modern vessels may meet from enemy U-boats. Surely none of us would propose sending a full division, which is what the superliner could carry, from our ports as sitting ducks for Soviet action.

The superliner envisioned is therefore a unique undertaking, not only in its terms of benefit to the country and indeed the civilized world, but because it represents a joint venture between the private maritime industry and the Federal Government of record size for any one ship. I believe, however, the Congress should discuss fully, in advance of its construction, the merits of its construction as well as the fiscal requirements for its completion rather than the latter aspect alone. For this reason, I join in the introduction of the bill, and urge its consideration by the Congress with the greatest possible speed.

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## AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the Senator from Tennessee [Mr. KEFAUVER] may be added as an additional cosponsor of the bill (S. 2792) to amend the Immigration and Nationality Act, and for other purposes, introduced by the Senator from Massachusetts [Mr. KENNEDY] for himself and other Senators, on August 14, 1957.

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

## ADDRESSES, EDITORIALS, ARTICLES, AND SO FORTH, PRINTED IN THE RECORD

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

By Mr. KNOWLAND:

Meet the Press program participated in by him on August 18, 1957.

By Mr. WILEY:

Statement by him on Aviation Day.

## PROPOSED VISIT OF AMERICAN YOUTHS TO PEIPING

Mr. FULBRIGHT. Mr. President, the New York Herald Tribune, a leading Republican newspaper, carried an editorial last Thursday which deserves the attention of this body and of the people of this country.

Once again in dealing with and mishandling the question of allowing American newsmen to go to Peiping the State Department has, in the words of the editorial, "solemnly and unwittingly done Peiping a great service."

Mr. President, I submit that these "unwitting services" to Peiping or to Moscow on the part of the Department of State have become much too common. They seem to happen regularly, about once a month, if not every fortnight.

I ask unanimous consent to have the editorial printed in the RECORD, and I urge the administration, as well as my colleagues, to give serious thought to this matter.

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

[From the New York Herald Tribune of August 15, 1957]

A STATE DEPARTMENT BLUNDER

Of the 150 young Americans who participated in the Moscow propaganda jamboree called the World Youth Festival, a certain number (41 by last count) decided that they wanted still more of the same. So the little band is on the way to Red China, some of them as an all-expense-paid nucleus and others putting up $100 apiece for the round trip. The Communists, of course, are happy to have them and undoubtedly the travelers from the United States will receive the full red-carpet treatment. Those visitors who are already disposed to the Red view of life will get fresh sustenance and as for the others—if there are any open minds or skeptics along for the ride—well, Peiping can always hope to make converts. In any event, Red China has a news instrument which it can and will use to any self-serving purpose. The Communists have nothing to lose.

But none of this, it seems to us, can be considered of major importance. If a handful of impressionable Americans wants to feed out of the Communist hand, and see and hear according to Red China's direction, there ought to be no particular reason for excitement. Our country, like any other, contains a proportion of dupes. And, aside from the willingly gulled fellow-travelers or already hardened Communists, only the silly or immature person would allow himself to be snared into a press-agent stunt. But even so, it is preposterous to think that a conducted tour of physical and mental juveniles by the Red Chinese is going to have any staggering effect. In short, whatever the Communist propagandists may think, it is bush-league publicity and ought to be taken in calm stride.

Yet here the State Department has solemnly and unwittingly done Peiping a great service. By its horrific warnings to the American nationals now on their way from Moscow, our diplomatic establishment has created a big issue out of something essentially unimportant. This is all part and parcel of the stupid position into which the State Department has got itself boxed by refusing to allow the American press to enter Red China except on a provisional, hamstrung basis as instruments of national policy. Of course the present entourage can by no means be dignified as skilled, observant reporters. But the unhappy result of across-the-board intransigeance, of leaping onto a passing incident with such fury, is that Washington has needlessly stirred up complications.

Now the Peiping propaganda boys can really go to work. And all this could have been easily avoided by a better sense of proportion in the State Department. It would have been far better to keep hands off and let this little nuisance of the 41 visitors die of its own weight.

As for getting the truth about Red China, that job should be left to professionals. Here the State Department ought to stop trying to tell the newspapers what to do and stick to genuine diplomacy.

## ELIMINATING UNNECESSARY REFERENDUM FOR DETERMINING SOCIAL SECURITY ELIGIBILITY

Mr. WILEY. Mr. President, I should like to call attention to a bill which was favorably reported by the Senate Finance Committee, without amendment, and is now on the calendar, H. R. 8821.

Under present law, after a retirement system in certain States, including Wisconsin, has been divided between those who desire old-age and survivors insurance coverage and those who do not, an additional referendum must be conducted among those who want coverage under OASI.

After a period of implementation of this law, it now has been determined that this referendum is not necessary.

H. R. 8821 would permit the specified States to provide social-security coverage without the subsequent referendum, if there have been adequate safeguards to assure that the rights of each member to a free choice have been followed, that is, he can choose to stay under the present retirement system, or he can go under social security.

I should like to stress a particular problem which has arisen for my constituents in regard to this specific legislation. Presently, a number of our retirement groups are engaged in conducting the referendum—although the interested folks have already indicated their desire to be included, or excluded under OASI.

Even though it is generally agreed that the second "vote" is not only unnecessary, but also costly and time consuming, it must be taken under present law.

If the Congress could expedite the passage of H. R. 8821, it would be a sound action, and would give these groups in the State a legal basis for stopping the referendums now in process.

I am hopeful, therefore, that this bill will be considered and passed today.

## COST OF FARM PRICE-SUPPORT PROGRAMS

Mr. YOUNG. Mr. President, Time magazine in its August 19 issue carried a very distorted and inaccurate article concerning the cost of farm price-support programs. Obviously, Time magazine is doing its utmost to discredit these programs in the minds of the American people. It was one of the most unfair articles I have ever read. To me, it is journalism at its worst.

The current issue of U. S. News & World Report—August 23—has an article on the same subject. It is obvious that the writer of this article tried to do an accurate job of reporting on the cost of farm programs regardless of any personal views he might have had. This is journalism at its very best.

The article could have gone into even more detail in explaining the cost of many other programs. For example, the cost of the Federal meat inspection program runs into millions of dollars. This cost rightfully should be charged either to the packers or the consumers of this Nation rather than the farmers. The income from the national forests of the United States far exceeds all the appropriations for the Forest Service. The tax under the Sugar Act more than pays the cost for this price-support program. Wool is a commodity of which we import approximately 60 percent of our requirements, and we would not need any price-support program at all for this commodity if we only had sense enough to raise the tariff sufficiently to protect and encourage production in the United States.

The article in the U. S. News & World Report is very fair, though, and is so typical of this magazine. More than any other magazine I know of, it tries very hard to do an accurate job of reporting and it reserves for its editorial column any expression of views of the editors and publishers.

Mr. President, farm price-support programs are becoming very costly. Too much so. The cost, however, is far from that pictured by Time magazine. Every farmer in this Nation would rather not have any price-support program whatever if he could be assured of even a halfway fair price otherwise. He knows very well this is not possible under present conditions and that he must at least, for the present, depend on these programs for his economic survival.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks the article appearing in U. S. News & World Report and, following that, the article appearing in Time.

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

[From the U. S. News & World Report of August 23, 1957]

FIVE BILLION FOR FARM AID—WHERE DOES IT ALL GO?

An idea is widespread that American farmers each year are taking $5 billion from the pockets of taxpayers in the form of farm aid.

Farm aid is described as costing billions more than the aid given to people abroad

and hundreds of millions of dollars more than aid to veterans.

Raised now is the question of the billions that are earmarked in the Federal budget for the Department of Agriculture. Who gets those billions and for what purpose?

When you look into the figures for the Government's accounting year that ended June 30, 1957, you discover these things:

The total of Government checks flowing to farmers in the form of direct subsidies in the last year was $806 million, not $5 billion. For these checks, farmers either took land out of use or followed practices designed to improve the land. Also, some of the money went to increase production of sugar and to increase production of wool.

Cost of Government action taken to support the price of farm commodities was $2.55 billion. This money did not go to farmers in direct subsidies. Crop loans, so called because the farmer puts up his crop as collateral, and purchases of farm products are made to support prices. At the same time, money flows back into the Treasury through repayment of crop loans and sales of surplus commodities held by the Government. Actual loss on this operation is not accurately measurable in any one year, as it depends upon market trends over a period of years.

The balance of the $5 billion paid out by the Department of Agriculture—$1.66 billion—was taken up in many ways. Loans to farmers, secured by mortgages, and loans to rural-electrification co-ops took up close to $500 million. These loans will be repaid. More than $350 million was spent on the school-lunch program and donations of food to schools and to needy people in cities at home and abroad. Administration of the Nation's forest lands, costing $151 million, was charged up to farm aid. Research costs came to $159 million. The farmer does not get any of this money directly.

### DOLLARS TO FARMERS

Two big programs actually put dollars into farmers' pockets directly or indirectly. One is the program of direct payments, costing $806 million. The other is the $2.55 billion program of price supports.

Direct payments during the last year were of four kinds:

The soil bank involved payment of $447 million to farmers. This is one of the basic programs sponsored by Ezra Taft Benson, Secretary of Agriculture, to solve the farm problem. Payments are made to farmers who take land out of production. The objective is to cut farm output, and at the same time "bank" fertility in the soil.

Conservation payments totaled $237 million. If a farmer puts lime on a field, the Government pays part of the bill. Building terraces to hold water where it falls earns a payment. These payments, covering only a portion of the cost to the farmer, are aimed at encouraging farmers to build up soil resources and cut down on erosion and water loss.

Sugar subsidies, paid to encourage production of cane and beet sugar, totaled $65 million.

Wool subsidies, set up to encourage production of wool in this country, went to sheep raisers in the amount of $57 million.

### COST OF PRICE SUPPORT

The program by which the Government undertakes to support farm prices is little understood outside farm circles. A fact overlooked by many is that money not only flows out to farmers under this program but also flows back into the Treasury.

It works this way: Farmers who grow crops eligible for price support can go to the county offices of the Department of Agriculture and get crop loans, putting up their harvested crop as security for the loans. Before the end of the crop year, they must either repay the loans or turn the crops over to the Government. The market price of the crop determines which they do. If the price goes above the loan level, the crop is sold and the loan paid off.

In addition, the Government supports farm prices by purchasing commodities—some from farmers and others from processors of such items as butter, cheese, and dried milk.

Through these operations, a stockpile of surplus farm products accumulates in the hands of the Government. Sales are made from this stockpile, returning money to the United States Treasury. A detailed breakdown of the price-support and surplus-disposal operations, now available for the 11 months that ended May 31, 1957, shows where the $2.55 billion spent on these operations went.

How help for farmers is divided up in the year that ended June 30, 1957—Government spending for farm programs totaled $5,021,000,000—Where the money went:

| | |
|---|---|
| For direct payments to farmers | $806,000,000 |
| "Soil bank"—for taking land out of production | 447,000,000 |
| Conservation — to help farmers conserve the soil | 237,000,000 |
| Sugar subsidies | 65,000,000 |
| Wool subsidies | 57,000,000 |
| For price supports and surplus disposal [1] | 2,550,000,000 |
| Giveaways, export subsidies, sales for foreign currency, barter deals | 1,318,000,000 |
| Storage of surplus products | 347,000,000 |
| Transportation of surplus products | 133,000,000 |
| Net cost of price-support loans and purchases (loans and purchases less loans repaid and sales proceeds) | 208,000,000 |
| Other costs | 273,000,000 |
| For other farm programs | 1,655,000,000 |
| Farm loans other than price-support loans | 232,000,000 |
| Loans to rural-electric cooperatives | 259,000,000 |
| Food donations to schools, needy | 260,000,000 |
| School-lunch program | 99,000,000 |
| Research to increase yields, improve markets | 159,000,000 |
| Forest Service | 151,000,000 |
| Other programs and administrative expenses | 505,000,000 |

[1] Breakdown of price-support and surplus-disposal costs is available only for 11 months ended May 31, 1957, and figures do not add to the full-year total of $2,550,000,000.

Source: Based on data from U. S. Treasury and U. S. Department of Agriculture.

### SALES BRING IN MONEY

In the 11-month period farmers got price-support loans totaling $2.4 billion. Direct purchases of farm products amounted to $500 million.

The money laid out for loans and purchases was offset by repayments of loans and by dollar sales of surplus farm products that had accumulated, some of them over a period of years. Last year the Government did a land-office business, unloading a vast amount of cotton, wheat, and other commodities. Net cost of the price-support loans and purchases was $208 million.

### STORAGE: MILLION A DAY

A sizable portion of the $2.55 billion spent on supporting farm prices and disposing of surpluses was paid out to businessmen for storage and transportation.

Storage cost the Government around a million dollars a day. For the 11-month period, storage costs were $347 million. This money went to grain elevators, cotton warehouses, cold-storage warehouses, and to pay the cost of buying and maintaining the thousands of Government bins for corn storage.

Transportation of Government farm surpluses that were shipped to ports for export or moved from one point to another for various reasons, cost $133 million.

### SURPLUSES FOR FOREIGN AID

Largest item charged up against the price-support program was $1.3 billion to cover the cost of surpluses exported under special programs.

A billion dollars' worth of commodities was sold for foreign currency. According to Secretary of Agriculture Benson, this billion should not be charged up to farmers, as the sales are a form of foreign aid under which much of the money will be recovered.

### LONG-RANGE COST

Actually, in the view of most farm economists, the cost of the price-support program should be measured over a period of years since it depends on long-term market trends.

For example, during World War II, the Government made a profit by selling surpluses on a rising market.

The cost of price-support loans since they were started in 1936 up to now totals $4.5 billion. This is the difference between cost to the Government of the commodities accumulated under the price-support program and the amount they sold for. The bulk of this cost has come in recent years. Since 1952, total cost has been $3.5 billion.

Spending for farm programs in the years just ahead, say those familiar with the agricultural budget, is likely to remain at a relatively high level. It has been set at around $4.5 billion for this year. As with the $5 billions charged up against the Department of Agriculture last year, not all of that, by any means, will go to farmers in direct subsidies.

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[From Time magazine of Aug. 19, 1957]

### THE $5 BILLION FARM SCANDAL—EVERY DAY IN EVERY WAY IT GETS WORSE

Restless combines growled and rattled across the rippling wheatfields of the Northwest. In the South, newly picked cotton sped through gins and balers. Midwestern farmers sweated in fields of hay and ripe, yellow oats. Across the Nation, the yearly harvest was under way and despite drought in the Northeast, the worst in 35 years or more, many a United States farmer could agree with Fred Hill of Umatilla County, Oreg. Pushing back his Stetson, lanky farmer Hill, 44, cast an admiring eye over a field of ripened wheat and said with a grin: "The Lord's been good to us again. She's gonna be a honey." The Agriculture Department agreed.

### TOPSY-TURVY VALUES

By yardsticks of commonsense, the promise of a bumper harvest ought to measure up as an unmixed blessing. But in the United States of 1957, the soil's abundance has become a costly national problem that turns values topsy-turvy, makes good crop weather seem a national calamity and drought a boon. In a year of bountiful crops, the Agriculture Department will spend a record $5 billion, largely in an effort to cope with surpluses. Instead of going to markets, countless tons of the wheat, corn, and cotton

harvested last week will swell the $5.5 billion worth of farm surpluses stored in United States Government silos, warehouses, and cold-storage vaults, which already hold more wheat than the Nation consumes in a year and a pound of cheese for every man, woman, child and white rat in the country.

The glut is largely the fault of the Federal price-support program, a mode of agricultural life so obsolete that in its present form it amounts to a national scandal. Designed to cope with the problem of farm surpluses, it brings on bigger surpluses by setting high price supports. Designed to keep small farmers from going broke when surpluses drag prices down, it actually helps the poorest farmers least and the richest most. Designed to bolster the health and welfare of agricultural communities, it has tempted many a farmer to sharp practices because only suckers would refuse to take advantage of the loopholes in the law. Designed to cut surpluses by subsidized sales of grain and cotton abroad, it is so rigged that, as overseas sales are successful, price supports rise automatically—hence bring on more surpluses. Designed to ensure farm stabilization, it has instead warped the farm economy; for example, Northwest farmers, restricted on wheat acreage, grow barley instead, and are now starting a cattle-feeding program to use the barley. "The hell of it is," said one of them, "all it would take is an administrative ruling right now to rip up the whole program."

POLITICAL REFLEX

What keeps this clumsy, costly apparatus from the scrap heap is longstanding political regard for the farm vote. Understandably, United States farmers have learned to use political power to make up for economic weakness. Unlike big unions, farmers have no collective bargaining power. Unlike big corporations, they cannot control the supply of their products. When the Nation's farms produce too much wheat, an individual farmer cannot keep the price up by holding part of his crop off the market: Even a big farmer's share of the total wheat supply is a thimbleful in a carload. In a free market, even modest surpluses can send farm prices sinking drastically. Vulnerable as they are, the farmers look to Washington for help.

After farm prices sank in the 1920's and 1930's, the New Deal bolted together the prototype support machinery. Far from dismantling it and building a sounder model as the depression gave way to postwar national prosperity, Congress kept attaching gimmicks and gadgets. Meanwhile, what Agriculture Secretary Ezra Taft Benson calls a technological explosion has taken place on United States farms. The combined impact of more machinery, more fertilizer, deadlier insecticides and higher-yielding hybrid seed has upped overall United States farm productivity by one-third since 1940, lowered the number of man-hours needed to produce 100 bushels of wheat from 67 to 26. Since the early 1940's, the average United States farm investment per worker has soared from $3,500 to more than $15,000. This technological explosion has made the small, unmechanized farm economically obsolete.

A TOLL IN MORALE

To keep high price supports from boosting surpluses, the Government imposes acreage allotments on farmers who ask for supports.[1] Last year, in a further effort to hold down surpluses. Congress passed a soil-bank program to pay farmers for taking acreage out of production. But the technological explosion makes such curbs futile. Last year, with strict acreage and marketing controls in effect, millions of acres in the soil bank and a severe drought pinching the Southwest, technology-armed United States farmers matched the biggest total harvest they had ever known. On land diverted from corn and wheat under acreage allotments, farmers bring in crops—barley, soybeans, sorghums—that compete with corn and wheat as livestock feeds. Result: bigger corn and wheat surpluses. "As soon as they plaster a patch on one place," says an Illinois farm-organization official, "something squirts out in another."

For whatever economic benefit they bring, or fail to bring to farmers, Federal farm programs exact a toll in morale. Time correspondents in all major agricultural regions found farmers who wanted to talk off the record about temptations to dishonesty under the program. One Indianian sold the topsoil off a field and put the barren ground into a soil bank; a group of Californians use soil-banked acres to start future fruit orchards. Says Lynn Larson, who holds a city job to fatten his lean income from a 209-acre farm near East Garland, Utah: "Under these Federal programs, the farmers border on being crooks—always looking for loopholes, letting cattle graze on land put into the soil bank." Echoes Kansas farmer Joe Goldsmith, a 480-acre man: "It makes cheats out of all of us. Some of them cheat more than others, and the big cheats benefit at the expense of those who are most honest."

THE CHAMELEON

Most farmers and farm leaders sense that changes in Federal farm programs are overdue. A lot of farmers, and members of Congress too, favor a two-price plan under which (1) farmers would get 100 percent of parity for commodities sold for human use in the United States, but (2) would get the free-market price for animal feeds and commodities sold for exports (a scheme sure to bring yowls against dumping from foreign countries).

A big (70,000 acres) Kansas farmer has another idea: give farmers an income-tax break by letting them average good years with bad. A little (10 acres) Georgia cotton farmer who seldom nets more than $400 a year, thinks the only fair thing is 100-percent-of-parity supports under all farm commodities—or at least under cotton. A Colorado wheat farmer offers still another plan: "Congress should create huge cooperatives to handle the crops, and only enough should be let out to maintain the market." But farm experts who take a broad view see no simple, straightforward answer. The farm problem, broods an Illinois farm economist, is semi-economic, semipolitical, semimoral and semisocial. It's as changeable as a chameleon and prickly as a porcupine.

ABOVE PRINCIPLE

How prickly the porcupine is, nobody knows better than Ezra Taft Benson. He went to Washington in 1953 convinced that a dedicated Agriculture Secretary, willing to rise above politics and make himself personally unpopular, could end huge surpluses, high price supports, acreage controls and big Agriculture Department budgets. But it was Benson's bad luck to take his job just as the farm economy was about to feel the technological explosion's full impact. Under the impact, farm prices sagged. With net farm income sliding from $13.3 billion in 1953 to $11.6 billion in 1956, United States farmers were in no mood for experiments with lower price supports, and Congress was in no mood to make the farmers any madder. So Benson found Congress unwilling to rise very far above politics.

He did win from Congress in 1954 a grudging bit of price-support flexibility, but last year it took an Eisenhower veto to keep Capitol Hill from restoring the old system of rigid, mandatory support, at 90 percent of parity, under six basic farm commodities, including wheat, cotton, corn. Benson himself has had to learn to bend with political winds, to compromise, zigzag and, as he puts it with a wan smile, rise above principle.

"PHONY AS HELL"

Despite all the porcupine quills stuck in him, Ezra Taft Benson still hopes to get a radically altered price-support program through Congress next year. Enough fresh evidence of the current program's failure has piled up, he trusts, to convince Capitol Hill that it is high time for a change.

Benson wants Congress to get rid of rigid, mandatory price supports altogether, grant the Agriculture Secretary authority to set support under any farm commodity at whatever level he deems suitable, from 100 percent down. If Benson gets his way, the Government will no longer use supports to try to make farming profitable even for an inefficient farmer on an obsolete small farm. Supports would serve only to prevent drastic price falls from one year to the next. In coping with a commodity in oversupply, e. g., wheat, Benson, would lower the support price bit by bit. Gradually, farmers would shift wheat fields to more profitable crops. In time—he hopes—supply would come into balance with demand, acreage controls would fade away, and the flow of wheat into Government storage would end.

Many Members of Congress would rather ignore the porcupine than vote for any such new program. But even farmers have come to realize that the present setup cannot last. Wonders an Oregon wheat farmer: "Is the taxpayer going to stand for it? I can't think any program relying on Government help in the long run is an answer. It's phony, phony as hell." A Utah farmer looks at it the same way: "You can't buy a solution to the farm problem by spending more and more money. So why don't they stop trying, before the city people rise up in arms?" Says Indiana farm editor (Indianapolis News) Frank Salzarulo: "It's time to quit being average or quit farming. Most farmers are willing to junk the program completely."

Nationally speaking, most farmers are not that foolhardy—if only because they may continue to need help to extricate themselves from the contradictory kind of help that now holds them like a solicitous boa constrictor. But city dwellers and farmers alike should realize that every day the present program continues—to the tune of $5 billion a year—the situation is going to get worse.

[1] In 1956, in the ultimate contradiction, the administration put into effect a support price for corn grown outside the acreage limitation program, i. e., a guaranteed market of $1.25 a bushel for those who thumbed their noses at crop-restriction programs.

## THE MUTUAL SECURITY PROGRAM

Mr. SMITH of New Jersey. Mr. President, in light of the pending discussions with regard to the appropriation for the mutual security program, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks a breakdown of the relevant figures.

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

| | *Million* |
|---|---|
| The original request of the President | $3,800 |
| The Senate authorization bill | 3,600 |
| The House authorization bill | 3,100 |
| The joint House-Senate conference authorization | 3,300 |
| The recent House appropriation (new appropriations) | 2,500 |
| Cut made by the House | 809 |

Various titles of the bill:

*I—Military assistance (new appropriations)*

| | Billion |
|---|---|
| President | $1.9 |
| Senate authorization | 1.8 |
| House authorization | 1.5 |
| Conference report | 1.6 |
| House appropriation, H. R. 9302 | 1.25 |

*II—Defense support (new appropriations)*

| | Million |
|---|---|
| President | $900 |
| Senate authorization | 800 |
| House authorization | 600 |
| Conference report | 750 |
| House appropriation, H. R. 9302 | 585 |

*III—Development loan fund*

| | Million |
|---|---|
| President | $500 |
| Senate authorization | 500 |
| House authorization | 500 |
| Conference report | 500 |
| House appropriation, H. R. 9302 | 300 |

*IV—Technical cooperation—United States bilateral operations (new appropriations)*

| | Million |
|---|---|
| President | $152 |
| Senate authorization | 152 |
| House authorization | 152 |
| Conference report | 152 |
| House appropriation, H. R. 9302 | 113 |

*V—Special assistance*

| | |
|---|---|
| President | $300 |
| Senate authorization | 250 |
| House authorization | 250 |
| Conference report | 200 |
| House appropriation, H. R. 9302 | 175 |

Mr. SMITH of New Jersey. The House appropriation cuts are cause for serious concern about every category in the bill.

The military assistance slash makes the military assistance appropriations for new moneys one of the lowest since the program was stepped up in 1950. It endangers the existence of a pipeline adequate, in the opinion of military experts, to maintain a strong mutual security program in the future. It will necessitate a cutback in the new weapons program for Korea, where the Reds have an equipment advantage, and for Europe.

An especially critical title is defense support because the programs in the areas of the world where this is vitally needed and where emergencies may arise on the front lines facing the Communists—Korea, Taiwan, Vietnam, Pakistan, and Turkey—will have to be cut up to 32 percent. In addition, aid for the explosive Middle East will have to be reduced.

At a time when the underdeveloped countries are becoming deeply engaged in the cold war, the sum of the funds for economic aid in the loans fund and technical cooperation titles of the bill are less than were spent for total economic assistance last year.

The special assistance fund of the President, which is his discretionary fund to be used to meet emergencies anywhere in the world, and especially in the Middle East, has been slashed to a perilous margin of safety.

## AGRICULTURAL PROSPERITY

Mr. AIKEN. Mr. President, several times during the past year and a half I have had occasion to refer to the recommendations contained in a report of the Conference on Economic Progress. This report was issued in early 1956 and was based on conditions of the year 1955. Certain recommendations were made in the report. Among them was one to the effect that there should be a liquidation of 950,000 of the smaller farms of the country during the next 5-year period.

My friend, Leon Keyserling, assumed to be the author of this report, seems to be somewhat disturbed by frequent references to this booklet. I want to say that it is really an excellent report. I, myself, can agree with a great deal of it. It contains a wealth of valuable information. There is nothing to be disturbed about in regard to this report, and I would recommend that people get a copy of it and read it in its entirety.

I should like, however, to read 2 or 3 excerpts from the report, for the simple reason that there are those who apparently would like to have it appear that others are the ones who made the recommendation for the liquidation of approximately 1 million small farms in this country over a 5-year period.

From this report, entitled "Full Prosperity for Agriculture," I should like to read a paragraph on page 80, as follows:

GOALS FOR FARM POPULATION AND EMPLOYMENT

In 1954 the farm population, according to the generally used concept of the Department of Agriculture, was about 22 million, with apparently very little change in 1955. According to the same Department concept, the number of people working on farms, full-time and part-time, is somewhat less than 8½ million, of whom about 6½ million are members of farm operator families, and about 2 million are hired workers. However, only the resident hired workers, apparently more than 1 million in number, are with their families defined as part of the farm population. By 1960, even with the greatly increased demand for farm products, the increases in yield and in productivity would seem to make it desirable that the long-range trend toward the reduction of the farm population continue, and that the farm population in 1960 come down to about 20 million.

I turn to page 99 and read again a paragraph from the report:

MEASURES TO FACILITATE THE EXODUS FROM THE FARM POPULATION OF ABOUT 2 MILLION PEOPLE BY 1960, AND TO LIFT MOST OF THEM FROM SERIOUSLY SUBSTANDARD TO DECENT STANDARDS OF LIVING

Between now and 1960, about three-quarters of a million farm-family workers and hired farm workers, comprising about 2 million people when their families are included, need to shift from full-time or part-time farmwork to full-time employment outside of agriculture. This is required because farm productivity and yield are increasing so rapidly that even a rapidly expanding demand for farm products cannot keep employed all of the current farm-labor force and provide good income for them. The proper way to make this adjustment in resource use is not to force more and more of the farm population downward to lower levels of income, but rather to provide opportunity for most of those who are already at these low levels to move into useful and rewarding work outside of agriculture.

In this paragraph, Mr. President, it will be noted that there is virtually a recommendation of the rural development program which is being promoted by President Eisenhower.

Mr. President, I ask unanimous consent that I may be permitted to use 2 additional minutes' time.

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

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed at this point in my remarks the table appearing on page 108 of the report which shows how the reduction in the farm population would be achieved.

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

*Trends and goals for farm structure*

| | 1950 (actual) | 1955 (estimated) | 1960 (on basis of needed changes) |
|---|---|---|---|
| *Commercial farms:* | | | |
| Substandard farms as to size, efficiency, and earnings:[1] | | | |
| Number—thousands | 1,640 | *1,300* | *350* |
| Percent of total farm sales | 9 | 8 | 3 |
| Small and middle-size family farms, able to produce and earn satisfactorily in favorable environments:[2] | | | |
| Number—thousands | 1,667 | 1,600 | 2,000 |
| Percent of total farm sales | 39 | 36 | 37 |
| Moderately large family farms and those somewhat above family size:[3] | | | |
| Number—thousands | 389 | 400 | 450 |
| Percent of total farm sales | 26 | 28 | 33 |
| Large to giant farms, including corporate type:[4] | | | |
| Number—thousands | 97 | 100 | 100 |
| Percent of total farm sales | 24 | 26 | 25 |
| *Noncommercial farms* (all part-time and residential included): | | | |
| Number—thousands | 1,587 | 1,600 | 1,700 |
| Percent of total farms sales | 2 | 2 | 2 |
| *Total of all farms:* Number—thousands | 5,380 | 5,000 | 4,600 |

[1] Corresponds to census classes V and VI—farm product sales of less than $2,500 per year.
[2] Corresponds to census classes III and IV—farm product sales of $2,500 to $10,000 per year.
[3] Corresponds to census class II—farm product sales $10,000 to $25,000 per year. A precise breakdown of this group between family farms and above-family farms is not possible; however, most—perhaps ¾ of these units—are actually family farms.
[4] Corresponds to census class I—farm product sales of $25,000 and over per year.

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD with my remarks a list of the promoters of the Conference on Economic Progress, wihch contains many well-known names in the field of labor, agriculture, and industry. I, myself, know half of these people. I know they

have been very much interested in this work, and have done a great deal of good in the field of labor and agriculture over the years. I am in accord with many of their beliefs although I cannot agree with their recommendation that we should actively seek a reduction in our farm population. It would be best for our country to keep as many people as possible on the land even though it may be necessary for them to seek off-farm employment.

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

CONFERENCE ON ECONOMIC PROGRESS

The Conference on Economic Progress is a nonprofit, nonpolitical organization engaged solely in economic research, education, and publication of studies related to full employment and full production in the United States.

The national committee of the conference includes the following:

Thurman Arnold, attorney; former Assistant Attorney General of the United States, judge, United States court of appeals.

William H. Davis, attorney; former Director, Office, Economic Stabilization.

Abraham Feinberg, chairman, Julius Kayser Co.

Richard H. Frost, president, National Pneumatic Co.; A. J. Hayes, president, International Association Machinists, vice president, and member of executive council of American Federation of Labor.

Fred V. Heinkel, president, Missouri Farmers Association, Inc.

J. M. Kaplan, president, Welch Grape Juice Co.

Leon H. Keyserling, economist and attorney; former chairman of President's Council of Economic Advisers.

O. A. Knight, president, Oil, Chemical, and Atomic Workers.

Murray D. Lincoln, president, Nationwide Mutual Insurance Cos.

Armand May, president, American Associated Cos., American Factors Co.

James G. Patton, president, National Farmers Union.

Miles Pennybacker, president, Voltarc Tubes, Inc.

Walter P. Reuther, president, Congress of Industrial Organizations, United Automobile Workers.

Marvin Rosenberg, chairman, Cameo Curtains, Inc.

M. W. Thatcher, president, National Federation Grain Cooperatives.

Mr. AIKEN. Mr. President, I invite attention to the fact that this same organization has this year issued a new report, entitled "The Gaps in Our Prosperity," in which they stand solidly behind the recommendation for the reduction in farm population, which was made in the spring of 1956.

I invite attention to the fact that this year the makeup of the conference is the same as it was in the spring of 1956, except that the name of Glenn J. Talbott, president, North Dakota Farmers Union, has been substituted for the name of Richard H. Frost, president, National Pneumatic Co.

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## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1568. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada;

S. 1866. An act to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act;

S. 2229. An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes; and

S. 2431. An act granting the consent of Congress to the Klamath River Basin Compact between the States of California and Oregon, and for related purposes.

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

S. 268. An act to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land;

S. 1574. An act to provide for the disposal of certain Federal property in the Coulee Dam and Grand Coulee areas, to provide assistance in the establishment of a municipality incorporated under the laws of Washington, and for other purposes; and

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for nonservice-connected disability or death in certain cases.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8992) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. MAHON, Mr. THOMAS, Mr. ROONEY, Mr. TABER, Mr. WIGGLESWORTH, and Mr. CLEVENGER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior;

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 2824. An act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes;

H. R. 3018. An act to amend title 14, United States Code, entitled "Coast Guard," to authorize expenditures for recreation and welfare of Coast Guard personnel and the schooling of their dependent children;

H. R. 3210. An act to amend section 510 (a) (1) of the Merchant Marine Act, 1936, as amended, to accelerate the trade-in of old vessels with replacement by modern vessels;

H. R. 3770. An act to rename the Strawn Dam and Reservoir project in the State of Kansas as the John Redmond Dam and Reservoir;

H. R. 4183. An act to amend an act entitled "An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes" (54 Stat. 14), approved June 17, 1940; to validate bonds which have heretofore been issued by any municipal corporation, any public-utility district or any school district in the Territory of Alaska; and for other purposes;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4640. An act to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 5149. An act to provide that whenever public lands have been heretofore granted to a State for the purpose of erecting certain public buildings at the capital of such State, such purpose shall be deemed to include construction, reconstruction, repair, renovation, and other permanent improvements of such public buildings, and for other purposes;

H. R. 5384. An act to amend the Interstate Commerce Act to provide for the preservation of competitive through routes for rail carriers;

H. R. 5809. An act to authorize construction of a U. S. S. *Arizona* Memorial at Pearl Harbor;

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

H. R. 6322. An act to provide that the dates for submission of plan for future control of

property and transfer of the property of the Menominee Tribe shall be delayed;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 6660. An act to provide that the lock and dam referred to as the Tuscaloosa lock and dam on the Black Warrior River, Ala., shall hereafter be known and designated as the William Bacon Oliver lock and dam;

H. R. 6765. An act to provide for reports on the acreage planted to cotton, to repeal the prohibitions against cotton acreage reports based on farmers' planting intentions, and for other purposes;

H. R. 6785. An act to amend section 26, title I, chapter I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (48 U. S. C. 381);

H. R. 6940. An act to authorize the Secretary of the Interior to reimburse owners of lands acquired for developments under his jurisdiction for their moving expenses, and for other purposes;

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

H. R. 7052. An act to amend section 216 (b) of the Merchant Marine Act, 1936, as amended, to provide for appointments of cadets from the District of Columbia, Guam, American Samoa, Virgin Islands, and the Canal Zone;

H. R. 7251. An act to amend the definition of the term "State" in the Veterans' Readjustment Assistance Act and the War Orphans' Educational Assistance Act to clarify the question of whether the benefits of those acts may be afforded to persons pursuing a program of education or training in the Panama Canal Zone;

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.;

H. R. 7636. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States;

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers;

H. R. 8121. An act to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes;

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8392. An act to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research;

H. R. 8429. An act to amend the Vocational Rehabilitation Act;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C. 486, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works;

H. R. 8673. An act to amend section 69 of the Hawaiian Organic Act;

H. R. 8679. An act to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress;

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes;

H. J. Res. 313. Joint resolution designating the week of November 22–28, 1957, at National Farm-City Week; and

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission.

## ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolutions; and they were signed by the President pro tempore:

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

## HOUSE BILLS AND JOINT RESOLUTIONS REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 5809. An act to authorize construction of a United States Ship *Arizona* Memorial at Pearl Harbor;

H. R. 6382. An act to subject naval ship construction to the act of June 30, 1936 (49 Stat. 2036), as amended;

H. R. 8121. An act to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes; and

H. R. 8392. An act to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research; to the Committee on Armed Services.

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri; and

H. R. 6765. An act to provide for reports on the acreage planted to cotton, to repeal the prohibitions against cotton acreage reports based on farmers' planting intentions, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior;

H. R. 2824. An act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes;

H. R. 4183. An act to amend an act entitled "An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes" (54 Stat. 14), approved June 17, 1940; to validate bonds which have heretofore been issued by any municipal corporation, any public-utility district or any school district in the Territory of Alaska; and for other purposes;

H. R. 5149. An act to provide that whenever public lands have been heretofore granted to a State for the purpose of erecting certain public buildings at the capital of such State, such purpose shall be deemed to include construction, reconstruction, repair, renovation, and other permanent improvements of such public buildings, and for other purposes;

H. R. 6322. An act to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed;

H. R. 6785. An act to amend section 26, title I, chapter I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (48 U. S. C. 381);

H. R. 6940. An act to authorize the Secretary of the Interior to reimburse owners of lands acquired for developments under his jurisdiction for their moving expenses, and for other purposes;

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C. 486, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works; and

H. R. 8673. An act to amend section 69 of the Hawaiian Organic Act; to the Committee on Interior and Insular Affairs.

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.;

H. R. 7636. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States;

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes; and

H. J. Res. 313. Joint resolution designating the week of November 22–28, 1957, as National Farm-City Week; to the Committee on the Judiciary.

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 3770. An act to rename the Strawn Dam and Reservoir project in the State of Kansas as the John Redmond Dam and Reservoir;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 6660. An act to provide that the lock and dam referred to as the Tuscaloosa lock and dam on the Black Warrior River, Ala., shall hereafter be known and designated as the William Bacon Oliver lock and dam; and

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

H. R. 3018. An act to amend title 14, United States Code, entitled "Coast Guard," to authorize expenditures for recreation and welfare of Coast Guard personnel and the schooling of their dependent children;

H. R. 3210. An act to amend section 510 (a) (1) of the Merchant Marine Act, 1936, as amended, to accelerate the trade-in of old vessels with replacement by modern vessels;

H. R. 5384. An act to amend the Interstate Commerce Act to provide for the preservation of competitive through routes for rail carriers; and

H. R. 7052. An act to amend section 216 (b) of the Merchant Marine Act, 1936, as amended, to provide for appointments of cadets from the District of Columbia, Guam, American Samoa, Virgin Islands, and the Canal Zone; to the Committee on Interstate and Foreign Commerce.

H. R. 4640. An act to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts; to the Committee on Post Office and Civil Service.

H. R. 7251. An act to amend the definition of the term "State" in the Veterans' Readjustment Assistance Act and the War Orphans' Educational Assistance Act to clarify the question of whether the benefits of those acts may be afforded to persons pursuing a program of education or training in the Panama Canal Zone; and

H. R. 8679. An act to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress; to the Committee on Labor and Public Welfare.

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers; placed on the calendar.

## GOVERNMENT GUARANTY OF PRIVATE LOANS TO CERTAIN AIR CARRIERS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes, which was, to strike out all after the enacting clause and insert:

That it is hereby declared to be the policy of Congress, in the interests of the commerce of the United States, the postal service, and the national defense to promote the development of local, feeder, and short-haul air transportation. In furtherance of this policy it is deemed necessary and desirable that provision be made to assist certain air carriers engaged in such air transportation by providing governmental guaranties of loans to enable them to purchase aircraft suitable for such transportation on reasonable terms.

SEC. 2. As used in this act—

(a) "Board" means the Civil Aeronautics Board.

(b) "Aircraft purchase loan" means any loan, or commitment in connection therewith, made for the purchase of a commercial transport aircraft, including spare parts normally associated therewith.

SEC. 3. The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the Territory of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or between Alaska and the United States) within the Territory of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this act.

SEC. 4. No guaranty shall be made:

(a) Extending to more than the unpaid interest and 90 percent of the unpaid principal of any loan.

(b) On any loan or combination of loans for more than 90 percent of the purchase price of the aircraft, including spare parts, to be purchased therewith.

(c) On any loan whose terms permit full repayment more than 10 years after the date thereof.

(d) Wherein the total face amount of such loan, and of any other loans to the same carrier, or corporate predecessor carrier or carriers, guaranteed and outstanding under the terms of this act exceed $5 million.

(e) Unless the Board finds that, without such guaranty, in the amount thereof, the air carrier would be unable to obtain necessary funds for the purchase of needed aircraft on reasonable terms.

SEC. 5. The Board shall prescribe, either specifically or by limits, rates of interest, guaranty fees and such other reasonable fees or charges as it may require in connection with guaranty of aircraft purchase loans.

SEC. 6. (a) To permit it to make use of such expert advice and services as it may require in carrying out the provisions of this act, the Board may use available services and facilities of other agencies and instrumentalities of the Federal Government with their consent and on a reimbursable basis.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this act.

SEC. 7. (a) Receipts from fees and charges under this act shall be credited to miscellaneous receipts of the Treasury.

(b) Payments to lenders required as a consequence of any guaranty under this act may be made from funds which are hereby authorized to be appropriated to the Board for that purpose.

(c) Administrative expenses under this act shall be paid from appropriations to the Board for administrative expenses.

SEC. 8. This act shall become effective upon enactment, and the authority contained in section 3 hereof shall expire 5 years thereafter.

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendment of the House and request a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MORTON in the chair) appointed Mr. MONRONEY, Mr. SMATHERS, Mr. BIBLE, Mr. SCHOEPPEL, and Mr. PAYNE conferees on the part of the Senate.

## INSPECTION AND CERTIFICATION OF CERTAIN VESSELS CARRYING PASSENGERS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1866) to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act, which was to strike out all after the enacting clause and insert:

That section 8 of the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, is amended by striking out "January 1, 1957" and inserting in lieu thereof "June 1, 1958."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

## TARIFF ON LEAD AND ZINC—PROPOSAL TO PLACE MICA ON FREE LIST

Mr. DOUGLAS. Mr. President, this morning the Senate Finance Committee adopted a sliding scale tariff increase on lead and zinc, contained in a bill sponsored by the eminent senior Senator from Utah [Mr. WATKINS].

The Senate Finance Committee attached it to a previously passed House bill placing mica on the free list. The bill in its present form is being printed and sent to the floor, including a majority report and a statement of minority views. It should be understood that the bill which the Senate committee endorsed this morning is a substitute for the flat 3-cents-a-pound tariff which the committee tentatively adopted last Friday, and which it is now withdrawing.

While 11 members of the committee voted in favor of the action of the committee, the Senator from Tennessee [Mr. GORE] and I opposed it, and cast our votes in opposition. We have prepared a statement of minority views, opposing the proposed increase in the tariff on lead and zinc and have filed them with the committee.

Inasmuch as this issue will very shortly be before the Senate for action, I ask unanimous consent that the minority views be printed in the body of the RECORD at this point, so as to be available for study by Members of the Senate and the general public.

The PRESIDING OFFICER. Is there objection?

Mr. CASE of South Dakota. Mr. President, reserving the right to object, I should like to address a question to the able Senator from Illinois.

Do the minority views which the Senator from Illinois proposes to file deal with the provisions in the bill which would place mica on the free list?

Mr. DOUGLAS. No. They deal with the proposal for an increase in the tariff on lead and zinc.

Mr. CASE of South Dakota. Does it not strike the Senator from Illinois as a little strange that in one bill it is pro-

posed to take from mica, a strategic material, the protection it now enjoys, and, in the same measure, add a provision for an increased tariff on lead and zinc, which are not in the category of mica, so far as strategic requirements are concerned?

Mr. DOUGLAS. Let me say to my good friend from South Dakota that the Senator from Illinois did not propose to attach the increase in the tariff on lead and zinc to the mica bill. What happened was that the placing of mica on the free list was used as a locomotive, so to speak, behind which was hitched the increase in the tariff on lead and zinc.

Normally, these tariff measures originate in the House. The House has not yet passed on the lead and zinc tariff. I had assumed that in the normal course of events we would allow the House to have priority, since such bills should originate in the House. But inasmuch as the committee was approving the removal of any tariff on mica, which provision had previously passed the House, it occurred to certain members of the Finance Committee to attach the increase in the tariff on lead and zinc to the mica bill.

I esteem my colleagues on the Finance Committee very highly and I do not wish to criticize them. But I can only say that the Senator from Tennessee and the Senator from Illinois did not do it.

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

Mr. CASE of South Dakota. Mr. President, reserving the right to object, do I correctly understand that the minority views are being filed by members of the Committee on Finance?

Mr. DOUGLAS. They have been filed by the Senator from Tennessee and the Senator from Illinois and I am now asking that they be printed in the body of the RECORD.

Mr. CASE of South Dakota. I regret that I cannot join in the filing of the minority views, in view of the fact that I am not a member of the Finance Committee. However, I should like the opportunity to state my views in respect to putting mica on the free list. It is a strategic material, and should not be put on the free list under present conditions.

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

Mr. CASE of South Dakota. I have no objection, but I wish there was some way I could join in the filing of minority views.

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

Mr. JAVITS. Mr. President, reserving the right to object, I should like to state to the Senator from Illinois that, as is quite typical of him, he has flagged something which is in the interest of the country, which is most desirable. He has called attention to the effort to bypass the Reciprocal Trade Agreements Act. The issue will probably rise today. I think we are all indebted to the Senator from Illinois and the Senator from Tennessee for erecting this red-flag warning for us. I, for one, hope to participate in the debate to that end.

Mr. DOUGLAS. I should like to say, in reply, that I too had feared that the bill would be called up today because of the announcement yesterday by the acting majority leader, the Senator from Montana [Mr. MANSFIELD] that it was scheduled to be considered today. However, a few minutes ago I had the privilege of talking with the Senator from Montana, and he assured me that, in view of the fact the bill had not yet been formally printed and reported and the committee report had not yet been filed, he would not call up the bill today. I ask the Senator whether I am correct in my statement.

Mr. MANSFIELD. The Senator is correct. It is my understanding that, unfortunately, the Committee on Finance this morning rescinded its action on the 3-cent excise tax imposed on imports of lead and zinc, and has reported, I understand, the administration proposal, which certainly is going to be of little or no benefit to the lead and zinc industry.

Mr. BYRD. I should like to correct the Senator's statement. The Committee on Finance never approved the 3-cent tax, and had agreed to approve it only if it was approved by the administration.

Mr. MANSFIELD. The Senator is correct.

Mr. BYRD. The action of the Committee on Finance was that it reported the administration bill. Then the suggestion was made that the other bill be substituted, which the Committee on Finance agreed to do provided the administration would agree to it. The administration did not agree to it.

Mr. MANSFIELD. Yes. I should like to say that waving the red danger signal or red flag in behalf of the reciprocal trade program means that 30,000 lead and zinc miners will be out of jobs. In the State of Montana there is only one zinc mine operating at the present time. I wonder what the answer will be so far as the lead and zinc industry is concerned. When the mines are shut down they fill up with water, and the timbers crack, and the breasts cave in. I should hope that once in awhile we would do something to aid our own people and economy.

Mr. CASE of South Dakota. What about the mica miners?

The PRESIDING OFFICER. The Chair understands that the Senator from Illinois is requesting authority to file minority views on a bill which has not yet been reported.

Mr. BYRD. A bill affecting lead and zinc, as recommended by the administration, has been reported. The report on it has not yet been filed. If it is desired that minority views be filed, I, as chairman of the committee, request that permission be granted for the filing of such minority views by the members of the committee who desire to file them. However, the report of the committee has not yet been submitted.

The PRESIDING OFFICER. The chairman of the committee does not object to the filing of minority views.

Mr. BYRD. No; on the contrary, I ask permission that such views be filed.

Mr. DOUGLAS. Mr. President, we have already filed the minority views with the Commitee on Finance. It is for the chairman or his agent to file the bill and the majority and minority reports. What I am asking for is unanimous consent that the minority views be printed in the body of the RECORD. That is all I am asking for.

The PRESIDING OFFICER. Is there objection?

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

MINORITY VIEWS OF SENATORS DOUGLAS AND GORE ON PROPOSED INCREASE IN TARIFF ON LEAD AND ZINC

The action of the Finance Committee in recommending a sliding-scale increase in the tariff on lead and zinc is in our judgment a serious blow to our economy and an attempt to undermine our reciprocal trade program which will worsen the trade relations of the United States and the Free World.

I

In the first place, it will increase wholesale prices of important basic metals and indirectly but surely exert further inflationary pressures on the cost of living.

Under the sliding-scale proposal, the tariff on land bullion, pigs, bars, et cetera, which in 1956 made up over 50 percent of our lead imports, would be 1 cent per pound when the domestic price is between 16 cents and 17 cents, 2 cents per pound when the price is between 15 cents and 16 cents, and 3 cents per pound when the price is less than 15 cents.

The tariff on lead-bearing ores, flue dust, and mattes of all kinds, which in 1956 made up 44 percent of our remaining lead imports, would be ½ cent per pound when the domestic price is between 16 cents and 17 cents, 1¼ cents per pound when the price is between 15 cents and 16 cents, and 2 cents per pound when the price is less than 15 cents.

As the present price of lead is 14 cents (New York) this means an immediate increase to the full 3 cents for lead bullion, pigs and bars, and to the full 2 cents for lead-bearing ores, flue dust, and mattes of all kinds.

Under the sliding-scale proposal the tariff on zinc in blocks, pigs or slabs (East St. Louis) would be ½ cent per pound when the price is between 14½ and 13½ cents, 1¼ cents per pound when the price is between 13½ and 12½ cents per pound, and 2 cents per pound when the price is less than 12½ cents. Zinc in blocks, pigs, or slabs made up 26 percent of our total zinc imports in 1956.

The tariff on zinc-bearing ores of all kinds, which in 1956 made up 74 percent of our zinc imports, would be two-fifths cent per pound when the price is between 13½ cents and 14½ cents, 1$\frac{1}{10}$ cents per pound when the price is between 12½ cents and 13½ cents per pound, and 1⅘ cents per pound when the price is less than 12½ cents.

As the present price of zinc (East St. Louis) is 10 cents, this also means an immediate increase to the full 2 cents tariff for zinc in blocks, pigs, or slabs, and to the full 1⅘ cents per pound for zinc-bearing ores.

All this compares with the present tariff of 1$\frac{1}{16}$ cents per pound on lead bullion and three-fourths cent per pound on lead-bearing ores; and seven-tenths cent per pound on zinc blocks, pigs, or slabs, and six-tenths cent per pound on zinc in zinc-bearing ores. The increase is therefore very large and means that, if this is put into effect, we will have adopted the principles of the protective tariff.

This will increase the price of such products as plumbing equipment, paint, car batteries, gasoline, zinc galvanizing in steel

products, lead for printing, zinc die castings for automobiles, etc. It will therefore hurt both the producers and the consumers of these articles.

As the housing industry is now in difficulty, in part because of higher costs, the increased cost of paint and plumbing products can only increase its troubles. We can also expect a further rise in the cost of automobiles, newspapers, magazines, and steel products.

It is ironic that these increases will occur in the prices of those products which have already experienced such a serious price inflation from a variety of other causes.

The specific costs to the consumer are difficult to estimate but in 1956, alone, some $380 million of lead and $290 million of zinc were consumed in the United States in their refined forms.

II

Secondly, higher United States tariffs on lead and zinc will directly operate to decrease our exports to the four countries from which we import most of our lead and zinc, namely, Canada, Mexico, Peru, and Australia. Since the amount of goods which these four countries can sell to us will be appreciably reduced, this will automatically reduce the amounts which they can buy from us. International trade is ultimately a process of balance in barter in which the goods and services of a given country such as ours are exchanged for the goods and services of other countries. These countries cannot buy from us unless they can sell to us and when we cut our purchases from them, they will have to cut theirs from us.

In 1956 the major countries which sell lead and zinc to us purchased over $5 billion of manufactured and agricultural products from us. They sold only $191 million in lead and zinc to us. If their lead and zinc exports to us decline, as they will if this bill is enacted, we can be certain that our exports of machinery, farm implements, engines, automobiles, refrigerators, electrical goods, and equipment, steel and steel products, and thousands of other commodities produced in America and exported abroad will be curtailed because of the decrease in purchasing power of these customers due to their diminished sales to us.

Thus our exports to Canada of around $3.9 billion annually will be curtailed. This will especially hurt the manufacturers of machinery and equipment, farm implements, engines, automobile parts, electrical goods, and thousands of other articles which we produce and export to Canada. A somewhat similar group of exports to Australia will also suffer, as will tobacco and cotton goods. In a similar fashion our exports to Peru of autos, trucks, tractors, drugs, cotton and textile products, gasoline, and other articles will decrease. The sale of most of these articles to Mexico will also be reduced. In addition food, farm, and chemical exports to Mexico will suffer as will all types of machinery and equipment.

III

Apart from the decrease in exports to Canada, Mexico, Australia, and Peru which this bill would bring about because of the decreased purchasing power of those countries, there are even more serious effects which this bill would almost inevitably set into motion.

First, this bill will invite and likely provoke economic reprisals of various kinds. We can expect these countries to retaliate and raise their tariffs on American products. We can expect quotas on imports of American farm products to be imposed. We can expect them to buy from other countries the products or alternative products which they now buy from us. Further we can probably expect an increase in the trade of Mexico and Peru with Iron Curtain countries.

It is ironic, indeed, that some who vigorously oppose trade with Communist countries and who, from time to time, denounce our friends and allies for such trade now support a bill whose ultimate effect may well be to drive some of our friends and allies to trade in self-defense with Communist China or with the satellite states.

There are other important political factors which we should consider. For example, the key issue in the recent Canadian elections was that of the proper relationship between that Commonwealth and the United States. The victorious Progressive-Conservatives attacked the previous Liberal government as being too favorable to us. They promised greater independence, and since that election they have promised closer trade connections with Great Britain and a loosening of Canada's economic ties with the United States. Such action on our part will intensify the latent resentment which rightly or wrongly is cherished by many sections of Canadian public opinion. It will greatly increase the possibility that Canada will practice direct or indirect economic reprisals against us.

We should never forget that the last increase in the protective tariff, namely, the Smoot-Hawley Act of 1930, directly stimulated reprisals all over the world. This further shrank the volume of world trade and amongst other consequences stimulated the Empire preference agreements within the British Empire. It distinctly increased economic nationalism and intensified the world depression.

If the present proposal is enacted, it will invite and in all probability have similar bad effects.

IV

Our opposition to the proposed drastic increase in the tariff on lead and zinc does not mean that we are either unaware of or lack concern for the difficulties of our domestic lead and zinc industries. We respectfully suggest and insist, however, that to the extent that tariff adjustments can be justified in relationship to the national interest, authority to provide such relief is now clearly vested in the President of the United States under existing law. It was just for such purpose that the escape-clause provisions were included in the Reciprocal Trade Agreements Act.

Indeed, application for the same kind of relief which is now sought by legislation and now recommended by the administration was denied by President Eisenhower in 1954.

Moreover, we do not believe that the country should be thrown into a panic by alleged developments in the lead and zinc mining industry. The preliminary figures of the Bureau of Labor Statistics for June show 17,900 workers employed in the lead and zinc mines. This is only 300 less than the number employed in April and it is actually 100 more than the average number employed in 1953 and 1,500 more than the number in 1954.

V

Two arguments in support of the bill have, in our opinion, only dubious value.

First, there is a very real question that this bill would actually aid our domestic lead and zinc industries. As the State Department said in 1953 on a similar bill, "The foreign producers do not, in the main, have a competitive advantage because of low-labor standards." Thus, the problems of these industries arise more from slowness in improving productivity, low-grade mines, and the mining of marginal deposits than from the foreign imports. A tariff which effectively hinders imports will more likely mean that domestic users of lead and zinc will shift to alternative products rather than pay higher prices. This is particularly true of zinc where a price rise makes aluminum competitive with it.

Second, the argument that imports of lead and zinc might imperil our national security cannot be supported. Canada and Mexico are contiguous to the United States, and their ores would be available in times of emergency just as would our domestic production. In fact, to the extent that this bill promotes sales to Iron Curtain countries or means the disestablishment of Canadian and Mexican mines, it imperils our own security, for the United States is by no means self-sufficient with respect to lead and zinc.

VI

This proposal is a major reversal from the reciprocal trade policy. It is well known that the tariff issue has in the past given rise to some of the worst abuses in our legislative history. The practice of "log-rolling," where support for a tariff increase on one product was exchanged for support of a tariff increase on a product from another section of the country, reached its peak on tariff bills.

By the establishment of the Tariff Commission and the reciprocal trade program, Congress put our trade and tariff policy upon a sounder footing. Under the program of Cordell Hull we moved toward greater world trade to the advantage of our own as well as of other countries. Then to protect American industry from temporary and localized losses, we set up the procedures of the so-called peril point and escape clause. This transferred to the President and to the Tariff Commission the vexatious task of dealing with the claims to protection of a wide variety of industries. The Office of Defense Mobilization has been charged with the investigation of the essentiality of given products for defense.

We are properly proud of representative government. But one of its weakest features has been the great difficulty of protecting the broad general interest, which is diffused, from the powerful pressures of specific producing and local groups. We had seemed to have reached a fairly harmonious way of dealing with these problems. It appears easier for the President, representing all the people, all other things being equal, to take a more national view about the general welfare than the average of the individual Members of Congress, exposed, as they are, to the concentrated pressures of specific business, mining, and industrial groups localized in their individual constituencies. And yet by means of the general power of Congress, the executive agencies were not insulated from public opinion.

The present proposal scraps all this and returns to the legislative determination of tariff schedules. We predict that it will open up the flood gates and that a host of other increases will be proposed. For if the tariffs on lead and zinc are skyrocketed, then we can expect that the producers of textiles, copper, and a myriad of other products, metallic, manufactured, and agricultural, will demand and quite possibly obtain similar favors. We will indeed have opened Pandora's box. Many such bills are already pending before Congressional committees.

In the process, the reciprocal trade program will go down the drain. The painful efforts to bind the Free World closer together economically will be defeated and the world will tend to relapse into economic nationalism.

This may be what some of the proponents of the tariff increase desire. But we do not believe that the people of this country want it. And we are convinced that it would be against the long-run best interests of the United States.

VII

One of the most disappointing features concerning this bill is the shift in the administration and State Department attitudes toward it. This is not to say that the Congress, including too many Members of both parties, is without blame for too often we have been content to allow specific pres-

sures to override the national good, as there is a tendency to do in this instance.

In such circumstances, a strong stand by the President and his administrative agencies in support of the national and international interests involved is the most effective method by which the specific pressures of particular commodity groups, which operate so effectively on the Congress, may be offset.

Instead of engendering and promoting such broad national interests, this administration has time and again refused to act or has acted on behalf of the narrow interests.

We have heard fine phrases from the President in support of international trade only to see him pack the Tariff Commission with protectionists.

We have watched while the State Department has shifted its position from one of opposition to the lead and zinc bill in 1953 to a position of support for a similar bill in 1957.

In such circumstances our national and international interests, which command the support of a majority of the American people are imperiled, for the interests of the majority are diffused while that of the minority is concentrated and effective. We strongly urge that this amendment and, if necessary, the whole bill be defeated.

Mr. MANSFIELD subsequently said: Mr. President, I listened with great interest to the remarks by the junior Senator from New York [Mr. JAVITS], and the Senator from Illinois [Mr. DOUGLAS], relative to the lead and zinc situation. It happens that I have been an advocate of reciprocal trade during my 15 years service in the Congress of the United States, but I am not such an advocate of it that I am willing to sacrifice industries which furnish the lifeblood of Montana. Only one zinc mine is now operating in that State. With zinc selling at 10 cents a pound, that zinc mine is not going to operate much longer. In my State 2,000 miners are out of work, and when the rustling line forms this fall, they will not be needed. Copper is selling at 28½ cents. The cost of producing copper in Butte is 31 cents a pound.

I wonder what the administration is going to do about the mining industry of this country. I wonder if, in the name of the reciprocal-trade program, the administration is going to see our mines closed down and our people put out of work. There may be high prosperity in the East and Midwest, but I want to say to the Members of the Senate there are some weak spots in the State of Montana.

I hope the administration will pay more attention to the States where the raw production takes place, the producing States, instead of favoring the type of proposed legislation which the Finance Committee is expected to report shortly. I wish the administration would do something to give real security to the miners, the smeltermen, and the lumbermen of my State, because I think they are the forgotten men. I sincerely hope Mr. Eisenhower and the others who talk about the prosperity of this country will do something about the areas where there is a great need and where there is at the present time a recession.

Mr. DOUGLAS. Mr. President, do I still have the floor?

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

## WAR ASSETS

Mr. SYMINGTON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "Time for Germany To Pay," published in the St. Louis Post-Dispatch of August 11, 1957.

It is particularly gratifying for the editorial to pay tribute to the work of the distinguished junior Senator from Florida [Mr. SMATHERS], whose stature grows daily, not only in his own State, but throughout the country.

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

TIME FOR GERMANY TO PAY

Complaining of the activities of a pro-German lobby in Washington, Florida's Senator SMATHERS has introduced a bill which would block the proposal of Secretary Dulles to return war-seized assets to West Germans. At the same time eight other Western governments again demanded that the Bonn regime make good on its pledge to compensate those of their citizens persecuted by the Nazis or used as slave laborers.

Bonn made this promise in 1955 when it was granted sovereignty, but a compensation bill was rejected 6 months ago as unsatisfactory. And now Bonn insists it has no legal obligation, but only a moral one. So it proposes to set up a charitable fund for those victims of the Nazis who may be in need. The West European governments regard this as an insult, especially since Bonn has been solicitous about the compensation of German citizens, needy or not. Certainly the Bonn proposal is far different from the idea of returning money to which the United States is entitled in lieu of reparations and for the compensation of Americans.

The German attitude may reflect the pressures of the current campaign. Just now politicians may prefer to talk about what Germany is getting rather than of what it must pay. But this does not go well with Germany's miraculous prosperity. Her balance of payments now is so favorable that even Germans realize that for commercial reasons they must bring their economy more into line with that of the rest of Western Europe.

When Adlai Stevenson was in Germany recently he advised Chancellor Adenauer and the Ruhr industrialists to set up out of their ample profits an industrial development fund of perhaps a billion dollars for the benefit of less advanced nations. This would be wise, he said, because it would maintain markets for German production. It also would be a way of repaying the generous aid received from the United States for the rebuilding of postwar Germany, and it would lighten the burden of American taxpayers.

The substance of the situation is that Germany—with Marshall plan aid and without the burden of a defense establishment—has outstripped such victor nations as Britain and France. She has shown democratic friendship toward these neighbors. So there is no desire to stir the old wounds of war. Yet those who suffered at the hands of Nazi Germany hardly can forget claims not yet made good. And the sooner Germany makes them good, the better. They should not cloud the integration of Europe and the solidarity of the West.

## FOREIGN AID

Mr. SYMINGTON. Mr. President, shortly the Senate will be asked to vote on foreign aid.

In this connection, I ask unanimous consent that an editorial in the St. Louis Post-Dispatch of last Sunday, entitled "Gum-Up on Foreign Aid," be printed at this point in the RECORD.

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

GUM-UP ON FOREIGN AID

There are no two ways about it—the mutual-security program is in a serious plight in Washington. How the White House can think that it is not largely responsible for the situation is hard to see.

Basically the muddle, which now shows Members of the House of Representatives cutting more the $842 million from the overseas mutual-security program, is of the Eisenhower administration's own making. It is the old story of too little and too late. It is more of the fire department conception of the duties of the Presidency—namely, that Mr. Eisenhower may sit by until the fire breaks out and then, after the flames are raging, rush the water pump in the hope of last-minute salvage.

The President has had one opportunity after another to strengthen the case for mutual security in the eyes of the country and Congress. He has not only passed many of them by, but has reduced the status of the program, thus suggesting that he considered it of declining importance.

Consider the stature of the post of Foreign Aid Director in the days when Paul G. Hoffman or Averell Harriman held it in the Truman administration. The post had Cabinet rank and both the country and Congress knew that the White House believed it to be important.

Under President Eisenhower, the operation has ben reorganized repeatedly and much downgraded in the process. When Harold E. Stassen was director he came off second best time and again in bouts with the Treasury and Budget Bureau heads. Eventually even Mr. Stassen was taken off the job and little has been heard of the directorship since.

A new director, James H. Smith, Jr., of Colorado, has been designated but so recently that the Senate has not yet had a chance to act on the nomination. His predecessor, John B. Hollister, of Ohio, was off in California on a vacation when Senate and House conferees were attempting to decide how much should be authorized in aid funds.

Democratic Congressional leaders meantime complained that they could not get the cooperation of the White House on mutual security matters. On being told this, the President said at a press conference that he had a staff for that purpose and that "if anybody wanted to cooperate with us," he could get the Chief Executive himself through the White House liaison officers.

And so despite 3 last-minute Presidential appeals and a sudden unscheduled press conference for a few correspondents—which reduced coverage of the emergency—the program stands severely cut. The President himself is authority for the statement that the reductions will "seriously delay modernization of the Free World's defense forces in the face of progressively improved Communist forces."

But what if Congress were to approve every penny of mutual security that the White House asks? What guaranty is there that the President would not the next day order across-the-board cutbacks for mutual security, as he recently did after Congress heeded his appeal to pass defense funds?

The simple fact is that the mutual security program, although too heavily weighted on the side of the military, is for the security of the Free World. It is not all outgoing. Much of it takes the place of defense forces the United States otherwise would have no choice but to maintain overseas.

The program is vitally important and we hope Congress will see it that way and the Senate will restore the funds. Certainly it is up to the Eisenhower administration, now well through its fifth annual session of Congress, to improve its relations with the legislative branch in the interests of national security on an international basis.

Mr. SYMINGTON. Mr. President, may I respectfully call to the attention of the Senate one sentence in this editorial:

What guaranty is there that the President would not the next day order across-the-board cutbacks for mutual security, as he recently did after Congress heeded his appeal to pass defense funds?

Let me ask my colleagues, what guaranty is there?

Mr. President——

The PRESIDING OFFICER. The Senator from Missouri.

## OUR DEFENSE PROBLEM

Mr. SYMINGTON. Mr. President, recently there appeared in an outstanding industrial publication, the Iron Age, an editorial signed by its editor in chief, Tom Campbell, entitled "Our Defense Problem; Is It Survival or Fiscal?"

I ask unanimous consent that the editorial be printed in the RECORD at this point.

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

OUR DEFENSE PROBLEM; IS IT SURVIVAL OR FISCAL?

Official defense talk today comes close to double talk. One week we hear that we are gambling with our very future if defense is cut. The next week the same people say we can cut back further.

That is silly talk. It does little to inspire the military. It does even less to convince the man on the street that we know what we are doing.

Of course we should keep the defense expenditures under control. We should not go hog wild on fringes or fancy stuff. But we ought to face the fact that adequate defense is not something to be turned on and off—unless we want to fritter away what we have accomplished.

If we were to find out later that our failure to build schools, roads, or bridges harmed us, we could rectify it. But if—too late—we came to the horrible conclusion that we messed up our defense plans it might be catastrophic.

We have discounted our military too much. Now we don't pay enough attention to them. The President may be the military expert he once was. But he may be leaning over backwards to offset his supposed bias towards the generals.

Sometimes it almost looks as if we were treating our defense budget as if we were arranging for a clam bake. If that is unfair, then let's say we act as if defense needs were just another item in our gracious living.

It is far more than that. If we make mistakes now it will hurt later. We have colossal brass if we think we can wish ourselves safe from communism. And we have suicidal misunderstanding if we think the present Moscow clique is any less cunning or brutal than the others.

There is no price too high to pay for defense. By defense we mean anything that will maintain the freedom and safety of our people—and our allies. What good would any savings or peace drive be if it ended up with a defeat for the Free World?

Our leaders had better get together and find out what they really think. Our people should not be fed the pap that things are wonderful or that international tension is considerably lessened. Our country's safety is at stake here. That is more important than elections, budgets, and clambakes.

Let's listen to the generals again for a change. Security is their business. Defense is survival before it becomes fiscal.

TOM CAMPBELL,
*Editor in Chief.*

Mr. SYMINGTON. Mr. President, one paragraph of this thought-provoking presentation reads:

Our leaders had better get together and find out what they really think. Our people should not be fed the pap that things are "wonderful" or that international tension is considerably lessened. Our country's safety is at stake here. That is more important than elections, budgets, and clambakes.

Mr. President, no truer words were ever spoken. If the late great James Forrestal had heard the news this morning, he would have felt our situation to be very, very serious, in that what he felt would be the greatest danger to the future security of this country—a Communist beachhead in the Middle East—appears now to be a reality.

The Suez fiasco last fall, the subsequent Nasser triumph, plus the events in Syria of yesterday, would appear to prove that the Soviet Communists have now established a bastion of strength in the Middle East.

In this connection an editorial on this subject in the New York Times this morning says, in part:

Syria, the only Arab country to legalize the Communist Party, has long been a member of the Moscow-Damascus-Cairo axis that gave the Soviets their first foothold in the Middle East. This axis was created by President Nasser when he turned to the Soviet bloc for arms and organized an Egyptian joint command for the Egyptian and Syrian Armies to promote his campaign against the West and for his projected pan-Arabic empire. But Syria remained divided. Now the extreme leftists, led by General Bizri and Colonel Serraj, have seized control and are crushing all actual or potential opposition.

First, this administration threatened the three democracies who were willing to risk their treasure and blood to oppose the aggression of Nasser, to the point where they finally gave up. When the administration found out what were the real implications of this aggression, however, it committed our own forces through the Eisenhower doctrine.

In this doctrine, in effect, we said to the Free World, "If anyone is going to take care of the problems of the Middle East, we will," because in the joint resolution containing the so-called Eisenhower doctrine, it is clearly stated:

To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any such nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism.

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

Mr. SYMINGTON. I am glad to yield to my able colleague from Montana.

Mr. MANSFIELD. What the Senator from Missouri is doing is bringing to the attention of the Senate the applicability of the Eisenhower doctrine, so-called, to the situation as it is developing in the Middle East. It ought to be pointed out that Syria is surrounded by Lebanon, Turkey, Iraq, Jordan, and Israel. If the Syrian Government commits an act of aggression against any one of those nations, there is the possibility that our country will become involved. I think we had better understand and recognize and realize all the implications of that doctrine.

Mr. SYMINGTON. I thank the distinguished Senator from Montana for his wise observation. We all know he is one of the authorities in the Senate on our foreign relations.

It will be interesting to note whether the administration, in the face of this grave new danger, will continue its recently announced program of reducing and stretching out the military forces and the military programs which only last May President Eisenhower emphasized were essential to the future security of this country.

Mr. MORSE subsequently said: Mr. President, apropos the remarks of the Senator from Missouri [Mr. SYMINGTON] and those of the Senator from Montana [Mr. MANSFIELD] regarding the Middle East situation, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article entitled "HUMPHREY for Control of Reds' Mid-East Arms," which was published this morning in the Washington Post.

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

HUMPHREY FOR CONTROL OF REDS' MIDEAST ARMS

(By William Thesis)

The Senate's disarmament chairman said yesterday he intends to press for action by the United Nations this fall to control Soviet arms traffic in the Middle East.

Senator HUBERT HUMPHREY, Democrat, of Minnesota, who heads the Special Disarmament Subcommittee and was a U. N. General Assembly delegate this year, said he was having data assembled now for the U. N. move.

He declared: "The arms traffic in the Middle East, going on right now, is dangerous. The Russians are flooding that area with surplus military equipment. It all points to trouble."

Events in Syria point up the problem, he said, and noted that pro-Communist elements have moved into control of the Syrian Army and the Syrian Government has ousted three United States officials, including the American military attaché. In retaliation, the United States expelled the Syrian Ambassador and his second secretary.

The shift in Syrian Army control came in the wake of a new Syrian-Soviet agreement under which Russia reportedly will furnish Syria with $1.3 billion worth of modern weapons.

Congressional thinking on the whole disarmament problem at this stage is clouded by the uncertainty of results at the London disarmament conference. Humphrey's subcommittee has been getting periodic briefings on the London developments—or lack of them—and is marking time along with the State Department.

Some Senators are troubled by Defense Secretary Charles E. Wilson's announcement that it is tentatively planned to cut 300,000 men from the United States Armed Forces by mid-1959. This would triple the present planned reduction of 100,000.

Senator MIKE MANSFIELD, Democrat, of Montana, a member of the Foreign Relations Committee which is in overall charge of the disarmament question, said the cut would endanger United States security.

Mr. MORSE. Mr. President, I wish to make the following comment: I think the chickens are coming home to roost. There were some of us, Mr. President, as you know, who did not favor the Eisenhower Middle East program, and who at that time warned the people that the problem should be handled by the United Nations, rather than to place the burden completely on American boys.

The Senator from Montana has spoken of the importance of controlling the movement of Russian arms into the Middle East. I think that should be controlled. But let us not forget that the United States has provided millions of dollars' worth of American arms in the Middle East; it has done so alone, in the name of mutual security, whereas the action should have been taken through the United Nations.

I say to the American people that they will be hearing the propaganda and the cries that the American flag should be moved in and that American boys should start dying in the Middle East, as the result of the shipment of Russian arms into that area, along with the shipment of American arms, in this armament race. What a sad chapter in American history it is, Mr. President.

In my judgment our Government should have proceeded through the United Nations, and should have the United Nations serve clear warning on Russia that the United Nations and all the individual nations which constitute it do not intend to stand idly by, as free nations, and permit freedom to be sacrificed in the Middle East.

I wish to say, Mr. President, that the speeches I made against the Eisenhower Middle East doctrine are as sound today as they were at the time when I made them. The present move, as urged by certain American voices, about controlling the shipment of Russian arms into the Middle East will not sound very well to millions of ears in various parts of the world, where the people will ask, "What about the American arms which have been shipped into the Middle East?"

Mr. President, once again I say that this administration and the Congress made a grave mistake when the Eisenhower doctrine on the Middle East was adopted, because I think it augurs a dangerous lack of concern for the future welfore of American boys.

As I said months ago, this is not a problem of America alone. Instead, it is a problem of the United Nations. The United States should have used its leadership in working to get that organization, and the free nations which constitute it, to make clear to Russia that it must stop its threatening moves in the Middle East.

This situation also means, Mr. President, that we must adjust our program in the Middle East from the military standpoint, too.

So I wish to say that I do not share the President's point of view that the United States should take the position that Russia, and Russia alone, insofar as the shipment of arms into the Middle East is concerned, should be controlled. I wish to say that all such shipments by any nations, including my own, should be controlled through the United Nations, in the case of the present armament race in the Middle East.

## RETIREMENT OF ADMIRAL RADFORD

Mr. SYMINGTON. Mr. President, when Adm. Arthur William Radford appeared before the Senate Armed Services Committee on May 28, 1953, prior to his confirmation as Chairman of the Joint Chiefs of Staff, he and I had the following colloquy:

Senator SYMINGTON. Admiral, when you were with the Navy, you worked hard for the Navy. What I would like to know, in this new job, will you consider it your duty to work as hard for the Army and the Air Force as for the Navy?

Admiral RADFORD. Senator SYMINGTON, in this new job I will work primarily for the United States, and I will do my best not to favor any particular service. I will try to call my shots as impartially as I can.

Senator SYMINGTON. Mr. Chairman, I think that is a fine answer, and I have no further questions.

Last week, after 4 years in our highest military office, Admiral Radford turned over the reins to his successor.

Mr. President, let the record show that in every way this great American has fulfilled the pledge he made to the Senate at that time.

From the new Chairman of the Joint Chiefs down, every member of our Armed Forces with whom we have talked over the past 4 years has emphasized the complete impartiality of Admiral Radford during that time.

Especially because of the admiral's deep and understandable affection for the Navy, no higher compliment could be paid to this outstanding public servant, whose brains and courage resulted in his reaching the top of his profession at a relatively early age.

Admiral Radford and I have disagreed at times in the past, and may in the future. But that is America, the America in which those who have followed Radford's private and public statements over the years know he has complete devotion, and complete faith.

At least as much as any other man in this administration, he has stood steadfast in his conviction that the way to remain free is to remain strong.

At this time, Mr. President, I ask unanimous consent that there be printed in the RECORD an outline of the career of this officer.

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

ADM. ARTHUR W. RADFORD, UNITED STATES NAVY, CHAIRMAN, JOINT CHIEFS OF STAFF

Adm. Arthur William Radford has served in three wars. He was on board the U. S. S. *South Carolina*, a battleship of the Atlantic fleet, and was aide and flag lieutenant to Commander Battleship Division 1 during World War I. He served in the Navy Department's Bureaus of Aeronautics and Naval Personnel and in the office of the chief of naval operations during the first half of the World War II period, and as Commander Carrier Divisions 11 and 6, and on the staff of Commander Aircraft, Pacific, during the latter part of that war. At the outbreak of Korean hostilities he was serving as commander in chief, United States Pacific Fleet, later being given the responsibility of the Marianas-Bonin area and the Philippines-Formosa area. From that command he was appointed to his present post, the Navy's highest active assignment.

Born in Chicago, Ill., on February 27, 1896, he entered the Naval Academy from Iowa in 1912, after attending high school in Grinnell, Iowa. He was graduated and commissioned ensign in 1916 and was assigned to the *South Carolina*. After the armistice which ended World War I, he had staff duty until April 1920, then had flight training and was designated naval aviator No. 2896 in November of that year. Assigned next to the newly established Bureau of Aeronautics, Navy Department, he subsequently served with aviation units af the tender *Aroostook*, and the battleships *Colorado* and *Pennsylvania*.

From July 1927 until March 1929 he was attached to the Naval Air Station, San Diego, after which he headed the Alaskan Survey Detachment, investigating forest and mineral resources in Alaska. He joined the *Saratoga* in November 1929, and commanded that carrier's Fighting Squadron 1 from July 1930 to May 1931, then served on the staff of Commander Aircraft Battle Force, still attached to the *Saratoga*. Another tour of duty in the Bureau of Aeronautics preceded sea duty as navigator of the tender *Wright* and further duty on the staff of Commander Aircraft, Battle Force. He commanded the Naval Air Station, Seattle, from June 1937 until May 1940, and for a year thereafter was executive officer of the carrier *Yorktown*.

Following World War II, he was ordered to the Navy Department to assist in planning the postwar Navy. In December 1945 he became deputy CNO (Air) with the accompanying rank of vice admiral, and after a year in command of the Second Task Fleet, he returned to the Navy Department as Vice Chief of Naval Operations. He served in the rank of admiral as commander in chief Pacific Fleet, and high commissioner of the Trust Territory of the Pacific Islands, prior to and during the Korean conflict, and in addition to the greater Pacific command he was given increased responsibilities concerning military assistance programs in southeast Asia. In June 1953 he was appointed Chairman of the Joint Chiefs of Staff by the President of the United States, and on August 15, 1955, was reappointed for a second term.

ADM. ARTHUR W. RADFORD, UNITED STATES NAVY

*Personal data*

Born: Chicago, Ill., February 27, 1896.

Parents: John A. and Agnes E. (Knight) Radford.

Wife: Marion McMichael of Portland, Oreg.; home address: Grinnell, Iowa.

Current residence: Washington, D. C.

Education: Public schools, Riverside, Ill., and Grinnell, Iowa; United States Naval Academy, 1916; Naval Air Station, Pensacola, Fla., 1920; Grinnell University, LL.D. (honorary).

*Promotions*

July 5, 1912, midshipman.
June 3, 1916, ensign.
July 1, 1917, lieutenant (junior grade) (temporary).
January 1, 1918, lieutenant (temporary).
June 3, 1919, lieutenant (junior grade).
July 1, 1920, lieutenant
February 17, 1927, lieutenant commander.
July 1, 1936, commander.
January 2, 1942, captain (temporary).
January 1, 1942, captain.
July 21, 1943, rear admiral (temporary).
May 25, 1946, vice admiral (temporary).
August 7, 1947, rear admiral (permanent).
April 7, 1949, admiral.

*Decorations and medals*

Distinguished Service Medal.
Gold Star in lieu of Second Distinguished Service Medal.
Gold Star in lieu of Third Distinguished Service Medal.
Legion of Merit.
Gold Star in lieu of Second Legion of Merit.
Presidential Unit Citation.
Navy Unit Commendation.
Victory Medal, World War I—Atlantic Fleet Clasp.
American Defense Service Medal with Fleet Clasp.
American Campaign Medal.
Asiatic-Pacific Campaign Medal.
World War II Victory Medal.
National Defense Service Medal.
Philippine Liberation Ribbon with one bronze star.
Companion of the Order of the Bath by Government of Great Britain.

*Citations*

Distinguished Service Medal: "For exceptionally meritorious and distinguished service to the Government of the United States * * * as commander of a carrier task group in action against enemy Japanese forces prior to and during the landing activities on Baker, Makin, and Tarawa Islands in the Pacific * * * [he] directed the operations of his task group in repeated aerial attacks against the Japanese-held islands throughout the preparatory periods and in support of the subsequent landings, completing these vital missions without damage to the ships of his command despite numerous raids by enemy aircraft and the constant hazard of submarine attacks. Through his courageous initiative and aggressive determination, the first carrier-borne night fighter teams were organized and trained at sea, later proving their value by effectively dispersing a hostile night torpedo assault on the group during which two of the enemy planes were destroyed."

Gold Star in lieu of second Distinguished Service Medal: "[He] expertly directed his task group in carrying out effective attacks against the enemy in the Tokyo area on February 16, 17, and 25, Iwo Jima, from February 19 to 22, Kyushu and the Inland Sea area on March 17, 18, and 19, and supporting operations at Okinawa from March 23 to May 29, in addition to a strategically important photographic mission over this heavily fortified Japanese-controlled island * * * contributed to the success of his group in combating numerous enemy air attacks and in the infliction of extensive damage and destruction on Japanese aircraft, shipping and installations."

Gold Star in lieu of third Distinguished Service Medal: "For exceptionally meritorious service * * * as commander in chief, Pacific, and commander in chief, United States Pacific Fleet, during operations against enemy aggressor forces in Korea from June 26, 1950, to January 1, 1951. Responsible for maintaining the Pacific area and Pacific Fleet at a high level of readiness, Admiral Radford quickly and effectively prepared his command for full-scale offensive operations at the inception of the Korean conflict. As a result of his brilliant leadership, professional skill and able administration of naval operations in the western Pacific, surface forces were strategically placed to control waters surrounding the target area and to provide coordinated support of land operations designed to aid the Republic of Korea in her fight against domination and oppression * * * Admiral Radford rendered valuable and distinguished service and contributed greatly to the success of friendly forces engaged in the Korean campaign."

Legion of Merit: "For exceptionally meritorious conduct * * * as Director of Aviation Training, Bureau of Aeronautics, December 7, 1941, to April 19, 1943. * * * Upon our entry into the current war [he] immediately inaugurated a program of intensive expansion to include all phases of operational aviation training, and in addition, instigated the establishment of functional training commands to effectuate the plans conceived. [His] sound and decisive judgment in this respect and the maintenance of consistently high standards despite the rapidity of accomplishment were contributing factors in providing the fleet with skilled pilots to spearhead its offensive drive on the enemy."

Gold Star in lieu of second Legion of Merit: "* * * Assisting in the direction of the aeronautic organization of the Navy and the readiness and deployment of air units, Read Admiral Radford handled the planning and preparation of various units and all related logistic factors with skill, efficiency, and success during a difficult period of expansion and change. His wisdom of judgment and soundness of counsel in connection with all phases of naval aviation contributed materially to the successful prosecution of the war."

*Chronological transcript of service*

June 1916–December 1918, U. S. S. *South Carolina.*
December 1918–June 1919, Division 1, Battleship Force 1, Atlantic Fleet (aide on staff).
July 1919–October 1919, Division 1, Pacific Fleet (aide on staff and flag lieutenant).
October 1919–April 1920, train, Pacific Fleet (aide and flag lieutenant).
April 1920–November 1920, naval air station, Pensacola, Fla. (instruction).
November 1920–October 1921, naval air station, Pensacola, Fla.
October 1921–November 1923, Bureau of Aeronautics, Navy Department.
November 1923–March 1925, aircraft squadrons, battle fleet. April 1925–June 1927, VO Squadron 1, aircraft squadrons battle fleet.
July 1927–March 1929, naval air station, San Diego, Calif.
April 1929–November 1929, aircraft squadrons, battle fleet; additional duty commanding Alaskan Aerial Survey Detachment.
November 1929–July 1930, U. S. S. *Saratoga.*
July 1930–May 1931, VF Squadron 1–B, aircraft squadrons, battle fleet (commanding).
May 1931–May 1932, aircraft, battle force, United States Fleet (aide and flag secretary).
June 1932–August 1935, Bureau of Aeronautics, Navy Department.
August 1935–June 1936, U. S. S. *Wright* (navigating officer).
June 1936–June 1937, Aircraft, Battle Force (staff).
June 1937–May 1940, Naval Air Station, Seattle, Wash. (commanding officer).
May 1940–May 1941, U. S. S. *Yorktown* (executive officer).
May 1941–July 1941, Office of Chief of Naval Operations, Navy Department.
August 1941–November 1941, 10th Naval District (establishment, Naval Air Station, Trinidad, British West Indies, and duty as commanding officer).
December 1941–April 1943, Bureau of Aeronautics, Navy Department.
April 1943–July 1943, Carrier Division 2.
July 1943–December 1943, Carrier Division 11 (division commander).
December 1943–January 1944, aircraft, Pacific Fleet (Chief of Staff and aide).
January 1944–October 1944, Office of Chief of Naval Operations, Navy Department (Assistant DCNO for Air). (Additional duty, alternate member, Special Joint Chiefs of Staff Committee on Reorganization of National Defense).
November 1944–August 1945, Carrier Division 6, United States Pacific Fleet (commander).
September 1945——, Fleet Air, Seattle, Wash. (commanding officer).
January 1946–February 1947, Office of Chief of Naval Operations (DCNO for Air).
March 1947–December 1947, 2d Task Fleet (commander).
January 1948–April 1949, Vice Chief, Naval Operations, Navy Department.
April 1949–June 1953, Commander in Chief, Pacific Fleet, and High Commissioner, Trust Territory of Pacific Islands.
June 1953, Chairman, Joint Chiefs of Staff, Washington, D. C.
August 1955, reappointed Chairman, Joint Chiefs of Staff.
(Navy Biographies Branch, OI–450, December 4, 1956.)

Mr. SYMINGTON. Mr. President, Admiral Radford has earned the respect and gratitude of the Nation. My wife and I join his multitude of friends in wishing him and his gracious lady the best of everything in the years to come.

## THE WOMEN'S ARMY AUXILIARY CORPS

Mr. THURMOND. Mr. President, there is on the calendar a very meritorious bill. It is S. 2305, a bill to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions.

I may say that during the period when members of the WAAC were being recruited, the posters which were used read:

This is my war, too. Women's Army Auxiliary Corps, United States Army.

Furthermore, the WAAC members took an oath for service for the duration of the war plus 6 months, as all Army enlistees did. They underwent physical examinations, and they were subject to the Articles of War. A code of conduct for them was written into Army Regulations. They received the same military pay as other Army personnel. Their military grades were similar to those of Army personnel. They performed military duties. They were assigned and transferred by Army orders. They served overseas. They attended officer candidate schools, as did Army personnel.

The period for which they have not been given credit is from the date of organization, May 14, 1942, to September 30, 1943, a period of only 15 months. I am informed that the WAVES were organized on July 30, 1942, and that the members of the WAVES got full credit from the date of organization. The members of the WAAC have not received credit for their service, and this should be done. At all times they were considered in the military and at no time were they treated in any manner as civilians. This is a just bill, and one which should be passed in all fairness to the members of the WAAC who served in that organization prior to the time it was changed to the WAC, since which period they have received credit.

Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

## BILLS TO PROVIDE READJUSTMENT BENEFITS TO VETERANS OF PEACETIME SERVICE

Mr. THURMOND. Mr. President, as chairman of the Veterans' Subcommittee

of the Committee on Labor and Public Welfare, I desire to call attention to the status of the veterans bills which were introduced in the present session of Congress to provide readjustment benefits to veterans of peacetime service. These bills were referred to the Committee on Labor and Public Welfare at the beginning of this session, and are now pending before the Subcommittee on Veterans' Affairs, of which I am chairman.

As Senators know, these bills raise a fundamental policy question which the Congress must decide. Never before in our history has the United States, during peacetime, had compulsory military service. In recognition of the Nation's responsibility to our men and women who served in the Armed Forces during wartime, Congress has enacted a great variety of legislation for war veterans, including, in our generation the GI bill of rights for World War II and Korean veterans. The question confronting us today is whether some or all of the readjustment benefits granted to veterans who served in wartime should be made available to the millions of young Americans who, under the Selective Service Act, are required to serve in the Armed Forces during peacetime.

Many young veterans anxiously await the outcome of this question, and I regret that it could not be resolved at this session of Congress. Unfortunately, however, although extensive hearings on the bills have been held, there are still a few factual questions to be explored. In addition, because of the recent reduction both in the Armed Forces and in the monthly callups under the draft law, the subcommittee desires to have more up-to-date cost estimates than those provided during the hearings. It is quite possible that cost estimates projected from say October or November of this year, will show a substantial reduction in the cost estimates now on hand. The subcommittee has, therefore, instructed its staff to develop these matters while the Senate is in adjournment, so the necessary information will be available for immediate use when the Senate reconvenes in January.

Meanwhile, I hope Senators will be able to devote some time to the study of this very important proposed legislation concerning our young men and women in the service. I also hope Senators will be able to review the hearings, which will be available for distribution either shortly before or shortly after the adjournment.

## THE CIVIL-RIGHTS BILL

Mr. MORSE. Mr. President, I ask unanimous consent, under the 3-minute rule, to have printed at this point in the RECORD two articles. One of them is entitled "Rights Bill Now Worse Than None, Says Pastor." The article was published in the Washington Post. On the basis of that thesis, Mr. President, I wish to say that today or tomorrow I shall make what will probably be my final major speech in opposition to the Senate version of the civil-rights bill.

The other article is entitled "Messages to Ike Urge Stronger Rights Bill." This article was also published in the Washington Post of today, August 20; and I ask unanimous consent to have it printed in the RECORD as a part of my remarks.

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

[From the Washington Post]

### RIGHTS BILL NOW WORSE THAN NONE, SAYS PASTOR

A Negro Baptist Church leader told his congregation yesterday he would rather have no civil-rights bill at all than the one passed by the Senate with the jury-trial amendment.

The Reverend Dr. William Henry Jernagin, pastor of the Mount Carmel Baptist Church, said later:

"The majority of Negroes wants the administration civil-rights bill passed by the House, regardless of what the NAACP says."

Officials of the National Association for the Advancement of Colored People have said they would rather have the Senate bill than no bill.

The House bill would permit the Attorney General to apply for Federal court injunctions against alleged violations of all types of civil rights. Persons disregarding the injunctions could be jailed by Federal court judges without jury trials.

Injunctive authority in the Senate-passed bill was narrowed to voting rights, and an amendment was added providing for jury trials in cases of criminal contempt.

Dr. Jernagin said as executive board chairman of the National Fraternal Council of Churches he sent 60 telegrams last week to Negro leaders across the Nation.

The telegrams urged the leaders to wire the President and civil-rights backers in Congress asking for a bill without the jury-trial provision. The NFCC represents 14 Protestant denominations with 10 million members, Dr. Jernagin said.

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[From the Washington Post of August 20, 1957]

### MESSAGES TO IKE URGE STRONGER RIGHTS BILL

The White House released yesterday 21 samples of hundreds of recent telegrams and letters to President Eisenhower urging his firm opposition to the civil-rights bill as passed by the Senate.

Press Secretary James C. Hagerty released the messages after reporters asked him about public response to the civil rights' fight in Congress.

Hagerty said hundreds of messages, plus an uncounted number of postcards, had arrived at the White House since the Senate completed action on the bill about 2 weeks ago. Virtually all of the messages came from Negro leaders and Negro organizations.

He said the 21 made public were chosen because he thought they were representative of Negro feeling as expressed to the President.

Dr. Ralph J. Bunche, Assistant Secretary General of the United Nations, messaged: "Speaking in my capacity as an American citizen, I say that the bill in its present form is disappointedly weak. I heartily support every effort now being made to strengthen it."

Jackie Robinson, former Brooklyn Dodger baseball star, telegraphed: "Am opposed to civil-rights bill in its present form. Have been in touch with a number of my friends. We disagree that half loaf better than none. Have waited this long for bill with meaning—can wait a little longer."

Henry E. Schultz, chairman of the Anti-Defamation League of B'nai B'rith, urged the President to exert all of your great leadership at this crucial moment to obtain an improved and strengthened version of the bill.

A number of the messages were from Negro publishers and clergymen. "Civil-rights bill is unsatisfactory," wired Carl Murphy, president, Afro-American newspapers. "Urge you to continue your efforts to have the House version approved."

Dr. George D. Flemmings, of the National Association for the Advancement of Colored People, called for a veto of any bill including the jury trial amendment.

A. Philip Randolph, president of the Brotherhood of the Sleeping Car Porters, also urged the veto as a private individual, saying the present measure was worse than no bill at all.

The Reverend W. E. Sims, of the Sims Tabernacle Baptist Church, Philadelphia, endorsed the President's position on civil rights and said: "We pray that you will not give in but hold to your stand under God until it is passed."

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an editorial in opposition to the Senate version of the civil-rights bill. The editorial was written by a colored editor, in the August 8 issue of the California Eagle, a Los Angeles newspaper.

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

### CIVIL-RIGHTS CORPSE

Senator WAYNE MORSE aptly described what remains of the civil-rights bill as a corpse. It was stripped of all significance by successive Senate votes striking out section III and by the addition of jury-trial provisions to the voting section.

* * * * *

There is the bare hope that some teeth can be put back in the bill when it goes to a conference of the House and the Senate, but that hope is forlorn in light of the differences between the legislation passed by the House and what will be enacted by the Senate.

Frankly, we think that the present Senate legislation is worse than no legislation at all because its enactment will tend to keep down agitation for another genuine law. It seems to us that supporters of civil-rights legislation would be well advised to vote against it in its present form, as amended by the Senate, and that the President ought to veto it if the Senate version is sent to him.

The present state of the bill is a resounding victory for the South, a victory made possible through a new alliance of Dixiecrats and western liberal Senators. Ten of these western Senators voted for the jury-trial amendment to nail down the southern triumph.

Eight western Democrats voted to kill section III and tip the scales on that issue in favor of EASTLAND and TALMADGE.

The important fact of the moment is that the civil-rights bill is dead as far as this session is concerned.

Mr. MORSE. Mr. President, in the editorial, the editor went further than I did. I said the civil-rights bill as passed by the Senate was a corpse. But he said it was worse than a corpse. Something that is worse than a corpse is rather dead, Mr. President.

When I make my speech I shall discuss my reasons for believing that that editor is correct, and that the civil-rights bill which has been passed by the Senate is a hoax.

Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has been recognized.

## VOTING RECORDS OF SENATOR MORSE AND SENATOR NEUBERGER

Mr. MORSE. Mr. President, certain editors, newspaper reporters, and correspondents in my State are having a field day with their own imaginations. As mouthpieces and pencils for the reactionary Republican organization in our State, they are drumming away and scratching away at an old smear argument used by Republicans in my State, to wit, that an irrevocable rift has developed in the Senate of the United States between the two Senators from the State of Oregon—apparently because we voted differently on the mutual-security bill and because we voted differently on the civil-rights bill.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an analysis based on a quick check of the voting records of the two Senators from Oregon for the years 1955, 1956, and 1957.

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

*Senators Morse and Neuberger, voting records on rollcalls on which both answered*

| | 1955 | 1956 | 1957 |
|---|---|---|---|
| Roll calls | 76 | 116 | [1] 76 |
| Together | 65 | 109 | 56 |
| Divided | 11 | 7 | 20 |
| Percent together | 85.5 | 94 | 73.7 |

[1] To date.

Voted together 89.8 percent of the time in the 84th Congress. Voted together 84.4 percent of the time on all votes in both Congresses to date.

Mr. MORSE. Mr. President, the analysis shows that on the yea-and-nay votes taken in the Senate in 1955, my colleague [Mr. NEUBERGER] and I voted together 85.5 percent of the time. In 1956, we voted together 94 percent of the time. In 1957, thus far, we have voted together 73.7 percent of the time. Furthermore, if it were not for our differences—let me say to these reactionary newspaper editors in my State—over the civil rights issue and the mutual security issue, even this year my colleague [Mr. NEUBERGER] and I would have voted together more than 90 percent of the time.

I wish to say good naturedly that I do not know of any two Senators from any State represented in this body who have voting records as nearly alike as do the two Senators from Oregon.

But as I stated in a press release which I am about to ask unanimous consent to have printed in the RECORD, my colleague from Oregon and I are not political Siamese twins, thank God. We are men of independence of judgment who recognize that the duty we owe to the people of Oregon, in keeping with the oath of office we have taken as Senators, is to exercise an honest independence of judgment, based on the merits of the issues, in accordance with the facts as we believe them to be. That has been our record.

Furthermore, Mr. President, I know of no better personal relationship existing between Members of the Senate than that which exists between the two Senators from the State of Oregon.

So to those editors and newspaper writers in Oregon, I say, Mr. President, "Try it again, boys. But yours is getting to be a sorry tune, because more and more people are learning that it is the tune of your own imagination, not the tune of reality."

Therefore, Mr. President, I ask unanimous consent, under the 3-minute rule, to have printed at this point in the RECORD, as a part of my remarks, the statement I issued on August 16 to the Oregon press, in regard to some of the detracting and critical editors and articles, which have been published in our State, which seek to give the false impression to the people of Oregon that a great rift has occurred between the two Oregon Senators.

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

(Book wire to: The Oregonian, Portland, Oreg.; Oregon Statesman, Salem, Oreg.; East Oregonian, Pendleton, Oreg; Oregon Journal, Portland, Oreg.; Mail-Tribune, Medford, Oreg.; Capital Press, Salem, Oreg.; Capital-Journal, Salem, Oreg.; Coos Bay Times, Coos Bay, Oreg.; Register-Guard, Eugene, Oreg.)

WASHINGTON, D. C., August 16.—Senator WAYNE MORSE today issued this statement:

"Information has just reached me that newspaper stories are appearing in Oregon to the effect that a serious parting of the political ways has developed between DICK NEUBERGER and myself. Such stories are a lot of nonsense. Apparently they grow out of the fact that Dick voted for the Senate version of the civil-rights bill and I voted against it. Both of us made speeches in the Senate setting forth our respective reasons for our votes. Those speeches show that Dick and I held diametrically opposed views as to the value of the bill. In essence, he voted for it because he thought it was a step forward in the field of civil rights. I voted against it because I thought it was a step backward. Each of us defended his position in Senate debate with vigor, and apparently some newspapermen have chosen to read into the vigor of that intellectual difference an assumed personal difference that does not exist. DICK NEUBERGER and I are close personal and political friends and we shall remain so, much to the consternation and disappointment of our mutual political enemies. We are not political Siamese twins. Each of us recognizes that the senatorial duty we owe to the people of Oregon is to cast independent votes on the merits of each issue in accordance with our honest opinions. Ever since Dick and I have been in the Senate together, we have worked as a team, always respecting the right of each to vote in accordance with his best judgment on individual issues. This teamwork is so close that I do not know of a single important problem affecting Oregon that has not been handled cooperatively between ourselves and our staffs. The people of Oregon can be assured that this cooperative relationship will continue. On the majority of rollcall votes, we have voted together. It so happens that in recent weeks there has been a series of rollcall votes on foreign-aid and civil-rights matters on which we have reached different conclusions. The Senate speeches we have made in support of our votes apparently are being seized upon by those who would make the political wish the father of the thought in an attempt to create the completely false impression in Oregon that Dick and I are no longer working closely together in the Senate. It simply is not true.

"WAYNE MORSE."

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial from the Coos Bay Times, of August 15, 1957. I shall not take the time of the Senate to read all of the editorial into the RECORD; at this time I shall read only one paragraph, as follows:

Senators WAYNE MORSE and RICHARD NEUBERGER may disagree from time to time. We hope they do. Neither is nor should be the intellectual slave of the other.

That summarizes pretty well the attitude which exists on the part of the two Senators as to their duties in the Senate with regard to specific legislation. I am proud to say I honor my colleague as an intimate and personal friend. In my opinion, he is a great Senator. As I said in Oregon, and I repeat on the floor of the Senate, give him 10 years in the Senate and, in my opinion, he will become one of the greatest United States Senators in the history of the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-conquest request?

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

[From the Coos Bay Times of August 19, 1957]

Some Oregon papers think they have found a chink in the so far solid political armor of Senators WAYNE MORSE and RICHARD NEUBERGER. There have been repeated stories of late that the gentlemen aren't getting along with each other.

It seems they took opposite sides on a number of rollcall votes over the civil-rights bill, on the final rights vote itself, and on other legislation which did not bear directly on Oregon. Ipso facto: They are on the outs.

According to A. Robert Smith, Washington correspondent for a number of newspapers, the two Senators have had their feelings hurt by things the other has said or done. They have reportedly fired a few hot letters at each other.

Saturday Mr. MORSE took recognition of the reports. Although he and his colleague have disagreed over some issues—as any pair of Senators is sure to do—they are still politically close and personally harmonious, "much to the consternation and disappointment of our mutual political enemies," he said.

Senator MORSE, it will be recalled, was instrumental in the election of DICK NEUBERGER in 1954. The junior Senator's margin of victory over ex-Senator Guy Cordon was measured in the hundreds. Mr. MORSE campaigned up and down the State in behalf of Mr. NEUBERGER almost as intensely as did the candidate in his own behalf.

In 1956, when the nationwide apparatus and treasure of the Republican Party were marshaled to defeat Senator MORSE, Mr. NEUBERGER reciprocated with a statewide stumping in behalf of the senior Senator. It might be said that he was instrumental in reelecting MORSE, although the latter's victory margin was wide.

The two of them, together, have made an unbeatable political team on their homeground. Their relationships in Washington surprised political observers because they have "gotten along" so well. It is a rule of thumb on Capitol Hill that Senators from the same State, even if of the same political party, are seldom friends. There's too much natural rivalry between them in State poli-

tics to make them either close personal friends or political allies, except when needed for their mutual benefit.

As a matter of fact, the entire Oregon congressional delegation has pulled well in the same harness. All but one of the six Oregon Congressmen and Senators are Democrats and all are of the "liberal" brand.

Before MORSE-NEUBERGER foes began propounding the alleged "falling out" between them, their theme was an alleged rift between Senator NEUBERGER and Representative EDITH GREEN of Portland.

Mr. NEUBERGER always seems to figure in these alleged personal controversies. This might be because he is the next Oregon Senator up for election, in 1960—assuming that he stands for reelection. That assumption is no wise sure, according to persons who have talked with him about the subject since the November 1956 election.

When you come right down to it, what is so important about the two Oregon Senators disagreeing about any particular piece of legislation? If they were always in agreement, that would be strange.

When you come right down to it, what is so strange if the two gentlemen occasionally write complaints to each other or, for that matter, had a knock-down and drag-out fist fight over a particular question? Any of us can examine his closest friendship and find many a personal disagreement therein.

Senators WAYNE MORSE and RICHARD NEUBERGER may disagree from time to time. We hope they do. Neither is nor should be the intellectual slave of the other.

One or the other may get his personal feelings injured from time to time by the other's actions. This matters little and in time will work out.

The two men are too close ideologically to remain always in agreement or to stay long apart.

What matters is the job both are doing for both Oregon and the Nation. The job has been, is, and will, we're sure, be good.

—F. W. A.

## BERNARD M. BARUCH

Mr. BYRD. Mr. President, yesterday was the birthday of the Honorable Bernard M. Baruch. He was 87 years of age.

I doubt whether there is any man in private life who has done as much for his country. He has responded to its every call. He has been an intimate associate of Presidents and has performed in every line of governmental effort a very notable and valuable service.

It gives me pleasure to ask unanimous consent that there be inserted in the body of the RECORD an article by Arthur Krock which appeared in the New York Times of yesterday commenting on the book written by Bernard Baruch, My Own Story.

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

LOOKING BACK UPON A RICH LIFE BERNARD BARUCH RECALLS HIS ADVENTURES IN WALL STREET AND IN PUBLIC SERVICE

(By Arthur Krock)

This is the first volume of the autobiography of an American whose prescience, integrity, and disciplined mind brought him fame and fortune—at 32 I had in cash $100,000 for every year of my life. But, except under Woodrow Wilson, as Chairman of the War Industries Board in World War I, Bernard Baruch, for all his miraculous prescience, though often called on, was almost as often disregarded. He accurately forecast events for succeeding Presidents who summoned him to counsel and public service, and he told how popular action would be shaped by these events. Yet, save for programs for stockpiling essential raw materials and regulating their prices and a brief adherence to his plan for checking the atomic weapons race, most of his warnings and formulas in the areas of economics and diplomacy were not acted on until it was too late to realize their full potentials.

That is the dismal history of Baruch's efforts to prepare the Nation for World War II, to dispel the awful threat of nuclear war and to head off this conflict and the war in Korea. But Baruch makes no lament for this irony in his experience. Elaboration of the point would be alien to his trait of looking forward; also, it developed after the period in which this volume comes to an end. But to a reviewer familiar with Baruch's Government services after Wilson's time, the anomaly comes strongly to mind in reading the last chapter, wherein Baruch gives his view of the qualities the American people and their public servants will require to meet the tests of the times and his formula for saving civilization from atomic war.

As a financier, in contrast to his larger role as a statesman, Baruch also knew disappointments. From the time when, as a lad in Camden, S. C., he watched the trains go by he always wanted to own a railroad. He almost attained his ambition in the struggle for control of the Louisville & Nashville. Once he came nearer to his goal.

This opportunity arose during an evening at bridge. The matter of Baruch's ambition having been mentioned, Thomas F. Ryan said to James B. Duke, "Why don't we buy the railroad for Bernie and let him run it?" The road was the Atlantic Coast Line, and Henry Walters, principal owner of its stock, was willing, but the purchase, which Baruch was resolved to finance himself, was canceled by the bankers of the ACL.

In each instance the frustrating power was J. P. Morgan, Sr. As the book makes plain, one of Baruch's great aspirations was an association with Morgan he could never attain. So much did he desire this that on an occasion when Morgan was supporting a panicked market, Baruch decided to hand the great banker in person a certified check for $1,500,000 in support of the effort. He ended by sending it through the mails to a committee.

On another occasion he offered Morgan participation in the fabulous Texas Gulf Sulphur enterprise that made Baruch and William Boyce Thompson many millions. When Baruch told Morgan, "I personally will gamble $500,000" on the project, the banker coldly replied, "I never gamble," and turned away. And once, when Baruch had produced a miracle of raw materials investment, Morgan sold a large block of shares in it to Baruch's partner without giving Baruch the chance to buy that to which he felt he was entitled. None of this experience, however, affected the judgment expressed in this book that Morgan was the greatest mind and most constructive force in our financial history.

Self-discipline and organization he puts high among the requirements for a financial career such as his, and for the United States in this perilous world. He writes: "We should ask nothing of our allies that we are not prepared to do ourselves. * * * The friendship of other nations cannot be bought * * *. I for one will never concede that we cannot do as much in defense of our freedoms as any enemy may be doing to destroy them."

Lest an erroneous impression of the autobiography may be given by stress on these aspects, the prospective reader should be notified at once that this is an exciting tale of men and millions, of titanic conflicts, speculations and panics in Wall Street and of reconstruction times in South Carolina. It also is a tale of tender family relations and parental reverence. And it is sufficiently salted with humor and peppered with anecdote to produce a literary item of absorbing interest.

Appropriately, the major part of the book relates the American financial story from the panic of 1893 to the beginning of World War I. The characters are giants—Morgan, Jacob Schiff, James J. Hill, Edward H. Harriman, John W. Gates ("I saw him bet $1,000,000 at baccarat in the old Waldorf"); James R. Keene ("easily head and shoulders above any speculator I ever knew"), Eugene Meyer, Jr. ("a man of the highest integrity"), Daniel C. Jackling and the Guggenheims. And there are quieter folk, but of equal importance to the narrative, and more charming.

Among these was Prof. George B. Newcomb of the faculty of the College of the City of New York. He taught young Baruch economics, hammering at the inevitable workings of the law of supply and demand, and "10 years later I became rich for remembering his words."

There are the simple Negroes on Hobcaw, the South Carolina plantation bought by Baruch in his thirties out of sentiment for his native state: Moses Jenkins, whose favorite sermon was about Phar-a-oh and De Chillun; Abraham, who failed to attain his repentent wish to join the church, late in life, because he could not believe with the Deacon that "dem hongry African lions done spared de prophet Dan'l."

And there are the late Senator Key Pittman of Nevada and Justice Richard Lydon of New York who rushed into the flaming manor house at Hobcaw in the agonized remembrance that a fine barrel of "corn-licker" was about to be consumed with the rest of the property.

Mr. Baruch describes the conflicts among the giants of finance in the greatest stock market wars of history. This extract from an account of the fight for control of the Northern Pacific is an example: "On the exchange floor fear had completely taken the place of reason. Stocks were being dumped wildly, dropping from 10 to 20 points. There were rumors of corners in other stocks. In a panic it is not easy to avoid being swept along with the mad tide * * *. However, having made my plans in advance, I was able to step aside and keep my wits. When stocks were dumped I bought—my net profit that day was more than I made on any other day, before or after."

"On father's side I am the son of an immigrant," Baruch writes, in an early mention of the gallant surgeon of the Confederate Army who labored with the wounded at Second Manassas, Sharpsburg, Gettysburg and the Wilderness, and lived to found, with his son's help, healing institutions of hydrotherapy in his adopted city and State of New York. "On mother's side I am descended from a family which came to America in the 1690's," is the author's first reference to Belle Wolfe Baruch, for whose sake he observed the Jewish ritual, and in her memory still observes the holy days (though "I hold to no creed"); whose reminder that tomorrow is Yom Kippur was enough to make him abandon a promising short drive in the market (incidentally to his unexpected profit), and whose forgiveness of his early propensity to visit games of chance contrived to turn his steps to Wall Street.

"New York City at first overwhelmed and terrified me," writes Baruch of his first view, at the age of 11, of the city where he was to become a legend. There, too, he had his first encounter with a "discrimination, unknown in Camden, which I was to experience many times in my later life." It barred his Episcopalian daughters from their mother's dancing class, and would have excluded them from the private schools they attended had it not been for their rector's

intervention. "But laws," he comments, "will not wipe out bigotry and oppression."

He got his first job at $3 a week with a wholesale supplier to druggists, and, taking some securities downtown, "I first saw J. P. Morgan's famous nose and tawny eyes." Then as a runner in Wall Street, still at $3 a week, he became an expert at arbitrage, amassed a few extra dollars and began his acquaintance with the stock market. ("It is merely the register of human reactions to events as affecting the future * * * it is merely people trying to read the future".) And in this reading the most proficient ultimately was B. M. Baruch.

His "real start" came when he joined the firm of A. A. Housman at $5 a week and attended night school to study bookkeeping and contract law. Then he took to the study of railroads, especially those reorganized after the panic of 1893, and chose the ones who bonds he believed would surely rise. He urged them on the firm's customers, and himself would buy 10 shares at a time on a 10 percent margin.

Part of the first substantial capital he made—$60,000—was acquired by alert exploitation of an advantage none can have in this electronic age. Baruch, at Long Branch, heard from his partner of Admiral Schley's victory at Santiago and decided that stocks would rise. The pair, at Baruch's suggestion, chartered a locomotive to take them to New York; at sunrise, having telephoned customers for orders, they bought stocks on the London market and then sold them at a high profit on the expected rise in New York.

Later came the association with Ryan and Duke that paid out in millions. Later came the day when Baruch, asking to see James Stillman, president of the National City Bank, and, referred to the cashier, opened an account with a certified check for $1 million; the furious and profitable episode of the Northern Pacific corner by Harriman; and then (mark the date), in September 1929, with a vast fortune in securities, the decision to turn into cash "everything I had."

This review of a book may fittingly conclude with the story of another book. It is a copy of Oliver Twist, and it was presented to a schoolboy by Miss Katherine Blake, teacher at P. S. 69, New York City. The citation describes as well as any a life that now has spanned 87 years. It reads: "To Bernard Baruch, for Gentlemanly Deportment and General Excellence, June 1881."

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

Mr. BYRD. I yield.

Mr. JOHNSON of Texas. I wish to associate myself with what the distinguished Senator from Virginia has said about that great elder statesman, Bernard Baruch. For many years he has been a source of inspiration to all of us who have known him. He has served his country in war and in peace. I wish to join the Senator and the distinguished writer, Mr. Krock, in wishing Mr. Baruch many more happy birthdays.

Mr. BYRD. I thank the Senator.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to join the Senator from Virginia and also the Senator from Texas in their remarks concerning Bernard Baruch. As Senators know, he is from the State of South Carolina, having been born there, and we are proud of him. There is no question whatsoever in my mind that he has done a great deal for the welfare of our Nation. His services date back to the beginning of the century, and have continued to the present time. He has been a close adviser of many Presidents of the United States, especially insofar as financial affairs are concerned. I must say he has rendered invaluable service for the people of the United States in that regard. I join in the remarks of other Senators and wish him many future years of health and happiness.

## DEMOCRATIC SENATOR TELLS HOW HE WAS ATTACKED BY GOP IN HIS STATE IN BACKING IKE ON FOREIGN POLICY VOTES

Mr. NEUBERGER. Mr. President, I ask unanimous consent that I may speak for not to exceed 10 minutes regarding an attack which has been made upon me in my State.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Oregon may proceed.

Mr. NEUBERGER. Mr. President, the Senate is presently receiving an appeal from the President of the United States to restore to approximately $3.8 billion his fund for foreign aid, which has been slashed by the House of Representatives to a level approximately 25 percent below that sought by the President.

I am inclined to go along with Mr. Eisenhower's request, because I believe in my heart he is right when he claims that this aid is essential to the defense of the Free World against Communist encroachment.

However, I believe the Senate is entitled to know something about the fate, in his own State, of a Democratic Member of this body who sets aside political partisanship and supports the Republican President of the United States on just such issues as this current one, involving expenditures for foreign aid.

I believe the record will show that on nearly every major foreign policy rollcall since I became a Member of the Senate some 2½ years ago, I have supported the position advocated by President Eisenhower. Furthermore, I think I can safely claim that I consistently have backed the President on the entire general question of mutual security and foreign aid.

What has happened to me politically as a result of that support? The Senate may be interested to learn a few illuminating facts.

On August 2, 1957, the Congressional Quarterly published a survey of so-called economy votes in this session of Congress. The result showed me as voting only rarely for so-called economy in this survey. On August 8, 1957, the chairman of the Oregon State Republican Committee, Mr. James Short, released a statement to the press in my home State which attacked my voting record as "appalling," and Mr. Short made clear that he based this attack entirely upon the Congressional Quarterly survey.

Accordingly, I asked the editors of the Congressional Quarterly for the facts and data upon which the survey was premised. They advised me that it included 23 Senate rollcalls between January 3 and July 28. I was further informed that, on 17 of these roll calls, the position of the President of the United States had been made clear. On 13 out of these 17 rollcalls, I had supported the President's stand. I had opposed it on only four. I supported President Eisenhower on every one of the eight rollcalls involving a question of foreign policy, in which issues of foreign aid or mutual security were at stake.

Yet, Mr. President, my reward for this was to be denounced by the Republican Party in Oregon as having an "appalling" voting record.

It seemed to me that this situation should be of some significance to the chairman of the Republican National Committee, because it is my assumption that he welcomes Democratic support in the Senate for vital programs of foreign policy which are close to the heart of the Republican President of the United States. Accordingly, Mr. President, on August 12, 1957, I addressed a communication to Hon. H. Meade Alcorn, which I ask unanimous consent to have printed in the RECORD at this point in my remarks.

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

Hon. H. MEADE ALCORN,
*Chairman, Republican National Committee, Washington, D. C.*

DEAR MR. ALCORN: I am herewith attaching for your interest a clipping from the Portland Oregonian of August 9, 1957.

It will indicate to you that the Republican Party State chairman in Oregon, Mr. James Short, has attacked my voting record as "appalling," on the basis of a survey of so-called economy votes in the Senate undertaken by the Congressional Quarterly.

I have inquired of the editors of Congressional Quarterly and learned that this survey was premised on 23 key Senate rollcalls between January 3 and July 28. On 17 of these rollcalls, the position of the President was known. The editors of the Quarterly informed me that I supported President Eisenhower's position on 13 rollcalls and opposed it on four. This was among the highest "support" scores of the President in the Senate.

I should like to address a question to you in your capacity as chairman of the Republican National Committee. Do you approve their so-called economy survey is based on 23 of partisan attacks by leaders of your party upon Democratic Senators—attacks based upon Senate rollcalls in which the Democratic Senators have given overwhelming support to the recommendations of President Eisenhower?

I trust you do not try to evade this inquiry by attacking the accuracy of the Congressional Quarterly because, for your information, the Oregon Republican chairman quite candidly premised his attack against me on the recent "economy" review of Senate voting published by the Quarterly.

For quite some time I have been disturbed by the tendency of prominent Republicans to take political advantage of the patriotism and responsibility to duty by Democrats who have risen above narrow partisan considerations in order to support the President on issues affecting our international destiny. I refuse to believe that the national leadership of the Republican Party desires to reap partisan capital out of the fact that some Democrats have been willing to make themselves politically vulnerable by backing the President on questions which may be momentarily unpopular or misunderstood.

I shall await your reply with interest.

With good wishes, I am,

Sincerely,

RICHARD L. NEUBERGER,
*United States Senator.*

Mr. NEUBERGER. The main question which I addressed to Mr. Alcorn in the letter was as follows:

I should like to address a question to you in your capacity as chairman of the Republican National Committee. Do you approve of partisan attacks by leaders of your Party upon Democratic Senators—attacks based upon Senate roll calls in which the Democratic Senators have given overwhelming support to the recommendations of President Eisenhower?

Mr. President, this letter speaks for itself. It is its own explanation. As of August 20, 1957, 8 days later, I had not received even an acknowledgement from H. Meade Alcorn, chairman of the Republican National Committee.

The attack upon me by the chairman of the Republican Party in my State—and the apparent indifference to that attack by the chairman of the Republican National Committee—shall not influence me to vote against what I think is best for mankind generally and for world peace. I never intend to base my position in the Senate on vindictiveness or malice. Yet, Mr. President, I regard it as useful and proper for the RECORD to demonstrate that perhaps the political rulers of the Republican Party really do not want Democrats to vote for the foreign-policy recommendations of the President of the United States. Certainly their conduct in my case would lead to such an inference.

In conclusion, I ask unanimous consent to have printed in the RECORD with these remarks a letter dated August 10, 1957, addressed to me by Mr. Thomas N. Schroth, executive editor of the Congressional Quarterly; a news dispatch from the Portland Oregonian of August 9, 1957, describing the attack upon my voting record by the chairman of the Republican State Committee of Oregon; and a press release from my office, dated August 14, 1957, answering that attack.

There being no objection, the letter, news dispatch, and press release were ordered to be printed in the RECORD, as follows:

CONGRESSIONAL QUARTERLY
NEWS FEATURES,
*Washington, D. C., August 10, 1957.*

Hon. RICHARD L. NEUBERGER,
*Washington, D. C.*

DEAR SENATOR NEUBERGER: This is in answer to your inquiry regarding the 23 Senate rollcall votes selected by Congressional Quarterly for its economy voting study. The votes were cast between January 3 and July 28, 1957. An analysis shows that, out of the 23 rollcall votes, you voted with the President 13 times; against the President four times; the President's position was unknown six times.

The President's position is indicated by Congressional Quarterly only when it is clear from his own statements where he stands on a particular rollcall vote.

Attached is a copy of the CQ economy voting story which I have marked to show where the President stood and how you voted on each of the 23 Senate rollcall votes involved.

I hope that this will answer your question. Please call on us if you need further information.

Sincerely,

THOMAS N. SCHROTH,
*Executive Editor.*

[From the Portland Oregonian of August 9, 1957]

NEUBERGER HIT ON FUND VOTES

STATE HOUSE (Salem).—An attack on the economy record of Oregon Senator RICHARD NEUBERGER was made Thursday by James Short, chairman of the Republican State central committee. His statement came from the State GOP headquarters, which recently were moved to Salem from Portland.

"NEUBERGER'S 96 percent disregard for the demands of the people for economy in Government is appalling," Short declared.

Short said statistics compiled by the Congressional Quarterly, a nonpartisan publication, show United States Representative WALTER NORBLAD leading the Oregon delegation in a fight for economy in Government with a 74 percent voting record from January to July.

"The voting record ranges from Senator NEUBERGER'S 4 percent record on Government economy to NORBLAD'S 74 percent. Representatives AL ULLMAN and CHARLES PORTER were scored with 7 percent, with EDITH GREEN 15 percent and WAYNE MORSE with 39 percent on economy," Short said.

"The variance of 35 percent in voting records between NEUBERGER and MORSE over a 6 months' period gives indication that the honeymoon for these prima donnas is nearing an end."

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STATEMENT BY SENATOR RICHARD L. NEUBERGER, OF OREGON, IN REPLY TO ATTACK UPON HIS VOTING RECORD BY REPUBLICAN STATE CHAIRMAN JAMES SHORT

On August 9 the Oregon State Republican Party chairman, James Short, attacked as "appalling" my voting record in the United States Senate. Mr. Short based this attack upon a Congressional Quarterly survey which allegedly showed me as voting for economy in government only 4 percent of the time.

This assault upon my record is merely one further demonstration that the top leadership of the Republican Party in our State is still basically anti-Eisenhower, so far as policy and program are concerned.

If Mr. Short were at all worried about the substantive nature of government, he would realize that my rating in the Congressional Quarterly is due almost entirely to the fact that I have tried to rise above narrow partisanship in order to support President Eisenhower on basic issues of foreign policy like mutual security, United States Information Agency, and national defense.

Following the attack upon me by Mr. Short, I consulted the editors of Congressional Quarterly. They have told me that Senate rollcalls between January 3 and July 28. On these 23 rollcalls, the recommendations of President Eisenhower were made clear 17 times. Out of those 17 rollcalls, I voted with Mr. Eisenhower 13 times and against him only four times. Few Senators in either party sided with the President on so many occasions.

The only possible conclusion to be drawn from Mr. Short's description of my Senate voting record as appalling is that he likewise regards as appalling the position of Dwight Eisenhower on those same issues. This is a curious posture, indeed, for the chairman of the Oregon State Republican Party.

On those few occasions when I did not vote with the President on this particular series of rollcalls, I am informed by the Congressional Quarterly that it was because I voted to expand the public-housing program and to enlarge appropriations available for Government-insured mortgages. With Oregon's crucial lumber industry in the doldrums because of a sagging market for housing, I wonder if the State Republican Party would have been happier if I had tried to diminish new housing starts still further?

A sample of the unfairness and inaccuracy of Mr. Short's attack was his ridicule of me because I have voted quite differently during this session of Congress from my senior colleague, Senator WAYNE MORSE. At the start of my senatorial career, I was attacked by Oregon Republicans because they claimed I would be a "rubber stamp" for Senator MORSE. Now they criticize me because I am not always voting the same way as Senator MORSE. What a shame that such irresponsibility grips a major political party in our State.

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## MONETARY POLICIES OF THE UNITED STATES

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the Honorable William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System, before the Committee on Finance of the United States Senate.

I might say it is very interesting to note that this objective report on the credit and monetary policies of the United States Government is in sharp contrast to the criticisms we hear every day on the floor of the Senate from critics of the present policies. I might say these criticisms come from those who never offer any alternative or any affirmative proposal. If their criticisms imply a return to policies which were inflationary, the statement by Mr. Martin is a very fine answer to those critics, for the statement points out the effects upon the economy and living standards of the people such inflationary policies would have.

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

STATEMENT OF WILLIAM MCCHESNEY MARTIN, JR., CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM BEFORE THE COMMITTEE ON FINANCE, UNITED STATES SENATE, AUGUST 13, 1957

Our country has been experiencing a period of unusual prosperity, featured by heavy spending, both governmental and private. As a Nation, we have been trying to spend more than we earn through production, and to invest at a rate faster than we save. The resulting demands, strong and incessant, have pressed hard upon our resources, both human and material. In consequence, prices have been rising, and the purchasing power of the dollar has been falling.

It is of the utmost importance to bring to bear on this critical problem all of the information and intelligence that we can muster. That is what you are seeking, and that is why this opportunity to appear here is timely and most welcome. We are not facing a new or insoluble problem—it is as old as the invention of money—and history is marked with both defeats and triumphs in dealing with this invisible but deadly enemy of inflation. The question is not whether we can solve the problem, but how best to deal with its under our form of Government and free enterprise institutions. Solve it we can—and must.

You have been inquiring particularly into fiscal policies and it is equally important to inquire into credit and monetary policies. They are closely interrelated, and are the two paramount and time-tested means available to the Government in combating inflation. There are undeniably practical limitations of timing and scope upon both, but they are the most effective weapons in the arsenal against this destructive invader. In fact they are indispensable.

By way of preface and for the record I should like to outline first the general structure and organization of the Federal Reserve System. Then I want to go into the nature and character of the problems the Nation is now facing.

FEDERAL RESERVE STRUCTURE

The Federal Reserve Act of 1913 was the outgrowth of prolonged Congressional study of the history of central banking in other countries and of our own experience, particularly with the first and second banks of the United States. The Congress, seeking to avoid either political or private domination of the money supply, created an independent institution which is an ingenious blending of public and private participation in the System's operations under the coordination of a public body, the Federal Reserve Board, here in Washington.

This question of independence has been thoroughly debated throughout the long history of central banking. On numerous occasions when amendments to the Federal Reserve Act were under consideration the question has been reexamined by Congress and it has reaffirmed its original judgment that the Reserve System should be independent, not independent of Government, but independent within the structure of the Government. That does not mean that the Reserve banking mechanism can or should pursue a course that is contrary to the objectives of national economic policies. It does mean that within its technical field, in deciding upon and carrying out monetary and credit policy, it shall be free to exercise its best collective judgment independently.

The Reserve System is an instrument of Government designed to foster and protect the public interest, so far as that is possible, through the exercise of monetary powers. Its basic objective is to assure a monetary climate that permits economic growth together with stability in the value of our money. Private citizens share in administering the System but, in so doing, they are acting in a public capacity. The members of the Board of Governors and the officers of the Federal Reserve banks are in a true sense public officials. The processes of policy determination are surrounded with carefully devised safeguards against domination by any special-interest group.

Broadly, the Reserve System may be likened to a trusteeship created by Congress to administer the Nation's credit and monetary affairs, a trusteeship dedicated to helping safeguard the integrity of the currency. Confidence in the value of the dollar is vital to continued economic progress and to the preservation of the social values at the heart of free institutions.

The Federal Reserve Act is, so to speak, a trust indenture that the Congress can alter or amend as it thinks best. The existing System is by no means perfect, but experience prior to 1914 suggests that either it or something closely approximating it is indispensable. In its present form, it has the advantage of being able to draw upon the knowledge and information of the directors and officers of its 12 banks and 24 branches in formulating and carrying out credit and monetary policies.

BOARD OF GOVERNORS

The Board of Governors, as you know, is composed of seven members appointed by the President and confirmed by the Senate, each for a term of 14 years. In appointing the members of the Board, the President is required to give due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, as well as the geographical divisions of the country. From among these members the President designates a Chairman and a Vice Chairman for terms of 4 years. Some of the functions of the Board of Governors are (1) to exercise supervision over the Federal Reserve banks; (2) to fix, within statutory limits, the reserves which member banks are required to maintain against their deposit liabilities; (3) to review and determine the discount rates which are established biweekly at each Federal Reserve bank, subject to approval of the Board in Washington; (4) to participate, as members of the Federal Open Market Committee, in determining policies whereby the System influences the availability of credit primarily through the purchase or sale of Government securities in the open market; (5) to fix margin requirements on loans on stock exchange collateral; and (6) to perform various supervisory functions with respect to commercial banks that are members of the System and to administer Federal Reserve, Holding Company, and other legislation.

FEDERAL RESERVE BANKS

Each Federal Reserve bank has a board of nine directors, of whom six are elected by the member banks. Of these, three are bankers, one from a large, one from a medium, and one from a small bank. Three more must not be bankers, but must be engaged in some nonbanking business. The other three members are appointed by the Board of Governors in Washington, which also designates one to be the Chairman and another the Deputy Chairman. None of these three may be an officer, director, employee, or stockholder of any bank. The directors of a Reserve bank supervise its affairs. Subject to approval of the Board of Governors, they appoint the President and First Vice President. Subject to review and determination by the Board of Governors, they establish discount rates.

The stock of each Federal Reserve bank is held by the member banks of its district. This stock does not have the normal attributes of corporate stock; rather, it represents a required subscription to the capital of the Reserve bank, dividends being fixed by law at 6 percent. The residual interest in the surplus of the Federal Reserve banks belongs to the United States Government, not to the bank's stockholders.

FEDERAL OPEN MARKET COMMITTEE

The Federal Open Market Committee consists, according to law, of the seven members of the Board of Governors, together with five presidents of the Federal Reserve banks. Four of these five presidents serve on a rotating basis; the fifth, the president of the Federal Reserve bank of New York, is a permanent member of the Committee. Since June 1955, when its Executive Committee was abolished, this Committee has usually met at 3-week intervals to direct the sale and purchase of securities in the open market. In practice, all 12 presidents attend these meetings and participate freely in the discussion, although only those who are members of the Committee vote.

FEDERAL ADVISORY COUNCIL

The Federal Reserve Act also provides for a Federal Advisory Council of 12 members. One is elected by the Board of each Reserve bank for a term of 1 year. The Council is required by law to meet in Washington at least four times each year. It is authorized to confer directly with the Board of Governors respecting general business conditions and to make recommendations concerning matters within the Board's jurisdiction.

JUDGING ECONOMIC TRENDS

The work of the system requires a continuous study and exercise of judgment in order to be alert to the way the economy is trending and what Federal Reserve actions will best contribute to sustained economic growth. Such decisions are often hard to make because of the existence of crosscurrents in the economy. Even in generally prosperous times, some parts of the economy may not fare as well as others. Credit policy must, however, fit the general situation and not reflect unduly either the condition of certain industries experiencing poor business, or that of other industries enjoying a boom. Residential construction illustrates this point. In 1956 and so far in 1957 demand pressures on available resources have been generally strong and prices have been moving up, but housing construction has receded considerably from its 1955 peak. The homebuilding industry undoubtedly could supply housing at a faster rate than is now prevailing. But even at the current volume, building costs continue to increase. The prices of some building materials have fallen, it is true, but the overall cost of housing construction has increased appreciably even in the face of moderately lower demand. The explanation is to be found in the fact that expenditures for all major types of construction except residential have been maintained at or above record levels. This example shows why credit policy must take account of the overall situation, and cannot be deterred unduly by special cases that are not typical of the whole.

Another factor complicating economic interpretation is that even in a period of broad advance and upward pressure on prices, there may be lulls when conditions seem to be stabilizing and the next turn of events is difficult to appraise.

PURPOSES

The objective of the system is always the same—to promote monetary and credit conditions that will foster sustained economic growth together with stability in the value of the dollar. This goal may be thought of in human terms. The first part may be considered as concerned with job opportunities for wage earners; the latter as directed to protecting those who depend upon savings or fixed incomes, or who rely upon pension rights. In fact, however, a realization of both aims is vital to all of us. They are inseparable. Price stability is essential to sustainable growth. Inflation fosters maladjustments. In some periods these broad aims call for encouraging credit expansion; in others, for restraint on the growth of credit. The latter is what is required at present, for clearly the most critical economic problem now facing this country is that of inflation, or put in the terms of the man on the street, it is the rising cost of living.

THE CURRENT PROBLEM OF INFLATION

This problem is far different from the one that beset us during the depressed 1930's, and left an indelible impression on our thinking. The problem then was one of drastic deflation with widespread unemployment, both of men and material resources. Today's problem has persisted through the years since World War II. It consists of inflationary price increases and the economic imbalances that have resulted.

This is the overriding problem that faces the Federal Reserve System today, for a spiral of mounting prices and wages seeks more and more financing. It creates demands for funds in excess of savings, and since these demands cannot be satisfied in full, the result is mounting interest rates and a condition of so-called tight money. If the gap between investment demands and available savings should be filled by creating additional bank money, the spiral of inflation which tends to become cumulative and self-perpetuating would be given further impetus. If the Federal Reserve System were a party to that process, it would betray its trust.

CONFLICTING VIEWS ON CAUSES

There is much current discussion of the origin of inflationary pressures. Some believe they reflect a recurrence of demand-pulls, similar to those present in the earlier postwar period. Others believe they originate in

a cost-push engendered by administered pricing policies and wage agreements that violate the limits of tolerance set by advances in productivity.

These distinctions present an oversimplification of the problem. Inflation is a process in which rising costs and prices mutually interact upon each other over time with a spiral effect. Inflation always has the attributes, therefore, of a cost-push. At the same time, demand must always be sufficient to keep the spiral moving. Otherwise the marking up of prices in one sector of the economy would be offset by a reduction of prices in other sectors.

There is much to be said for the view that contractual or other arrangements designed as shelters or hedges from inflation have the effect of quickening its tempo. The 5-percent rise in the cost of living which we have experienced over the last 2 years has probably reflected and been reflected in more rapidly rising wage costs because of the prevalence of cost-of-living clauses in many modern wage contracts. Cost plus contracts tend to have the same quickening effect on the inflationary spiral.

The spiral is also, however, a demand spiral. At each point of time in the development of the inflationary spiral, there must be sufficient demand to take the higher-priced goods off the market and thus keep the process moving.

THE INFLATIONARY SPIRAL

The workings of the spiral of inflation are illustrated by the economy of the moment. As has been brought out at some of the earlier hearings of this committee, we are now faced with the seeming paradox that prices are expected to continue to rise, even though the specific bottlenecks in capacity that impeded the growth of production in 1956 have now been largely relieved, and investment in productive facilities continues at very high levels. Houses, automobiles, household appliances, and other consumer goods, as well as most basic materials, are all readily available—at a price. The problem is no longer one of specific shortages or bottlenecks causing prices of individual commodities to be bid up because of limited availability but rather it is one of broad general pressure on all of our resources. In other words, aggregate demand is in excess of aggregate availabilities of these resources at existing prices.

Taking the situation as a whole, as individuals, corporations, and governments proceed with their expenditure plans, buttressed by borrowed funds, they are in the position of attempting to bid the basic factors of production—land, labor, and capital—away from each other and in the process the general level of costs and prices is inevitably pushed upward. Recently, this general pressure has been expressing itself particularly in rising prices for services as compared with goods. Despite the existence in some lines of reduced employment and slack demand, many employers now face rising costs when they seek to expand activity by adding appreciably to the number employed. Often, the additional manpower required has to be bid away from other employers. As a result, many current plans for further expansion of capacity place great emphasis on more efficient, more productive equipment rather than on more manpower.

This generalized pressure on resources comes to a head in financial markets in the form of a shortage of saving in relation to the demand for funds. A considerable volume of expenditure is financed at all times out of borrowed funds. When these funds are borrowed from others who have curtailed their own expenditures, no additional demand for resources is generated. On balance, however, demands for funds by those who have wanted to borrow money to spend in excess of their current incomes have outrun savings. Those who have saved by limiting their current expenditures, and thus made funds available for lending, have still not kept pace with the desire of governments, businesses, and individuals to borrow in order to spend.

Just as an intense general pressure on available resources manifests itself in rising wages and prices, a deficiency of savings relative to the demand for borrowed money manifests itself in an increase in the price of credit. In such circumstances, interest rates are bound to rise. The rise in rates might be temporarily held down by creating new bank money to meet borrowing demands, but this, as I have said, would add fuel to inflation and bring about further increases in demands. In the end, as prices rose ever faster, interest rates could not be held down. In summary, whatever the special features of the current inflation, the important fact is that it is here, and that it has created demands for borrowed funds in excess of financial savings, even though these have grown appreciably. Any attempt to substitute newly created bank money for this deficiency in savings can only aggravate the problem and make matters worse.

EFFECTS OF HIGHER INTEREST RATES

The response to higher interest rates is complex. One result is that some would-be borrowers draw on cash balances to finance projected expenditures or lenders draw on their balances to lend at the higher rates, thus reducing their liquidity and increasing the turnover of the existing money supply. In recent years, with the large volume of Federal Government securities outstanding, many holders of these securities—both institutions and individuals—have liquidated their holdings in order to shift funds to other uses. This has been an important influence in bringing about the decline in bond prices. To the extent that accumulated cash balances or other past savings can be used more actively, expenditures remain high relative to available resources and prices tend to rise, but the reduced financial liquidity eventually exerts restraint on borrowing and spending.

Another result of higher interest costs, together with greater difficulty in obtaining loans, is that many potential borrowers revise or postpone their borrowing plans. To the extent that expenditures are revised or deferred, inflationary pressures are reduced.

The most constructive result is the encouragement of a volume of savings and investment that permits continued expansion of productive facilities at a rate consistent with growing consumption demands. Only in this way can the standard of living for a growing population be improved and the value of savings be maintained.

Such constructive adaptations, if made in time at the onset of inflationary pressures, need not be large in order to restore balance between prospective demands and the resources available to meet them. It is essential, however, that the adjustment be made. Otherwise prospective expenditures will continue to exceed the resources available and the pressure of excess demand will foster an inflationary spiral.

EXPECTATIONS OF CONTINUING INFLATION

Once such a spiral is set in motion it has a strong tendency to feed upon itself. If prices generally are expected to rise, incentives to save and to lend are diminished and incentives to borrow and to spend are increased. Consumers who would normally be savers are encouraged to postpone saving and, instead, purchase goods of which they are not in immediate need. Businessmen, likewise, are encouraged to anticipate growth requirements for new plant and equipment. Thus, spending is increased on both counts. But, because the economy is already operating at high levels, further increases in spending are not matched by corresponding increases in production. Instead, the increased spending for goods and services tends to develop a spiral of mounting prices, wages, and costs.

Unfortunately, during the past year, as price indexes gradually rose, some segments of the community apparently became reconciled to the prospects of a creeping, if not a runway, inflation. One of the baneful effects of inflation stems from the expectation of inflation. While a price increase, in itself, may cause serious dislocations and inequities, other and more serious effects occur if the price rise brings with it an expectation of still other increases. Expectations clearly have a great influence on economic and financial decisions. In fact, decisions to spend or to invest too much in a given time are a direct cause of inflation. Also, if further inflation is expected, speculative commitments are encouraged and the pattern of investment and other spending—the decisions on what kinds of things to buy—will change in a way that threatens balanced growth.

CREEPING INFLATION

The unwarranted assumption that "creeping inflation" is inevitable deserves comment. This term has been used by various writers to mean a gradual rise in prices which, they suggest, could be held to a moderate rate, averaging perhaps 2 percent a year. The idea of prices rising 2 percent in a year may not seem too startling—in fact, during the past year, average prices have increased by more than 2 percent—but this concept of creeping inflation implies that a price rise of this kind would be expected to continue indefinitely. According to those who espouse this view, rising prices would then be the normal expectation and the Federal Reserve accordingly would no longer strive to keep the value of money stable but would simply try to temper the rate of depreciation. Business and investment decisions would be made in the light of this prospect.

Such a prospect would work incalculable hardship. If monetary policy were directed with a view to permitting this kind of inflation—even if it were possible to control it so that prices rose no faster than 2 percent a year—the price level would double every 35 years and the value of the dollar would be cut in half each generation. Losses would thus be inflicted upon millions of people, pensioners, Government employees, all who have fixed incomes, including people who have part of their assets in savings accounts and long-term bonds, and other assets of fixed dollar value. The heaviest losers would be those unable to protect themselves by escalator clauses or other offsets against prices that were steadily creeping up.

Moreover the expectation of inflation would react on the composition of savings. A large part of the savings of the country is mobilized in savings deposits and similar claims that call for some stated amount of dollars. If people generally come to feel that inflation is inevitable, they will not save in this form unless they are paid a much higher interest premium to compensate them for the depreciation of their saved dollars. It is for this reason that it is impossible, in a period of demand in excess of savings, to maintain lower interest rates through a policy of easy credit. The country is experiencing a period of generally high employment in which investment outlays remain high, but, if fears of inflation cause people to spend more of their incomes and save less, the result could only be more rapid inflation and still less saving in relation to income. Such saving as remained, furthermore, would be less and less in the form of loanable funds to finance homes, highways, school construction, and other community needs.

EFFECTS ON PRODUCTIVE ENTERPRISE

An inflationary psychology also impairs the efficiency of productive enterprise—through

which our standard of living has made unparalleled strides. In countries that have had rapid or runaway inflations, this process has become so painfully obvious that no doubt remained as to what was happening to productivity. In the making of decisions on whether or not to increase inventory, or make a capital investment, or engage in some other business operation, the question of whether the operation would increase the profit from inflation became far more important than whether the proposed venture would enable the firm to sell more goods or to produce them at lower cost. The incentive to strive for efficiency no longer governed business decisions.

PRODUCTIVITY—KEY TO SUSTAINED PROSPERITY

Why have real wages in this country risen to the highest levels in the world, thus permitting our standard of living to rise correspondingly? Certainly, it is not just because wages have risen as the cost of living has risen. The big source of increase has been the increasing productivity of our national economy. Real incomes have gone up because the total size of the pie, out of which everybody receives his share, his grown so magnificently. What has enabled the productivity of the American economy to achieve the levels that make all this possible? One vital factor has been the striving by so many people, each in his own field, for better and more efficient ways of doing things. Equally important has been the willingness to set aside a part of current income to provide the machines, tools, and other equipment for further progress. Both are essential if our standard of living and material welfare are to go on advancing.

EFFECTS OF INFLATION

Inflation does not simply take something away from one group of our population and give it to another group. Universally, the standard of living is hurt, and countless people injured, not only those who are dependent on annuities or pensions, or whose savings are in the form of bonds or life insurance contracts. The great majority of those who operate their own businesses or farms, or own common stocks or real estate, or even those who have cost-of-living agreements whereby their wages will be raised, cannot escape the effects of speculative influences that accompany inflation and impair reliance upon business judgments and competitive efficiency.

Finally, in addition to these economic effects, we should not overlook the way that inflation could damage our social and political structure. Money would no longer serve as a standard of value for long-term savings. Consequently, those who would turn out to have savings in their old age would tend to be slick and clever rather than the hard-working and thrifty. Fundamental faith in the fairness of our institutions and our Government would deteriorate. The underlying strength of our country and of our political institutions rests upon faith in the fairness of these institutions, in the fact that productive effort and hard work will earn an appropriate economic reward. That faith cannot be maintained in the face of continuing, chronic inflation.

There is no validity whatever in the idea that any inflation, once accepted, can be confined to moderate proportions. Once the assumption is made that a gradual increase in prices is to be expected, and this assumption becomes a part of everybody's expectations, keeping a rising price level under control becomes incomparably more difficult than the problem of maintaining stability when that is the clearly expressed goal of public policy. Creeping inflation is neither a rational nor a realistic alternative to stability of the general price level.

PEGGING THE MARKET

It has been suggested, from time to time, that the Federal Reserve System could relieve current pressures in money and capital markets without, at the same time, contributing to inflationary pressures. These suggestions usually involve Federal Reserve support of the United States Government securities market through one form or another of pegging operations. There is no way for the Federal Reserve System to peg the price of Government bonds at any given level unless it stands ready to buy all of the bonds offered to it at that price. This process inevitably provides additional funds for the banking system, permits the expansion of loans and investments and a comparable increase in the money supply—a process sometimes referred to as monetization of the public debt. The amount of the inflationary force generated by such a policy depends to some extent upon the demand pressures in the market at the time. It would be dangerously inflationary under conditions that prevail today. In the present circumstances the Reserve System could not peg the Government securities market without, at the same time, igniting explosive inflationary fuel.

DO RISING INTEREST RATES ADD TO INFLATION?

We must be clear in viewing these relationships to distinguish cause from effect and not to confuse them. It is sometimes said that rising interest rates, by increasing the cost of doing business, lead to higher prices and thus contribute to inflation. This view is based upon an inadequate conception of the role of interest rates in the economy, and upon a mistaken idea of how interest costs compare with total costs. In municipal government budgets, it is about 2 percent; in many utilities, it is 3 to 5 percent. Thus, as an element of cost, interest rates are relatively small; but, as a reflection of demand pressures in markets for funds, interest rates are highly sensitive. As previously explained, rising interest rates result primarily from an excess of borrowing demands over the available supply of savings. Since these demands are stimulated by inflation, under these circumstances rising interest rates are an effect of inflationary pressures not a cause. Any attempt to prevent such a rise by creating new money would lead to a much more rapid rise in prices and in costs than would result from any likely increase in interest rates. Such an attempt, moreover, would not remove the need for a fundamental adjustment in the relation between saving and consumption and would probably fail in its purpose of stabilizing interest rates.

BASIC FACTORS IN RECENT INFLATIONARY PRESSURES

A major cause of recent inflationary pressures has been the attempt to crowd into this period a volume of investment greater than the economy could take without curtailing consumption more than consumers have been willing to do. In fact, there has been some increase in consumption on borrowed funds. Increases in interest rates naturally come about under such conditions; they are the economy's means of protecting itself against such excessive bunching of investment or the building up of an unsustainable rate of consumption. While the effect of a moderate change in interest rates on the cost of goods currently being produced and sold is small and relatively unimportant, changes in interest rates do assume importance as a cost in the planning of new investment outlays. These costs do not affect current operations or add to upward price pressures to any substantial extent. They do tend to deter the undertaking of new investment projects and to keep the amount of investment spending that is being undertaken in line with the economy's ability to produce investment goods. To maintain artificially low interest rates under these conditions, without introducing any other force to restrain investment, would be to invite an unbridled investment boom, inflation, and an inevitable collapse later.

It is necessary to emphasize that there are many influences, other than monetary policies and interest rates, that affect the volume of consumption, investment, and saving and their relationships. Monetary policies operate directly through the volume of bank credit and bank-created money. The volume of current saving out of income and the uses made of new and outstanding savings have a more important bearing upon the availability of investment funds than bank credit. Interest rates, therefore, are influenced by the relationship between investment demands and the availability of savings, independently of monetary policies. Interference with these relationships through monetary policies, in fact, may prevent necessary and healthy adjustments that help to maintain equilibrium in economic growth.

IN A NUTSHELL

(a) An inflationary spiral is always characterized by:

1. An interaction between rising costs and rising prices; and

2. An increase in overall effective demand sufficient to keep the spiral going. As prices generally keep rising, a larger and larger volume of demand (in dollar terms) is needed to sustain the same volume of transactions (in physical terms).

As long as it persists, therefore, an inflation will always show evidence of both demand pulls and cost pushes with their relative manifestations shifting as the inflation runs its course.

(b) The tempo of interaction between rising costs and rising prices will be speeded up if the situation is characterized by:

1. The release of a previously created overhang of pent-up money demand (such as existed when direct controls broke down or were relaxed at the end of the war).

2. The creation in volume of new money demand through excessive credit expansion and/or activation of existing cash balances (such as happened when war broke out in Korea).

3. The widespread existence in the economy of escalators which act automatically to transfer rising costs or prices into rising prices and costs (cost of living clauses in collective bargaining agreements, cost plus contracts, etc.).

4. The degree to which a speculative psychology backed by effective demand pervades business decisions.

(c) The tempo of interaction between costs and prices will also be affected by the degree to which administered prices and wage rates are prevalent in the economy. These effects are not always in the same direction. The net effect of the many and various factors influencing administered prices and wages sometimes tend to slow up and sometimes to accelerate price movements, depending upon the particular circumstances.

(d) Whatever the mix of the above ingredients, an inflation once under way will tend to persist as long as the credit necessary to finance the rising level of costs and prices is forthcoming. Credit may be supplied through new bank-credit expansion or by activation of already existing money.

(e) Whatever its antecedent characteristics, an inflation will tend to feed upon itself and be accentuated once the investing and saving public come to think of further inflation as the prospect.

(f) It is the nature of inflation hedges to act as aggravating rather than equilibrating factors.

(g) No one suffers more than the little man from the ravages of inflation.

(h) A monetary authority dedicated to promoting the public welfare must not relax restraints in the face of continuing inflationary pressures, since any efforts to relax mere-

ly add to the forces tending to keep the inflation in motion.

WHAT MORE CAN BE DONE?

How, then, may further inflation be restrained? Bluntly, the answer is to be found in a moderation of spending, both governmental and private, until the demands for funds are balanced by savings. This prudence must be coupled with sound fiscal policy, which means a larger budget surplus as well as effective monetary policy to restrain the growth of bank credit.

Among the factors influencing saving and consumption are those fiscal policies relating to taxes and governmental budgets. These require special attention because they are not as responsive to changes in the availability of credit and interest rates as are private activities. Untimely fiscal policies can create or aggravate imbalance in the economy and thus dilute the effectiveness of monetary policies. On the other hand, fiscal measures that help to maintain balance can reduce the degree of restraint that monetary policies might otherwise have to exert.

Experience over the centuries has demonstrated that there is no tolerable alternative to adequate fiscal and monetary policies, operating in an environment of open, competitive markets under our system of human freedoms. Neither an economic dictatorship nor complacent acceptance of creeping inflation is a rational or tolerable way of life for the American people.

There is no panacea, no magical means of assuring orderly economic growth, nor are we much more likely in the future than in the past to achieve perfect performance in the timing and execution of policy and action. We have every reason to believe, nevertheless, that we can discern and follow the right path. Thus, it is clear that the present situation calls both for a larger budgetary surplus than we have had or have in prospect, and a continuance of restraint upon creation of new supplies of money.

ACTION REQUIRED

Let us not follow the defeatist path of believing that widespread unemployment is the alternative to inflation.

There is no question that the Federal Government and the American people, pulling together, have the power to stabilize the cost of living. The only question is, whether there is the will to do so.

If the will is there, and it is demonstrated convincingly to the American people, the cost of living can be stabilized, interest rates will relax, and a sufficient volume of savings will be encouraged to provide for the economic growth need in this generation and the next.

This committee and the Congress can contribute greatly to that end by declaring resolutely—so that all the world will know—that stabilization of the cost of living is a primary aim of Federal economic policy.

The goal of price stability, now implicit in the Employment Act, can be made explicit by a straightforward declaration and directive to all agencies of the Government that anti-inflationary actions are to be taken promptly whenever the cost of living begins to rise.

The executive and legislative branches of Government, in conjunction, can assure adjustment of Federal revenues and expenditures so that, in times when total spending threatens to burst the bounds of capacity and drive up the cost of living, the Federal Government will set an example of restraint in outlays and at the same time produce a surplus to counterinflationary pressures from any quarter.

The Congress and the Executive can take steps to assure that free and vigorous competition is maintained in all segments of the economy as the bedrock of our free enterprise system.

The Federal Reserve System, itself a creation of the Congress, can—and I assure you that it will—make every effort to check excesses in the field of money and credit that threaten the cost of living and thus undermine sustained prosperity and growth of our economy.

In all of these ways we can, if we have the will, set the face of the Nation so resolutely against inflation as to keep that enemy from our gates.

No greater tragedy, short of war, could befall the free world than to have our country surrender to the easy delusion that a little inflation, year after year, is either inevitable or tolerable. For that way lies ultimate economic chaos and incalculable human suffering that would undermine faith in the institutions of free men.

## CONTRIBUTIONS OF IMMIGRANTS TO THE UNITED STATES—EXAMPLE OF DR. BORIS SIRPO

Mr. NEUBERGER. Mr. President, at this time we in the Senate are making ready to consider legislation amending the McCarran-Walter Act. I am pleased to be a cosponsor of S. 2410, of which the principal author is the distinguished junior Senator from Massachusetts [Mr. KENNEDY]. This is a bill to liberalize certain restrictive features of our immigration code.

At such an hour it is well for us to appreciate the many great contributions to the economy and culture of our Nation by immigrants. One such person, of whom we are particularly proud in my own State, is the distinguished conductor, Boris Sirpo, who has made the Portland Little Chamber Orchestra famous and beloved in many segments of the civilized world. Twice in recent years, Boris Sirpo and his all-girl orchestra from Oregon have won thousands of friends for America in particular and democracy in general, with their talented and gifted concert presentations throughout Europe. They also have successfully toured South America.

Boris Sirpo is a native of Finland, a country celebrated for Sibelius and many other great musicians. Boris Sirpo follows in this tradition. So that my colleagues will have some appreciation of what this recent tour of Europe has meant to an illustrious immigrant to our own land, I ask unanimous consent that a letter which I have just received from Boris Sirpo, dated August 15, 1957, appear in the body of the RECORD.

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

PORTLAND, OREG., *August 15, 1957.*

Hon. RICHARD L. NEUBERGER,
*Senator From Oregon,*
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR: After traveling from country to country and from place to place like gypsies we are now back in our beautiful city of roses. Every member of our group is telling stories about our trip, countries, persons, natures, and especially the wonderful treatment which we have received in Germany. As a student in the University in Germany, I have known Germans very well, and I have known how critical they are to other people and to other countries. But I have decided to take a challenge, and the Army has been wonderfully kind and understanding, it is true, and given us opportunity to perform for the German people.

In München, Nürnberg, and Frankfurt, and many other places, we had audiences much over 2,000 people at the concerts. I am a really happy man that my ideas and my purpose were rightly understood. In my work I am often very misunderstood. My programs have created the highest admiration and respect in Germany. I do think that in Washington they misunderstood my purpose; that my purpose was a purpose of good feeling, not purpose of selling American music to them. I consider myself an ambassador of good will. It would have been impossible for me to present highest standards of culture and at the same time promote propaganda for American music. They just don't mix, you know.

Possibly it would be of interest to you to know that we had 56 performances overseas. We played for three television outlets, in Paris, Strasbourg, and Stockholm, comprising millions of people who heard us. In every country we were reminded that the United States never sent better cultural ambassadors than this group has been. In these 3 months of our tour, nobody was sick, and not one concert was canceled.

The concert which we had for the Army has been a big inspiration, an experience for life. I think that these boys are indeed very proud for our achievements in other countries. And then, I felt also that they had a need, a very strong need for spiritual food.

Very often the most wonderful flowers are put into funerals. But I am very proud that we have received some wonderful flowers, but we are very much alive.

We had a magnificent homecoming concert, with standing ovations and with a packed house. Better later than never.

And now, dear Senator NEUBERGER, I have an inner need to thank you for your wonderful understanding, kindness, and help. With my deepest respect, believe me to be,

Most sincerely,

BORIS SIRPO.

## ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Is there further morning business? If not, morning business is closed. Under the order previously entered the calendar will now be called.

## TERMINATION OF VETERANS' EDUCATION APPEALS BOARD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1020, H. R. 8076.

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

The LEGISLATIVE CLERK. A bill (H. R. 8076) to provide for the termination of the Veterans' Education Appeals Board, established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans.

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

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

Mr. MANSFIELD. Mr. President, H. R. 8076 provides for the termination of the Veterans' Education Appeals Board. This independent board established by Public Law 610 of the 81st Congress reviews certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans.

This proposed legislation has the concurrence of the Chairman of the Board and would terminate its operations 60 days after enactment. In addition, this bill provides that the records should be transferred to the National Archives and Records Service of the General Services Administration. These records would be made available to all interested parties.

In recent years the number of disputes that have arisen between the schools and the Veterans' Administration over the operation of the Servicemen's Readjustment Act has diminished, and it is believed that the few remaining disputes that might arise can now be handled expeditiously by our courts.

In brief, this is a decision to bring to a close the workings of a board which has a fine record of accomplishments but whose work is near completion. I think that the board is to be congratulated for not wanting to prolong its existence without sufficient reason.

I might add, Mr. President, that this bill, if enacted, would result in the saving of approximately $35,000 during fiscal year 1958.

I want to commend each of the members of the Board for his excellent services to our servicemen, namely, Charles M. Thompson, Chairman of the Board; Jo Zach Miller III; and the presiding member here in Washington, Edward L. Arpin, of Butte, Mont.

I may say, Mr. President, this is one of the few occasions I can recall when a bureau of the Federal Government voluntarily liquidated itself. I think that Judge Arpin and his colleagues are to be commended for pushing this particular measure and for their desire to bring about a termination of an appeals board which has fulfilled its functions and for which there seems to be very little work in the future.

Mr. President, I ask unanimous consent that the text of the bill and excerpts from the report of the House committee be printed in the RECORD at this point.

There being no objection, the text of the bill and excerpts from the report (No. 996) were ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.*, That paragraph 11 (d) of part VIII of Veterans Regulation No. 1 (a) is amended by adding at the end thereof the following new subparagraph:

"The Veterans' Education Appeals Board established by this paragraph shall cease to exist 60 days after the date of enactment of this subparagraph, and the records of the Board shall thereupon be transferred to the National Archives and Records Service of the General Services Administration, for retention to the extent warranted, or otherwise for disposition according to law. The Board shall not receive or act upon any application for review filed after date of enactment of this subparagraph."

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EXPLANATION OF THE BILL

Under the terms of Public Law 266, 81st Congress, a Veterans' Tuition Appeals Board was created to consist of three members appointed by the Administrator of Veterans' Affairs for the purpose of hearing complaints of any school which was dissatisfied with the determination of the rate of payment for tuition and other charges payable under Public Law 346, 78th Congress—the so-called World War II GI bill of rights.

Subsequently, Public Law 610, 81st Congress, created a Veterans' Education Appeals Board to replace the Veterans' Tuition Appeals Board. The new Board also consisted of three members but were appointed by the President; this Board was to be an independent Board. Cases pending before the old Board were transferred to and decided by the new Board.

Public Law 610 gave the new Board authority to review any contract entered into by any education or training institution which covered a period subsequent to August 24, 1949, the effective date of Public Law 266. On the other hand, any contract which expired prior to August 24, would not be covered.

The Veterans' Education Appeals Board, in the judgment of the committee, has performed a most useful function. Its decisions have been promptly rendered and have been equitable. The numerous cases presented to the Board have involved many which were in direct conflict with decisions of the Administrator of Veterans' Affairs or his representative.

The education provisions of the Servicemen's Readjustment Act have largely come to a close by virtue of the delimiting date, July 25, 1956. The Veterans' Education Appeals Board, through its Chairman, has officially advised the committee that, in its judgment, its operation should be terminated. Therefore, the purpose of this act is to terminate the operations of the Board, 60 days after enactment, and to provide that its records shall be transferred to the National Archives and Records Service of the General Services Administration, to be made available by that agency for the inspection and use of any interested party.

It is the decision of the committee that the interest of all concerned could best be served by providing for the transfer of these records to the National Archives and Records Service of the General Services Administration, rather than transferring them to the jurisdiction of the Veterans' Administration.

There have been many disagreements between this Board and the Veterans' Administration. The VA has been reluctant in many instances to recognize that this Board was, in fact, independent. For that reason it seems wise that the records should be available through an independent agency of the Government rather than through an agency which was hostile on many occasions to the operation of the Board.

As indicated, the enactment of this legislation would result in a saving of approximately $35,000 during fiscal year 1958.

The report of the Veterans' Administration and pertinent sections of letters received from the Chairman of the Veterans' Education Appeals Board and the Comptroller General follow:

VETERANS' EDUCATION APPEALS BOARD,
*March 25, 1957.*

Hon. OLIN E. TEAGUE,
*Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D. C.*

DEAR MR. TEAGUE: For months the members of the Veterans' Education Appeals Board have kept close attention to the trend of our workload. As you know, beginning in early 1954 we began to reduce expenditures for both personnel and space, and have continued to do so as often as we felt the situation would permit. From time to time Mr. Arpin has conferred with you or Mr. Meadows regarding the progress of the Board. At our February meeting we again reviewed the situation, on the basis of our records and informal information obtained from the Veterans' Administration. Colonel Miller, Mr. Arpin, and I considered it advisable that the time had arrived for a conference with you to discuss a repeal of that part of Public Law 610 which set up the Board, and Mr. Arpin was asked to secure your views in the matter. This he did on February 12, 1957.

Since that time you have forwarded to us a draft of a bill designed to terminate the Board's function. At a Board meeting held in Kansas City, Mo., on March 14 and 15, 1957, the members of the Board reviewed this matter from a variety of angles.

Commenting informally, we wish to state, at the outset, that we believe the present draft will adequately accomplish the purpose intended since we are unable to visualize any ill effects, now or later, from the introduction and enactment of the bill in its present form. The relatively few disputes which might arise between schools and the VA can now be expeditiously handled by our courts without fear of overloading their dockets.

Certain suggestions were made during our meeting which I would like to pass on to you.

1. As to the termination date, viz: 30 days after the date of enactment: If the bill were so worded that the right to file new appeals would cease immediately upon enactment, and that the Board would thereafter be afforded a reasonable time to close out (perhaps 60 days), we would be able to handle most (all, it is hoped) of the matters now before us, or which might be commenced during the time required to get the bill through the Congress. The additional 60-day period could then be devoted exclusively to such matters as, the final compilation of our decisions in bound volumes, the preparation of a final report and history, the disposition of our records, and any other administrative requirement necessary in closing out an operation such as this.

2. As to the disposition of Board records: It has been suggested that they be turned over to the Justice Department, or more preferably to the Archives. The thinking back of this is that, in every case, the Veterans' Administration has been a party, and any appeals or actions arising after our decision are referred to and handled by the Justice Department. In Archives the record of the hearings before the Board might be more accessible to both parties.

Although beyond the scope of this particular matter, a suggestion was also advanced that it might be advisable at this time to think of placing a cutoff date on the VA's right to reaudit or otherwise raise questions regarding past payments made to schools or veterans under the expired GI bill. Of course, this suggestion was advanced without specific knowledge of the extent of the present operations of the VA along this line and only on the basis of the review of the number of disputes brought before the Board in the last year.

With continued high esteem, I remain,
Sincerely yours,

CHARLES M. THOMPSON,
*Chairman.*

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COMPTROLLER GENERAL OF THE UNITED STATES,
*Washington, March 13, 1957.*

Hon. OLIN E. TEAGUE,
*Chairman, Committee on Veterans' Affairs, House of Representatives.*

DEAR MR. CHAIRMAN: Further reference is made to your letter of February 28, 1957,

requesting our comments on a draft of a bill proposing the termination of the Veterans' Education Appeals Board.

The Veterans' Education Appeals Board was created for the purpose of providing an independent forum to which institutions who were dissatisfied with the actions of the Administrator of the Veterans' Administration concerning compensation payable for education and training furnished to veterans under title II of the Servicemen's Readjustment Act of 1944, Public Law 346, 78th Congress (58 Stat. 284, 287) and its amendments might appeal for reconsideration and a final administrative determination. The education and training program provided by the 1944 act has come practically to a close and it is understood that the docket of the Board is, or shortly will be, clear.

Furthermore, such claims as may be pending in the Veterans' Administration or which may hereafter arise and are not concluded administratively to the satisfaction of the institutions concerned may be submitted to the General Accounting Office for settlement and adjustment. (See 31 U. S. C. 71, 71a; see also, 31 U. S. C. 236, providing for submission to Congress by the Comptroller General of meritorious claims against the United States not subject to lawful adjustment by use of an appropriation theretofore made.) The institutions are also privileged to present claims and to obtain judicial review of settlements made administratively or by the General Accounting Office through appropriate proceedings in the United States district courts (28 U. S. C. 1346, 2401) or the United States Court of Claims (28 U. S. C. 1491, 2501). It therefore appears that should the Board be terminated the existing remedies will be adequate for the handling of any outstanding claims under this program.

With respect to the provision for transferring the records of the Board to the Veterans' Administration, it may be noted that the Veterans' Administration was an opposing party in the proceedings before the Board. Moreover, some of these cases may become the subject to litigation in which event the Attorney General will be primarily responsible for determining the action to be taken on behalf of the Government. (See sec. 5, Executive Order No. 6166, June 10, 1933, 5 U. S. C. 132, note.) Under such circumstances it is believed consideration might be given to the desirability of transferring such records to the Department of Justice rather than to the Veterans' Administration.

Sincerely yours,

JOSEPH CAMPBELL,
*Comptroller General of the United States.*

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VETERANS' ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR
OF VETERANS' AFFAIRS,
*Washington, D. C., June 24, 1957.*

HON. OLIN E. TEAGUE,
*Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D. C.*

DEAR MR. TEAGUE: This will refer to your request for a report by the Veterans' Administration on H. R. 8076, 85th Congress, a bill to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans.

H. R. 8076 proposes to terminate the Veterans' Education Appeals Board which was established by Public Law 610, 81st Congress, July 13, 1950, to review determinations and actions of the Veterans' Administration relative to payments made to educational institutions for tuition, fees, and other charges on behalf of World War II veterans enrolled for a course of education, under title II of the Servicemen's Readjustment Act of 1944. The Board would not receive or act upon any application for review which was filed after the date of the enactment of the bill, and would cease to exist 60 days thereafter. At the time of its dissolution, the Board's records would be transferred to the National Archives and Records Service of the General Services Administration, for retention to the extent warranted, or otherwise for disposition according to law.

The Veterans' Education Appeals Board was, as noted, established by the act of July 13, 1950, and is composed of 3 members, appointed by the President, who are compensated out of appropriations available for administrative expenses of the Veterans' Administration for time spent by them in the work of the Board, and for necessary travel and subsistence expenses. The Veterans' Administration provides the Board with such stenographic, clerical, and other assistance facilities and services as are necessary for the discharge of its functions.

Under provisions of the Servicemen's Readjustment Act, most World War II veterans were required to initiate their course of education or training by July 25, 1951, and no education or training could be afforded beyond July 25, 1956, with the exception of those enlistees or reenlistees within the terms of the Armed Forces Voluntary Recruitment Act of 1945, who have the benefit of a more liberal termination date. At the end of April 1957, there were only 1,255 veteran-trainees enrolled under the Servicemen's Readjustment Act.

The Board has been in existence for nearly 7 years, and any school which desired to present its case for review has had an adequate opportunity, and a 60-day period following the bill's enactment would seem to provide an ample period during which the Board could dispose of any pending cases.

In view of the foregoing circumstances, legislation to provide for the termination of the Board and for the disposition of its records would seem to be timely. Accordingly, the Veterans' Administration recommends favorable consideration of H. R. 8076. It is informally understood that your committee has also obtained the views of the Veterans' Education Appeals Board with respect to the merits of the legislation.

It is estimated that the cost of operating the Veterans' Education Appeals Board would approximate $35,500 during the ensuing fiscal year. If H. R. 8076 is enacted all costs for the operation of the Board would cease 60 days thereafter.

Advice has been received from the Bureau of the Budget that there would be no objection to the submission of this report to your committee and that the Bureau concurs in the favorable recommendation of the Veterans' Administration.

Sincerely yours,

H. V. HIGLEY,
*Administrator.*

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

The bill (H. R. 8076) was ordered to a third reading, read the third time, and passed.

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## ORDER RELATING TO CALL OF THE CALENDAR

Mr. TALMADGE. Mr. President, in view of objections which will be registered to the consideration of Calendar No. 11 through Calendar No. 264, I ask unanimous consent that the call of the calendar begin with Calendar No. 301, and that the call of the calendar be concluded with Calendar No. 1036. We do not have committee reports on bills subsequent to Calendar No. 1036.

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

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## ESTATE OF WILLIAM V. STEPP, JR.

Mr. KEFAUVER. Mr. President, I ask that the message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2973) for the relief of the estate of William V. Stepp, Jr., be laid before the Senate.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2973) for the relief of the estate of William V. Stepp, Jr., and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KEFAUVER. Mr. President, for the information of the Senate, the bill would pay $1,500 to the estate of a young civilian who was killed by an Army sentry in Alaska. At the time the bill was reported by the committee and passed the Senate, the provision for attorney fees was stricken since there was no indication that an attorney was involved. The committee is now informed by the author of the bill that an attorney is entitled to his fee in this case, so action to provide for fee should be taken by the Senate. I move that the Senate recede from its amendment.

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

The motion was agreed to.

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## CALL OF THE CALENDAR

The PRESIDING OFFICER. The clerk will state the first measure in order on the calendar.

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## TRANSFER OF CERTAIN LANDS TO THE STATE OF MINNESOTA—BILL PASSED OVER

The bill (S. 864) to provide for the transfer of certain lands to the State of Minnesota, was announced as first in order.

Mr. TALMADGE. Over, Mr. President.

Mr. MORSE. Mr. President, I desire to make a statement with reference to Calendar No. 301, for future reference. Will the Senator from Georgia withhold his objection, while I make my statement?

The PRESIDING OFFICER. Does the Senator from Georgia withhold his objection temporarily?

Mr. TALMADGE. The objection of the calendar committee was predicated upon the objection of the Senator from Oregon. If the Senator from Oregon has no objection, the calendar committee withdraws its objection.

Mr. MORSE. Mr. President, the Senator from Georgia is quite correct. I shall object. I desire to make a statement, because it might serve as the basis for working out a satisfactory solution.

Mr. TALMADGE. I am happy to withhold the objection in order that the Senator from Oregon may make his statement.

Mr. MORSE. Mr. President, under the law of 1908—title 43, United States Code, sections 1021, 1027—certain poorly drained public and Indian lands were made subject to State drainage laws. The lands could be assessed by local authorities for reclamation works and could be sold, if necessary, to enforce the assessment liens.

Reclamation efforts were unsuccessful and in the 1930's the State of Minnesota assumed the bonded indebtedness of the counties on this project.

The report does not show whether the holders of the bonds have been paid, and, if so, by what agency or subdivision of the State government.

S. 864 would authorize the Secretary of the Interior to sell these lands to Minnesota for appraised value, less the total amount of the liens against the lands. Disposal without payment is provided where the total of the lien in any case exceeds the value of the land—the liens include interest, but the bill has been amended by the Senate Interior Committee to limit interest to that which accrued up to April 1929, when the State assumed the counties' indebtedness.

On April 3, 1957, the Department of the Interior wrote to the Senator from Montana, Mr. MURRAY, supplying, in part, the following comments on the bill:

> As a matter of general policy, we could support legislation for the transfer of lands owned by the Federal Government only if the United States were to receive reasonable compensation. The Recreation Act of June 14, 1926 (43 U. S. C., 869), as amended by the act of June 4, 1954 (68 Stat. 173), authorizes the disposal of public lands to States and local governments for public purposes at a price to be fixed by this Department through appraisal or otherwise, after taking into consideration the purpose for which the lands are to be used. There are, nevertheless, sound equitable considerations which would justify the deduction of the amount of the liens from the price. After the county governments collapsed financially, the State took over the county debts resulting from unwarranted and unwise drainage projects. Even though the State has no claim against the United States because of this, it does have a real financial interest in the lands.

Mr. President, in my opinion, the record is not clear as to who holds the bonds that would be redeemed under the plan set forth in the bill. We should have some information for the record to the effect that this is not a case whereby bondholders are to be bailed out by the Federal Government if it should develop that they have failed for over 25 years to get compensation from the State.

Therefore, until this matter is cleared up in the RECORD, I shall object to the bill, because under the Morse formula I will not agree to a bill which might—I do not know whether it would or not, because the record is not clear—represent a bailing out of some bondholders at the expense of the taxpayers of the United States. People make bad investments, and when they do they have no right, in my judgment, to run to the Federal Government and ask it to compensate them for their poor judgment.

I object.

Mr. TALMADGE. Mr. President, the calendar committee renews its objection, and asks that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

## BILLS AND CONCURRENT RESOLUTION PASSED OVER

On objection by Mr. TALMADGE, the following bills and concurrent resolution were passed over:

S. 25, a bill relating to effective dates of increases in compensation granted to wage board employees.

S. 931, a bill to provide for the reorganization of the safety functions of the Federal Government and for other purposes.

Senate Concurrent Resolution 28, a concurrent resolution to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries.

S. 98, a bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota.

S. 2377, a bill to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

S. 2150, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

The bill (S. 491) for the relief of Joanne Lea was announced as next in order.

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

Mr. PURTELL. Mr. President, reserving the right to object—and I shall object—this bill appears to have great merit, but the committee believes that a precedent might be established by its passage. Therefore we object on that basis, and that basis only. I shall not object if the bill is taken up on motion.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1356) to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts by certain persons engaged in commerce in meat and meat products, and for other purposes was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2127) to amend section 3 (d) of the Federal Employees' Group Life Insurance Act of 1954 relating to the reduction in amounts of insurance of persons over the age of 65 was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4240) for the relief of Cornelia S. Roberts was announced as next in order.

Mr. PURTELL. Mr. President, this bill appears to have merit, but we ask that it go over only because it would appear to set a precedent, and we feel that it ought not be passed on the call of the calendar. However, the committee would not object if the bill were taken up on motion.

On objection by Mr. PURTELL, by request, the following bills and resolution were passed over:

S. 27, a bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department.

H. R. 2474, an act to increase the rates of basic salary of employees in the postal field service.

S. 1168, a bill to amend the Securities and Exchange Act, as amended.

Senate Resolution 118, a resolution to amend rule XXVI so as to require committee reports proposing legislation or ratification of treaties, involving expenditure of public funds, to show the estimated costs thereof.

The bill (S. 72) to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes, was announced as next in order.

Mr. PURTELL. Mr. President, this bill appears to have great merit. However, the committee feels that although it is a meritorious bill, inasmuch as it involves $119 million, we feel that it ought not be passed on the call of the calendar. For that reason we ask that it be passed over. There will be no objection from the committee if it is later taken up on motion.

The bill (H. R. 1733) for the relief of Philip Cooperman and others, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 734) to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6282) for the relief of the former shareholders and debenture noteholders of the Goshen Veneer Co., an Indiana corporation, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2672) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PURTELL. Mr. President, I ask that Calendar Nos. 849 to 856, both inclusive, be passed over, by request.

Mr. KEFAUVER. Mr. President, will the Senator withhold his request for a moment?

Mr. PURTELL. Certainly.

Mr. KEFAUVER. Does the Senator have objection to the bills being taken up on motion later?

Mr. PURTELL. In connection with any action which the Senate may decide to take after the call of the calendar, of course, I shall be acting in my capacity as an individual Senator. I have made the objection by request. I assume, however, that debate might be had on the question of appointments of judges in the various States. Any of the bills may be taken up later on motion of the majority leader, if he wishes.

The PRESIDING OFFICER. The bills referred to will be passed over.

The bills passed over are as follows:

S. 264, a bill to provide for the appointment of a district judge for the district of Kansas.

S. 697, a bill to provide for the appointment of a district judge for the district of Maryland.

S. 2700, a bill to provide for the appointment of a district judge for the eastern, middle, and western districts of North Carolina.

S. 2701, a bill to provide for the appointment of an additional district judge for the southern district of Mississippi.

S. 2702, a bill to make permanent the temporary judgeship for the district of Utah.

S. 2703, a bill to provide for the redistricting of the judicial district of North Dakota, and for other purposes.

S. 116, a bill to provide for the appointment of an additional circuit judge for the seventh circuit, and for the appointment of additional district judges for the northern district of Illinois.

S. 430, a bill to provide for the appointment of a district judge for the middle district of Tennessee.

## DISTRICT JUDGE FOR KANSAS

Mr. SCHOEPPEL subsequently said: Mr. President, with respect to Calendar No. 849, S. 264, to provide for the appointment of a district judge for the district of Kansas, I ask unanimous consent to have printed in the RECORD a letter which I have received from Joseph F. Spaniol, Jr., of the Administrative Office of the United States Courts, with reference to the business in the United States District Court for the District of Kansas, and the statement attached to the letter.

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

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
*Washington, D. C., August 12, 1957.*

Hon. ANDREW F. SCHOEPPEL,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR SCHOEPPEL: I am sending to to you herewith three copies of a statement concerning the judicial business of the United States District Court for the District of Kansas. This was prepared last January, but the statements contained therein are still applicable.

On the accompanying tables, figures concerning the number of cases handled during the fiscal year 1957 which are now available have been inserted in ink.

I hope this will provide you with the information you requested.

Yours sincerely,

JOSEPH F. SPANIOL, Jr.

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

The State of Kansas consists of a single judicial district which for many years was presided over by a single district judge. On October 16, 1945, an additional temporary judicial position was authorized and was filled on November 27, 1945, by the appointment of Judge Arthur J. Mellott, but during the next summer Kansas again became a one-judge district with the death of Judge Helvering on July 5, 1946. By the act of August 3, 1949, a permanent additional judgeship was created and Judge Delmas C. Hill was appointed. In April 1954 the Judicial Conference of the United States recommended the creation of a third judgeship for the State and reaffirmed the recommendation at its September 1954, and subsequent meetings.

Since the year 1941 the number of civil cases commenced annually in the district of Kansas has almost tripled as shown by the figures in table 1 attached hereto. For the last 10 fiscal years the total civil cases commenced and terminated each year and the number pending at the end of the year have been as follows:

*Total civil cases*

| Fiscal year | Number of judgeships | Commenced | Terminated | Pending on June 30 |
|---|---|---|---|---|
| 1947 | 1 | 573 | 720 | 309 |
| 1948 | 1 | 491 | 581 | 219 |
| 1949 | 1 | 603 | 530 | 292 |
| 1950 | 2 | 625 | 557 | 360 |
| 1951 | 2 | 554 | 578 | 336 |
| 1952 | 2 | 555 | 505 | 386 |
| 1953 | 2 | 661 | 584 | 463 |
| 1954 | 2 | 792 | 665 | 590 |
| 1955 | 2 | 736 | 798 | 528 |
| 1956 | 2 | 800 | 787 | 541 |

The increase in private civil cases, which on the average consume much more judicial time per case than suits to which the United States is a party, has been proportionately even greater during the 10-year period. This is shown in the following table:

*Private civil cases*

| Fiscal year | Commenced | Terminated | Pending on June 30 |
|---|---|---|---|
| 1947 | 182 | 139 | 145 |
| 1948 | 156 | 185 | 116 |
| 1949 | 200 | 180 | 136 |
| 1950 | 284 | 216 | 204 |
| 1951 | 239 | 237 | 206 |
| 1952 | 241 | 221 | 226 |
| 1953 | 320 | 238 | 308 |
| 1954 | 395 | 314 | 389 |
| 1955 | 326 | 377 | 338 |
| 1956 | 352 | 347 | 343 |

The rise in the number of pending cases as shown by these tables indicates that congestion has developed in the district. This is borne out by the figures on the time required to dispose of cases by trial. In the fiscal year 1956 the median time interval from filing to disposition of civil cases terminated by trial in the district of Kansas was 13.8 months compared with the national median of 15.4 months and the period from issue to trial was 10.8 months compared to the national median of 10.3 months. These intervals for the district of Kansas for the last 3 years are the largest in the 12-year period covered by table 4 attached.

Although the 1956 median from filing to disposition is somewhat less than the national median and the median from issue to trial is only slightly larger than the national figure, they indicate that cases cannot now be tried, even with considerable help from visiting judges, with the promptness which is desirable. This is the result of the heavy caseload.

The amount of time spent in the district by visiting judges in the last 2 years is shown by the following table:

*Fiscal year 1955*

| Judge | Month | Trial time, days |
|---|---|---|
| Vaught, Okla | October | 10 |
| Wallace, Okla | November | 11 |
| Chandler, Okla | January | 10 |
| Rice, Okla | February | 17 |
| Chandler, Okla | March | 10 |
| Do | April | 1 |
| Total, 4 judges | | 59 |

*Fiscal year 1956*

| Judge | Month | Trial time, days |
|---|---|---|
| Rice, Okla | October | 1 |
| | January | 2 |
| | May | 5 |
| Chandler, Okla | February | 2 |
| Kerr, Wyo | March | 12 |
| Hatch, N. Mex | January | 3 |
| Savage, Okla | February | 9 |
| Wallace, Okla | April | 5 |
| | June | 4 |
| Total, 6 judges | | 43 |

This is, or should be, a temporary expedient for meeting congested dockets. Where the condition is chronic, it should be met by the creation of additional judgepower for the district.

The civil caseload of 400 cases commenced per judge in this district in the fiscal year 1956 was the fourth largest of the 86 districts having only Federal jurisdiction and compares with the national average of 225 such cases. Diversity of citizenship cases and habeas corpus proceedings commenced by petitioners in the Leavenworth Penitentiary are important factors in the business of the district. These habeas corpus matters, on the average, do not require much time for hearing, but often the decision of the constitutional questions involved and the writing of opinions are burdensome. On the other hand, the diversity cases weigh heavily upon the time of the judge because a considerable proportion of these cases reach trial. During the fiscal year 1956, the number of diversity-of-citizenship cases commenced per judge in Kansas was 152, or two-thirds greater than the national average of 90 such cases per judge. There were 72 personal-injury motor-vehicle cases filed per judge in the district in 1956, compared with the national average of 33. Many of these cases require a jury trial and later a considerable amount of court time. Fifty-nine per judge were pending on June 30, 1956, compared with the national average of 34. Two private antitrust cases are pending in Wichita.

With reference to land-condemnation cases, at the end of the fiscal year there were 66 cases pending, including 247 tracts. The United States attorney, Hon. William C. Farmer, reports tht there are presently several major flood-control projects getting started in the State which will involve condemnation proceedings requiring a large amount of time to handle. These include the Tuttle Creek project, involving some 1,800 tracts, and the Toronto Dam and Reservoir project, involving 325 tracts and 2 small towns. The Lovewell Dam project already has required 65 days of trial time, and there are still 25 more farms to condemn. The Courtland Canal and Miller Canal projects involve another hundred tracts. The Forbes Air Force Base at Topeka, the Smoky Hill Air Force Base at Salina, and the McConnell Air Force Base at Wichita require additional lands from time to time, and some trials will be necessary in condemnation proceedings

of the Atchison Storage Caves at Atchison, Kans., which will eventually be a million-dollar project.

In addition to this heavy civil caseload the district has a slightly heavier than average load of criminal cases. Excluding the immigration cases which occur only in volume in the 5 districts touching the Mexican border and which by and large require very little time per case for disposition, the criminal caseload per judgeship of 124 cases in Kansas is larger than the national average of 102 criminal cases. The criminal caseload has remained at approximately the same level for the last 3 years. Because of the priority which is given to the criminal dockets, they are in good condition. On June 30, 1956, there were 60 cases pending on the criminal docket, about one-sixth of which involved fugitive defendants who could not be tried.

The number of civil and criminal cases commenced during the first quarter of the current fiscal year was somewhat less than in the same period of the previous fiscal year. The number of civil and criminal cases commenced and terminated during the first quarter of the fiscal years 1956 and 1957 and pending at the end of those periods were as follows:

| Fiscal year | Commenced | Terminated | Pending at end of the 1st quarter |
|---|---|---|---|
| Total civil cases: | | | |
| 1st quarter of 1956 | 217 | 166 | 579 |
| 1st quarter of 1957 | 186 | 190 | 537 |
| Private civil cases: | | | |
| 1st quarter of 1956 | 100 | 64 | 374 |
| 1st quarter of 1957 | 85 | 61 | 367 |
| Criminal cases: | | | |
| 1st quarter of 1956 | 44 | 61 | 55 |
| 1st quarter of 1957 | 32 | 37 | 51 |

While population per judge is by itself not the sole criterion of the number of judges needed in a particular district, it is a factor which should be taken into consideration. Kansas with 2 district judges had an estimated population in 1955 of 2,060,000. The population of other States having 3 judges is as follows:

*Population, 1950 census*

| | |
|---|---|
| Wisconsin | 3,694,000 |
| South Carolina | 2,283,000 |
| West Virginia | 2,002,000 |
| Arkansas | 1,789,000 |
| Oregon | 1,669,000 |
| Delaware | 387,000 |

The population of Kansas was less than that of 2 of the States listed and larger than that of 4 of these States. Washington with a population only slightly larger than Kansas (2,570,000) has 4 judges and Oklahoma, with a population of 2,168,000, has 5 judges.

Complete statistical information concerning the judicial business of this district for the last 16 years is attached.

Respectfully submitted.

WILL SHAFROTH,

*Chief, Division of Procedural Studies and Statistics, Administrative Office of the United States Courts.*

JANUARY 10, 1957.

TABLE 1.—*District of Kansas—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

| Fiscal year | Commenced | Terminated | Pending June 30 |
|---|---|---|---|
| 1941 | 291 | 306 | 181 |
| 1942 | 324 | 340 | 165 |
| 1943 | 337 | 277 | 225 |
| 1944 | 333 | 336 | 222 |
| 1945 | 916 | 822 | 316 |
| 1946 | 1,234 | 1,094 | 456 |
| 1947 | 573 | 720 | 309 |
| 1948 | 491 | 581 | 219 |
| 1949 | 603 | 530 | 292 |
| 1950 | 625 | 557 | 360 |
| 1951 | 554 | 578 | 336 |
| 1952 | 555 | 505 | 386 |
| 1953 | 661 | 584 | 463 |
| 1954 | 792 | 665 | 590 |
| 1955 | 736 | 798 | 528 |
| 1956 | 800 | 787 | 541 |
| 1957 | 727 | 775 | 493 |

PRIVATE CIVIL CASES

| Fiscal year | Commenced | Terminated | Pending June 30 |
|---|---|---|---|
| 1941 | 122 | 164 | 108 |
| 1942 | 113 | 146 | 75 |
| 1943 | 59 | 64 | 70 |
| 1944 | 54 | 67 | 57 |
| 1945 | 59 | 63 | 53 |
| 1946 | 115 | 66 | 102 |
| 1947 | 182 | 139 | 145 |
| 1948 | 156 | 185 | 116 |
| 1949 | 200 | 180 | 136 |
| 1950 | 284 | 216 | 204 |
| 1951 | 239 | 237 | 206 |
| 1952 | 241 | 221 | 226 |
| 1953 | 320 | 238 | 308 |
| 1954 | 395 | 314 | 389 |
| 1955 | 326 | 377 | 338 |
| 1956 | 352 | 347 | 343 |
| 1957 | 339 | 349 | 333 |

TABLE 2.—*District of Kansas—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses [1]]

| Fiscal year | Commenced | Terminated | Pending June 30 |
|---|---|---|---|
| 1941 | 169 | 142 | 73 |
| 1942 | 211 | 194 | 90 |
| 1943 | 278 ( 18) | 213 | 155 |
| 1944 | 279 ( 99) | 269 | 165 |
| 1945 | 857 (673) | 759 | 263 |
| 1946 | 1,119 (922) | 1,028 | 354 |
| 1947 | 391 (212) | 581 | 164 |
| 1948 | 335 ( 51) | 396 | 103 |
| 1949 | 403 ( 95) | 350 | 156 |
| 1950 | 341 ( 34) | 341 | 156 |
| 1951 | 315 ( 25) | 341 | 130 |
| 1952 | 314 ( 20) | 284 | 160 |
| 1953 | 341 ( 25) | 346 | 155 |
| 1954 | 397 | 351 | 201 |
| 1955 | 410 | 421 | 190 |
| 1956 | 448 | 440 | 198 |
| 1957 | 388 | 426 | 160 |
| 1958 | | | |
| 1959 | | | |
| 1960 | | | |

CRIMINAL CASES

Cases transferred are not included in "Commenced" and "Terminated" columns]

| Fiscal year | Commenced | Terminated | Pending June 30 |
|---|---|---|---|
| 1941 | 232 | 228 | 76 |
| 1942 | 176 | 174 | 78 |
| 1943 | 421 | 367 | 132 |
| 1944 | 244 | 353 | 23 |
| 1945 | 300 | 273 | 50 |
| 1946 | 261 | 268 | 43 |
| 1947 | 253 | 255 | 47 |
| 1948 | 159 | 202 | 5 |
| 1949 | 286 | 230 | 46 |
| 1950 | 247 | 233 | 49 |
| 1951 | 214 | 188 | 76 |
| 1952 | 226 | 216 | 80 |
| 1953 | 190 | 215 | 46 |
| 1954 | 266 | 234 | 84 |
| 1955 | 293 | 300 | 78 |
| 1956 | 257 | 279 | 60 |
| 1957 | 290 | 251 | 88 |
| 1958 | | | |
| 1959 | | | |
| 1960 | | | |

[1] Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*District of Kansas—Cases commenced per judgeship*

| Fiscal year | Number of judgeships | Total civil cases | | Private civil cases | | Criminal cases (less immigration)[1] | | Fiscal year | Number of judgeships | Total civil cases | | Private civil cases | | Criminal cases (less immigration)[1] | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Kansas | National average [2] | Kansas | National average [2] | Kansas | National average [2] | | | Kansas | National average [2] | Kansas | National average [2] | Kansas | National average [2] |
| 1941 | 1 | 291 | 164 | 122 | 82 | 232 | 163 | 1950 | 2 | 313 | 222 | 142 | 113 | 124 | 116 |
| 1942 | 1 | 324 | 168 | 113 | 77 | 176 | 161 | 1951 | 2 | 277 | 204 | 120 | 111 | 107 | 106 |
| 1943 | 1 | 337 | 158 | 59 | 58 | 421 | 174 | 1952 | 2 | 278 | 236 | 121 | 126 | 113 | 112 |
| 1944 | 1 | 333 | 169 | 54 | 56 | 244 | 184 | 1953 | 2 | 331 | 261 | 160 | 146 | 95 | 114 |
| 1945 | 1 | 916 | 295 | 59 | 57 | 300 | 176 | 1954 | 2 | 396 | 210 | 198 | 127 | 133 | 103 |
| 1946 | 2 | 617 | 321 | 58 | 70 | 131 | 142 | 1955 | 2 | 368 | 212 | 163 | 126 | 138 | 104 |
| 1947 | 1 | 573 | 271 | 182 | 109 | 253 | 134 | 1956 | 2 | 400 | 225 | 176 | 135 | 124 | 102 |
| 1948 | 1 | 491 | 205 | 156 | 117 | 159 | 123 | 1957 | 2 | 364 | 236 | 170 | 151 | 143 | 105 |
| 1949 | 1 | 603 | 238 | 200 | 121 | 286 | 123 | | | | | | | | |

[1] Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

[2] This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*District of Kansas—Time elapsing in civil cases tried* [1]

| Fiscal year | Number of cases tried | Median interval in months from filing to disposition | | Median interval in months from issue to trial | |
|---|---|---|---|---|---|
| | | Kansas | National median | Kansas | National median |
| 1945 | 65 | 5.4 | 9.0 | 2.8 | 5.3 |
| 1946 | 72 | 7.3 | 8.9 | 3.3 | 5.0 |
| 1947 | 50 | 6.9 | 9.0 | 3.0 | 5.1 |
| 1948 | 64 | 9.0 | 9.9 | 3.0 | 5.8 |
| 1949 | 59 | 6.0 | 10.4 | 3.3 | 5.9 |
| 1950 | 51 | 8.6 | 11.2 | 3.4 | 6.7 |
| 1951 | 75 | 9.9 | 12.2 | 4.6 | 7.3 |
| 1952 | 49 | 12.5 | 12.1 | 3.1 | 7.0 |
| 1953 | 62 | 9.6 | 12.4 | 5.0 | 7.4 |
| 1954 | 74 | 15.4 | 13.5 | 8.7 | 8.1 |
| 1955 | 81 | 15.2 | 14.6 | 8.5 | 9.1 |
| 1956 | 68 | 13.8 | 15.4 | 10.8 | 10.3 |
| 1957 | 82 | 13.5 | 14.2 | ---- | ---- |

[1] The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. for the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*District of Kansas—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1956*

| | Kansas | 86 districts |
|---|---|---|
| CIVIL CASES | | |
| Total cases | 400 | 225 |
| United States cases | 224 | 90 |
| Private cases | 176 | 135 |
| UNITED STATES CASES | | |
| United States plaintiff | 125 | 73 |
| Land condemnation | 14 | 4 |
| Fair Labor Standards Act | 2 | 2 |
| Other enforcement suits | 1 | 2 |
| Food and Drug Act | 5 | 4 |
| Liquor laws | 1 | 2 |
| Other forfeitures and penalties | 33 | 5 |
| Negotiable instruments | 32 | 25 |
| Other contracts | 32 | 21 |
| Other United States plaintiff | 7 | 8 |
| United States defendant | 100 | 18 |
| Enjoin Federal agencies | 6 | 3 |
| Habeas corpus | 83 | 3 |
| Tort Claims Act | 6 | 4 |
| Tax suits | 4 | 5 |
| Other United States defendant | 1 | 3 |
| PRIVATE CASES | | |
| Federal question | 25 | 33 |
| Copyright | 1 | 1 |
| Employers' Liability Act | 3 | 6 |
| Fair Labor Standards Act | 1 | 1 |
| Habeas corpus | 7 | 3 |
| Jones Act | ---- | 10 |
| Miller Act | 1 | 2 |
| Patent | 1 | 3 |
| Other Federal question | 12 | 7 |
| Diversity of citizenship | 152 | 90 |
| Insurance | 19 | 15 |
| Other contracts | 30 | 16 |
| Real property | 6 | 3 |
| Personal injury (motor vehicle) | 72 | 33 |
| Personal injury (other) | 20 | 17 |
| Other diversity | 6 | 5 |
| Admiralty | ---- | 11 |
| Criminal cases (less immigration) | 124 | 102 |

TABLE 6.—*District of Kansas—Civil and criminal trials commenced*

| Fiscal year | By Fiscal Year | | | | | | | Per Judgeship | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Total trials commenced | Civil | | | Criminal | | | Number of judgeships | Total trials | | Civil | | Criminal | |
| | | Total | Non-jury | Jury | Total | Non-jury | Jury | | Kansas | National average [1] | Kansas | National average [1] | Kansas | National average [1] |
| 1951 | 159 | 132 | 90 | 42 | 27 | 8 | 19 | 2 | 80 | 39 | 66 | 28 | 14 | 11 |
| 1952 | 132 | 106 | 85 | 21 | 26 | 6 | 20 | 2 | 66 | 40 | 53 | 27 | 13 | 13 |
| 1953 | 176 | 155 | 124 | 31 | 21 | 6 | 15 | 2 | 88 | 44 | 78 | 29 | 11 | 15 |
| 1954 | 159 | 141 | 100 | 41 | 18 | 3 | 15 | 2 | 80 | 40 | 71 | 25 | 9 | 15 |
| 1955 | 153 | 121 | 80 | 41 | 32 | 5 | 27 | 2 | 77 | 41 | 61 | 26 | 16 | 15 |
| 1956 | 149 | 135 | 89 | 46 | 14 | 4 | 10 | 2 | 75 | 43 | 68 | 29 | 7 | 14 |

[1] This column includes 86 districts.

TABLE 7.—*District of Kansas—Civil cases pending on June 30, 1956*

PER JUDGESHIP

| Nature of suit | Cases pending per judgeship | | Nature of suit | Cases pending per judgeship | |
|---|---|---|---|---|---|
| | Kansas | National average | | Kansas | National average |
| Total civil cases | 271 | 236 | Federal question | 18 | 44 |
| United States civil cases | 99 | 74 | Antitrust | 1 | 2 |
| Private civil cases | 172 | 162 | Copyright | ---- | 1 |
| United States plaintiff | 73 | 46 | Federal Employees Liability Act | 4 | 8 |
| Land condemnation | 34 | 14 | Jones Act | ---- | 16 |
| Antitrust | 1 | ---- | Patent | 1 | 5 |
| Other enforcement suits | 2 | 5 | Other Federal question | 12 | 11 |
| Forfeitures and penalties | 13 | 4 | Diversity of citizenship | 154 | 98 |
| Negotiable instruments | 9 | 8 | Insurance | 24 | 11 |
| Other contracts | 13 | 9 | Other contracts | 38 | 20 |
| Other United States plaintiff | 4 | 7 | Real property | 6 | 3 |
| United States defendant | 26 | 27 | Personal injury (motor vehicle) | 59 | 34 |
| Tort Claims Act | 7 | 7 | Personal injury (other) | 19 | 21 |
| Tax suits | 7 | 8 | Other diversity | 10 | 9 |
| Other United States defendant | 13 | 13 | Admiralty | 1 | 20 |

AGE

| Jurisdiction | Total pending | Age of civil cases pending | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | Less than 6 months | 6 months to 1 year | 1 year to 2 years | 2 years to 3 years | 3 years to 4 years | 4 years to 5 years | 5 years and over |
| Total civil cases | 541 | 218 | 142 | 82 | 66 | 22 | 8 | 3 |
| United States civil | 198 | 87 | 37 | 36 | 26 | 8 | 3 | 1 |
| United States plaintiff | 146 | 60 | 23 | 31 | 21 | 7 | 3 | 1 |
| United States defendant | 52 | 27 | 14 | 5 | 5 | 1 | ---- | ---- |
| Private civil | 343 | 131 | 105 | 46 | 40 | 14 | 5 | 2 |
| Federal question | 35 | 12 | 12 | 6 | 4 | 1 | ---- | ---- |
| Diversity | 307 | 119 | 93 | 40 | 35 | 13 | 5 | 2 |
| Admiralty | 1 | ---- | ---- | ---- | 1 | ---- | ---- | ---- |

## BILLS PASSED OVER

The bill (S. 1483) to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2462) to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

## CONVEYANCE OF PROPERTY AT GULFPORT, MISS.—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 1746) to provide for the conveyance of certain property of the United States in Gulfport, Miss., to the

Gulfport Municipal Separate School District was announced as next in order.

Mr. TALMADGE. Over.

Mr. MORSE. Mr. President, I ask my friend from Georgia if he will withhold his objection until I make a statement for the RECORD, following which I myself will object.

Mr. TALMADGE. I am very happy to withhold my request and permit the Senator from Oregon to make his statement and register his objection.

Mr. MORSE. Mr. President, I am very hopeful that a suitable arrangement can be made for the acceptable solution of the problems raised by this bill. Again, I may not have all the information I need in order to pass final judgment on the bill.

As I understand the bill, it would authorize a conveyance from the General Services Administrator to the Gulfport Municipal Separate School District of a 10-acre tract of land located within the reservation of the Veterans' Administration Hospital, Gulfport, Miss.

The consideration to be paid for the land is $1,000. The bill provides for a reversion to the United States if the land should cease to be used for school purposes. It also calls for a reservation of mineral rights.

The land was acquired by the Government in 1922 as part of a 147-acre tract costing $125,000 or approximately $850 per acre at that time.

Senate Report No. 845 sets forth a letter from General Services Administration, dated July 12, 1957, indicating that the agency has "no information as to the current fair market value of the excess property," meaning the 10-acre tract.

That is one of the first things we ought to have. We ought to have an official estimate from a Government department—in this instance the General Services Administration—of the value of this property, because I cannot sit here and vote to transfer the property for $1,000 if, in fact, the fair market value is much more than that.

The GSA letter also states:

> General Services Administration is opposed in principle to the enactment of legislation providing for the disposition of specific property prior to a determination that it is surplus property within the meaning of the Federal Property and Administrative Services Act of 1949 as amended. Furthermore, the act authorizes the Administrator of General Services, in his discretion, to assign to the Secretary of Health, Education, and Welfare for disposal surplus real property needed for school classroom, or other educational use, or for the protection of public health, including research; and, subject to the disapproval of the Administrator of General Services, the Secretary of Health, Education, and Welfare may transfer such surplus real property to States and their political subdivisions and instrumentalities for these purposes, and in fixing the sale value of the property to be disposed of for such purposes, the Secretary of Health, Education, and Welfare shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution. Therefore, it appears that the essential purposes of S. 1746 can be accomplished within the framework of existing law, provided the property is determined to be surplus.
>
> In view of the foregoing, General Services Administration is opposed to the enactment of this measure.

So far as I can see from what I have been able to find out about this bill, there appears to be no good reason why the provisions of section 203 (k) of the Federal Property and Administration Service Act, as amended, should not apply here—title 40, United States Code, section 484 (k) (1) (A) and (C). It should be disposed of under existing law.

Why have a separate bill, unless a part of the purpose is to obtain the land for less money than would have to be paid for it if we let the law run its course? If it cannot be disposed of under existing law, which is the way I think it should be disposed of, after being declared surplus, the bill should be amended to provide for payment by the grantee of a sum equal to 50 percent of the fair appraised market value, after taking into account all the deductions referred to in the committee report.

I see no reason why the school district in Mississippi should not pay 50 percent of the appraised fair market value of the property.

This is nothing new. This question has arisen time and again since 1946. It involves the issue whether the Federal Government is to give to any school district in the United States Federal property for less than 50 percent of the appraised fair market value.

I am a great believer of Federal aid to education. I only insist that it be uniform. I do not believe in the spot approach to Federal aid to education. In this case I think we should follow existing law, or amend the bill so as to provide for 50 percent of the appraised fair market value.

Mr. STENNIS rose.

Mr. MORSE. I withhold my objection until my good friend from Mississippi makes his statement.

Mr. STENNIS. Mr. President, I ask the Senator from Oregon if he would object to a unanimous-consent request that the bill be placed at the foot of the calendar, so as to allow time to discuss one phase of it with him.

Mr. MORSE. If it means that I may have the pleasure of another conversation with my friend from Mississippi, I certainly want it to go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

## BILL PASSED OVER

The bill (H. R. 38) to amend the Tariff Act of 1930, to provide for the temporary free importation of casein was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

## FORWARDING OF CHECKS FOR BENEFITS BY THE ADMINISTRATOR OF VETERANS' AFFAIRS

The bill (H. R. 1953) to provide that checks for benefits provided by laws administered by the Administrator of Veterans' Affairs may be forwarded to the addressee in certain cases was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

This bill will permit the forwarding of Veterans' Administration checks for pension, compensation to the addressee if he has moved and filed a notice of a regular change of address with the Post Office Department.

The forwarding of checks by other agencies such as the Social Security Administration is authorized by law.

The Veterans' Administration and the Bureau of the Budget endorsed enactment of this bill.

## TRANSFER OF CERTAIN VETERANS' ADMINSTRATION PROPERTY IN JOHNSON CITY, TENN.

The bill (H. R. 2237) authorizing the transfer of certain property of the Veterans' Administration (in Johnson City, Tenn.) to Johnson City National Farm Loan Association and the East Tennessee Production Credit Association, local units of the Farm Credit Administration was announced as next in order.

Mr. TALMADGE. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE], I ask unanimous consent that he have the privilege of inserting in the RECORD a statement with reference to this bill, and that he also have the same unanimous consent with respect to Calendar No. 877, House bill 4098; Calendar No. 883, House bill 1826; Calendar No. 897, House bill 8005; Calendar No. 993, House bill 993; Calendar No. 1022, House bill 787; Calendar No. 1024, House bill 3025; and Calendar No. 1028, House bill 9188.

These are bills to which the distinguished Senator from Oregon has no objection, but on which he desires to make a statement for the benefit of the RECORD.

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

The Chair hears none, and it is so ordered.

Is there objection to the present consideration of Calendar 875, House bill 2237?

Mr. MORSE. I have refreshed my recollection about the bill, and I shall not object to it. Instead I wish to compliment the Senator from Tennessee [Mr. KEFAUVER] for bringing to the attention of the Senate a bill which provides that the Federal Government shall get the fair market value for property which is being turned over to a State agency. I again compliment the Senator. I have no objection to the bill.

Mr. KEFAUVER. I thank the Senator. I was sure that the bill met the Morse formula. I am happy that he does not object to it.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

This bill directs the transfer by the Administrator of Veterans' Affairs of approximately 0.0746 acre of land to the East Tennessee Production Credit Association and the Johnson City National Farm Loan Association. This land being a part of a corner of the reservation of the Veterans' Center at Mountain Home, Tennessee. The bill provides that the Associations will pay the fair market value thereof. The two Associations named above are owned entirely by farmer members and this small piece of land will permit them to straighten out their boundary line.

The Veterans' Administration offers no objection to this bill.

## ELIGIBILITY OF WIDOWS FOR BENEFITS

The bill (H. R. 3658) to liberalize certain criteria for determining eligibility of widows for benefits was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

Section 1 of this bill provides a new definition of widow for pension purposes applicable to all wars. If the legal widow was not married to the veteran within the delimiting marriage date, under existing law, she would, nevertheless, be eligible for pension if she (1) was married to the veteran for 5 or more years, or (2) for any period of time if a child was born of the marriage.

These provisions are in the law today for widows who draw compensation for service-connected death cases.

Section 2 of the bill includes a provision to permit a person to receive a pension even though there was a legal impediment to her marriage if she entered into such marriage without any knowledge of such legal impediment. It will permit a claimant to establish, by proof satisfactory to the Administrator of Veterans' Affairs, that without any knowledge of a legal impediment she entered into a marriage with the veteran and, but for such legal impediment, the marriage would have been valid and she would qualify for a widow's pension.

It is estimated that 12,000 widows of World War I veterans would benefit under section 1 of this bill at an estimated cost for the first year of $6,559,000. There will be no additional cost for Korean cases until after 1965. The Veterans' Administration and Bureau of the Budget approve of this bill.

## CONVEYANCE OF CERTAIN PROPERTY TO THE STATE OF CALIFORNIA

The bill (H. R. 4098) to provide for the conveyance to the State of California a portion of the property known as Veterans' Administration Center Reservation, Los Angeles, Calif., to be used for National Guard purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR MORSE ON H. R. 4098

This bill would authorize the General Services Administrator to convey to California a 3.85-acre tract of land for National Guard purposes.

The bill provides for a reversion to the United States in the event the land should cease to be used for National Guard purposes, and contains a reservation of mineral rights.

The bill does not violate the Morse formula. Like its many predecessors, a consideration is found in the benefits derived by the United States through the use of this land for national-defense purposes.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

This bill will authorize the Administrator of General Services to transfer, without monetary consideration, to the State of California a 3.85-acre tract of land in the reservation of the Veterans' Administration Center at Los Angeles, Calif., to be used for training of the National Guard and other military purposes. In the event it ceases to be so used, the land shall revert, together with any improvements, to the United States. The bill reserves to the United States all mineral, gas, and oil rights and authorizes reentry to the property in case of war or national emergency. The State of California will bear the cost of surveys.

The Veterans' Administration has no objection to the bill.

## MAILING OR SHIPPING CHARGES OF PERSONAL PROPERTY LEFT BY DECEASED VETERANS

The bill (H. R. 5757) to increase the maximum amount payable by the Veterans' Administration for mailing or shipping charges of personal property left by any deceased veteran on Veterans' Administration property was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

The purpose of this bill is to increase from $10 to $25 the maximum amount that may be paid by the Veterans' Administration for mailing or shipping charges of personal property left by any deceased veteran on Veterans' Administration property.

The forwarding of personal property of a deceased veteran to the person entitled to receive such property is regarded as a necessary service to benefits furnished the veteran and his family during his last illness and upon his death in a Veterans' Administration hospital or domiciliary.

The Veterans' Administration and Bureau of the Budget endorse this bill and estimate that the annual cost would not be more than $500.

## IMPORTATION OF COMMERCIAL SAMPLES AND ADVERTISING MATTERS

The bill (H. R. 5924) relating to the international convention to facilitate the importation of commercial samples and advertising matter was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD—IMPORTATION WITHOUT PAYMENT OF DUTY OF COMMERCIAL SAMPLES AND ADVERTISING MATTER

On February 22, 1956, the Senate of the United States gave ratification to an International Convention one phase of which was to provide for the freer exchange of advertising matter and samples of products. The United States already permits much of this material to enter free and this bill will have little effect on present trade practices nor will it affect domestic producers to any noticeable extent. It will, however, pave the way for other countries to adopt the same kind of legislation and permit material from the United States to be sent free to those countries.

I am informed that favorable reports on this bill were received by the House Ways and Means Committee from the Departments of State and Treasury.

## ADMISSION OF ARTICLES IMPORTED FOR EXHIBITION PURPOSES WITHOUT PAYMENT OF TARIFF

The bill (H. R. 8705) to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD—FREE IMPORTATION OF EXHIBITS TO BE SHOWN AT THE ST. LAWRENCE SEAWAY CELEBRATION

This is a bill similar to a number of other bills which Congress has approved in the past to permit the free entry of exhibits for special and particular fairs or celebrations. The same strict rules and regulations governing the shipment and use of these materials and articles are written into this bill. There is no opposition to this bill.

## FREE IMPORTATION OF CERTAIN TANNING EXTRACTS

The Senate proceeded to consider the bill (H. R. 2842) to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts.

Mr. FREAR. Mr. President, on behalf of my colleague, the senior Senator from

Delaware [Mr. WILLIAMS] and myself, I offer an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following:

SEC. 3. The tax imposed under section 4511 (a) of the Internal Revenue Code of 1954 shall not apply with respect to the first domestic processing of coconut oil, fatty acids derived therefrom, or salts thereof, or of any combination or mixture solely because such combination or mixture contains a substantial quantity of such oil, fatty acids, or salts, during the period beginning with the first day of the first month which begins more than 10 days after the date of the enactment of this act and ending with the close of June 30, 1960.

Amend the title so as to read: "An act to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts, and to amend the Internal Revenue Code of 1954 to suspend temporarily the tax on the processing of coconut oil."

Mr. TALMADGE. Mr. President, will the Senator yield for a question?

Mr. ANDERSON. Mr. President, I should like to say, if the Senator from Georgia will indulge me, that this is a matter which came to the Committee on Finance, and the committee considered the attachment of the proposed amendment. The amendment relates to coconut oil. I was not satisfied with the language and, since it concerned an agricultural product, I asked for the views of the Department of Agriculture. The Department of Agriculture does not object to the passage of the bill. After a very careful consideration of it, the Committee on Finance voted to accept the amendment when it was offered on the floor of the Senate. I merely wished to make that explanation. The Senator from Georgia is interested in certain agricultural products which at one time would have been affected by this situation.

Mr. TALMADGE. I appreciate very much the explanation of the Senator from New Mexico. He has answered the questions I desired to propound to the Senator from Delaware.

Mr. PURTELL. Mr. President, will the Senator from New Mexico yield for a question?

Mr. ANDERSON. Certainly.

Mr. PURTELL. Was the bill reported unanimously from the committee after full consideration of it?

Mr. ANDERSON. It was reported unanimously. We reserved the right to object if it were discovered that the Department of Agriculture felt it would affect other types of oil, such as cottonseed oil and peanut oil. We found this was a proper bill, and all objections were withdrawn, and the bill was unanimously reported.

Mr. PURTELL. I have no objection to the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. FREAR].

The amendment was agreed to.

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

The bill was read the third time and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD—TEMPORARY FREE IMPORTATION OF CERTAIN TANNING EXTRACTS

Tanning extracts are available in the United States only in very limited quantities. A former source of supply, chestnut wood and bark, is no longer available since the blight has destroyed most domestic chestnut trees. As a result tanners in foreign countries have a distinct advantage over American tanners. This bill would assist them to compete. There has been no opposition.

The Departments of State, Commerce, and Treasury recommend enactment of this bill.

## TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

The bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930, with respect to istle or Tampico fiber was announced as next in order.

The PRESIDNG OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Over, Mr. President.

Mr. PURTELL. Mr. President, will the Senator from Georgia withhold his objection until the Senator from Maryland has had an opportunity to offer an amendment? After the Senate has adopted the amendment, I will suggest that the bill go to the foot of the calendar.

Mr. TALMADGE. I have no objection to the bill going to the foot of the calendar, but we do object to it. We have registered an objection by request. The Calendar Committee is not prepared at this time to approve of the passage of the bill. However, I have no objection to the bill going to the foot of the calendar.

Mr. PURTELL. I thank the Senator. I shall not request that the bill go to the foot of the calendar. I had reference to another bill.

Mr. BEALL. Mr. President, I ask unanimous consent that I may offer my amendment.

Mr. TALMADGE. I have no objection to the Senator from Maryland offering his amendment. We have registered an objection to the bill, and we are not prepared to consent to the passage of the bill at this time.

Mr. BEALL. I should like to make a statement on my amendment.

The PRESIDING OFFICER. All committee amendments would have to be agreed to before the Senator's amendment would be in order.

Mr. BEALL. I should like to make my statement on the bill.

Mr. FREAR. Mr. President, what is the status of the bill?

Mr. ANDERSON. We cannot hear what is going on.

Mr. BEALL. Mr. President, reserving the right to object, I wish to make a statement as to my amendment.

The PRESIDING OFFICER. The Senator from Maryland reserves his right to object to the consideration of the bill, so that he may make a statement on an amendment which he proposes to offer.

Mr. FREAR. Is the Senate considering Calendar No. 882, H. R. 7096?

The PRESIDING OFFICER. The Senator is correct.

Mr. BEALL. Mr. President, my amendment to H. R. 7096, would amend paragraph 1684, of the Tariff Act of 1930.

This amendment would remove from the dutiable to the free list, woolen yarns of a length not to exceed 3 inches. These yarns are in no way competitive with commercial domestic production, as the product is not produced in this country.

Each of the departments of the Government, the Departments of State, Treasury, Agriculture, and the Tariff Commission have submitted favorable reports on this amendment.

The wool growers and manufacturers associations raised some question about the original wording of the amendment, and we have no accepted wording which is agreeable to them. They are now in full accord with this amendment and its wording, and have no objection to its adoption.

Since all parties concerned are in agreement and without objection to this language, I offer it as an amendment to the pending bill, H. R. 7096.

Mr. President, I ask unanimous consent that the text of my proposed amendment be printed in the RECORD at this point.

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

At the end of the bill insert the following new section:

"SEC. 5. (a) Section 201 of the Tariff Act of 1930 is amended by adding at the end thereof the following new paragraph:

" 'Par. 1822. Yarns, wholly or in chief value of wool, dyed and cut into uniform lengths not exceeding 3 inches, in immediate packages or containers not exceeding 6 ounces in weight, including the weight of the immediate package or container.'

"(b) The amendment made by this section shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, on and after the day following the date of enactment of this act.

"Amend the title so as to read: 'An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes.' "

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

Mr. TALMADGE. Mr. President, over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

## SALE OF CERTAIN LANDS IN WYOMING TO BUD E. BURNAUGH

The Senate proceeded to consider the bill (H. R. 1826) to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh.

Mr. MORSE. Mr. President, the bill would authorize Mr. Bud E. Burnaugh

to purchase, under the Small Tract Act of 1938 (43 U. S. C., secs. 682a, et seq.), a 5-acre tract of land for which he had filed application in 1951.

Mr. Burnaugh entered, under a business site lease containing an option to purchase that conformed to Department of Interior Regulations, and put improvements on the land valued at $18,000.

Later, his attempt to exercise the purchase option was rejected because it was determined that by an Executive order of 1930 the land had been withdrawn from disposal because of its mineral character.

The Department of Interior recognized that its decision was harsh under the circumstances, and suggested remedial legislation.

I am in favor of remedial legislation being passed. H. R. 1826, if I understand correctly, corrects the injustices, and the Morse formula is not violated by it. However, I should like to ask the Senator who is in charge of the bill to answer one question for the RECORD. Is it perfectly clear, if we pass the bill, that the mineral rights are reserved in this case, pursuant to the Small Tract Act of 1938? Can the Senator from Wyoming [Mr. BARRETT] answer that question? I wish to be sure that what we are doing is correcting an injustice and not turning over to the purchaser the mineral rights under the property, which is certainly not what I understand to be contemplated by the act. I have looked in vain to find any language in the committee report which would give me that assurance.

Mr. BARRETT. I am perfectly willing that the bill go to the foot of the calendar.

Mr. MORSE. I believe we can clear up the matter. The Senator from New Mexico, I am sure, is familiar with the situation.

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

Mr. MORSE. I yield.

Mr. BIBLE. I believe I am in a position to answer the question. I have checked with the staff, and I am told that the mineral rights, under the Small Tract Act of 1938, are reserved.

Mr. MORSE. That is what I wanted to have clear in the RECORD. I believe we ought to have that legislative history made in the RECORD, in view of the fact that the report does not refer to it. It ought to be clear in the RECORD.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

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## WITHDRAWALS OF PUBLIC LANDS

The Senate proceeded to consider the bill (H. R. 5538) to provide that withdrawals, reservations, or restrictions of more than 5,000 acres of public lands of the United States for certain purposes shall not become effective until approved by act of Congress, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 20, to strike out:

(4) nothing in this act shall be deemed to be applicable to the following reservations or withdrawals which expired due to the ending of the unlimited national emergency and which subsequent to such expiration have been and are now used by the military departments with the concurrence of the Department of the Interior: Luke Williams Air Force Range, Arizona; Camp Irwin, California; Edwards Air Force Base, California; Nellis Rifle and Pistol Range Annex, Nevada; and Boardman Precision Bombing Range, Oregon.

And insert:

(4) nothing in sections 1, 2, or 3 of this act shall be deemed to be applicable either to those reservations or withdrawals which expired due to the ending of the unlimited national emergency of May 27, 1941, and which subsequent to such expiration have been and are now used by the military departments with the concurrence of the Department of the Interior, or to the withdrawal of public domain lands of the Marine Corps training center, Twentynine Palms, Calif., and the air-to-air gunnery range, Sahwave Mountain, Nev.

The amendment was agreed to.

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

The bill was read the third time, and passed.

Mr. BIBLE. In connection with the bill just passed, Order No. 884, H. R. 5538, I ask unanimous consent to have printed in the RECORD at the conclusion of the consideration of the bill, and its passage, a statement concerning it, and explaining the amendments.

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

STATEMENT BY SENATOR BIBLE

H. R. 5538 places in the Congress the responsibility for approving the withdrawal from other forms of entry of public lands in excess of 5,000 acres to be used by the Military Establishment.

For many years now, the various military agencies have been acquiring public lands for their exclusive use at an alarmingly rapid rate. While the Constitution vests exclusive jurisdiction over public lands in the Congress, we in the Congress have, to a very large extent, permitted the executive branch to administer the public domain without sufficient Congressional guidemarks in certain areas of public land management. It is the judgment of the Committee on Interior and Insular Affairs that the military use of public lands has been flagrantly abused and the measure now before us provides a means of assuring that, in the future, a clear showing of actual need must be made to the Congress before public lands in excess of 5,000 acres will be set aside for use by the Army, the Navy, or the Air Force.

As the administrative custodian of public domain lands, the Secretary of the Interior must, at the present time, determine whether or not portions of the public domain should be set aside primarily for military purposes when the military agencies express a need therefor. All too often, unfortunately, the Secretary has been compelled to approve routinely the requests for additional land submitted to him by the military because of his Department's inability to assess comparatively the military need as against continued public uses of the public land in question. As a consequence, agencies of the Defense Department have acquired millions of acres of public land simply by alleging the land is needed for national defense purposes. Not having detailed information with respect to Defense Department preparations for the national defense, the Interior Department has had to "rubber stamp" these military land requests.

This undesirable situation has been greatly compounded by the fact that the Defense Department did not have, until very recently, any type of control procedures established that effectively curtailed unnecessary military public land acquisitions. Nor did the individual military services attempt to maintain current appraisals of their public land holdings to determine if public land under military control could, to any extent, be returned to the public domain as surplus to military needs. In August 1955, the Department of Defense issued a directive requiring the individual services to review their real property holdings. Studies now being made pursuant to that directive reveal that the services have indeed retained large areas of public domain land far beyond the time after which such land was no longer needed. Prior to the issuance of the August 1955, directive, the individual services made little or no effort to determine whether joint use of militarily withdrawn public lands could be accomplished in lieu of withdrawing additional public land from general public entry.

Hearings held on this question of military public land use revealed further that the lands taken by the military services were held nearly entirely on an exclusive-use basis. Other public uses of public lands so withdrawn were prohibited. H. R. 5538 establishes procedures that will insure multiple use of public lands withdrawn primarily for military purposes—mining, grazing, and hunting and fishing will be permitted wherever it is compatible with the military mission sought to be accomplished on these military reservations carved from the public domain. Furthermore, all hunting and fishing on such reservations will be done in accordance with State laws and the general public will be permitted to enjoy such activities along with the military personnel on the base wherever possible. This bill requires the military authorities to cooperate with State officals in the management and harvesting of fish and game resources, including procedures which will grant access to such State officials to these areas under military control, subject, of course, to safety and security considerations.

The military agencies have made considerable progress in establishing sound real property management procedures since Congressional hearings on the subject were first conducted last year by the House Committee on Interior and Insular Affairs. It is the Committee's hope that the Department of Defense will continue to supervise carefully and require compliance with the real property management directives it has formulated for the guidance of the individual services.

The proposed amendment to this bill would exempt 18 specific areas from the requirement that the Congress approve withdrawals in excess of 5,000 acres. Sixteen of these specified areas are listed on pages 23–24 of the committee report under the heading, "Lands Where Temporary Use Period Extended." In each case, Executive or public land orders were issued withdrawing these listed areas from general public entry for use by the military agencies. By the terms of such orders, the right of the military to use these lands was to expire automatically 6 months after the termination of the unlimited national emergency attending World War II. The Department of the Interior has permitted the military agencies to continue their use of these public lands beyond that automatic termination date. On each of the 16 reservations there exist extensive physical

improvements of considerable value which serve a continuing military need. Military training programs have been maintained on an uninterrupted basis on these reservations since they were first established. Formal withdrawal orders will be issued in the future to assure the continued use of these public lands by the military. Justification for their retention in military status continues and the language of the amendment merely permits the Secretary of the Interior to sign the necessary withdrawal order—a specific act of Congress, as would otherwise be required under the provisions of this bill, will not be necessary inasmuch as further Congressional review appears unwarranted.

The committee is suggesting a similar exception from Congressional review in the case of the Marine Corps Training Center at Twentynine Palms, Calif. As is pointed out at page 2 of the report, extensive physical improvements were constructed by the Marine Corps and military training programs were instituted at the Training Center at Twentynine Palms before the Secretary of the Interior formally approved the Navy Department's request for the withdrawal of the public lands to be used by the Marine Corps. Unbelievable as it appears, we have here an example of a military agency asserting exclusive jurisdiction over an area of federally owned property to which it hasn't the slightest semblance of legal title. H. R. 5538 will put an end to such situations. In the future, military agencies will first acquire title to areas of the public domain before they expend millions of dollars placing military installations on public land. The committee has studied the Twentynine Palms fiasco thoroughly and has concluded that it can best be resolved by permitting the necessary withdrawal order to be issued by the Secretary of the Interior without further Congressional review.

SAHWAVE MOUNTAIN STATEMENT

H. R. 5538, I repeat, requires the Congress to make future determinations with respect to the necessity of setting aside for military use additional areas of the public domain in excess of 5,000 acres as well as the manner in which such lands, if so withdrawn, shall be used by the military. We urge its enactment by the Senate at this time.

In treating the Sahwave Mountain air-to-air gunnery range as an area excepted from the requirements of the bill's first three sections, the committee is dealing with public domain lands that are presently embraced in a pending withdrawal request submitted by the Department of the Navy. The Secretary of the Interior has withheld a decision on the request of the Navy in accordance with an agreement that all pending withdrawal requests would be held in abeyance until a final disposition is made of H. R. 5538 by the Congress. Nevertheless, a thorough examination of the need for the Sahwave Mountain withdrawal has already been conducted by the Senate Committees on Armed Services and Appropriations. Legislation enacted in the 84th Congress (Public Laws 814 and 968) authorizes and provides funds for the acquisition of grazing rights, mining claims, and privately owned lands embraced within the proposed Sahwave gunnery area. It is the committee's opinion that any additional review of the matter by a legislative committee, such as that required by the provisions of this bill, is unnecessary. The Navy has modified its original request for public lands in the Sahwave area by nearly 1½ million acres since obtaining the right to utilize a portion of the Air Force's Nellis-Tonopah gunnery range. The committee is confident that the Secretary of the Interior, if permitted by the language of the reported bill to sign a withdrawal order for the Sahwave Mountain range, will honor a request submitted to him by Messrs. BIBLE and MALONE to delete an additional 114,000 acres from the proposed withdrawal which were not considered during the hearings conducted by the Committee on Armed Services and Appropriations mentioned previously. Your committee feels this amendment fully protects the general public interest and promotes the expeditious accomplishment of specific military missions.

## AMENDMENT OF SOCIAL SECURITY ACT

The Senate proceeded to consider the bill (H. R. 8753) to amend title II of the Social Security Act to include California, Connecticut, and Rhode Island among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage, which had been reported from the Committee on Finance with amendments on page 1, line 5, after the word " 'Florida' ", to insert "by inserting 'Minnesota,' before 'New York' ", and, on page 2, line 9, after the word "to", where it appears the second time, to strike out "1959" and insert "1960."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

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

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

The social security amendments of 1956 included a provision permitting 8 specific States and the Territory of Hawaii, to divide State and local government retirement systems into 2 groups for purposes of old-age and survivors insurance coverage; 1 group to consist of those employees who desire to come under social-security coverage and the other group to be comprised of those who do not want to come into the OASI system. The Committee on Finance had made a very careful poll of all the States and included in this provision only those States specifically requested to be named by their Governors. They were: Florida, Georgia, New York, North Dakota, Pennsylvania, Tennessee, Washington, Wisconsin, and the Territory of Hawaii.

H. R. 8753 extends this privilege to four additional States who have requested to be named—California, Connecticut, Minnesota, and Rhode Island. The bill, as passed by the House, did not include Minnesota, but it was added in the Committee on Finance at the request of Senator THYE and the endorsement of Senator HUMPHREY.

In order to assure sufficient time for the four States to make arrangements for covering employees pursuant to the provisions in this bill, it is desirable to provide an extension of the time within which a retroactive coverage agreement can be entered into with respect to these employees. Under the House-approved bill a 1-year extension was provided. The Committee on Finance has amended the bill to provide a 2-year extension. The committee believes that the 1-year extension might not be long enough to permit the four States affected by the bill, and the interested subdivisions, to take the necessary action by the end of 1958. These States and their subdivisions would, of course, need a certain amount of time in order to inform interested groups of the amendment and to provide for and carry out the actions which are a prerequisite to securing social-security coverage for them. A further delay would result if State-enabling legislation necessary to action by the State has not been enacted. The problems that would arise in getting any needed State legislation if the extension of the deadline for obtaining retroactive coverage were extended for only 1 year might be particularly acute in Minnesota, since the legislature in that State ordinarily meets only in odd-numbered years.

The Finance Committee bill provides that agreements or modifications applicable to services to which the bill applies may, if they are entered into prior to 1960, be made effective with respect to such services performed as early as January 1, 1956.

## AMENDMENT OF SOCIAL SECURITY ACT—BILL PLACED AT FOOT OF THE CALENDAR

The bill (H. R. 8755) to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social-security coverage under its agreement separately for those of its employees who are covered by a retirement system and who desire such coverage, was announced as next in order.

Mr. TALMADGE. Over.

Mr. BEALL. Mr. President, at this time I wish to offer to one of the committee amendments an amendment which is in no way controversial. Quite the contrary; it is simply to place the State of Maryland in the same position as that of so many other States with respect to section 218 subsection (p) of the Social Security Act. My amendment would place Maryland after Georgia in the alphabetical listing of States in section 2 of H. R. 8755.

Mr. President, this amendment provides coverage under social security for police and firemen in the State of Maryland. It is endorsed by the Maryland Municipal League, and also by the Maryland State Legislature, which, in the State Senate on January 16, 1957, passed resolution 5 of the 1957 session. The Governor of Maryland approved this resolution on February 1, 1957.

The PRESIDING OFFICER. Does the Senator from Georgia withhold his objection?

Mr. TALMADGE. I withhold my objection, and I should like to hear the amendment of the Senator from Maryland read.

The PRESIDING OFFICER. The amendment of the Senator from Maryland will not be in order until the committee amendment to which it is submitted is considered. Since objection has been made to the consideration of the bill, the committee amendments cannot be considered at this time.

Mr. TALMADGE. Mr. President, I withdraw my objection at this time, in order that the amendment of the Senator from Maryland may be offered and read. After I hear the amendment read,

I shall know whether I wish to renew my objection.

The PRESIDING OFFICER. First, is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 8755), which had been reported from the Committee on Finance with amendments.

The PRESIDING OFFICER. The amendments of the committee will be stated.

The first amendment was on page 3, line 4, after the word "title", to insert "Services in positions covered by a separate retirement system created pursuant to this subsection (and consisting of the positions of members who desire coverage under an agreement under this section) shall be covered under such agreement on compliance, to the extent practicable, with the same conditions as are applicable to coverage under an agreement under this section of services in positions covered by a separate retirement system created pursuant to the fourth sentence of subsection (d) (6) (and consisting of the positions of members who desire coverage under such agreement)." "; and after line 14, to strike out:

SEC. 2. Notwithstanding subsection (f) of section 218 of the Social Security Act, any agreement with an instrumentality of two or more States under such section which is applicable to services performed by employees of such instrumentality in positions covered by a separate retirement system (comprising a division or part of a retirement system of such instrumentality or of any of such States or any political subdivisions thereof, and consisting of the positions of members who desire coverage under the agreement) created pursuant to subsection (k) (2) of such section, and any modification of such an agreement which makes the agreement applicable to services performed by employees of such instrumentality in such positions may, if such agreement or modification is agreed to prior to 1959, be made effective with respect to services performed in such positions after an effective date specified in the agreement or modification, except that in no case may such date be earlier than December 31, 1955.

The amendment was agreed to.

The next committee amendment was on page 4, after line 7, to insert:

SEC. 2. Subsection (p) of section 218 of the Social Security Act is amended by striking out "Florida, North Carolina, Oregon, South Carolina, or South Dakota" and inserting in lieu thereof "Alabama, Florida, Georgia, New York, North Carolina, Oregon, South Carolina, South Dakota, or Tennessee."

Mr. BEALL. Mr. President, to this committee amendment, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Maryland to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 4, in line 11, after "Georgia," it is proposed to insert "Maryland."

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

The amendment to the amendment was agreed to.

Mr. FREAR. Mr. President, to this committee amendment, as now amended, I offer the amendment which I send to the desk and ask to have stated.

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

The LEGISLATIVE CLERK. On page 4, in line 13, after "Tennessee," it is proposed to insert "or Territory of Hawaii."

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

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 4, after line 13, to insert:

SEC. 3. Subsection (f) of section 218 of the Social Security Act is amended by striking out "1957" in paragraph (3) and inserting in lieu thereof "1959", by striking out "and" at the end of paragraph (2), and by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following new paragraph:

"(3) in the case of an agreement or modification agreed to after 1957 but prior to 1960, such date may not be earlier than December 31, 1955; and."

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The PRESIDING OFFICER. The question now is on the passage of the bill.

Mr. PURTELL. Mr. President, I understand that the Senator from Georgia previously objected to passage of the bill. Will he withhold his objection, so that I may ask that the bill go to the foot of the calendar?

Mr. TALMADGE. Mr. President, I withhold my objection at this time. But I should like to ask the nature of the amendment the Senator from Delaware submitted.

Mr. FREAR. It included "the Territory of Hawaii."

Mr. TALMADGE. Very well.

Mr. PURTELL. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar. A Senator who will be in the Chamber a little later wishes to offer an amendment.

Mr. TALMADGE. I have no objection to the request.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

The social-security amendments of 1956 included a provision permitting the States of Florida, Georgia, New York, North Dakota, Pennsylvania, Tennessee, Washington, Wisconsin, and the Territory of Hawaii to divide a State or local government retirement system into two parts for purposes of old-age and survivors insurance coverage, one part to consist of the positions of members who desire coverage and the other to consist of the positions of members who do not desire coverage.

Problems have arisen because this provision is not applicable to interstate instrumentalities. For example, where employees of an interstate instrumentality are covered under a retirement system of any one of the nine States specified in the provision, members of the system who are employees of the interstate instrumentality cannot be accorded the same treatment as those who are State employees. H. R. 8755 would alleviate these problems, and would at the same time facilitate the extension of old-age and survivors insurance coverage to employees of an interstate instrumentality of two or more States who are members of a retirement system of such instrumentality, or of any such States or subdivisions thereof, by extending to these instrumentalities the above-described provision which permits retirement system members who desire coverage to be covered without requiring other members of the system to be covered.

The Committee on Finance has added an amendment to the House-approved bill designed to make sure that this provision will, to the extent practicable, be applicable to interstate instrumentalities on the same basis as it applies to the specified States.

A State must enact enabling legislation before it can bring groups of employees under old-age and survivors insurance. In some States such legislation has not been enacted; in others, the enabling legislation already enacted may require amendment in order to enable the States to take advantage of these amendments. The Finance Committee bill, therefore, has been amended to postpone the deadline for obtaining such coverage to afford sufficient time for many States to take the necessary action. The committee bill provides that an agreement or modification extending OASI coverage to services performed in the employ of any State (or any political subdivision thereof) or in the employ of any interstate instrumentality could be made effective as early as January 1, 1956, if the coverage agreement or modification is entered into prior to 1960.

Prior to the 1956 social-security amendments the services of all policemen and firemen covered by a State or local government retirement system were specifically excluded from social-security coverage. In 1956 at the request of Senators from Florida, North Carolina, Oregon, South Carolina, and South Dakota, an amendment was adopted making OASI coverage available to the firemen and policemen of their States if they indicate by referendum they so desire to be covered. At the request of the Senators from Alabama, Georgia, New York, and Tennessee an amendment has been added in committee to H. R. 8755 which will extend this option to the policemen and firemen of their States.

## AMENDMENT OF SOCIAL SECURITY ACT

The bill (H. R. 8821) to amend title II of the Social Security Act to facilitate the provision of social security coverage for State and local employees under certain retirement systems was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

H. R. 8821 would amend title II of the Social Security Act, as amended in 1956, to expedite the completion of an old-age and survivors insurance coverage referendum in conjunction with the special provision of the Social Security Amendments of 1956 which permits certain specified States to divide a retirement system for purposes of extending old-age and survivors insurance coverage to those members of the system who desire coverage. Under present law, after a retirement system in any of the specified States has been divided between those members who desire old-age and survivors insurance coverage and those who do not, a referendum must be conducted among the members who indicated a desire for coverage before their coverage can be effected. H. R. 8821 would permit the specified States to provide this coverage without a subsequent coverage referendum for those retirement system members desiring coverage, provided certain safeguards, similar to those applying under the existing referendum provisions, were followed in the process of dividing the system into the two parts.

The new, shorter procedure would be available, however, only if certain safeguards, similar to those included in the regular referendum provisions, were observed in connection with the division of the system into two parts. Thus, the governor would need to certify that (1) an opportunity to vote by written ballot on the question of whether they wish to be covered by old-age and survivors insurance was given to all individuals who were members of such system at the time the vote was held, (2) not less than 90 days' notice of such vote was given to all individuals who were members on the date the notice was issued, (3) the vote was conducted under the supervision of the governor or a designated agency or individual, and (4) the retirement system was divided into two parts in accordance with the existing Social Security Act provisions on this matter.

The provisions of the bill would be effective upon enactment. Consequently, if a State was in the process of dividing a retirement system before the enactment date and was doing so in such a manner as to meet the requirements set forth in the bill, the State could apply these provisions with no regular coverage referendum being required. On the other hand, a State that has already made plans for dividing a retirement system under the provisions of present law could proceed as planned if it wished, dividing the system first, then holding a referendum with respect to the part consisting of the positions of members who desire coverage. This longer procedure would continue to be available for States that wished to use it in the future.

## BILL PASSED OVER

The bill (S. 2757) to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

## DISPOSAL OF LANDS BY THE SECRETARY OF STATE TO ALIENS

The bill (H. R. 8929) to amend the act of August 27, 1935, as amended, to permit the disposal of lands and interests in lands by the Secretary of State to aliens was considered, ordered to a third reading, read the third time, and passed.

## SECOND WORLD METALLURGICAL CONGRESS

The joint resolution (H. J. Res. 404) providing for the recognition and endorsement of the second World Metallurgical Congress was considered, ordered to a third reading, read the third time, and passed.

## ST. LAWRENCE SEAWAY CELEBRATION

The joint resolution (H. J. Res. 408) authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959, was considered, ordered to a third reading, read the third time, and passed.

## ERECTION OF NATIONAL MONUMENT SYMBOLIZING THE IDEALS OF DEMOCRACY—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 2363) to authorize the erection of a national monument symbolizing the ideals of democracy was announced as next in order.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the bill be recommitted to the committee, for hearings. There is no objection on the part of the Senator for whom this request is made; but he has stated that no hearings were held in the committee; and he desires to have the bill recommitted, in order that hearings may be held on it.

Mr. ALLOTT. Mr. President, reserving the right to object—and I do object—I ask unanimous consent that the bill go to the foot of the calendar. This is the first notice we have had that there was any objection to the bill. I should like to find out the basis of the objection; and in order to have an opportunity to do so, I ask that the bill go to the foot of the calendar.

Mr. TALMADGE. I have no objection to having the bill go to the foot of the calendar. But unless the Senator who registered his objection can be satisfied, I would have to renew my objection at that time.

The PRESIDING OFFICER. Without objection, the bill will go to the foot of the calendar.

## PERFORMANCE OF PROTECTION WORK BETWEEN THE YUMA PROJECT AND BOULDER DAM

The bill (S. 2037) to amend the act of June 28, 1946, authorizing the performance of necessary protection work between the Yuma project and Boulder Dam by the Bureau of Reclamation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That that portion of the act of June 28, 1946 (60 Stat. 338), which reads "(b) constructing, improving, extending, operating, and maintaining protection and drainage works and systems along the Colorado River" is amended by adding at the end thereof the following: "including such protection and drainage works and systems within a non-Federal reclamation project when need for such systems results from irrigation operations on Federal reclamation projects."

## CONVEYANCE OF CERTAIN LANDS TO SCHOOL DISTRICT 24, YELLOWSTONE COUNTY, MONT.

The bill (S. 1742) to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519) so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley project schools, Yellowstone County, Mont., was announced as next in order.

Mr. MORSE. Mr. President, this bill would authorize the Secretary of the Interior to convey 2 acres of land to school district No. 24.

No provision is made for the payment of consideration for the transfer.

The bill calls for a reservation of minerals and a right of way for ditches and canals.

The land in question is ceded Indian land. Under a 1919 law, it could have been conveyed to the school district for school purposes; but such conveyance would have to contain a reversion for nonuse for school purposes.

A conveyance under the 1919 law would not satisfy school district No. 24, because, as stated in the August 13, 1957, letter of the Department of the Interior—

> The district has recently constructed a consolidated school which now accommodates all the students who formerly attended the two schools, and the board of trustees of the school district has determined that the school buildings are no longer required for school purposes. They are old and have no offsite value, and the board wishes to dispose of the land and buildings (S. Rept. No. 867).

Mr. President, I see no reason why the school district should not pay the fair appraised market value for the land.

But under the circumstances—because I assume there is to be sort of an offset between what they receive and the costs they have had to undergo for the consolidated school—I think the bill is fair, and I am willing to have the proposed procedure followed, if the Senate agrees to an amendment to have 50 percent of the appraised fair market value of the land paid.

Mr. ANDERSON. Mr. President, does the Senator from Oregon realize that more than three-fourths of the students are Indian students? The school is primarily for the convenience of the Indians. If several acres of land are transferred for the convenience of the Indians, I do not know why they should pay for it.

Mr. MORSE. Is the Senator from New Mexico pointing out that the Federal interest in the land is outweighed by the Federal obligation to provide a school for the Indian students?

Mr. ANDERSON. Yes.

Mr. MORSE. I was not aware of that.

Mr. ANDERSON. I wish to say that at first I was not aware that the bill was primarily for the benefit of the Indian students. But I should like to point out that the bill meets the test of the Morse formula.

Mr. MANSFIELD. I should like to point out that the bill relates to Indian children on nearby reservations.

Mr. MORSE. Mr. President, since I now learn that the primary benefit is to be for the Indian children, I have no objection.

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

There being no objection, the bill (S. 1742) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, notwithstanding the provisions, terms, and conditions of any other act of Congress, the Secretary of the Interior shall cause to be conveyed without restriction, save as hereinafter set forth, to school district numbered 24, Huntley project schools, Yellowstone County, Mont., its successors and assigns, the following described land and premises located and situated in Yellowstone County, Mont.: Lot 3 of block 3 of the original townsite of Ballantine, Mont., and block 14 of the original townsite of Pompeys Pillar, Mont., subject to reservation from said land of a right-of-way thereon for ditches and canals constructed by the authority of the United States in accordance with the provisions of the act of August 30, 1890 (26 Stat. 391) and any and all existing easements on said lands; reserving to the United States, and its assigns, all coal, oil, gas, and other minerals, including, without being limited by enumeration, sand, gravel, stone, clay, and similar materials, together with the usual mining rights, powers, and privileges, including the right at any and all times to enter upon said land and use such part of the surface thereof as may be necessary in prospecting for, mining, saving, and removing said minerals and materials, upon payment of damages caused by said surface use to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages.

SEC. 2. The Secretary of the Interior is hereby authorized and empowered to execute and deliver to school district No. 24, Huntley project schools, Yellowstone County, Mont., any documentary evidence which he may determine to be necessary to carry out the intent of this act.

## ALLOCATION OF COSTS OF DAVIS DAM TO SERVICING THE MEXICAN WATER TREATY

The Senate proceeded to consider the bill (S. 33) to provide for the allocation of portions of the costs of Davis Dam to servicing the Mexican Water Treaty, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 3, after the word "Interior", to insert "after consultation with the Secretary of State"; in line 8, after the word "dated", to strike out "November 14, 1944" and insert "February 3, 1944"; at the beginning of line 9, to insert "including other benefits according to reclamation laws", and on page 2, line 6, after the word "contracts", to insert "or treaties"; so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of Interior after consultation with the Secretary of State is authorized to allocate appropriate portions of the costs of constructing, operating and maintaining Davis Dam and Reservoir, Nev.-Ariz., to the servicing of the treaty with the United Mexican States dated February 3, 1944 (T. S. 994), including other benefits according to reclamation laws and portions of the costs so allocated shall not be reimbursable or returnable under Federal Reclamation Laws (act of June 17, 1902, 32 Stat. 388 and acts amendatory thereof or supplementary thereto).

Nothing contained in this act shall be construed to alter or affect in any way any rights or obligations of the United States or any other party under contracts or treaties heretofore entered into by the United States.

The amendments were agreed to.

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

## AMENDMENT OF SOCIAL SECURITY ACT

The bill (H. R. 1944) to amend title II of the Social Security Act so as to make inapplicable, in the case of survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States was announced as next in order.

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

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

Mr. WILLIAMS. Mr. President, I offer the amendment which I send to the desk. The amendment has been discussed in the committee, and I think it will be accepted by the chairman. I ask that the amendment be read by its identifying number only.

The PRESIDING OFFICER. Without objection, that will be done.

The LEGISLATIVE CLERK. The Senator from Delaware submits an amendment identified as "8–16–57–A."

Mr. WILLIAMS. Mr. President, I ask unanimous consent that a brief statement on the amendment, as prepared by the Department, be printed at this point in the RECORD.

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

STATEMENT OF PROVISIONS OF AMENDMENT ON "LIVING WITH" REQUIREMENT

The present social security law sets out, as one of the requirements a woman must meet in order to be entitled to widow's benefits on her deceased husband's earnings record, that she must have been "living with" him at the time he died. "Living with" is a requirement for entitlement to wife's, widow's, husband's, and widower's benefits. The law defines "living with" to mean that the spouse must have been living in the same household with the worker, or that she must have been receiving regular contributions from the worker, or that the worker must have been under order by a court to contribute to her support.

The proposed amendment includes the following provisions:

1. The "living with" requirement for widow's, widower's, wife's, and husband's benefits could be eliminated, effective for monthly benefits for months after the month in which it is enacted, and for deaths that occurred either before or after its enactment.

2. The definition of wife, husband, widow, and widower under present law requires that the spouse be able to inherit the intestate personal property of the worker under applicable State law. Under the amendment, a spouse would meet the definition if a valid marriage was in existence at the time of the worker's death (or the spouse's application for benefits). If a valid marriage had not existed, the relationship would nevertheless be deemed to have existed if the spouse were able to inherit the intestate personal property of the worker.

3. The definitions of widow and widower and the "living with" requirement for the purposes of the Railroad Retirement Act would not be changed. (The survivorship benefit provisions of that act are coordinated with those of the Social Security Act, and an amendment to the former act is required in order to preserve present definitions for Railroad Retirement Act purposes.)

4. Since the existence of a potentially eligible widow bars payment of parent's benefits, a savings clause would provide that where a parent, before the month of enactment of the amendment, had filed proof that he had been chiefly supported by the deceased worker, payment of benefits to the parent would not be barred where a widow becomes eligible because of these changes.

5. In cases where a widow becomes entitled to benefits because of these changes and, because parents are already entitled to benefits, the maximum on family benefits would apply, a parent's benefits would nevertheless not be reduced below the amount payable to the parent for the month before the month in which the widow becomes entitled to a mother's or aged widow's benefit. (In other words, the amount payable to the parent without regard to whether the widow was entitled would continue to be paid. Also, the widow's benefit would not be reduced by reason of the operation of the maximum on family benefits.)

6. In cases where a widow becomes entitled to benefits because of these changes and where the maximum is involved because children are also entitled, the children's benefits would be reduced because of the family maximum provisions. To do otherwise would mean that a family with a widow and children living in the same household, where the widow could not meet the present "living with" requirement, would be able to receive higher total benefits than a family under similar conditions where the widow was able to meet the "living with" requirement.

Mr. WILLIAMS. Mr. President, the amendment further clarifies the definition of a widow for the benefit of establishing benefits under the social security system.

Mr. BYRD. Mr. President, the amendment of the Senator from Delaware was fully discussed in the committee, and was approved by the committee.

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

The amendment was agreed to, as follows:

On page 3, after line 2, insert the following:

"SEC. 3. (a) Section 202 (b) (1) of the Social Security Act is amended by striking out subparagraph (C) and redesignating subparagraph (D) as subparagraph (C), and by inserting 'and' at the end of subparagraph (B).

"(b) Section 202 (c) (1) of such act is amended by striking out subparagraph (C) and redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively.

"(c) Section 202 (e) (1) of such act is amended by striking out subparagraph (D)

and redesignating subparagraph (E) as subparagraph (D) and by inserting 'and' at the end of subparagraph (C).

"(d) Section 202 (f) (1) of such act is amended by striking out subparagraph (D) and redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

"(e) Section 202 (g) (1) (F) of such act is amended to read as follows:

"'(F) in the case of a former wife divorced, was receiving from such individual (pursuant to agreement or court order) at least one-half of her support at the time of his death, and the child referred to in subparagraph (E) is her son, daughter, or legally adopted child and the benefits referred to in such subparagraph are payable on the basis of such individual's wages and self-employment income.'

"(f) Section 202 (h) (1) of such act is amended by striking out '(e) (1) (D) and (E)' and '(f) (1) (D), (E), and (F)' and inserting in lieu thereof '(e) (1) (D)' and '(f) (1) (D) and (E)' respectively.

"(g) Section 202 (p) (1) of such act is amended by striking out 'subparagraph (D) of subsection (c) (1)' and 'subparagraph (E) of subsection (f) (1)' and inserting in lieu thereof 'subparagraph (C) of subsection (c) (1)' and 'subparagraph (D) of subsection (f) (1)', respectively.

"(h) Section 216 (h) is amended to read as follows:

"'(h) (1) An applicant is the wife, husband, widow, or widower of a fully or currently insured individual for purposes of this title if the courts of the State in which such insured individual is domiciled at the time such applicant files an application, or, if such insured individual is dead, the courts of the State in which he was domiciled at the time of death, or, if such insured individual is or was not so domiciled in any State, the courts of the District of Columbia, would find that such applicant and such insured individual were validly married at the time such applicant files such application or, if such insured individual is dead, at the time he died. If such courts would not find that such applicant and such insured individual were validly married at such time, such applicant shall, nevertheless, be deemed to be the wife, husband, widow, or widower, as the case may be, of such insured individual if such applicant would, under the laws applied by such courts in determining the devolution of intestate personal property, have the same status with respect to the taking of such property as a wife, husband, widow, or widower of such insured individual.

"'(2) In determining whether an applicant is the child or parent of a fully or currently insured individual for purposes of this title, the Secretary shall apply such law as would be applied in determining the devolution of intestate personal property by the courts of the State in which such insured individual is domiciled at the time such applicant files application, or, if such insured individual is dead, by the courts of the State in which he was domiciled at the time of his death, or, if such insured individual is or was not so domiciled in any State, by the courts of the District of Columbia. Applicants who according to such law would have the same status relative to taking intestate personal property as a child or parent shall be deemed such.

"'(3) For purposes of section 202 (i), a widow shall be deemed to have been living with her husband at the time of his death if they were both members of the same household on the date of his death, or she was receiving regular contributions from him toward her support on such date, or he had been ordered by any court to contribute to her support; a widower shall be deemed to have been living with his wife at the time of her death if they were both members of the same household at the time of her death, or he was receiving regular contributions from her toward his support on such date, or she had been ordered by any court to contribute to his support.'

"(i) (1) Except as provided in paragraph (2), the amendments made by this section shall apply in the case of monthly benefits under section 202 of the Social Security Act for months after the month in which this act is enacted.

"(2) The amendment made by subsection (f) shall not apply in the case of benefits under section 202 (h) of the Social Security Act, based on the wages and self-employment income of a deceased individual who died in or prior to the month in which this act is enacted, for any parent who files the proof of support, required by such section 202 (h), in or prior to the month in which this act is enacted; and the amendment to section 216 (h) (1) of such act made by subsection (h) of this section shall not operate to deprive any such parent of benefits to which he would otherwise be entitled under section 202 (h) of such act.

"SEC. 4. (a) Section 1 (q) of the Railroad Retirement Act of 1937, as amended, is amended by striking out '1956' and inserting in lieu thereof '1957.'

"(b) Paragraph (1) of section 5 (1) of the Railroad Retirement Act of 1937, as amended, is amended by striking out the sentence immediately following clause (iii) thereof and inserting in lieu thereof the following sentence: 'A "widow" or "widower" shall be deemed to have been living with the employee if the conditions set forth in section 216 (h) (2) or (3), whichever is applicable, of the Social Security Act, as in effect prior to 1957, are fulfilled.'

"(c) Paragraph (1) of section 5 (1) of such act is further amended by striking out the third sentence immediately following clause (iii) thereof and inserting in lieu thereof the following sentence: 'In determining for purposes of this section and subsection (f) of section 2 whether an applicant is the wife, husband, widow, widower, child, or parent of an employee as claimed, the rules set forth in section 216 (h) (1) of the Social Security Act, as in effect prior to 1957, shall be applied.'

"SEC. 5. Where—

"(a) one or more persons were entitled (without the application of section 202 (j) (1) of the Social Security Act) to parents' insurance benefits under section 202 (h) of such act for the month in which this act is enacted on the basis of the wages and self-employment income of an individual;

"(b) a person becomes entitled to a widow's, widower's, or mother's insurance benefit under section 202 (e), (f), or (g) of the Social Security Act for any subsequent month on the basis of such wages and self-employment income;

"(c) the total of the benefits to which all persons are entitled under section 202 of the Social Security Act on the basis of such wages and self-employment income for such subsequent month are reduced by reason of the application of section 203 (a) of such act;

then the amount of the benefit to which each such person referred to in paragraph (a) or (b) is entitled for such subsequent month shall be increased, after the application of such section 203 (a), to the amount it would have been—

"(d) if, in the case of a parent's insurance benefit, the person referred to in paragraph (b) was not entitled to the benefit referred to in such paragraph, or

"(e) if, in the case of a benefit referred to in paragraph (b), no person was entitled to a parent's insurance benefit for such subsequent month on the basis of such wages and self-employment income."

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

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 1944) was read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement regarding the bill be printed in the RECORD.

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

STATEMENT BY SENATOR BYRD

The Committee on Finance amended the Social Security Amendments of 1956 to include a provision which suspends the payments of old-age and survivors insurance benefits to any individual not a citizen or national of the United States who first becomes eligible for benefits after December 1956 if such an individual remains out of the country for 6 consecutive months. The payments would be resumed if he returns and remains in this country. However, payment of benefits of such an individual would not be suspended if either (1) he is a citizen of a foreign country which has in effect a social insurance or pension system of general application which would permit benefit payments to United States citizens in the event they left such foreign country without regard to the duration of their absence; or (2) he has 40 quarters of coverage (10 years); or (3) he has resided in the United States for 10 years; or (4) he is serving outside the country in the Armed Forces of the United States; or (5) application of the provision would violate a treaty obligation of the United States.

The committee later approved the Servicemen's and Veterans' Survivor Benefits Act bringing under social security on a contributory basis members of the uniformed services; that is, members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

The provision contained in the 1956 amendments to the Social Security Act would deprive a large proportion of the alien survivors of members of the uniformed services who are living outside the United States of the social-security element of this benefit.

At the present time, there are approximately 20,000 aliens enlisted in the Armed Forces, many of whose families reside outside the United States. Of these aliens, the largest single group consists of Philippine nationals, with 5,600 serving in the Navy, primarily as messmen, and approximately 600 in the Coast Guard serving in like capacity. These Philippine nationals were recruited in the Philippine Islands and enlisted with the understanding that they would be entitled to all the rights and benefits that accrue to members in the Armed Forces, yet, under present law, since the families of practically all of these Filipinos reside in the Philippine Islands, they would be deprived of social-security benefits in the event of the death of the serviceman. It should also be observed that these aliens have no alternative but to make contributions to the social-security system.

H. R. 1944 proposes to allow social security benefits to be paid to survivors of servicemen whose deaths were service-connected. The provision would be retroactive to January 1, 1957, the date on which members of the uniformed services were brought under social security.

The Department of Defense, in urging the enactment of H. R. 1944, has pointed out that to deny aliens now serving in the Armed Forces a portion of the survivor protection granted to other members would have the effect of breaking faith with them. The De-

partment of Health, Education, and Welfare also favors enactment of your committee's bill.

## CONVEYANCE OF INTEREST IN TRACT OF LAND IN COOK COUNTY, ILL.

The Senate proceeded to consider the bill (H. R. 8005) to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois, which had been reported from the Committee on Government Operations with an amendment on page 2, after line 5, to insert:

SEC. 2. The Administrator of General Services is authorized and directed to convey by quitclaim deed to the city of Kearney, a municipal corporation of the county of Buffalo and State of Nebraska, all of the right, title, and interest of the United States in and to uranium, thorium, and other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, contained in the tract of land in the county of Buffalo, State of Nebraska, which was conveyed by quitclaim deed from the United States of America to the city of Kearney, recorded on June 15, 1950, at book 151, page 47, in the deed records of Buffalo County, Nebr. (said deed having been issued by Deputy Regional Director, Liquidation Service, General Services Administration, Office of Real Property Disposal, on behalf of the Administrator of General Services in the name of United States of America).

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to provide for the conveyance of interests of the United States in and to fissionable materials in certain tracts of land situated in Cook County, Ill., and in Buffalo County, Nebr."

STATEMENT OF SENATOR MORSE ON H. R. 8005

This bill would authorize the General Services Administration:

1. To quitclaim to the city of Chicago the interest of the United States in fissionable materials which was reserved in a gratuitous conveyance of land from the United States to the city of Chicago in 1956. This land is being used to develop the new O'Hare Field, Chicago National Airport; and

2. To convey a similar interest to the city of Kearney, Nebr., in connection with a gratuitous conveyance of land made by the United States to Kearney in 1950.

The cities desire these conveyances in order to clear the way for an $85 million bond issue for completing the development of O'Hare Field, and to clear title for industrial development of land in Kearney.

When the 1946 conveyance was made, Executive Order No. 9701 implemented the Atomic Energy Act of 1946 by requiring reservations of fissionable materials in conveyances of acquired realty.

Executive Order No. 9908 of 1947 made a similar reservation essential to the 1950 conveyance.

A 1954 amendment to the Atomic Energy Act stipulated that reservations to the United States of fissionable materials in public land should be rescinded by the head of the agency issuing the prior conveyance.

The various Government agencies were uncertain as to whether acquired United States lands could be considered public lands within the meaning of the 1954 amendment.

Although requested to issue a ruling on the point by the Atomic Energy Commission, the United States Attorney General has not yet done so. (Senate Rept. No. 870, p. 3.)

GSA and the Bureau of the Budget have no objections to this proposed legislation. The Comptroller General says he cannot comment on its merits.

This proposed legislation appears to conform to the spirit and intent of the law of 1954. In the absence of an Attorney General's ruling to the contrary, it would appear proper to approve the bill.

## ESTATE OF LEATHA HORN

The bill (H. R. 2354) for the relief of the estate of Leatha Horn was considered, ordered to a third reading, read the third time, and passed.

## ORVILLE G. EVERETT AND MRS. AGNES H. EVERETT

The bill (H. R. 5288) for the relief of Orville G. Everett and Mrs. Agnes H. Everett was considered, ordered to a third reading, read the third time, and passed.

## MAINTENANCE OF ROSTER OF RETIRED JUDGES

The bill (H. R. 3818) to provide for the maintenance of a roster of retired judges available for special judicial duty and for their assignment to such duty by the Chief Justice of the United States was considered, ordered to a third reading, read the third time, and passed.

## REPRESENTATION OF DISTRICT JUDGES ON THE JUDICIAL CONFERENCE

The bill (H. R. 3819) to amend section 331 of title 28, United States Code, to provide representation of district judges on the Judicial Conference of the United States was considered, ordered to a third reading, read the third time, and passed.

## EXTENSION OF PATENT TO THE UNITED DAUGHTERS OF THE CONFEDERACY

The Senate proceeded to consider the bill (S. 732) granting an extension of patent to the United Daughters of the Confederacy, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after the figures "29,611", to insert "which is the insignia of the United Daughters of the Confederacy", so as to make the bill read:

*Be it enacted etc.,* That (a) a certain design patent issued by the United States Patent Office of date November 8, 1898, being patent numbered 29,611 which is the insignia of the United Daughters of the Confederacy, which was renewed and extended for a period of 14 years by Public Law No. 220, 77th Congress, approved August 18, 1941, is hereby renewed and extended for an additional period of 14 years from and after the date of enactment of this act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the United Daughters of the Confederacy.

(b) No person who has manufactured the design of such patent between August 18, 1955, and the date of the enactment of this act shall be held liable for infringment of such patent by reason of the continued manufacture and sale thereof.

The amendment was agreed to.

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

## NATIONAL OLYMPIC DAY

The joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, as National Olympic Day was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

## JAFFA KAM

The bill (S. 281) for the relief of Jaffa Kam was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That, for the purposes of the Immigration and Nationality Act, Jaffa Kam shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## YUKIO NOBUTA

The bill (S. 365) for the relief of Yukio Nobuta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Yukio Nobuta shall be held and considered to be the minor alien child of M. Sgt. and Mrs. W. H. Hufft, citizens of the United States.

## GIUSEPPE (JOSEPH) CHILLEMI

The bill (S. 893) for the relief of Giuseppe (Joseph) Chillemi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Giuseppe (Joseph) Chillemi, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Joseph Mirabile, citizens of the United States.

## FOU YUEH LEE

The bill (S. 1545) for the relief of Fou Yueh Lee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That, for the purposes of the Immigration and Nationality Act, Fou Yueh Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State

shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## MARIA TALIOURA BOISOT

The bill (S. 1635) for the relief of Maria Talioura Boisot was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria Talioura Boisot, shall be held and considered to be the natural-born alien child of Pauline Boisot, a citizen of the United States.

## MARIA GOLDET

The bill (S. 1921) for the relief of Maria Goldet was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of the Immigration and Nationality Act, Maria Goldet shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## GENOVEFFA MIGLIOZZI

The bill (S. 2043) for the relief of Genoveffa Migliozzi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Genoveffa Migliozzi, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Niles Bassett, citizens of the United States.

## YASNA TREVIZAN

The bill (S. 2062) for the relief of Yasna Trevizan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Yasna Trevizan, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Warren H. Hornsby, citizens of the United States.

## FRANCES MONTELEONE

The bill (S. 2123) for the relief of Frances Monteleone was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Frances Monteleone, shall be held and considered to be the natural-born alien child of Sergeant and Mrs. Frank T. Monteleone, citizens of the United States.

## TASIA J. SOMAS

The bill (S. 2124) for the relief of Tasia J. Somas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Tasia J. Somas, shall be held and considered to be the natural-born alien child of Mr. John Somas, a United States citizen.

## MARK RAYMOND JOHNSON (RAY WHANG) AND LANCE HOLT JOHNSON (LANCE WHANG)

The bill (S. 2136) for the relief of Mark Raymond Johnson (Ray Whang) and Lance Holt Johnson (Lance Whang) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Mark Raymond Johnson (Ray Whang) and Lance Holt Johnson (Lance Whang) shall be held and considered to be the natural-born alien children of Jack and Dorothy Johnson, citizens of the United States.

## ELPIS MARIA STEPHANOU FRYBACK

The bill (S. 2164) for the relief of Elpis Maria Stephanou Fryback was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Elpis Maria Stephanou Fryback, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Fryback, citizens of the United States.

## WALTER HARRY HURT

The bill (S. 2172) for the relief of Walter Harry Hurt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Walter Harry Hurt, shall be held and considered to be the natural-born alien child of A3c. William C. Hurt III, a citizen of the United States.

## REINHARD KLINEFELTER

The bill (S. 2199) for the relief of Reinhard Klinefelter was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Reinhard Klinefelter shall be held and considered to be the natural-born alien child of Millard M. and Dorothy E. Klinefelter, citizens of the United States.

## MARGARET E. CULLOTY

The bill (S. 2204) for the relief of Margaret E. Culloty was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Margaret E. Culloty may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said Act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

## EMMANUEL KIM KOSMITIS

The bill (S. 2210) for the relief of Emmanuel Kim Kosmitis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Emmanuel Kim Kosmitis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. John J. Kosmitis, citizens of the United States.

## JAMES RICHARD SCARLETT (RICHARD KUROSAWA)

The bill (S. 2248) for the relief of James Richard Scarlett (Richard Kurosawa) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, James Richard Scarlett (Richard Kurosawa) shall be held and considered to be the natural-born alien child of James L. and Rozell Scarlett, citizens of the United States.

## JAMES CHARLES McCAIN (KIM KEUN SHIK)

The bill (S. 2302) for the relief of James Charles McCain (Kim Keun Shik) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, James Charles McCain (Kim Keun Shik) shall be held and considered to be the natural-born alien child of Loyd B. and Marie McCain, citizens of the United States.

## ELAINE ELVA OLIVER (LEE MYUNG SOOK)

The bill (S. 2309) for the relief of Elaine Elva Oliver (Lee Myung Sook) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Elaine Elva Oliver (Lee Myung Sook) shall be held and considered to be the natural-born alien child of Mr. and Mrs. Everett W. Oliver, citizens of the United States.

## PAUL DANIEL SCHAER (BA BE KIM)

The bill (S. 2314) for the relief of Paul Daniel Schaer (Ba Be Kim) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Paul Daniel Schaer (Ba Be Kim), shall be held and considered to be the natural-born alien child of Walter P. Schaer and Constance Schaer, citizens of the United States.

## ELAINE MARIE SIMONTON (YU KEUM OK)

The bill (S. 2324) for the relief of Elaine Marie Simonton (Yu Keum Ok) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Elaine Marie Simonton (Yu Keum Ok) shall be held and considered to be the natural-born alien child of Mr. and Mrs. James C. Simonton, citizens of the United States.

## SIEGLINDE PREISS

The bill (S. 2328) for the relief of Sieglinde Preiss was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sieglinde Preiss, shall be held and considered to be the natural-born alien child of Miles Clark and Virginia Clark, citizens of the United States.

## JOHN TOMPKINS (K. M. SOO MAN)

The bill (S. 2382) for the relief of John Tompkins (K. M. Soo Man) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, John Tompkins (K. M. Soo Man) shall be held and considered to be the natural-born alien child of Mr. Barclay and Lela Tompkins, citizens of the United States.

## MARGO DIANN WALLACE (DEMETRA)

The bill (S. 2484) for the relief of Margo Diann Wallace (Demetra) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Margo Diann Wallace (Demetra), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Douglas Wallace, citizens of the United States.

## ILSE STRIEGAN BACON

The Senate proceeded to consider the bill (S. 684) for the relief of Ilse Striegan Bacon, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Ilse Striegan Bacon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That if the said Ilse Striegan Bacon is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

The amendment was agreed to.

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

## PAULINE ETHEL ANGUS

The Senate proceeded to consider the bill (S. 882) for the relief of Pauline Ethel Angus, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 3, after the word "act", to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, the alien, Pauline Ethel Angus, may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

## ALEX P. COLLINS

The bill (S. 888) for the relief of Alex P. Collins was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alex P. Collins, the sum of $2,000 in full satisfaction of his claim against the United States for refund of the amount of the bonds posted with the Immigration and Naturalization Service of the Department of Justice in the case of his niece, Maria Karvelis, and her three minor children, Boeleta Karvelis, Martha Karvelis, and Euterpi Karvelis, and declared breached by such Service when the said Maria Karvelis, Boeleta Karvelis, Martha Karvelis, and Euterpi Karvelis failed to depart in accordance with the terms of such bonds although they were subsequently granted permanent residence in the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

## MILUTIN JOVANOVIC

The Senate proceeded to consider the bill (S. 950) for the relief of Milutin Jovanovic, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Milutin Jovanovic may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

## ADELHEID PFEFFER

The Senate proceeded to consider the bill (S. 1047) for the relief of Adelheid Pfeffer, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 3, after the word "act", to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Adelheid Pfeffer may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or

the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

## HEINRICH JOHANN ELLEBRECHT

The Senate proceeded to consider the bill (S. 1322) for the relief of Heinrich Johann Ellebrecht which had been reported from the Committee on the Judiciary, with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

*Be it enacted etc.*, That, not withstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Heinrich Johann Ellebrecht may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

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

## JOHANNA MAYNE

The Senate proceeded to consider the bill (S. 1358) for the relief of Johanna Mayne which had been reported from the Committee on the Judiciary, with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act Johanna Mayne may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

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

## HELEN DEMOUCHIKOUS

The Senate proceeded to consider the bill (S. 1582) for the relief of Helen Demouchikous, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", where it appears the first time, to strike out "the date of the enactment of this Act" and insert "September 17, 1948", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of the Immigration and Nationality Act, Helen Demouchikous shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 17, 1948, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

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

## CAROLA OHLIG

The Senate proceeded to consider the bill (S. 1634) for the relief of Carola Ohlig, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of sections 212 (a) (6) and 212 (a) (28) (C) of the Immigration and Nationality Act, Carola Ohlig may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act and upon compliance with such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That if the said Carola Ohlig is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 260), a suitable and proper bond or undertaking, approved by the Attorney General, shall be deposited as prescribed by section 213 of the Immigration and Nationality Act; *Provided further*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That the marriage to her United States citizen fiance, Sp2c. Willard P. Fredericks, shall occur not later than six months following the date of the enactment of this act.

The amendment was agreed to.

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

## GIULIANA DONADEL GREEN

The Senate proceeded to consider the bill (S. 2012) for the relief of Giuliana Donadel Green which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Giuliana Donadel Green may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

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

## SHERWOOD LLOYD PIERCE

The Senate proceeded to consider the bill (S. 2028) for the relief of Sherwood Lloyd Pierce, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of the Immigration and Nationality Act, Sherwood Lloyd Pierce shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

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

## GISELA S. HOPKINS

The Senate proceeded to consider the bill (S. 2046) for the relief of Gisela S. Hopkins, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Gisela S. Hopkins may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

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

## JUNIOR YOO LUHTA

The Senate proceeded to consider the bill (S. 2134) for the relief of Junior Yoo Luhta which had been reported from the Committee on the Judiciary, with an amendment on page 1, after line 7, to strike out:

SEC. 2. Notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Junior Yoo Luhta may, if he is found to be otherwise admissible under the provisions of such act, be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Junior Yoo Luhta in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

And insert:

SEC. 2. That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Junior Yoo Luhta may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act and upon compliance with such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United

States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That if the said Junior Yoo Luhta is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 260), a suitable and proper bond or undertaking, approved by the Attorney General, shall be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

So as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Junior Yoo Luhta, shall be held and considered to be the natural-born alien minor child of Sergeant and Mrs. John E. Luhta, citizens of the United States.

SEC. 2. That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Junior Yoo Luhta may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act and upon compliance with such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That if the said Junior Loo Luhta is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 260), a suitable and proper bond or undertaking, approved by the Attorney General, shall be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

## RELIEF OF A CERTAIN KOREAN WAR ORPHAN

The bill (S. 2135) for the relief of a certain Korean war orphan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Judy-Ellen Kay (Choi Myosoon) shall be held and considered to be the natural-born alien child of Harold and Gladys H. Kay, citizens of the United States.

Amend the title so as to read: "A bill for the relief of Judy-Ellen Kay (Choi Myosoon)."

The title was amended, so as to read: "A bill for the relief of Judy-Ellen Kay (Choi Myosoon)."

## GEORGE E. KITRINIARI AND DEMETROULA E. KITRINIARI

The Senate proceeded to consider the bill (S. 2182) for the relief of George E. Kitriniari and Demetroula E. Kitriniari, which had been reported from the Committee on the Judiciary, with an amendment, in line 3, after the letter "(A)", to insert "and 205", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, George E. Kitriniari and Demetroula E. Kitriniari, shall be held and considered the natural-born alien children of Mr. and Mrs. Elias L. Tamboureas, citizens of the United States.

The amendment was agreed to.

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

## MRS. FUMI ISHIKAWA CLARK

The Senate proceeded to consider the bill (S. 2252) for the relief of Mrs. Fumi Ishikawa Clark, which had been reported from the Committee on the Judiciary, with an amendment, in line 3, after the word "the", to strike out "provision of section 212 (a) (12)" and insert "provisions of sections 212 (a) (9) and 212 (a) (12)", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provisions of sections 212 (a) (9) and 212 (a) (12) of the Immigration and Nationality Act, Mrs. Fumi Ishikawa Clark may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The amendment was agreed to.

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

## BENJAMIN PAUL KLINGER (LEE JAMES)

The Senate proceeded to consider the bill (S. 2325) for the relief of Benjamin Paul Klinger (Lee James), which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the words "natural-born", to insert "alien", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Benjamin Paul Klinger (Lee James) shall be held and considered to be the natural-born alien child of Mr. and Mrs. William Samuel Klinger, citizens of the United States.

The amendment was agreed to.

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

## KIMIKO MUSCARELLA

The Senate proceeded to consider the bill (S. 2566) for the relief of Kimiko Muscarella, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Kimiko Muscarella may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

## MRS. JAMES S. CARPENTER

The Senate proceeded to consider the bill (S. 262) for the relief of Mrs. James S. Carpenter, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Mrs. Yuriko Carpenter (nee Arai) may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill for the relief of Mrs. Yuriko Carpenter (nee Arai)."

## BRONISLAWA CHOMICZ

The Senate proceeded to consider the bill (S. 947) for the relief of Bronislawa Chomicz, which had been reported from the Committee on the Judiciary, with amendments on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Bronislawa Chomicz may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Bronislawa Chomicz in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such an act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

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

## DELFINA C. LOPES

The Senate proceeded to consider the bill (S. 1636) for the relief of Delfina C. Lopes, which had been reported from the Committee on the Judiciary with an

amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of subsection (b) of section 202 of the Immigration and Nationality Act, Delfina Cinco de Lopez shall be classified as an immigrant under the provisions of section 101 (a) (27) (C) of that act.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Delfina Cinco de Lopez."

### MARIA DOMENICA RICCI

The bill (S. 1835) for the relief of Maria Domenica Ricci was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria Domenica Ricci, shall be held and considered to be the natural-born alien child of Luciano Ricci, a citizen of the United States.

### SALA WEISBART

The Senate proceeded to consider the bill (S. 2041) for the relief of Sala Weisbart, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Sala Weissbard may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Sala Weissbard."

### BARBARA MARIE WADDINGTON (HELEN LEE)

The Senate proceeded to consider the bill (S. 2323) for the relief of Barbara Marie Waddington (Helen Lee), which had been reported from the Committee on the Judiciary with an amendment in line 5, after the name "Waddington", to strike out "(Helen Lee)" and insert "(Marie Kim)", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Barbara Marie Waddington (Marie Kim) shall be held and considered to be the natural-born alien child of Mr. and Mrs. Haydn Waddington, citizens of the United States.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Barbara Marie Waddington (Marie Kim)."

### JOHN J. FEDOR

The bill (H. R. 1349) for the relief of John J. Fedor was considered ordered to a third reading, read the third time, and passed.

### ELMER L. HENDERSON

The bill (H. R. 1365) for the relief of Elmer L. Henderson was considered, ordered to a third reading, read the third time, and passed.

### SYLVIA OTTILA TENYI

The bill (H. R. 1424) for the relief of Sylvia Ottila Tenyi was considered, ordered to a third reading, read the third time, and passed.

### VANJA STIPCIC

The bill (H. R. 1595) for the relief of Vanja Stipcic was considered, ordered to a third reading, read the third time, and passed.

### GEORGE D. LAMONT

The bill (H. R. 1636) for the relief of George D. LaMont was considered, ordered to a third reading, read the third time, and passed.

### RAJKA MARKOVIC AND KRUNOSLAV MARKOVIC

The bill (H. R. 1652) for the relief of Rajka Markovic and Krunoslav Markovic was considered, ordered to a third reading, read the third time, and passed.

### MARIA SAUSA AND GREGORIO SAUSA

The bill (H. R. 1797) for the relief of Maria Sausa and Gregorio Sausa was considered, ordered to a third reading, read the third time, and passed.

### DEZRIN BOSWELL (ALSO KNOWN AS DEZRIN BOSWELL JOHNSON)

The bill (H. R. 1851) for the relief of Dezrin Boswell (also known as Dezrin Boswell Johnson) was considered, ordered to a third reading, read the third time, and passed.

### FRANKLIN INSTITUTE, PENNSYLVANIA

The bill (H. R. 2058) for the relief of the Franklin Institute of the State of Pennsylvania was considered, ordered to a third reading, read the third time, and passed.

### CONDEMNATION OF HIGHWAY IN THE STATE OF WASHINGTON

The bill (H. R. 2224) providing for the payment to the State of Washington for the cost of secondary highway of such State which was condemned by the United States was considered, ordered to a third reading, read the third time, and passed.

### MARY HUMMEL

The bill (H. R. 2979) for the relief of Mary Hummel was considered, ordered to a third reading, read the third time, and passed.

### GORDON BRODERICK

The bill (H. R. 3184) for the relief of Gordon Broderick was considered, ordered to a third reading, read the third time, and passed.

### MRS. GRACE C. HILL

The bill (H. R. 3280) for the relief of Mrs. Grace C. Hill was considered, ordered to a third reading, read the third time, and passed.

### CHANDLER R. SCOTT

The bill (H. R. 3583) for the relief of Chandler R. Scott was considered, ordered to a third reading, read the third time, and passed.

### W. C. SHEPHERD, TRADING AS W. C. SHEPHERD CO.

The Senate proceeded to consider the bill (H. R. 4230) for the relief of W. C. Shepherd trading as W. C. Shepherd Co.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill, because of the amount involved?

Mr. KEFAUVER. Mr. President, the proposed legislation would pay to the W. C. Shepherd Co. the sum of $102,958.07 for losses incurred under a contract with the Corps of Engineers for the construction of the Cumberland oilfield protective levees.

This amount was the difference between the damages of $214,253.88 incurred by the company as found by the United States Court of Claims, and the amount of $111,295.81 allowed to the claimants by the court, the court having held that the company's recovery was limited by a release which it had executed shortly after the completion of the work.

The release excepted an amount in excess of the total amount of the losses found by the court but the release was itemized and the exception made by the company in signing the release in respect to the specific items for which the court found losses did not, in the instances involved, amount to the total of the loss as found by the court.

The circumstances of the losses and the exceptions made by the company in its release are set forth in detail in the committee report.

The Army is opposed to the proposed legislation.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

## MALONE HSIA

The bill (H. R. 4344) for the relief of Malone Hsia was considered, ordered to a third reading, read the third time, and passed.

## W. R. ZANES & CO., OF LOUISIANA, INC.

The bill (H. R. 4447) for the relief of W. R. Zanes & Co., of Louisiana, Inc., was considered, ordered to a third reading, read the third time, and passed.

## MICHAEL S. TILIMON

The bill (H. R. 6166) for the relief of Michael S. Tilimon was considered, ordered to a third reading, read the third time, and passed.

## PASQUALE PRATOLA

The bill (H. R. 8586) for the relief of Pasquale Pratola was considered, ordered to a third reading, read the third time, and passed.

## WAIVING OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 367) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act was considered, ordered to a third reading, read the third time, and passed.

## WAIVING OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 393) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act was considered, ordered to a third reading, read the third time, and passed.

## ADMISSION INTO UNITED STATES OF CERTAIN ALIENS

The joint resolution (H. J. Res. 410) to facilitate the admission into the United States of certain aliens was considered, ordered to a third reading, read the third time, and passed.

## PHILLIS GUYADEEN

The Senate proceeded to consider the bill (H. R. 1558) for the relief of Phillis Guyadeen which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, sections 202 (a) (5) and 202 (b) (4) of that act shall not be applicable in connection with the application for an immigrant visa by Phillis Guyadeen.

The amendment was agreed to.

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

The bill was read the third time and passed.

## IKUKO MOROOKA MAHONEY

The Senate proceeded to consider the bill (H. R. 1741) for the relief of Ikuko Morooka Mahoney which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Ikuko Morooka Mahoney, the widow of a United States citizen, shall be deemed to be within the purview of section 101 (a) (27) (A) of that act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. KEFAUVER. Mr. President, I send to the desk an amendment to the committee amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. On line 8, in the amendment of the committee, it is proposed to strike out "within the purview of section 101 (a) (27) (A) of that act" and insert "a nonquota immigrant."

Mr. KEFAUVER. Mr. President, this bill would preserve for the widow of a United States citizen her nonquota immigrant status, to which she would be entitled were it not for the death of her husband.

Since the bill was reported from the Committee on the Judiciary the Department of State has suggested that the language of the bill is not sufficient to accomplish the intended purpose. That is the reason the amendment has been ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

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

The bill was read the third time and passed.

## DANIEL ADAMSON

The Senate proceeded to consider the bill (H. R. 1868) for the relief of Daniel Adamson which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Daniel Adamson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

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

The bill was read the third time and passed.

## VICTORIA GALEA

The Senate proceeded to consider the bill (H. R. 4854) for the relief of Victoria Galea which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, section 202 (c) (1) shall not be applicable in connection with the application for an immigrant visa by Victoria Galea.

The amendment was agreed to.

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

The bill was read the third time and passed.

## INNOCENZA GUARASCIO

The Senate proceeded to consider the bill (H. R. 8284) for the relief of Innocenza Guarascio which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Innocenza Guarascio may be issued a nonquota immigrant visa and may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act. Upon the issuance of such nonquota immigrant visa, the Secretary of State shall reduce by one the total number of nonquota visas authorized and not issued under the Refugee Relief Act of 1953, as amended.

The amendment was agreed to.

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

The bill was read the third time and passed.

## ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 340) to facilitate the admission into the United States of certain aliens which had been reported from the Committee on the Judiciary, with an amendment, on page 4, after line 4, to strike out:

SEC. 9. For the purposes of the Immigration and Nationality Act, Mrs. Anneta N. Thalassinos shall be deemed to have been born in Canada.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 368) for the

relief of certain aliens which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 15, after the word "act," to strike out "Purificacion de Peralta."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## PERMANENT RESIDENCE FOR CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens which had been reported from the Committee on the Judiciary, with amendments, on page 3, after line 5, to strike out:

A-2201853, Lee, John Koo.

And, on page 13, after line 12, to insert:

A-6511104, Chun, Shu Gar.
A-7767904, Chiu, Cheng Chia.
A-6197692, Kuo, Hsiao-Lan.
0200-86579, Kuo, Hsiao-Mei (nee Yen).
A-5928235, Lum, Yip.
A-10489388, Peiker, Konstantin.
A-9729590, Wee, Wah Kei.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

## RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 338) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the name "Rezmovic", to strike out "Sister Emmanuel (Miss Margarete Fu), Jael Mercades,"; in line 8, after the name "Ting", to strike out "Mosche Davidovitz, Frieda Davidovitz,"; in line 11, after the name "Huber", to strike out "Lino Aguilon Reyes,", and on page 2, line 17, after the name "Evrenian", to strike out "Vartuhi Parsejian de Carpenter (also known as Rosa Carpenter)."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## ADMISSION TO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 373) to facilitate the admission into the United States of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act,", to strike out "Clelia Cusano Puglia,"; after line 6, to strike out:

SEC. 2. For the purposes of the Immigration and Nationality Act Yotsu Yusawa Heim shall be deemed to be a nonquota immigrant.

And insert:

SEC. 2. For the purposes of the Immigration and Nationality Act, Clelia Cusano Puglia shall be deemed to be within the purview of section 203 (a) (2) of that act, and a petition in behalf of the said Clelia Cusano Puglia under section 205 of the said act may be filed by her minor daughter, Chiarina Puglia, a United States citizen.

On page 2, after line 4, to insert:

SEC. 3. For the purposes of the Immigration and Nationality Act, Yotsu Yusawa Heim, the widow of a United States citizen, shall be deemed to be within the purview of section 101 (a) (27) (A) of that act.

At the beginning of line 9, to change the section number from "3" to "4"; at the beginning of line 14, to change the section number from "4" to "5", and on page 3, at the beginning of line 10, to change the section number from "5" to "6."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. KEFAUVER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 7, in the committee amendment, after the word "be", it is proposed to strike out "within the purview of section 101 (a) (27) (A) of that act" and insert "a nonquota immigrant."

Mr. KEFAUVER. Mr. President, since the joint resolution was reported from the committee, the Department of State has suggested that the language of one section of the measure is not sufficient to accomplish the intended purpose of that section, which is to preserve the nonquota immigrant status on behalf of the widow of a citizen of the United States. My amendment would meet the suggestion of the Department of State.

The PRESIDING OFFICER. Without objection the vote by which the amendment on page 2 was agreed to is reconsidered, and the question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1520) to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. MACK of Illinois, Mr. ROGERS of Texas, Mr. FLYNT, Mr. WOLVERTON, Mr. SPRINGER, and Mr. SCHENCK were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5807) to amend further and make permanent the Missing Persons Act, as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6709) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8996) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

## APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8996) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

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

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

Mr. ANDERSON. Mr. President, this is a unanimous report signed by all members of the conference group, both the Senate and the House which contains the revised bill. There are some substantial changes in it. One of the matters in controversy was the construction of a gas-cooled natural uranium reactor. The conference report strikes out the provision for the construction, and provides $3 million for the development, design, engineering, and study of that particular type, with a report to be made to the Congress by April 1, 1958.

There was also a question raised on the floor as to whether the reactors to be built by the cooperatives were to be oper-

ated by them in perpetuity or whether there should be some termination of their usefulness. There is a provision inserted in section 111 (a) (1) which provides that the reactors may be utilized so long as they are useful for experimental research purposes, but in no event longer than 10 years.

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

Mr. ANDERSON. I yield.

Mr. KNOWLAND. The distinguished Senator from New Mexico took the matter up with me, and it was cleared with the leadership. The ranking member of the committee is present, and I understand he has signed the conference report. I have been informed, however, that the Senator from Nebraska [Mr. CURTIS] desired to be on the floor at the time the explanation was given. I understand the Senator is on his way to the Chamber. If we could have a temporary call for a quorum, which could be lifted immediately upon his arrival, he would have a chance to get here.

Mr. ANDERSON. Would the minority leader be satisfied if we merely suspended temporarily, until the Senator from Nebraska arrives?

Mr. KNOWLAND. That would be fine.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the report be temporarily laid aside, and that as soon as the Senator from Nebraska arrives in the Chamber the Senate resume the consideration of the report.

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

## RELIEF OF CERTAIN SPOUSES AND MINOR CHILDREN OF CITIZENS OF THE UNITED STATES

The Senate proceeded to consider the joint resolution (H. J. Res. 387) for the relief of certain spouses and minor children of citizens of the United States, which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 15, after the name "Gay", to strike out "Maria A. Grammatica,"; on page 3, line 11, after the name "Mirabelli", to strike out "and", and, in the same line, after the name "Riccardi", to insert "Hiroko Bergano, Lina Nagel Cassady, Chan Han Fong, Satsuko Yoda Murphy, and Maria Angelina Eugenia Bravo de Staniszewski."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. KEFAUVER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 3, line 13, after the name "Murphy" in the committee amendment, it is proposed to strike out the word "and" and insert "Mrs. Ichiko Shibata Crazy Bear, Mrs. Giuseppina De Duonni, Mrs. Giovanni D'Emilia, Mrs. Maria Begonia Dymsza, Mrs. Kazue Tomoyama Elliot, Mr. Mendel Lindenfeld, Mrs. Rose Gagnato Marciano, Mrs. Shimako Maston, Mrs. Chun Mun, and Mrs. Chieko Rainboldt."

The PRESIDING OFFICER. Without objection, the vote by which the amendment on page 3 was agreed to is reconsidered, and the question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER] to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. KEFAUVER. Mr. President, I ask unanimous consent that there be printed in the RECORD an explanation of the amendment.

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

House Joint Resolution 387 waives the excluding provision of existing law relating to those afflicted with tuberculosis in behalf of 80 persons who are the close relatives of United States citizens. Since reporting the joint resolution from the Committee on the Judiciary, the United States citizen sponsor of one beneficiary has requested that her name be deleted from the joint resolution. In addition, since reporting the joint resolution from the Committee on the Judiciary, the Department of State has submitted 10 additional fully documented cases and has requested that House Joint Resolution 387 be amended to include the 10 names.

I send to the desk an amendment to delete one name and to provide that the additional 10 names be included in House Joint Resolution 387, and I move that the amendment be adopted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 392) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments, in line 5, after the name "Lee", to strike out "Kam Man Leung,"; in line 6, after the name "King", to strike out "Ellen Yuin-Shang Chung Au,", and in line 7, after the name "Billy", to strike out "Shao-Run" and insert "Shao-Ru."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 409) to waive certain provisions of the Immigration and Nationality Act, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the name "Wan", to strike out "Josephine Braun Rice,"; on page 2, after line 4, to strike out:

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Gerald Augustine Grant and Maitland McKinley Joseph may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that Act.

And insert:

SEC. 3. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Maitland McKinley Joseph may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act.

In line 19, after the name "Fomenko", to insert "Mrs. Valerie Horsakova and Moses Kuperschmidt"; in line 20, after the word "issued", to strike out "a visa" and insert "visas"; in line 21, after the word "if", to strike out "he is" and insert "they are"; on page 3, line 2, after the word "the", to strike out "beneficiary is" and insert "beneficiaries are"; in line 10, after the name "Rosenthal", to strike out "Pietro Pipitone,"; on page 5, after line 12, to insert:

SEC. 11. For the purposes of the Immigration and Nationality Act, Pietro Pipitone, the widower of a United States citizen, shall be deemed to be within the purview of section 101 (a) (27) (A) of that act, and he may be issued a visa and be admitted to the United States for permanent residence notwithstanding the provision of section 212 (a) (9) of the said act.

And, at the beginning of line 20, to change the section number from "11" to "12."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. KEFAUVER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 5, line 15, in the amendment of the committee, after the word "be" it is proposed to strike out "within the purview of section 101 (a) (27) (A) of that act" and insert "a nonquota immigrant."

The PRESIDING OFFICER. Without objection, the vote by which amendment on page 5 after line 12 was agreed to is reconsidered, and the question is on agreeing to the amendment offered by the Senator from Tennessee to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 411) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with amendments on page 1, line 4, after the word "Act", to strike out "Wickham Courtney Anderson, Pilar A. Centeno,"; in line 8, after the name "Caruso", to strike out "Yang Sin Djen Dao, Jen Hung (Carlos Joseph) Charo,"; on page 2, line 3, after the word "visa", to strike out "fees: *Provided*, That unless Yang Sin Djen Dao is entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking approved by the Attorney General, be deposited as prescribed by section 213 of the said act in the case of the said Yang Sin Djen Dao, and she may be granted permanent residence in the United States upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose." and insert "fees."; on page 3, line 8, after the word "the", to strike out "case" and insert "cases", and, in the same line, after the word "of", to insert "Rosa Brunbaum and".

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

## BILL PASSED OVER

The bill (H. R. 293) to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency-economy legislation, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

Mr. WILEY. Mr. President, will the distinguished Senator withhold his objection for a moment?

Mr. PURTELL. I am very willing to withhold my objection, and to postpone it until such time as the Senator makes such remarks as he wishes; but inasmuch as this objection is by request, I shall have to renew the objection, by request.

Mr. WILEY. I ask unanimous consent that a memorandum which I have prepared on this subject be printed in the RECORD at this point.

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

MEMORANDUM RE H. R. 293

The bill H. R. 293 was passed by the House of Representatives on June 3, 1957, by a voice vote, after having been reported unanimously by both the Subcommittee on Claims of the Judiciary Committee and the full House Judiciary Committee. It is now before the Senate Judiciary Committee to which it was referred on June 5, 1957.

The bill H. R. 293 would authorize payments to a group of commissioned officers of the uniformed services certain increases in pay which increases were, between 1932 and 1934, earned by such officers of the above-mentioned services, but were denied them at the time by reason of what is shown to have been an improper interpretation of section 201 of the Economy Act of June 30, 1932.

The section required the suspension for the fiscal year 1933 of automatic increases in compensation of employees of the Government, civilian and military, by reason of length of service or promotion.

As to nonautomatic increases: Had the above-mentioned provision of law been applied equally to both military personnel and civilian employees of the Government, there would be no justification for legislation at this time. Such, however, was not the case. As a result of an improper interpretation of the provision in question, officers of the military services actually advanced to a higher grade between 1932 and 1934 were denied the increased pay of such rank, but civilian employees of the Government similarly advanced in grade were not denied the increased pay incident to such advancement. It is this discrimination which the bill H. R. 293 would remove.

In an official report as to the merits of this proposed legislation, the Department of Defense in a letter to the chairman of the House Judiciary Committee stated, among other things, that its enactment "would remove an injustice of long standing and one which was imposed upon officers actually advanced in rank as distinguished from those due increases in pay based upon longevity or advancement to the next pay period. It is believed that the Congress did not mean to impose this inequity on these officers."

The report of the House Judiciary Committee on the bill H. R. 293 (H. Rept. No. 134, p. 1, of February 19, 1957) contains the following:

"The payments with which this bill is concerned were denied to certain commissioned officers of the armed services and were earned by them in the period of 1932 to 1934. However, despite the fact that these officers were entitled to the money because they had received actual promotions in rank with attendant increases in responsibility and expense, section 201 of the Economy Act of June 30, 1932 (47 Stat. 403), was applied so as to bar increases in pay as a result of the promotion. This committee is of the firm conviction that this was a clear case of injustice."

The total number of persons who could be affected by the enactment of the above bill is 2,381.

The maximum potential cost that would be involved in the enactment of this bill is estimated to be $1,442,600.

As a practical matter, it is doubtful if the actual cost to the Government would be as much as $1 million.

DELAY IN ENACTING LEGISLATION

Efforts to effect relief as provided in this bill make such a long story that this may, of itself, create a belief in the minds of some who have not looked into the matter that either there is no equity in the proposal or that the lapse of time makes the whole idea suspect or doubtful. That, we submit, is no reason for permitting a clear discrimination and inequity to continue to stand.

It would, therefore, appear appropriate to recount the various steps that have been taken to bring about what would be accomplished by an enactment of the bill presently under consideration. They are, substantially, as set forth below.

The intention of Congress not having been carried out, and the justification for relief in this matter being apparent, initial effort in this direction took the form of a suit in the then Supreme Court of the District of Columbia. Lt. Comdr. James D. Lowry, United States Navy, who on June 1, 1933, was promoted from lieutenant to lieutenant commander, brought suit to recover the increased pay to which he was entitled by virtue of such advanced rank. The court, however, dismissed the suit on the basis of a lack of jurisdiction and did not pass on its merits. This was because of section 111 of the Economy Act of 1932, which provided:

"No court of the United States shall have jurisdiction of any suit against the United States or (unless brought by the United States) against any officer, agency, or instrumentality of the United States arising out of the application of any provision of this title, unless such suit involves the Constitution of the United States."

Lieutenant Commander Lowry appealed to the United States Circuit Court of Appeals of the District of Columbia (79 F. 2d 144) which court upheld the lower court and the Supreme Court refused to hear the matter. As a result, the only recourse left to those adversely affected by the ruling of the Comptroller General was the Congress of the United States.

Subsequent efforts in the legislative field as to this matter were laid aside during World War II days, no doubt on the theory that more important things demanded attention by the Congress.

More recently progress in securing remedial legislation in this field was held up as a result of the fact that the draft of the bill presented to the Congress would have gone further than the present bill in that it would not have confined relief to those officers definitely discriminated against; that is, those who were actually promoted from one rank to another. The previous bill would also have extended relief to certain cases involving automatic increases in pay. For this reason the Department of Defense recommended against enactment of the bill in that form.

After the Subcommittee on Claims on the House Judiciary Committee proposed to amend the bill, H. R. 5888, 84th Congress, so as to eliminate authorization for payment of automatic increases in pay, the Department of Defense withdrew its adverse report and stated in a letter to the chairman of the House Judiciary Committee that its enactment, amended in this manner, "would remove an injustice of long standing."

Shortly thereafter the above bill was reported favorably with unanimous votes by the Subcommittee on Claims of the House Judiciary Committee and by the full Judiciary Committee. It was, on July 2, 1956, passed by the House on the Consent Calendar. This was too late in the session to obtain consideration by the Senate. H. R. 293, identical to H. R. 5888 as passed, was again unanimously reported by the Subcommittee on Claims and the full House Judiciary Committee. The bill was passed by the House on June 3, 1957, by a voice vote.

Mr. WILEY. Would the Senator agree to place the bill at the foot of the calendar?

Mr. PURTELL. I have no objection to the bill going to the foot of the calendar; but at that time I would have to object, because the objection is made by request.

The PRESIDING OFFICER. The bill will be passed over.

## GRANT OF MINERALS ON CROW INDIAN RESERVATION

The Senate proceeded to consider the bill (S. 328) to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, to certain Indians, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That section 6 of the act of June 4, 1920 (41 Stat. 751), as amended by the act of

May 26, 1926 (44 Stat. 658), is hereby amended to read as follows:

"SEC. 6. (a) Any and all minerals, including oil and gas, on any of the lands to be allotted hereunder are reserved for the benefit of the members of the tribe in common and may, with the consent of the tribal council, be leased for mining purposes in accordance with the provisions of the act of May 11, 1938 (52 Stat. 347; 25 U. S. C. 396 a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe: *Provided*, That when any land is leased for mining purposes and development thereunder shall indicate the presence of minerals, including oil and gas, in paying quantities, the lessee or lessees shall proceed with all reasonable diligence to complete the development under said lease to extract the mineral, including oil and gas, from the land leased and to bring the product mined or extracted into market as speedily as possible unless the extraction and sale thereof be withheld with the consent of the Crow Tribe of Indians: *Provided further*, That allotments hereunder may be made of lands classified as valuable chiefly for coal or other minerals which may be patented as herein provided with a reservation, set forth in the patent, of the coal, oil, gas, or other mineral deposits for the benefit of the Crow Tribe: *Provided further*, That at the expiration of 50 years from the date of approval of this act, unless otherwise ordered by Congress, the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs or devisees, or their heirs or devisees, subject to any outstanding leases, regardless of whether such allottee, heirs, or devisees have disposed of the surface of the allotted land.

"(b) Title to the minerals so granted shall be held by the United States in trust for the Indian owners, except that (1) if upon the expiration of said 50 years, or at any time thereafter, the entire Indian interest in the minerals within any allotment or parcel thereof belongs to a person or persons who have received a fee patent to the lands overlying such minerals, then the Secretary of the Interior shall by fee patent transfer to such person or persons the unrestricted fee simple title to such minerals, which title shall vest in such person or persons as of the date of the patent, and (2) if upon the expiration of said 50 years or at any time thereafter, the entire Indian interest in the minerals within any allotment or parcel thereof belongs to a person or persons who own the lands overlying such minerals and each of whom has been determined by the Secretary, subsequent to the enactment of this subsection, either with or without application from the Indian, to be competent to manage his own affairs, then the unrestricted fee simple title to such land and minerals shall thereupon be transferred to such person or persons by the Secretary."

The amendment was agreed to.

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

## CONSERVATION OF FISHERY RESOURCES, ALASKA

The Senate proceeded to consider the bill (S. 2349) to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment on page 1, line 9, after the word "hereby", to strike out "repealed;

"(b) Section 5 of the act approved June 26, 1906 (34 Stat. 479; 48 U. S. C., 1952 ed., 234), as amended, requiring a weekly closed period of 36 hours, covering a specific period of time, as prescribed by that section, concerning the taking of salmon in Alaska except by certain prescribed methods is hereby revised to the extent that hereafter the Secretary of the Interior is authorized to determine that particular period or periods of time each week during which the said closed period or periods shall be in effect: *Provided*, That the total amount of such closed period each week shall continue to be a minimum of 36 hours; and, accordingly, the regulation of the fishery and the establishment of closed periods shall be prescribed by the Secretary of the Interior consistent with the needs of conservation of the fishery and the public interest therein;

"(c) The possession or the disposal in any manner of illegally taken fish is hereby prohibited, except to such extent as may be required by authorized persons in the enforcement of this provision; and—

"(1) whoever knowingly has in his possession any fish that were illegally taken, or whoever, having such possession, upon an appropriate determination that they reasonably should know that such fish were illegally taken, shall be guilty of a violation of this provision and shall be subject to the penalties herein prescribed;

"(2) whoever knowingly disposes of any fish that were illegally taken, or whoever disposing thereof, upon an appropriate determination that they reasonably should know that such fish were illegally taken, shall be guilty of a violation of this provision and shall be subject to the penalties herein prescribed.

"The penalty for such possession or disposal of fish that were taken in violation of law and regulations shall be a fine of not to exceed $5,000 or imprisonment for a term of not more than 90 days in jail, or by both such fine and imprisonment.

"For the first violation of this provision, the catch of fish of every vessel or of any fishing gear employed in any manner, or any fish caught, possessed, or disposed of in any manner in connection with such violation shall be forfeited; and, upon a second and subsequent violation, the catch of fish shall be forfeited, and every such vessel and any fishing gear and appurtenances involved in the violation may be forfeited. Proceedings for such forfeiture shall be in rem under the rules of admiralty. None of the prohibitions contained in this act or in any other laws relating to fishing operations in Alaska shall prohibit the taking of fish or shellfish for scientific and fishery research purposes in accordance with permits that may be issued by the Secretary of the Interior, or by his authorized representatives. Such permits may be issued upon such terms and conditions as the issuing officer shall determine are consistent with the conservation of the fishery resources and the accomplishment of the scientific research for which they are issued, and

"(d) That the provisions preceding the first proviso in section 4 of the act of June 26, 1906, as amended (34 Stat. 479; 48 U. S. C., 1952 edition, 232), are hereby amended to read as follows:

" 'SEC. 4. That hereafter it shall be unlawful, under the provisions of this act or other authority to fish for, take, or kill any salmon of any species or by any means, for sale or other commercial purposes, in any of the creeks, streams, or rivers of Alaska; or within 500 yards of the mouth of any such creek, stream, or river over which the United States has jurisdiction, excepting the Karluk, Yukon, Ugashik, and Kuskokwim Rivers:'."

And insert "repealed.", so as to make the bill read:

*Be it enacted, etc.*, That in order to facilitate the conduct of fishing operations in the Territory of Alaska and to promote the conservation of fishery resources thereof, section 2 of the act approved June 6, 1924 (43 Stat. 464, 465; 48 U. S. C., 1952 edition, 225), relating to the escapement in certain instances of a portion of the salmon run in the waters of Alaska, is hereby repealed.

The amendment was agreed to.

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

## QUITCLAIMING OF TITLE OF THE UNITED STATES TO THE BARCELONA LIGHTHOUSE SITE, PORTLAND, N. Y.

The bill (H. R. 1678) to provide for the quitclaiming of the title of the United States to the Barcelona Lighthouse site, Portland, N. Y., was announced as next in order.

Mr. TALMADGE. Over.

Mr. MORSE. Mr. President, will the Senator withhold his objection until I can make a statement?

Mr. TALMADGE. I gladly do so.

Mr. MORSE. Mr. President, this is an interesting bill. It almost approaches the deminimis principle. Nevertheless, I think a record ought to be made on the bill. I have an amendment to offer, or at least to have printed.

This bill would authorize the conveyance of a 0.06-acre site, known as Barcelona Lighthouse, to the Crandalls by quitclaim deed. The land has a fair market value of $600—Senate Report No. 964, page 2.

In 1828 the United States bought the site from the Holland Land Co. for $50 and established a lighthouse thereon. The lighthouse was discontinued in 1859.

Senate Report No. 964 states that the lighthouse tower and dwellings were sold in 1872 for $101 to predecessors in title to the Crandalls. Although the report does not so state, the sale presumably was made by the United States.

The Crandalls claim title to the land through conveyances and devises going back to 1859.

A complicated legal problem is presented as to whether title reverted to the Holland Land Co. when the lighthouse use of the land was discontinued in 1859, but this has been resolved by the Attorney General of the United States.

The Attorney General indicated that fee title to the property rests in the United

States and that the Crandall interest is restricted to a possible claim for breach of contract (Senate Rept. No. 964, p. 2).

The tract has been found to be in excess of the needs of the Coast Guard, but it has not been reported to GSA for disposal.

The GSA in its letter of May 23, 1957, states:

GSA is generally opposed to legislation which will preclude the maximum utilization of excess properties by executive agencies and organizations as authorized and required by section 202 (a) of the Federal Property and Administrative Service Act of 1949, as amended. However, in view of (1) the improbability of a requirement for this property, (2) the length of time the Crandalls and their predecessors have exercised ownership and dominion over the property under apparent claim of title, and (3) the length of time they have paid taxes on this property, GSA will not be opposed to the enactment of H. R. 1678 provided it is amended to require payment by the grantee of the fair market value of the land.

When the General Services Administration takes that position, I think we have a pretty clear duty, unless a good showing can be made to the contrary, to support the GSA policy. I do not believe it is fair for us to expect the GSA to lay down the rule requiring payment, no matter what the value of the land is, in other cases, and then set this bad precedent in the bill before us. Therefore, since the land is owned by the United States, the Morse formula is applicable. The fair appraised market value should be paid. It will not be much. I think it will be almost de minimis, but it will be something.

However, if the United States sold the lighthouse and dwellings in 1872 to a predecessor, there would appear to be an equity in favor of the Crandalls which would excuse payment of their value. This is particularly true in view of the fact that taxes have been paid since 1910.

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

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

Mr. MORSE. I have drafted an amendment which carries out the recommendation of the General Services Administration. I send the amendment to the desk for action at this time.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The CHIEF CLERK. On page 1, line 9, after the period, it is proposed to insert the following:

Such conveyance shall be conditional upon payment being made for such real property in amount equal to its fair market value, excluding the value of any improvements, as determined by the Administrator after appraisal.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

Mr. MORSE. Mr. President, I should like to ask the Senator from Georgia a question. Was the objection he made at my request?

Mr. TALMADGE. The objection which the calendar committee made was in the light of knowledge that the senior Senator from Oregon would object to the bill in its present form, and the objection was registered in his behalf. If the senior Senator from Oregon no longer objects, certainly the calendar committee does not.

Mr. MORSE. I appreciate very much the cooperation of the calendar committees on both sides of the aisle so far as my objections to some of these real property transfers are concerned.

Mr. JAVITS. Mr. President, reserving the right to object, naturally, I have no opportunity, under the exigencies, to find out the other side of the case; but rather than hold up the bill, which would not be in the interest of this town in New York, I shall not interpose objection. I hope the Senator from Oregon will allow me to talk with him about the bill if there is some other equity involved.

Mr. MORSE. I certainly will. All I am doing is carrying out the policy of the GSA.

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

Mr. MORSE. I yield.

Mr. JAVITS. From the Senator's experience, is it his opinion that the amendment will be self-operating?

Mr. MORSE. Oh, yes; it will be made effective by the GSA.

The General Services Administration made the request—I think, pretty clearly—in its letter that the value of the property itself should be paid for, but not the value of the improvements, because of the equity which it was considered the Crandalls had.

Mr. JAVITS. Apparently the committee decided, however, to go along with a quitclaim-deed proposal. I am not objecting to the amendment, naturally. That is the only way to get the bill passed. If there is any other equity involved, I shall take it up with the Senator.

Mr. MORSE. This is no new experience with the Senator from Oregon. Since 1946, from time to time, committees have violated this formula, but I have been consistent in applying to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

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

The bill was read the third time and passed.

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## ATOMIC ENERGY COMMISSION APPROPRIATIONS — CONFERENCE REPORT

Mr. ANDERSON. Mr. President, a little while ago the Senate had under consideration the conference report on House bill 8996, a bill to authorize appropriations for the Atomic Energy Commission. Consideration was suspended until the return to the Senate of the Senator from Nebraska, by unanimous consent.

The PRESIDING OFFICER. In accordance with the order previously entered, the conference report will be again laid before the Senate.

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8996) entitled "An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes."

Mr. CURTIS. Mr. President, will the distinguished vice chairman of the Joint Committee on Atomic Energy yield?

Mr. ANDERSON. I am happy to yield.

Mr. CURTIS. I should like to make inquiry with respect to section 111 (b) of the bill. It provides, in substance, that when the basis of a contract proposal is about to be consummated, before final action can be taken the basis of the contract must be submitted by the AEC to the Joint Committee, and then it calls for a 45-day waiting period before consummation.

I ask whether there is any provision, under certain circumstances, for a waiver of the 45-day period.

Mr. ANDERSON. Yes; I will say to the able Senator from Nebraska that there is such a provision, reading as follows:

Provided, however, that the Joint Committee after having received the basis for a proposed arrangement, or amendment thereto, may by resolution in writing waive the conditions of or all or any portion of such 45-day period.

That provision for waiver has been utilized by the Joint Committee under similar circumstances. This a new provision, but the provision for waiver is not completely new to the basic act. It has been utilized by the committee previously.

Mr. CURTIS. I may say to the distinguished vice chairman that the Consumers Public Power district is nearing the deadline with respect to consummation of a contract, and we hope that it may be consummated soon. However, the 45-day period, if there were no opportunity for waiver, might be a very material problem.

Mr. ANDERSON. I will say to the distinguished Senator from Nebraska, that, knowing every member of the Joint Committee on Atomic Energy, I think I can safely say that every one of them would be happy to help the Consumers Public Power in its negotiations. We were keenly aware of his problem, and were desirous to make sure that it could be worked out. I believe that if a request for waiver were presented—while I would not attempt to predict what individual members of the committee might do—I am sure it would be in the hands of a receptive group.

Mr. CURTIS. I appreciate that statement very much. I note that the Joint Committee on Atomic Energy has already taken considerable testimony and obtained additional information about the proposal discussed by the AEC and the Consumers of Public Power. I notice particularly the language in the report beginning at page 10.

Mr. ANDERSON. At page 34 there is language that ought to appear in the RECORD in connection with the colloquy.

It deals with the waiver of the 45-day period. The language is as follows:

It is the intention of the Joint Committee not to hinder unnecessarily progress under proposals which may be reached by the Commission as a basis for negotiation and submitted to the Joint Committee. Therefore, especially when Congress is adjourned, if the Commission certifies that a project is ready for immediate construction or other development, and requests waiver of the waiting period by the Joint Committee, the Joint Committee will proceed to consider the matter expeditiously, and grant the waiver if it seems appropriate in the opinion of the Joint Committee.

That is a promise of expeditious handling, which is as far as the Joint Committee could go, but it certainly meets the question propounded by the Senator from Nebraska, I am sure.

Mr. CURTIS. Of course the bill and the conference report carry the authorization for the full Consumers Public Power project.

Mr. ANDERSON. Yes.

Mr. CURTIS. There is no change in the contract procedure, other than what is in existing law for the projects in round one. Is that correct?

Mr. ANDERSON. That is correct with respect to round one. There is a change for projects in round two.

Mr. CURTIS. Those in round one have the same provision as are now contained in existing law.

Mr. ANDERSON. Yes.

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

Mr. ANDERSON. First I should like to say that there may be some question with respect to the buying back of the plutonium. If that question should arise, I believe that the problem of funds can be handled.

I now yield to the Senator from New York.

Mr. JAVITS. There were two major policy questions decided last Friday. One related to giving the Atomic Energy Commission some money to build two plants which the Commission said it did not want; the other related to cooperatives.

I understand those questions have been settled in the conference report. Would the Senator from New Mexico be good enough to enlighten us as to the terms of the settlement, and also as to the consistency of the settlement with the policies involved when the Senate voted on these major questions?

Mr. ANDERSON. I think it would be only fair to start off by saying that if it were a matter of taking only the policy of the Senate, there would be no point in having a conference.

Mr. JAVITS. Yes.

Mr. ANDERSON. But the fact is that when one looks——

Mr. JAVITS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators who desire to converse will retire.

Mr. ANDERSON. I should like to say that the proposal for the $40 million, which would be made available for the construction of a natural uranium gas-cooled reactor, has been altered. The original proposal, which the Joint Committee considered, contained the suggestion that a single- or dual-purpose reactor for the production of plutonium should be constructed. In the last days of the consideration by the committee, that was changed to an authorization for a study, and $3 million was made available.

When the proposal for the natural gas-cooled uranium prototype got to conference, the House had stricken the matter entirely. The Senate had included it. The compromise was that the $3 million would be made available for a design study and necessary engineering and development. The Commission is to study the natural gas-cooled uranium reactor and report back to Congress, by April 1, 1958, the details leading toward its construction.

Congress will have the option of determining whether it approves or disapproves the construction.

The other item related to the cooperatives. In that connection the change that has been made is this: The round one proposals, which involve the Consumers Public Power in Nebraska, were dropped out.

The language in the bill was modified by providing that it shall apply to arrangements sponsored under the second round of the Commission's power demonstration reactor program by cooperatives and publicly owned agencies under which the reactor is financed in major part by the Commission and is to be owned by the Federal Government. The conference committee also added three sentences at the end of section 111 (a) (1) which read as follows:

Projects covered under this subsection shall be operated under contract with the Commission for such period of time as the Commission determines to be advisable for research and development purposes but in no event to exceed 10 years.

The Senator may remember that a question arose—the Senator from Ohio [Mr. LAUSCHE] asked the question—as to how long the contracts would run. The provision as agreed to clearly states that they shall only run for such time as they may be feasible for research and development purposes, but in no event longer than 10 years. The language continued as follows:

On the expiration of such period the Commission shall offer the reactor and its appurtenances for sale to the cooperative or publicly owned agency at a price to reflect appropriate depreciation but not to include construction costs assignable to research and development. In the event the cooperative publicly owned agency elects not to purchase the reactor and its appurtenances, the Commission shall dismantle them.

Mr. JAVITS. I was one who was deeply troubled by the vote on that proposal. I am sure most of us want our country to lead in the production of power from the atom, even if it means spending a great deal of money. However, it is always difficult to force money on a commission or governmental agency when it does not want the money. When we try to force it to take the money, we are likely to get the result that we saw when Congress tried to force President Truman to accept $8 million for the Air Force. He would not be forced to take it.

I am delighted and deeply relieved that this matter has been agreed to, and I hope very much that the procedure may now go forward.

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

Mr. ANDERSON. I yield.

Mr. HOLLAND. I understood the report to mean that the $40 million authorized, which was not asked for by the Atomic Energy Commission, for the gas-cooled reactor, had been taken out of the bill, and held in suspense until sometime in the future.

Mr. ANDERSON. The Senator from Florida is correct. As a matter of fact, the bill was reduced $37 million by that process, and item 14 was altered to read:

14. Project 58–e–14, natural uranium, graphite moderated, gas cooled, power reactor prototype; development, design and engineering only, $3 million. The Commission shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable after authorization by the Congress, of a large-scale natural uranium power reactor prototype. The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958.

Mr. HOLLAND. I am very happy to hear of that development, because the so-called Florida group had been of the opinion—whether correctly or not—that there might be a conflict between this program and the program which it is endeavoring to undertake through private enterprise. I was assured the other day by my friend from New Mexico that there was no conflict, and I was completely satisfied at that time.

However, I am glad to know that now there will not be even any appearance of conflict. Am I correct in that belief, and that the Florida group will not be adversely affected?

Mr. ANDERSON. It is perfectly correct to say that the Florida group will in no way be adversely affected. Not only will it not be adversely affected, but it will probably be aided, because the Florida group will be working with a heavy water moderated natural uranium gas-cooled reactor. This provides for a graphite moderated gas-cooled reactor of the type described in the Joint Committee report. Although they are somewhat parallel ideas, they are quite separate so far as development is concerned. What is learned by the Commission in its study will be of great assistance, I am sure, to the Florida group. Vice versa, of course, what the Florida group learns will be of great benefit to the country at large. However, the Florida situation is not adversely affected. It is, I believe, aided.

Mr. HOLLAND. I am most grateful to the distinguished Senator from New Mexico and to the other conferees. The Florida group is prepared to make a real contribution in this matter.

Mr. ANDERSON. I thank the Senator. I believe I should add, that money for the Florida group is included in the other section of the authorization bill.

Mr. HOLLAND. The amount of money the Federal Government will put up is rather minor, when compared with

the amount the Florida cooperators will put up, is it not?

Mr. ANDERSON. I think it may be in the beginning, but I hope it will not be at the end, because if this is useful, the amount of research material the Government will require will cost many millions of dollars, and it will be money well spent, because there will be considerable research undertaken.

Mr. HOLLAND. The Senator from New Mexico and the Senator from Florida are entirely together in the hope that it will be helpful to the country. I am sure that, although the Florida companies are interested in serving their own interests, as they should be, they also have a great desire to be of service to the country in this matter.

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

Mr. ANDERSON. I yield.

Mr. JACKSON. Is it not true that the work in connection with the natural uranium reactor and also in connection with the reactor for the production of special nuclear materials is to be more than a study? Is it not true that we have stipulated that the project is for development, design, and engineering work as a condition precedent to, and in anticipation of, actual construction?

Mr. ANDERSON. I think it is looking forward to the actual construction, but the Congress is not committed beyond the study.

Mr. JACKSON. That is true. But it is anticipated that with the $3 million we are making available for the natural uranium reactor and project 58–b–8 for the production of special nuclear materials, they will undertake the necessary technical work prior to and preliminary to the actual construction.

Mr. ANDERSON. The language is that it is for a "natural uranium, graphite moderated, gas cooled, power reactor prototype; development, design, and engineering only, $3 million. The Commission shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable, after authorization by the Congress, of a large-scale natural uranium power reactor prototype. The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958."

Mr. JACKSON. And we anticipate the same course of action in connection with project 58–b–8, for the production of special nuclear materials, project which may be either a single purpose or dual purpose reactor.

Mr. ANDERSON. That is correct, and the language is identical.

Mr. JACKSON. And we anticipate that the Commission will proceed in good faith to carry out the mandate of the Congress in this regard.

Mr. ANDERSON. Yes; and I am sure the Commission will do so in accordance with the intent of Joint Committee's report.

Mr. JACKSON. And we also anticipate that the request for funds will come in connection with the report to the Congress, which is required to be "not later than April 1, 1958."

Mr. ANDERSON. Yes; and we clearly state that the Congress then will decide whether to proceed with it or not.

Mr. HICKENLOOPER. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Does the Senator from New Mexico yield to the Senator from Iowa?

Mr. ANDERSON. I yield.

Mr. HICKENLOOPER. As a member of the Joint Committee, I disagree with the statement made by the Senator from Washington, who is also a member of the Joint Committee. I do not anticipate that the Commission will necessarily request funds for the building of the full project works. The Commission will spend the money for engineering studies looking toward construction. But if the studies develop information which will for all practical purposes make the project unfeasible, I would expect no action to be taken.

So I would not anticipate this language to be a mandate to the Commission to proceed, unless the studies show the project to be feasible.

Mr. ANDERSON. Let me read the language of the conference report:

> The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958.

For myself, I wish to rely on that language, because I believe that covers exactly what we have in mind.

Mr. HICKENLOOPER. I wish to rely on that language, too, and on nothing else. I anticipate that they will find, or I hope that they will find, that it is worth-while to go forward with it.

Mr. JACKSON. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. JACKSON. Obviously, no Member of this body would expect the Atomic Energy Commission to request funds for a project that is not feasible from a technical standpoint. The only point in asking these questions and in making the legislative record clear is that we expect the Commission to act with diligence and in good faith and to see to it that appropriate action is taken to carry out the stated will of the conferees, as submitted by the distinguished Senator from New Mexico.

Mr. POTTER. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. POTTER. I should like to ask the Senator about subsection 111. I note that the conference report deletes the words "additional general." Is it the understanding of the Senator from New Mexico that the language provided in this section will be ample authorization for the Commission to grant $1,500,000 to the Power Reactor Development Corp., if it so desires?

Mr. ANDERSON. The problem has been, as the Senator from Michigan recognizes, that there is some controversy over the reactor. Throughout the discussion it was stated that the $1,500,000 would be available to be spent in the Commission laboratories for projects on a fast-breeder reactor that would be directly related to, and perhaps solely for the benefit of, the Power Reactor Development Corp. I wish to make clear that that is as far as the Committee can go. In addition, there is $40 million of other money for fast-breeder technology. But if there were particular problems relating to the project which the Power Reactor Development Corp. is planning to build, there is the $1,500,000 which is allowed for such work in the Commission laboratories, where these projects can be tested and approved.

Mr. POTTER. Is the Senator from New Mexico saying that the Commission could not grant the $1,500,000 to the Power Reactor Development Corp., for research and development on the fast-breeder reactor?

Mr. ANDERSON. The work must be done in the Commission laboratories. That is the language, and that is what would have to be done.

I only say that if they have problems which they are trying to solve, the amount granted to them is not only identical with that originally proposed, but is identical in the way it is to be handled—as was covered by the Bureau of the Budget request. It is for this fiscal year only, and therefore it can be used in case there arises a problem which the officials of the Detroit Electric and the other companies want solved. They will bring that problem to the Atomic Energy Commission, in order to have the Commission help them on their way with the fast-breeder reactor. The Atomic Energy Commission can spend $1,500,000 in its laboratories for the purpose of trying to solve these problems. I believe every member of the Committee understood what we tried to do, and I believe the Atomic Energy Commission will be able to do it without any trouble.

Mr. PASTORE. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. PASTORE. It is a fact, is it not, that if all the research which is to be conducted in the Government laboratories is to be explicitly for the benefit of the Power Reactor Development Corporation, there will be no violation of the law. I think that straightens out the point.

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

The report was agreed to.

Mr. ANDERSON. Mr. President, the Senate has agreed—as has the House—to the conference report on H. R. 8996, the authorization bill for the Atomic Energy Commission. The House will start considering the appropriation bill tomorrow. If the pending bill has not reached the White House and has not been signed by the President, items in the appropriation bill will be subject to a point of order.

I therefore ask unanimous consent that H. R. 8996 may be received and signed after the adjournment of the Senate today.

The PRESIDING OFFICER. Without objection, H. R. 8996 may be received and signed by the Senate after adjournment today.

## DELETION OF CERTAIN PROVISIONS RELATING TO LAND GRANTS TO THE STATES OF NEW MEXICO AND ARIZONA

The bill (H. R. 8079) to amend the act of June 20, 1910, by deleting therefrom certain provisions relating to the establishment, deposit, and investment of funds derived from land grants to the States of New Mexico and Arizona was considered, ordered to a third reading, read the third time, and passed.

## CONVEYANCE OF CERTAIN LAND TO THE CAPE FLATTERY SCHOOL DISTRICT, WASHINGTON

The bill (H. R. 993) to provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington was considered, ordered to a third reading, read the third time, and passed.

STATEMENT OF SENATOR MORSE ON H. R. 993

This bill would authorize an exchange of tribal trust lands for school district lands.

The United States has no real monetary interest because it holds the bare legal title in trust for the Indians.

Senate Report No. 966 indicates that neither tract has significant commercial value.

There is no objection under the Morse formula.

## CLEARANCE OF TITLE TO CERTAIN INDIAN LAND

The bill (H. R. 1259) to clear the title to certain Indian land was considered, ordered to a third reading, read the third time, and passed.

## PERSONAL PROPERTY LOSSES OF SIOUX INDIANS

The bill (H. R. 6521) to modify section 3 of the act of June 30, 1945 (50 Stat. 265) was considered, ordered to a third reading, read the third time, and passed.

## INDUSTRIAL DEVELOPMENT NEAR INDIAN RESERVATIONS

The bill (S. 1091) to stimulate industrial development near Indian reservations was announced as next in order.

Mr. NEUBERGER. Mr. President, I understand that the House has passed a companion measure.

The PRESIDING OFFICER. The Chair so understands.

Senate bill 1091 has been reported from the Committee on Interior and Insular Affairs with an amendment. Does the Senator from Oregon know whether the House bill, as passed by the House of Representatives, contains the amendment reported by the Senate committee to the Senate bill?

Mr. NEUBERGER. That is my understanding.

The PRESIDING OFFICER. In other words, the House bill, as passed by the House, is identical with Senate bill 1091, if amended by means of the amendment which has been reported by the committee?

Mr. NEUBERGER. Substantially so.

The Presiding Officer laid before the Senate the bill (H. R. 7051) to stimulate industrial development near Indian reservations, which was read twice by its title.

The PRESIDING OFFICER. Under these circumstances, is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 7051) to stimulate industrial development near Indian reservations.

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

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1091 is indefinitely postponed.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the RECORD, following the passage of the bill, a brief statement explaining the bill.

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

STATEMENT BY SENATOR R. NEUBERGER ON S. 1091

The purpose of S. 1091 is to authorize the Administrator of the General Services Administration, upon request of any Indian tribe, and approval of that request by the Secretary of the Interior, to transfer without cost to the tribe title to any surplus property at the McNary townsite in Oregon or the Pickstown site in South Dakota.

The Secretary of the Interior may approve a request for surplus property only if the Indian tribe is organized under State or Federal law for the purpose of holding title to the property, and if the tribe has executed a contract with an industrial enterprise which provides for employment of reasonable numbers of Indians. Title to the property will remain in the Indians, but the industrial enterprise must maintain the property and pay all taxes and utility charges. At the end of the contract period, the industry will have an option to purchase the property at its appraised value.

Several industries in the State of Oregon have expressed an interest in utilizing some of the surplus buildings at the McNary site. By making this property available, we will be affording a stimulus to industry in Oregon to utilize the property, and at the same time, provide job opportunities for Indians in that vicinity. This proposal is in keeping with the Federal policy of providing employment for Indians in an effort to improve their economic status. It also should prove a stimulus to general business conditions in Umatilla County.

## AMENDMENT OF THE MISSING PERSONS ACT, AS AMENDED

Mr. MANSFIELD. Mr. President, I note on the calendar, Calendar No. 997, House bill 5807, to amend further and make permanent the Missing Persons Act, as amended. That measure has not been called by the clerk. Am I to understand that that is because the bill was passed on yesterday?

The PRESIDING OFFICER. That is correct; the bill was passed on yesterday. A mistake was made in the printing of the calendar.

Mr. MANSFIELD. Yes, Mr. President; I knew that the bill was passed on yesterday.

## BILLS PASSED OVER

The bill (S. 324) to provide for the appointment of an additional district judge for the southern district of Florida was announced as next in order.

Mr. PURTELL. Mr. President, I ask that the bills on the calendar beginning with Calendar No. 998, the bill just called, and ending with Calendar No. 1004, inclusive, go over, by request.

The PRESIDING OFFICER. Objection being heard, the bills will be passed over.

The bills passed over are as follows:

S. 324, to provide for the appointment of an additional district judge for the southern district of Florida;

S. 472, to provide for the appointment of two additional district judges for the district of Connecticut;

S. 1060, to provide for the appointment of a district judge for the district of Colorado;

S. 2714, to provide for the appointment of a district judge for the district of Nevada;

S. 2747, to provide for the appointment of two additional district judges for the eastern district of Pennsylvania;

S. 2773, to provide for the appointment of a district judge for the eastern and western districts of South Carolina; and

S. 2799, to provide for a temporary circuit judgeship for the 8th circuit, and for the appointment of a district judge for the northern and southern districts of Iowa.

## TRAINING OF UNITS OF THE RESERVE COMPONENTS OF THE ARMED FORCES

The Senate proceeded to consider the bill (H. R. 7697) to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States which had been reported from the Committee on Armed Services with an amendment on page 1, line 8, after the word "of", to strike out "1955" and insert "1950".

The amendment was agreed to.

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

The bill was read the third time and passed.

## INCREASE IN AUTHORIZATION FOR FISHERIES LOAN FUND

The Senate proceeded to consider the bill (S. 2720) to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such act, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment in line 5, after the word "thereof", to strike out "$20,000,000" and insert "$13,000,000"; so as to make the bill read:

*Be it enacted, etc.*, That subsection (c) of section 4 of the Fish and Wildlife Act of 1956 (70 Stat. 1121) is amended by striking

out "$10,000,000" and inserting in lieu thereof "$13,000,000."

The amendment was agreed to.

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

## EXEMPTION FROM TAXATION OF PROPERTY OF B'NAI B'RITH HENRY MONSKY FOUNDATION IN THE DISTRICT OF COLUMBIA

The bill (H. R. 7825) to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

## BILL PASSED OVER

The bill (H. R. 8256) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide addition exemptions for age and blindness, and to exempt from personal-property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes, was announced as next in order.

Mr. WILEY. Mr. President, I have talked with the Senator from Nevada [Mr. BIBLE], a member of the Committee on the District of Columbia, about this matter. He has agreed that the bill should go over.

Therefore, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WILEY. Mr. President, I ask unanimous consent that a statement on the bill be printed at this point in the RECORD.

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

This statement is addressed to the licensing provisions of section 7 (b) of H. R. 8256, by Mr. SMITH of Virginia. This section, if constitutional, would require Christian science practitioners to file with the Assessor of the District of Columbia application for a professional license, accompanied by a license fee of $25, which license, upon issuance, shall entitle such person to engage in a * * * profession in the District of Columbia during the next ensuing year.

Christian science healing as it is carried on by Christian science practitioners is not a commercial professional occupation, but is an indispensable part of the religious practice of the church, and is practiced only within the religious doctrine and teachings of the church. The distinction between such practice of this religion and a usual commercial profession is recognized under title 2, section 134, of the District Code, the Healing Arts Practice Act, which reads:

"The provisions of this chapter shall not be construed to apply to * * * (d) to persons treating human ailments by prayer or spiritual means, as an exercise or enjoyment of religious freedom."

Inasmuch as H. R. 8256 is a licensing and not a revenue bill, we submit that it would violate the constitutional guaranty of free exercise of religion unless it is amended so that it will not attempt to license religious practice. The church manual of the Christian Science Church requires all members of that church to strive to demonstrate by their individual practice of Christian science that this religion heals the sick. The proposed bill would attempt to make it necessary for them to get a license from the State before they could continue to carry out this injunction and practice their religion by healing the sick whenever those who are healed pay them a total of more than $5,000 in any one year.

In the case of *Murdock* v. *Pennsylvania* ((1943) 319 U. S. 105), in which the Supreme Court held unconstitutional an ordinance requiring the payment of a licensing tax as a prerequisite to a minister engaging in religious functions, the United States Supreme Court said:

"The 1st amendment, which the 14th makes applicable to the States, declares that 'Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press * * *.' It could hardly be denied that a tax laid specifically on the exercise of those freedoms would be unconstitutional. Yet the license tax imposed by this ordinance is in substance just that."

This decision is still the law on this point.

No State in the United States nor any country in the world requires Christian science practitioners to be licensed by law before they can carry on their healing work.

We therefore respectfully request adoption of the following amendment:

"Page 8, line 15, after period add the following new sentence:

" 'No license shall be required of any person engaged in the ministry of healing by prayer or spiritual means alone who is a member of a church or denomination whose tenets and teachings include the practice of such healing.' "

## AMENDMENT OF DISTRICT OF COLUMBIA BUSINESS CORPORATION ACT

The Senate proceeded to consider the bill (S. 2438) to amend the District of Columbia Business Corporation Act, which had been reported from the Committee on the District of Columbia, with amendments on page 3, line 19, after the word "of", to strike out "the act" and insert "said act"; in line 23, after the word "incorporation", to insert "and strike "by the Commissioners" and insert in lieu thereof "with the Commissioners"."; on page 9, after line 17, to strike out:

SEC. 30. Section 121 (c) (2) of said act is amended by striking "(b)" and inserting in lieu thereof "(c)". Section 121 (c) (3) of said act is amended by striking "agreement" wherever it appears and inserting in lieu thereof "articles", and is further amended by striking "b", by striking "section" and inserting in lieu thereof "subsection," by inserting "of" between the words "shares such" and by changing the word "corporation" to "corporations" preceding the proviso in said section.

And insert:

SEC. 30. Section 121 (c) (2) of said act is amended by striking "(b)" and inserting in lieu thereof "(c)." Section 121 (c) (3) of said act is amended by striking "an agreement" wherever it appears and inserting in lieu thereof "articles"; by striking "(b)" and inserting in lieu thereof "(c)"; by striking "shares such", and inserting in lieu thereof "shares of such"; and by striking "constituent corporations."

And, on page 19, after line 19, to insert:

SEC. 36. This act shall take effect on the 30th day after its approval.

So as to make the bill read:

*Be it enacted, etc.*, That section 7 (a) of the District of Columbia Business Corporation Act, as amended, is amended by striking the word "authorized" in the second sentence.

SEC. 2. Section 9 of said act is amended as follows: In subsection (a) (3) after the words "proposing to reincorporate," insert the words "or incorporate."

SEC. 3. Section 11 (b) of said act is amended as follows:

(1) Insert "in duplicate" after "executed."

(2) At the end of subsection (b), strike "file such statement.", insert in lieu thereof a colon, and add—

"(1) endorse on each of such duplicate originals the word 'Filed', and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office;

"(3) return the other duplicate original to the corporation or its representative."

SEC. 4. Section 14 of said act is amended as follows:

(1) At the end of subsection (e) (2), strike the period, insert in lieu thereof a semicolon, and add: "(3) return the other duplicate original to the corporation or its representative."

(2) Strike subsection (f).

(3) Reletter subsection (g) as subsection (f).

SEC. 5. Section 20 of said act is amended as follows: Add a new subsection numbered "(f)" to read as follows:

"(f) As to corporations availing themselves of the provisions of section 141 of this act, the provisions of this section 20 shall be applicable only to the shares of such corporations issued subsequent to such reincorporation or incorporation."

SEC. 6. The first sentence of section 26 of said act is amended to read as follows: "Except as provided in section 134 hereof, written or printed notice stating the place, day, and hour of the meeting, and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 or more than 50 days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or person calling the meeting, to each shareholder of record entitled to vote at such meeting."

SEC. 7. The first sentence of section 39 of said act is amended to read as follows: "Except as provided in section 134 hereof, meetings of the board of directors shall be held upon such notice as is prescribed in the bylaws."

SEC. 8. Section 48 (b) of said act is amended by striking "recorded by the Commissioners in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the incorporators or their representative."

SEC. 9. Section 52 (m) of said act is amended by striking "share" and inserting in lieu thereof "shares."

SEC. 10. Section 53 of the act is amended as follows:

In subsection (a), strike "Amendments to the articles of incorporation" and insert in lieu thereof "Amended articles of incorporation" and strike "by the Commissioners" and insert in lieu thereof "with the Commissioners."

Subsection (b) (3) is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "issue an amended certificate of incorporation, to which they shall affix the other duplicate original."

Strike subsection (c) and in lieu thereof insert a new subsection (c) as follows:

"(c) The amended certificate of incorporation with the duplicate original of the amended articles of incorporation affixed

thereto shall be delivered to the corporation or its representative."

Add a new subsection (d) as follows:

"(d) Upon the issuance of the amended certificate of incorporation, the amended articles of incorporation shall become effective and shall take the place of the original articles of incorporation."

SEC. 11. Section 57 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

SEC. 12. Section 59 of said act is amended as follows:

(1) At the end of subsection (d) strike the period, insert in lieu thereof a semicolon, and add the following: "(3) return the other duplicate original to the corporation or its representative."

(2) Strike subsection (e).

(3) Reletter subsections (f) and (g) as subsections (e) and (f) respectively.

SEC. 13. Section 60 (b) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative".

SEC. 14. Section 61 (c) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative".

SEC. 15. Section 68 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the surviving or new corporation, as the case may be, or its representative".

SEC. 16. Section 72 of said act is amended as follows:

(1) In subsection (a) (3) strike "ownership" and insert in lieu thereof "merger".

(2) In subsection (b) strike "The certificate of merger or certificate of consolidation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds" and insert in lieu thereof "The certificate of merger together with the duplicate original affixed thereto, shall be delivered to the surviving corporation or its representative".

(3) In subsection (c) strike "ownership" where it first appears and insert in lieu thereof "merger".

SEC. 17. Section 74 of said act is amended by striking "less than" in both instances where those words appear.

SEC. 18. Section 75 of said act is amended by inserting after the comma following "corporation" where it first appears "if not made in the usual and regular course of its business,".

SEC. 19. Section 76 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the incorporators or their representatives".

SEC. 20. Section 79 (c) of said act is amended by striking "The other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "Return the other duplicate original to the corporation or its representative".

SEC. 21. Section 84 (c) of said act is amended by striking "The other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "Return the other duplicate original to the corporation or its representative".

SEC. 22. Section 87 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "returned to the representative of the dissolved corporation."

SEC. 23. Section 104 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

SEC. 24. Section 107 (c) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

SEC. 25. Section 108 (a) of said act is amended by striking "services" in the sixth sentence and inserting in lieu thereof "service."

SEC. 26. Section 113 (b) (5) of said act is amended by striking "him" and inserting in lieu thereof "them."

SEC. 27. Section 114 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

SEC. 28. Section 115 of said act is amended as follows:

(1) Insert "(a)" after "SEC. 115." and before "The."

(2) Change "(a)", "(b)", "(c)", "(d)", "(e)", "(f)", "(g)", "(h)", and "(i)" as they now appear to "(1)", "(2)", "(3)", "(4)", "(5)", "(6)", "(7)", "(8)", and "(9)", respectively.

(3) In subsection (i) (redesignated "(9)") strike the comma after "act", insert in lieu thereof a period, and strike "in which event the Commissioners shall give not less than 30 days' notice forwarded by registered mail, addressed to such corporation at its principal office as the same appears in the records of the Commissioners or at its registered office in the District, of their intent to revoke the certificate of authority."

(4) Add a new subsection (b) as follows:

"(b) No certificate of authority of a foreign corporation shall be revoked by the Commissioners unless (1) they shall have given the corporation not less than 30 days' notice by mail, addressed to such corporation at its principal office as the same appears in the records of the Commissioners or at its registered office in the District, of their intent to revoke the certificate of authority, and (2) the corporation, prior to such revocation and as the case may be, shall fail to submit satisfactory evidence that said certificate was not procured by such fraud, or that the corporation has not exceeded or abused such authority, or shall fail to pay such fees, charges, or penalties, or to appoint a registered agent in the District, or to file the required statement of change of registered office or registered agent, or to file such annual report, or to file a statement showing that it has transacted business in the District within a period of 2 years, or to file a copy of any such amendment to its articles of incorporation, or shall fail to submit satisfactory evidence that a misrepresentation of a material matter was not made in any such application, report, affidavit, or other document."

SEC. 29. Section 116 (a) of said act is amended as follows:

(1) In subparagraph (2) strike "his" and insert in lieu thereof "their."

(2) In subparagraph (3) insert before the first period "together with the other such certificate" and strike "The certificate of revocation, together with the duplicate original affixed hereto, shall be recorded in the office of the Recorder of Deeds."

SEC. 30. Section 121 (c) (2) of said act is amended by striking "(b)" and inserting in lieu thereof "(c)." Section 121 (c) (3) of said act is amended by striking "an agreement" wherever it appears and inserting in lieu thereof "articles"; by striking "(b)" and inserting in lieu thereof "(c)"; by striking "shares such" and inserting in lieu thereof "shares of such"; and by striking "constituent corporation" and inserting in lieu thereof "constituent corporations."

SEC. 31. Section 123 (b) of said act is amended by striking: "A certified copy of the proclamation shall be transmitted to the Recorder of Deeds and he shall cause notation of the fact of revocation to be made upon the articles of incorporation of each domestic corporation listed in said proclamation."

SEC. 32. Section 130 (a) of said act is amended by striking "him" and inserting in lieu thereof "them."

SEC. 33. Section 141 of said act is amended by striking all after "SEC. 141." and inserting in lieu thereof the following:

"I. REINCORPORATION

"(a) Any corporation which is organized and existing under the laws of the District of Columbia on December 5, 1954, and which is organized for profit and for a purpose or purposes authorized by this act may avail itself of the provisions of this act and may become reincorporated hereunder in the following manner:

"(1) The board of directors shall adopt a resolution declaring it advisable in the judgment of the board that the corporation should be reincorporated under the provisions of this act, setting forth the proposed articles of reincorporation, and directing that such proposed reincorporation be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

"(2) Written or printed notice setting forth the proposed articles of reincorporation or a summary thereof shall be given to each shareholder of record within the time and in the manner provided in this act for the giving of notice of meetings of shareholders.

"(3) At such meeting a vote of the shareholders shall be taken on the proposed reincorporation; and it shall be adopted upon receiving the affirmative vote of the holders of two-thirds of the outstanding shares unless two or more classes of shares are issued, in which event it shall be adopted upon receiving the affirmative vote of two-thirds of the outstanding shares of each class issued.

"(b) Upon receiving such approval, the articles of reincorporation shall be executed in duplicate by the corporation by its president or a vice president, and verified by him, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

"(1) the name (which may be different from its existing name) under which the corporation elects to be reincorporated and which shall be subject to the other provisions of this act;

"(2) the address, including street and number if any, of its registered agent in the District of Columbia, and the name of its registered office at such address;

"(3) the period of duration, which may be perpetual and which may be different from its existing period of duration;

"(4) the purpose or purposes (which may be different from its existing purposes) which it will hereafter carry on, and which shall not include any purpose prohibited to a corporation organized under this act;

"(5) the aggregate number of shares which the corporation was authorized to issue and, if said shares were of one class only, the par value of each of such shares, or a statement that all were without par value, as the case may be; or if said shares were divided into classes, the number of shares of each class and a statement of the par value of each share of each such class or that such shares were without par value;

"(6) if the shares were divided into classes, the designation of each class and a statement of the preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class and whether the shares of any class have full, limited, or no voting power;

"(7) any other provision, not inconsistent with law or this act (whether or not included in its existing certificate of incorporation), for the regulation of the internal affairs of the corporation, including any provision which under this act is required or permitted to be set forth in the bylaws;

"(8) the number of directors of the corporation, and a statement that the board of directors adopted a resolution declaring it advisable in the judgment of the board that the corporation should be reincorporated under the provisions of this act in the manner set forth in the articles of reincorporation;

"(9) a statement that the corporation elects to surrender its existing charter and to be reincorporated under and subject to the provisions of this act;

"(10) the aggregate number of shares outstanding of each class; and

"(11) the number of shares of each class voted for and against such reincorporation.

"(c) It shall not be necessary to set forth in the articles of reincorporation any of the corporate powers enumerated in this act. Whenever a provision of the articles of reincorporation is inconsistent with a bylaw, the provision of the articles of reincorporation shall be controlling.

"(d) Duplicate originals of the articles of reincorporation shall be delivered to the Commissioners. If the Commissioners find that the articles of reincorporation conform to law, they shall, when all fees and charges have been paid as in this act prescribed—

"(1) endorse on each of such duplicate originals the word 'Filed' and the month, day, and year of the filing thereof;

"(2) file one of such dupicate originals in their office;

"(3) issue a certificate of reincorporation to which they shall affix the other duplicate original;

"(4) deliver such certificate of reincorporation and other duplicate original to the corporation or its representative.

"H. INCORPORATION

"(a) Any corporation which is created under the provisions of a special act of Congress to transact business in the District of Columbia for profit and for purposes authorized by this act may avail itself of the provisions of this act and may become incorporated hereunder in the following manner:

"(1) The board of directors shall adopt a resolution declaring it advisable in the judgment of the board that the corporation should elect to avail itself of the provisions of this act and become incorporated hereunder, and directing that such proposed incorporation be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

"(2) Written or printed notice of such proposed incorporation shall be given to each shareholder of record within the time and in the manner provided in this act for the giving of notice of meetings of shareholders.

"(3) At such meeting a vote of the shareholders shall be taken on the proposed incorporation; and it shall be adopted upon receiving the affirmative vote of the holders of a majority of the outstanding shares, unless two or more classes of shares are issued in which event it shall be adopted upon receiving the affirmative vote of a majority of the outstanding shares of each class issued.

"(b) Upon such approval being given by the shareholders, a statement of incorporation shall be executed in duplicate by the corporation by its president or a vice president, and verified by him, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

"(1) the name of the corporation, which shall contain the word 'corporation', 'company', 'incorporated', or 'limited', or shall end with an abbreviation of one of said words;

"(2) the address, including street and number, if any, of its registered office in the District of Columbia, and the name of its registered agent at such address;

"(3) the purpose or purposes for which the corporation was organized and which it will hereafter carry on;

"(4) the aggregate number of shares which the corporation was authorized to issue and, if said shares were of one class only, the par value of each of such shares, or a statement that all were without par value, as the case may be; or if said shares were divided into classes, the number of shares of each class and a statement of the par value of each share of each such class or that such shares were without par value;

"(5) if the shares were divided into classes, the designation of each class and a statement of the preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class and whether the shares of any class have full, limited, or no voting power;

"(6) a statement that the corporation elects to avail itself of the provisions of this act and become incorporated thereunder;

"(7) the number of directors of the corporation, and a statement that the board of directors adopted a resolution declaring it advisable in the judgment of the board that the corporation should elect to avail itself of the provisions of this act and become incorporated hereunder;

"(8) the aggregate number of shares outstanding of each class; and

"(9) the number of shares of each class voted for and against such incorporation.

"(c) It shall not be necessary to set forth in the statement of incorporation any of the corporate powers enumerated in this act.

"(d) Duplicate originals of the statement of incorporation shall be delivered to the Commissioners, together with a copy of the corporation's charter or articles or certificate of incorporation then in effect, certified by the secretary of the corporation. If the Commissioners find that the statement of incorporation conforms to law, they shall, when all fees and charges have been paid as in this act prescribed—

"(1) endorse on each of such duplicate originals the word 'Filed' and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office, together with said copy of the corporation's charter or articles or certificate of incorporation as then in effect;

"(3) issue a certificate of incorporation to which they shall affix the other duplicate originals; and

"(4) deliver such certificate of incorporation and other duplicate original to the corporation or its representative."

SEC. 34. Section 142 of said act is amended by striking the title and inserting in lieu thereof the following title: "Effect of Issuance of Certificate of Reincorporation or Incorporation." Said section is further amended by striking: "Upon the issuance of articles of reincorporation or the certificate of incorporation by the Commissioners the existence of the corporation shall be continued under this act" and inserting in lieu thereof "Upon the issuance under section 141 of this act of a certificate of reincorporation or of incorporation, as the case may be, by the Commissioners the existence of the corporation shall be continued under this act, and such certificate shall be conclusive evidence that all conditions precedent required to be performed under section 141 of this act have been complied with and that the corporation has been reincorporated or incorporated under this act, as the case may be, except as against the District of Columbia in a proceeding to cancel or revoke the certificate of reincorporation or of incorporation;".

SEC. 35. Section 143 of said act is amended as follows:

(1) In subsection (a) (3) strike "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and insert in lieu thereof "return the other duplicate original to the corporation or its representatives."

(6) In subsection (b) strike "of" after "recordation" and insert in lieu thereof "or."

SEC. 36. This act shall take effect on the 30th day after its approval.

The amendments were agreed to.

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

## RESTRICTION OF FAIR LABOR STANDARDS ACT OF 1938 IN CERTAIN OVERSEAS AREAS

The Senate proceeded to consider the bill (H. R. 7458) to amend the Fair Labor Standards Act of 1938, as amended, to restrict its application in certain overseas areas, and for other purposes which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, after line 4, to strike out:

(1) Section 6 of such act is amended by striking out the period at the end of paragraph (3) in subsection (a), and inserting in lieu thereof a semicolon and the following new paragraph:

"(4) if such employee is employed in the Canal Zone, not less than the applicable rate established by the Secretary of Labor as herein provided. The provisions of paragraph (1) of this subsection shall not apply to any such employee but the Secretary of Labor shall from time to time determine and promulgate, following a public hearing on the matter, the minimum wage rates which he shall find appropriate for such geographical area or particular work therein in conformity with the policy of this act as expressed in subsections (a) and (b) of section 2. In making such a determination, the Secretary shall take into account the level of the economy of the area and its capacity to sustain the rate without causing substantial curtailment of employment, substantial hardship to business enterprise, substantial detriment to the public interest of the United States, or other disruptive effects; he shall also take into account the reasonable relationship of such rate to wage rates paid in neighboring economies on which such area draws substantially for its labor supply; and he shall also take into account the wages paid to civil service employees performing similar work. The minimum wage rate thus established by the Secretary shall not exceed the rate prescribed in paragraph (1) of this subsection."

(2) Section 13 of such act is amended by adding at the end thereof the following new subsections (f) and (g):

"(f) With respect to employees for whom the Secretary of Labor is authorized to establish minimum wage rates as provided in section 6 (a) (4), the Secretary may make rules and regulations providing reasonable limitations and allowing reasonable variations, tolerances, and exemptions to and from any or all of the provisions of section 7 if he shall find, after a public hearing on the matter, and taking into account the factors set forth in section 6 (a) (4), that economic conditions warrant such action.

And insert:

(1) Section 13 of such act is amended by adding at the end thereof the following new subsection (f):

On page 3, at the beginning of line 12, to strike out "(g)" and insert "(f)"; at the beginning of line 22, to strike out "(3)" and insert "(2)"; on page 4, line 6, after the numerals "13," to strike out "(g)" and insert "(f)"; in line 7, after the word "Guam," to insert "the Canal Zone"; in line 9, after the word "possession," to strike out "or Territory under United States jurisdiction named in sec-

tions 6 (a) (3) and 6 (a) (4)" and insert "named in section 6 (a) (3)," and, at the beginning of line 15, to strike out "(4)" and insert "(3)."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## CITIZENSHIP AND RESIDENCE QUALIFICATIONS OF DIRECTORS OR TRUSTEES OF CERTAIN COMPANIES IN DISTRICT OF COLUMBIA

The bill (H. R. 7467) to amend the act of March 3, 1901, with respect to the citizenship and residence qualifications of the directors or trustees of certain companies in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

## EXTENSION OF PERIOD IN WHICH MINISTERS MAY ELECT SOCIAL-SECURITY COVERAGE AS SELF-EMPLOYED INDIVIDUALS

The Senate proceeded to consider the bill (H. R. 8892) to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social-security purposes, and for other purposes, which had been reported from the Committee on Finance with an amendment, on page 7, after line 8, to insert:

SEC. 5. (a) Paragraph (7) of section 211 (a) of the Social Security Act is amended to read as follows:

"(7) An individual who is a duly ordained, commissioned, or licensed minister of a church or a member of a religious order shall compute his net earnings from self-employment derived from the performance of service described in subsection (c) (4) without regard to section 107 (relating to rental value of parsonages) and section 119 (relating to meals and lodging furnished for the convenience of the employer) of the Internal Revenue Code of 1954 and, in addition, if he is a citizen of the United States performing such service as an employee of an American employer (as defined in sec. 210 (e)) or as a minister in a foreign country who has a congregation which is composed predominantly of citizens of the United States, without regard to section 911 (relating to earned income from sources without the United States) and section 931 (relating to income from sources within possessions of the United States) of such code."

(b) Paragraph (8) of section 1402 (a) of the Internal Revenue Code of 1954 is amended to read as follows:

"(8) an individual who is a duly ordained, commissioned, or licensed minister of a church or a member of a religious order shall compute his net earnings from self-employment derived from the performance of service described in subsection (c) (4) without regard to section 107 (relating to rental value of parsonages) and section 119 (relating to meals and lodging furnished for the convenience of the employer) and, in addition, if he is a citizen of the United States performing such service as an employee of an American employer (as defined in section 3121 (h)) or as a minister in a foreign country who has a congregation which is composed predominantly of citizens of the United States, without regard to section 911 (relating to earned income from sources without the United States) and section 931 (relating to income from sources within possessions of the United States)."

(c) The amendments made by this section shall, except for purposes of section 203 of the Social Security Act, apply only with respect to taxable years ending on or after December 31, 1957. For purposes of section 203 of the Social Security Act (other than subsec. (a)), such amendments shall apply only with respect to taxable years beginning after the month in which this act is enacted. For purposes of subsection (a) of such section 203, such amendments shall apply only with respect to taxable years of the insured individual ending on or after December 31, 1957.

The amendment was agreed to.

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

The bill was read the third time and passed.

The title was amended so as to read: "An Act to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social security purposes and to permit such a minister to include, for social security purposes, the value of meals and lodging furnished him for the convenience of his employer and the rental value of the parsonage furnished to him, and for other purposes."

Mr. BYRD. Mr. President, I ask unanimous consent that an explanation of the bill which has just been passed be printed in the RECORD.

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

H. R. 8892 would amend the Internal Revenue Code of 1954 to extend for 2 years (in general, through April 15, 1959) the time within which ministers (including certain members of religious orders and Christian Science practitioners) may file waiver certificates to elect coverage under the old-age, survivors, and disability insurance program as self-employed persons. Each minister who files a waiver certificate during the extended period would be covered under old-age, survivors, and disability insurance for each year, beginning with his first taxable year ending after 1955, in which he had net earnings from self-employment of $400 or more (some part of which is from the exercise of his ministry—for old-age, survivors, and disability insurance purposes these are all treated as earnings from self-employment).

The bill would not change the deadline presently prescribed for the filing of waiver certificates when that deadline is later than the one provided in the bill, as in the case of a person who becomes a minister in the future or a minister who did not have (and will not have) net earnings from self-employment of $400 or more, some portion of which was from the exercise of the ministry, in two or more of the taxable years 1955, 1956, 1957, and 1958. However, it would amend the existing provisions to make a waiver certificate filed after the extended period provided in the bill effective with the taxable year preceding the one for which it was filed (assuming this preceding year meets the $400 earnings requirement).

In addition the bill would provide, both for tax purposes under the Internal Revenue Code and benefit purposes under title II of the Social Security Act, for treatment as remuneration for employment, instead of as net earnings from self-employment, of remuneration paid in 1955 and 1956 to ministers and erroneously reported as wages, in good faith, by certain nonprofit organizations (to the extent of the unrefunded social security taxes paid).

Your committee has added an amendment to the bill as passed by the House, which would provide that a minister, in computing his earnings from his ministry for social security purposes (but not for income tax purposes), shall include the value of the meals and lodging furnished to him for the convenience of his employer, and the rental value of the parsonage furnished to him.

## ENDORSEMENT OF MASTERS OR VESSEL DOCUMENTS

The bill (S. 2722) to amend the laws relating to the endorsement of masters or vessels documents and to provide certain additional penalties for failure to exhibit vessel documents or other papers when required by enforcement officers was announced as next in order.

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

Mr. MAGNUSON. Mr. President, yesterday the House passed H. R. 5894, which is identical with Calendar 1014, Senate bill 2722.

I ask unanimous consent that the Senate proceed to the consideration of the House bill, and that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 5894) to amend the laws relating to the endorsement of masters or vessel documents and to provide certain additional penalties for failure to exhibit vessel documents or other papers when required by enforcement officers, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request to consider the House bill?

There being no objection, the bill (H. R. 5894) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2722 is indefinitely postponed.

## JOINT RESOLUTION PASSED TO FOOT OF CALENDAR

The joint resolution (H. J. Res. 370) to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4 was announced as next in order.

Mr. WILLIAMS. Mr. President, I ask that the joint resolution go to the foot of the calendar.

The PRESIDING OFFICER. The joint resolution will go to the foot of the calendar.

## INDIAN HOSPITALIZATION PAYMENTS TO BERNALILLO COUNTY, N. MEX.

The Senate proceeded to consider the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians.

Mr. WILLIAMS. Mr. President, I send to the desk an amendment to the bill on behalf of Senator FREAR, the Senator from Maryland [Mr. BUTLER], and myself, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed, on page 3, after line 4, to add the following new section:

SEC. 3. Section 13 (d) of the Fair Labor Standards Act of 1938, as amended, is amended by inserting before the period at the end thereof the following: "or to any homeworker engaged in the making of wreaths composed principally of natural holly, pine, cedar, or other evergreens (including the harvesting of the evergreens or other forest products used in making such wreaths)."

Mr. ANDERSON. Mr. President, I do not believe the amendment has any connection with the bill, has it?

The PRESIDING OFFICER. Does the Senator from Delaware refer to Calendar No. 1016, H. R. 9023?

Mr. WILLIAMS. Yes.

Mr. President, I ask unanimous consent that a letter written by the chairman of the House Education and Labor Committee, Representative GRAHAM A. BARDEN, addressed to Mr. Newell Brown, be printed in the RECORD at this point.

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

SEPTEMBER 28, 1956.

MR. NEWELL BROWN,
*Administrator, Wage and Hour Division, Department of Labor, Washington, D. C.*

DEAR MR. BROWN: Congressman MCDOWELL, of Delaware, a member of this committee, has asked me to call to your personal attention a regrettable situation involving several dealers in Christmas wreaths made of wild holly in his State and in the adjoining State of Maryland.

I have had the matter investigated by my staff. Here are the results:

Some 4 or 5 small business enterprises are involved. They purchase holly wreaths each year from farmers in the area at a fixed price, package them and ship them to market. The wreaths are made by the farmer and members of his family from holly cut from trees which grow wild on his own lands. The entire operation is seasonal in character; purchases of wreaths begin around Thanksgiving and are over in less than a month around the middle of December.

The Wage and Hour Division has ruled that this is manufacturing, that the farmers are employees of the dealers and, therefore, must be paid a $1 minimum wage. The authority for this ruling, according to officials in your department, is the case of *Durkin* v. *Wagner Co.* (11 WH 601) decided in 1953.

I wish you would look over this case yourself and see if you don't agree with me that there are many differences between the Wagner case cited as precedent and this situation.

For one, the Wagner case involved whether or not an official regulation issued by the Administrator governing homework in the knitted outerwear industry had been properly promulgated as well as whether or not individual knitters were employees of the companies within the meaning of the Fair Labor Standards Act. Without going into the merits of the decision itself, except to note in passing that our courts are not necessarily infallible, there is no official regulation at all in existence applicable to holly wreath dealers.

Second, the people involved in the Wagner case were not farmers, nor was the material going into the product used as harvested in its natural state. To rule that holly is not an agricultural commodity because it grows wild and is not cultivated, and to hold that making wreaths of this holly is manufacturing because it is not an incident to a farming operation, even though it is performed by a farmer on a farm * * * farmers have been making holly wreaths on their farms since the time of the Pilgrims * * * such policies as these are contemptuous of the clear Congressional intent to exempt agriculture in all its branches from this law.

Third, consider the practical result of this ruling. How in the world can the dealers treat the farm families as employees? The dealers themselves never even see the people who make the wreaths. The purchases themselves are made by agents of the dealers who work on a commission basis. It is utterly impossible for them to exercise even a scintilla of supervision over these people; much less to tell them when to go to work and when to stop and to see to it that they do. You can see how ridiculous it becomes.

The practical result can only be that these dealers will go out of business, and the statistics on small-business failures continue to increase. The entire gross income of all the dealers involved is less than $75,000 annually.

For these reasons, and others which will occur to you if you will give the matter further attention, I want to request, on behalf of Congressman MCDOWELL'S constituents, that you bring about a reconsideration of this matter so as to exempt these dealers from the coverage of the wage-hour law.

Sincerely,

GRAHAM A. BARDEN,
*Chairman.*

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

Mr. DOUGLAS. Mr. President, I do not understand the amendment of the Senator from Delaware.

The PRESIDING OFFICER. An explanation of the amendment is requested.

Mr. WILLIAMS. Mr. President, the need of the amendment is best explained by the letter signed by the chairman of the House Education and Labor Committee, Mr. BARDEN, which has just been placed in the RECORD.

About a year and a half ago the Labor Department ruled that makers of natural holly wreaths in homes were covered by the Fair Labor Standards Act. Prior to that time and since 1938, when the Fair Labor Standards Act went into effect, the Labor Department had considered the farmers not in any way covered by the act. However, the employees of those purchasing the wreaths, working in the plants preparing the product for shipment, were covered and will still be covered. This amendment is not intended to change that status.

As a result of a court decision affecting the crocheting of certain products, the Department said the making of holly wreaths in homes would be included, unless exempted by specific legislation.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Are we not considering Order No. 1016, House bill 9023?

The PRESIDING OFFICER. The Senate is now considering H. R. 9023, to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians.

Mr. DOUGLAS. It is a hospital bill for New Mexico Indians. To offer an amendment affecting holly for Christmas trees seems to be irrelevant. I must object to the amendment.

Mr. WILLIAMS. Patients in hospitals are certainly very much interested in having some Christmas decorations.

Mr. ANDERSON. I do not believe they are that ill.

Mr. WILLIAMS. I am offering the amendment to this bill since it is the only vehicle available.

The PRESIDING OFFICER. The Chair states that the germaneness of the amendment is not required to make it in order.

Mr. ANDERSON. I quite agree it is not necessary from the standpoint of germaneness, but the bill pertains to Indian patients in a hospital. To offer an amendment which would remove makers of holly wreaths from provisions of an act is carrying things too far.

Mr. WILLIAMS. I hope the amendment will be agreed to. I feel certain it will not delay enactment of the bill.

Mr. ANDERSON. Obviously the amendment would go to conference. If it would make anybody feel better to have it go to conference, and then have the conferees strike it from the bill——

Mr. WILLIAMS. I would like to see it go to conference but not with the idea of having it killed. There is merit to this proposal.

Mr. President, I ask unanimous consent to have a series of articles supporting the amendment printed in the RECORD at this point. The first appeared in the Farm Journal of December 1955. This is a rather interesting article on the industry as it relates to a Michigan family. It should be noted that under this recent ruling the work praised by the Farm Journal is being done by this family would be classified as illegal today.

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

[From the Farm Journal of December 1955]

CHRISTMAS WREATH MONEY PAYS FOR SUMMER VACATIONS

(By Dick Braun)

In another week or so, folks in Kent County, Mich., will be expecting a knock at the door.

When they open up and see a beaming child with an armload of wreaths, they'll know Christmas is near.

It'll be one of the Norris Helsel children—typical, pep-filled kids, who can't sit still long enough to let a sofa cushion settle under them. Instead of playing during Thanksgiving vacation, though, the Helsels take orders for Christmas wreaths.

"From then on, life gets hectic around here," says Mrs. Helsel.

The Helsel farm is mainly orchard—apples, cherries, peaches, and prunes. Some of the land isn't suited to fruit growing, though, and is in pines.

"When the children attack those pines, they make beavers look lazy," says Mrs. Helsel. "They cut out trees that are too crowded, and prune branches to keep the tree well shaped."

Soon the children—Alice, Mike, Sally, and Jimmy—are riding a bumpy trailer back to the house. They pile the spicy Scotch pine branches ceiling high in the recreation room.

Now, the first job is to cut twigs off the branches. That's 14-year-old Mike's job. Older sister Alice and Mrs. Helsel wire these firmly to a coathanger that has been bent into a loop. Sally, 11, helps carry branches.

When the loop is completed, it receives a big, cheerful red bow, and some imitation holly berries (10-cent store variety).

Making wreaths is hard work—no doubt about it. "When we're making wreaths, poor Daddy has to wait for his supper a good many times," says Mrs. Helsel.

But "poor Daddy" doesn't mind. He's too busy being proud of his industrious crew, and especially proud of the way they spend the money they make ($50 to $75 a year). "They don't waste it—they save it for something special," he says.

In 1951 it was a family vacation trip to beautiful (and exclusive) Mackinac Island.

"It cost about $25 a night for a broom closet," laughed Mr. Helsel. "But we blew the works; went everywhere."

Alice was treasurer. Just for fun, she had the wreath money issued in dimes, and carried her hoard in a bag. Hotel clerks and filling-station attendants got glassy eyed counting out dimes with Alice. That was part of the fun.

The 1953 money was still in the bank when Alice visited a friend in Cadillac. She spotted a palomino riding colt in the pasture, and it was a case of "love at first sight."

She called a family quorum by long-distance phone and Alice came home in a truck with the taffy-colored colt loaded on behind.

Although the wreath money goes either for luxuries, like Taffy, or for travel (last summer it was camping in northern Wisconsin and sightseeing in Chicago), the Helsel kids have an eye on the future, too.

Dad Helsel has given them 20 acres of rough land. Last year Alice and Mike planted more than 4,000 Scotch pines. In 5 years, they'll be harvesting a nice income in Christmas trees.

Dad, and Mom Helsel believe that their project helps teach cooperation as well as providing family fun.

This year, for instance, they know that Jimmy, now being 8 instead of 7, will cooperate more readily.

Last year he got mad as a hornet when he was obliged to turn the money over to the family treasurer.

"It's mine," he shouted, bracing his feet and hanging on for dear life. "Mrs. Black gave it to me, didn't she?"

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[From the Journal Every Evening of May 10, 1957]

REEF-WRAPPING TIME

Application of the Federal wage-hour law last fall played the deuce with the holly wreath industry in the lower Delmarva Peninsula. Our of a clear sky, apparently, came the ruling that a wreath-buying firm that furnished hoops, wire, and other makings of wreaths had to pay each wreath-maker the minimum rate of a dollar an hour.

What had the arrangement been previously? Simply the handcraft custom for generations. Ever since holly wreaths became an export commodity from Sussex and the Eastern Shore, farm families along all the back roads—and some of the main roads—had pitched in together in their own kitchens and made wreaths.

Reef-wrappin' time it was called. The whole family (except maybe the man) went out into the woods and brought back grass sacks full of holly twigs. They cut limber switches. Back home they used fine store-bought wire to bind the hoops and fasten on the sprigs of green and bunches of red berries.

Along in early December you could see the farm rigs stacked with cylinders of wreaths on poles, heading for the buyers at the warehouses.

In later years the hand of commerce did become more apparent. Wreaths had to come in well before Thanksgiving. The farm families had to dye them a brighter green than nature ever gave holly leaves, and fasten artificial berries of a redder red than a natural berry ever blushed. Switches from trees gave way to wire hoops. These materials were supplied by the wholesalers, who made cash settlement on delivery of wreaths.

In some fashion this new inter-relation of maker and buyer was deemed to bring the labor under the wage-hour law. But no buyer could pay a whole family—children and all, working their own hours—a dollar an hour a head. And that's where the present efforts of Delaware's Congressional delegation come in. All three of the members are going to try to get Congress to exempt holly-wreath-making from the law.

For the life of us we can see no excuse for this law's application to wreaths as made in the ancient manner whereby free people find their own time to make pretty things to sell. This isn't slave labor. It's a time for kids and mothers to make Christmas money. Money's an incentive for them to make good wreaths fast, and supply the demand of the rest of us.

Let reef-wrapping—like the other joys of Christmas—be unconfined!

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[From the Salisbury Times of November 28, 1956]

When the fireside business of making Christmas wreaths began on the Eastern Shore years and years ago there was no Government red-tape such as minimum wages and record-keeping.

Farm families gathered the holly. A friendly dealer whom they knew helped them finance the project by supplying wire and berries and supple hoops. In the end, the farm folks earned Christmas money and the wreaths went off to brighten the yuletide celebration of many a city dweller.

Now it seems that all of this is illegal. The Wages and Hour Act applies. This means minimum wage and keeping records. It also means that the children, who joined with their older folks in a family project are no longer legally able to participate in this sparetime pursuit.

This country has come far in the field of labor relations. None of us would want to go back to the days when labor had no rights and no one to champion it. Indeed, the Nation's very prosperity today is due in part to the great gains won for labor in the last 50 years.

But the situation of the wreath makers points up for us the truth that too much Government regulation brings with it less freedom of individual action. This is especially so when bureaus attempt to place their broad interpretations on the narrow confines of an old custom such as holly for Christmas.

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[From the St. Petersburg Independent]

ADVENTURE IN BUREAUCRACY

(By William G. Wiley)

There are an awful lot of people in this country who not only hold but promulgate the theory that if we will just turn everything over to governmental social and economic planners we will reach something of an ideal state.

They deny, of course, that they are brothers under the skin to the Communists. Or for that matter, the Socialists. Instead they call themselves Liberals. But the end results are the same. For they believe that a highly intellectual bureaucracy comprised of trained technicians in every field of endeavor should be given the authority by law to plan and control the lives of all of us.

They have a pat slogan which they quote repeatedly. It is: "The greatest good for the greatest number." It is a very hifalutin slogan. And taken as it stands, it's not too bad.

But what they really mean is this: "The greatest good for the greatest number—whether they like it or not."

These people are so smug in their belief that they have the answer to all our problems—if they could just get the power to enforce them—that I'm forced to smirk a little myself when they get caught with their ideologies down.

A case in point is reported in the current issue of Financial World which I deem worthy of passing along to the disbelievers.

It has to do with the traditional Christmas observance, and therefore appropriate to the season.

It seems that the Eastern Shore of Delaware has been the traditional center of the Christmas wreath trade. In past years more than a thousand families in that area have gathered natural holly to make wreaths from which they realize a little Christmas pin money. The story goes on:

"Shortly before Thanksgiving these low-income rural and farm families would begin cutting switches in the woods to make hoops. Then they would gather holly and the whole family would sit around the kitchen making wreaths. A little later one of the distributors would send a truck through the area to pick up the wreaths and pay for them on a piece basis. The distributor would wrap, pack, and ship the wreaths into 36 States as well as to Canada and Central America.

"But this year no truck will come: There'll be no Christmas money. 'Big brother' Uncle Sam is going to protect these people from such a thing. The Department of Labor insists that the makers of holly wreaths in the homes are subject to the Fair Labor Standards Act. Hence the distributor would have to pay for the wreaths at the rate of $1 per hour, keep elaborate records of the time each member of the family spent at the task, and make certain that no child under 16 so much as picked a sprig of holly. Even if the distributor should pay the $1-an-hour rate without pricing himself out of the market, it is impossible for him to keep the records necessary or to enforce the child-labor restrictions.

"Every reasonable person is willing to concede that this family holiday effort comes under the agricultural exemption in the act. But bureaucratic Washington insists that this is not the law in the holly wreath case."

So there you have it.

And if you can't find a natural holly Christmas wreath this year, you must recognize the fact that in past years you have not only stood in the way of the greatest good for the greatest number but have also patronized the exploiters of child labor.

Forget the low-income families—the mamas and papas and little children who have realized a little Christmas money from this activity in the past. They must be sacrificed to social and economic revolution.

And a Merry Christmas to you, too.

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[From the Washington Report of December 21, 1956]

A MODERN CHRISTMAS CAROL

The central Government sometimes acts like the victim of delirium tremens who

fired a shotgun at imaginary bats flitting about on the wall.

It blasts away at its hallucinations of social evil with legislative and administrative cannon that inevitably tear the economic fabric.

The attack may rend more than the economic fabric, too. In Sussex County, Del., it has pierced also the fabric of happiness and good will which marks the Christmas season.

For 50 years, rural Sussex families made holly wreaths for sale in the Christmas market. The pleasant task brought in the extra money needed for Christmas.

But this year, Uncle Sam's "Bah, humbug!" makes it look like a mighty slim Christmas for 1,000 families in the area. The Government which they regarded as their protector apparently has killed the wreath business.

A single ruling by the Department of Labor did the job. The Department's application of a court decision on home knitting classified the families as employees of the dealers.

Therefore, the Department said, the holly wreath dealers must pay $1 an hour minimum wages and keep detailed records of the time each member of the family worked.

That apparently has put the dealers out of business. One of them, Leroy B. Truitt, of Bridgeville, says they fear that the $1 minimum wage would price the product out of the market.

But even more serious in the view of the dealers is the matter of accounts. It's an impossibility, Mr. Truitt said, for them to keep detailed records of hours worked by the families. How could they swear that children in the homes didn't help in making the wreaths?

If they couldn't there's the blunt warning of the Department:

"The dealers must be held responsible for compliance with the act."

It's doubtful that even bureaucrats could cope with the timekeeping problem. In a typical wreathmaking family, the husband might go out into the woods, cut holly for a while, hunt for a while, loaf for a while, then cut some more holly.

In making the wreaths, his wife would intersperse her work with cooking, cleaning, bedmaking, visiting, shopping, etc.

But recordkeeping is a minor matter compared with the task of dislodging an official from behind his ruling. It would be easier to get old Scrooge himself out from behind his account books.

Mr. Truitt, whose family had been in the wreath business since 1905, has pleaded his case with one department official after another. He made a final appeal in person to top wage-and-hour administrators.

But these efforts merely demonstrated that commonsense couldn't dent the Department's iron ruling. The Department went right on insisting that the wreathmaking families were "employees of the dealers."

Yet, except for artificial berries, the families gathered raw materials from the woods and processed them into a finished product. The dealers paid them no wages, purchased their output at so much per wreath. The families were free to sell to any dealer they chose, or to no dealer.

It may seem pretty obvious that the wreathmakers were small manufacturers.

Nevertheless, Uncle Sam keeps echoing Scrooge's "Bah, humbug," as his contribution to the Sussex County Christmas season.

Mr. ANDERSON. Mr. President, this is a matter which must be handled in the next 3 or 4 days. The amendment of the Senator from Delaware is one which could be attached to any one of hundreds of bills being passed. I do not see why Indians in a hospital have to be penalized. I hope the bill may be passed. If it cannot be passed on a call of the Consent Calendar. I hope a motion will be made to bring it up.

Mr. WILLIAMS. If this bill is not passed on a call of the Consent Calendar, I hope it will be brought up by motion, at which time I will offer the amendment to the bill. I support the Senator's bill and have no intention of delaying it.

Mr. ANDERSON. Will the Senator explain why the amendment should be attached to this particular bill, of the hundreds that are being considered?

Mr. WILLIAMS. This is the only bill from the Labor Committee to which the amendment can be attached. The Committee on Labor and Public Welfare has not voted to report many bills and therefore we chose this bill to get a vote on this question.

My colleague [Mr. FREAR] first offered this proposal on behalf of both the Delaware and Maryland Senators, and a similar measure has been introduced in the House by Representative HASKELL, of Delaware, and Representative MILLER of Maryland, along with other bills from other affected areas.

Mr. DOUGLAS. Mr. President, this matter may be adjusted on the floor, but I know the Indians, particularly those in New Mexico, are accustomed to bearing heavy burdens from long distances. I hope the Senator from Delaware will not insist that the bill for hospital relief of Indians shall have to carry the burden of holly wreaths on Christmas trees.

Mr. WILLIAMS. I have great respect for the Indians, whether they are in the west or in the east. In my State there is a tribe of Indians which has never asked for nor received Government subsidies. We are proud of their record. Those Indians make holly decorations along with many other people in that area. Therefore I think this bill is very appropriate.

Mr. DOUGLAS. I simply wish to record my objection to this method of legislation. I do not know what the Senator from Delaware is threatening; I suspect what he is threatening is that unless his rider is attached to the bill, he will oppose the bill.

Mr. WILLIAMS. I have not made any threat; I am merely making a statement of fact.

Mr. DOUGLAS. Do I understand the Senator from Delaware will object to the bill unless this amendment is included?

Mr. WILLIAMS. Not at all. The bill will not pass at this time. When the bill is taken up on motion, I will have an opportunity to offer my amendment and if defeated I will still vote for the bill. I have discussed this matter with the chairman of the Committee on Labor and Public Welfare. There are many members of the committee present. I have yet to find one member who is objecting to the proposal on its merits.

Mr. DOUGLAS. Why does not the Senator from Delaware include Easter lilies and petunias, in addition to holly to be used on Christmas trees?

Mr. WILLIAMS. I have no objection if the Senator wants to include Easter lilies. However, I am partial to roses and would not want them slighted.

Mr. DOUGLAS. I do not desire to include them, but it would be comparable to what the Senator from Delaware is trying to do.

Mr. WILLIAMS. The purpose of the amendment is to clear up any misunderstanding as to the right of persons who make holly wreaths in their home to sell them in a free market. The amendment extends only to the right of an individual to go in the forest, get his material, and make holly wreaths as he sees fit. For more than 50 years such a right has been recognized in our area and in other areas as belonging to the farmers. They furnish the material and do their own work. Why should they be denied this privilege?

The Labor Department for 15 years had not considered this industry as being covered. I do not criticize the Labor Department for their decision since it was based upon an interpretation of a new court ruling. It is the responsibility of Congress to amend the law if they do not approve.

At the time of the ruling it was stated there would be no retroactivity because it was recognized that the people who had been making the wreaths throughout these years had been complying with the law as it had been interpreted prior to the court decision.

I hope that the Senator from New Mexico will accept the amendment and will let it go to conference. I think the Senator will find that his bill will not be delayed by such action. I do not think we will find there is any objection in the House so far as this particular amendment is concerned.

I assure the Senator that this amendment goes no further than the explanation I have given. The chairman of the House Committee on Labor and Public Welfare, Mr. BARDEN, has endorsed this proposal, and has written a letter to the Department stating that the rule is a most ridiculous one and that it certainly was not the intent of the Congress in enacting the Fair Labor Standards Act to bring the makers of these wreaths under the law.

Mr. ANDERSON. Do I understand correctly that the Senator from Delaware does not want to put the amendment on Calendar No. 1018, which is a Labor and Public Welfare Committee bill, or on Calendar No. 1019, which is a Labor and Public Welfare Committee bill, or on Calendar No. 1017, which is a Labor and Public Welfare Committee bill?

Mr. WILLIAMS. I do not see that there is any difference involved. This happened to be the first bill that was called and I suppose the same objection could be made on any other bill.

Mr. ANDERSON. I think the difference is that the next bill has to do with the disposition of certain imported articles which have been seized and condemned, and this bill has to do with a group of Indians who are sick in a hospital. The authority to make payments has expired as of June 30. We have been trying to clear this matter up ever since then.

Mr. WILLIAMS. I desire to cooperate with the Senator from New Mexico. I

will join with him in trying to see that the enactment of his bill is not delayed by the incorporation of this amendment. I do not think it will be.

Mr. ANDERSON. Mr. President, these Indians have to be given a chance. I certainly am not going to permit them to be destroyed, even though the amendment is put on the bill. I have no alternative other than to accept the amendment, if the Senator states he is going to object, and we cannot get some assurance that the bill will be taken up on motion.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware. [Putting the question.]

Mr. WILLIAMS. Mr. President, I ask that the bill go over for later discussion.

The PRESIDING OFFICER. The "noes" appear to have it.

Mr. ANDERSON. Mr. President, once before the Senate became involved in this sort of a situation, and the people then interested had to object to every bill remaining on the calendar. I wish we had known about this earlier in the day. We could destroy the calendar in this way.

These Indians have not done anything to the Senator from Delaware to make this procedure necessary.

Mr. MANSFIELD. Mr. President, it looks to me as if threats are being used against bills which have not been called. I sincerely hope that the Senate will reconsider its action, so that the amendment can be agreed to, even under the threatened procedure.

I think the welfare of the Indians, for which the Senator from New Mexico has shown such great interest down through the years should be given priority.

I should like to request, Mr. President, if I may, that the vote on the amendment offered by the Senator from Delaware to H. R. 9023 be reconsidered at this time. I move reconsideration of the vote on the amendment.

Mr. ANDERSON. Mr. President, I do not intend to object to the bills on the calendar. This procedure has happened only one time in the Senate, and happened as a result of actions by a Senator who was badly misinformed.

I subscribe to what the Senator from Montana has stated. I ask that the Senate reconsider the vote by which the amendment of the Senator from Delaware was rejected. I have no alternative. These Indians are in deep trouble.

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

Mr. ALLOTT. A parliamentary inquiry, Mr. President.

Mr. ANDERSON. The motion has been made that the vote by which the amendment of the Senator from Delaware was rejected be reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the motion that the vote by which the amendment of the Senator from Delaware [Mr. WILLIAMS] was rejected be reconsidered.

Mr. DOUGLAS. Mr. President, I would object.

The PRESIDING OFFICER. The acting minority leader apparently reserves the right to object. The Senator will state his objection.

Mr. ALLOTT. Mr. President, I desire to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. The Chair has not yet announced the result of the vote on the amendment offered by the Senator from Delaware.

The PRESIDING OFFICER. The Chair announced that the "noes" appeared to have it, and was in the process of announcing that the "noes" did have it.

Mr. WILLIAMS. Mr. President, I withdraw my objection to the bill.

Prior to the announcement of the Chair, I think I had asked that the bill go over. I withdraw that suggestion.

The PRESIDING OFFICER. The Chair did not recognize the Senator from Delaware at that point, so his request was not a matter of record in the Senate.

Mr. WILLIAMS. That is fine.

The PRESIDING OFFICER. The Chair in putting the question recognized the Senator from New Mexico, who offered the original bill.

Mr. ANDERSON. Mr. President, I move that the vote by which the amendment of the Senator from Delaware was rejected be reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] to reconsider the vote by which the amendment of the Senator from Delaware [Mr. WILLIAMS] was rejected.

Mr. ALLOTT. Mr. President——

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. I should like to invite the attention of the Chair to the fact that the Chair has announced that the "noes" appear to have it, but has not announced that the "noes" do have it. There has not been a pronouncement of a decision on the amendment.

The PRESIDING OFFICER. The Chair will announce that the "noes" do have it.

Mr. ALLOTT. I thank the Chair.

So the amendment of Mr. WILLIAMS was rejected.

The PRESIDING OFFICER. The motion to reconsider the vote by which the amendment was rejected is in order.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Is a motion to reconsider subject to debate?

The PRESIDING OFFICER. The motion to reconsider is debatable. At the present moment the motion of the Senator from New Mexico should be restated.

Mr. ANDERSON. Mr. President, I move that the vote by which the amendment of the Senator from Delaware was rejected be reconsidered.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Mexico.

The Senator from Oregon [Mr. MORSE] is recognized.

Mr. MORSE. Mr. President, I desire to discuss the motion.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, since I have been in the Senate I have opposed proposed legislation when I felt such action was warranted.

I fully realize that the way to handle this rider is to reconsider the vote by which the amendment was rejected, accept the rider and take it to conference, and then eliminate it in conference.

Mr. President, I do not like that procedure. I think we ought to face the problem head-on. Let the Senator from Delaware object to the bill. He proposed the rider. He is making his record. Let the record speak for itself.

Then the majority leader can bring the bill up by motion, when the call of the calendar is over, and we can consider the bill on its merits. Then the Senator from Delaware can offer his rider amendment, and then we can have a vote on the amendment.

I want to say now, Mr. President, that I think we have an obligation to keep the legislative process as pure as we can. Legislation by rider is a legislative impurity. I always have opposed it. I am going to oppose this action.

I cannot stop the Senate from reconsidering the vote, but I will say to the acting majority leader that I urge him to announce to the Senate that if the bill is not passed on the unanimous-consent request, it will be taken up by motion.

I make no threats, Mr. President. I never do that. I simply say, Mr. President, that I will object to the bill with a rider passing on the calendar by unanimous consent, and going to conference.

I may say to the Senator from New Mexico, I shall vote for the bill. I want the Senator to understand that. I want the Senator from New Mexico to know that I shall vote for his bill when it comes up on motion. I will not approve of the bill with the rider attached. I think that is a very bad precedent for us to accept, particularly in the closing days of the session when all of us can be beaten around the heads by riders attached to bills. I think we had better stop the practice before it starts.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

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

Mr. MORSE. I yield to the Senator from Montana.

Mr. MANSFIELD. Would it be more acceptable to the Senator if, in reconsidering the vote by which the amendment of the Senator from Delaware was rejected, we consider the bill, H. R. 9023, as originally reported, without the amendment?

Mr. MORSE. That is what I want to do, without the rider on the bill.

Mr. MANSFIELD. If it is not considered that way, I wish to assure the Senator that I shall do my best to call the bill up as soon as the call of the calendar is concluded.

Mr. MORSE. I know that. I am objecting to the rider procedure. I think it is a bad legislative practice.

The PRESIDING OFFICER. The Chair will state that the vote will occur on the question of agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] to reconsider the vote by which the amendment of the Senator from Delaware [Mr. WILLIAMS] was rejected.

Mr. ANDERSON. Mr. President, I may say that I also love to battle these things out. Sometimes I am not so full of health as are other Members of the Senate, though I did stay here 8 hours the other day on a bill in which I had a deep interest.

Mr. President, I am not concerned today about myself. I am concerned about these Indians who are in the hospital. I will take the bill to conference, for the benefit of these Indians.

Mr. WILLIAMS. In the discussion of all the amendments it should be remembered that I offered an amendment a few minutes ago on a bill previously considered, and other Senators have offered amendments. There is nothing unusual at all about offering amendments. This is not a new procedure.

This is an amendment which was offered in the form of a bill in the early part of January by my colleague and other Senators and was referred to the committee. I have discussed this matter with members of the Committee on Labor and Public Welfare. Most of them are familiar with it. We are not attempting to pull any surprise. We merely want a vote on our amendment based upon its merits.

When I said I was going to ask that the bill go over, that was not in the form of a threat, but rather on the theory that the only way we could get a vote would be to carry it over and then, later today, take the bill up by motion.

I will assure the Senator from New Mexico and the majority leader that if we cannot get the amendment agreed to now and the bill is taken up on motion, there will be no undue delay so far as I am concerned in considering the bill on its merits and getting a vote. I will vote for the bill with or without my amendment.

I am not trying to block the bill from that angle. I hope the Senator from New Mexico will be willing to take this amendment to conference with the understanding he now has of it.

I certainly hope we can get the amendment agreed to, because it means a great deal to the people in our area. I recognize the importance of the Senator's bill, but if the amendment is not considered at this session it means the entire industry in our area is finished. This is a seasonal industry and a vote next year will be too late. Either the Senate will act on this matter at this session or nothing at all can be done.

All our people desire is a decision as to whether they should proceed or not.

If it is the wish of the Senate to reject this amendment, let it be known, but I certainly hope that the decision will be favorable.

I repeat—those who buy these wreaths from the makers and ship them in interstate commerce are covered by the wage and hour law and will not be exempted therefrom by this amendment.

Mr. ANDERSON. I think, in view of the statement the Senator from Delaware has made, that he is willing, when the bill comes back from conference, to consider the matter upon its merits, and so the danger of the rider diminishes.

I have made the motion to reconsider the vote by which the amendment was rejected. I am going to vote for the amendment. I will try to get the bill out of conference, because it is vital that something be done for the people primarily affected by it.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico to reconsider the vote by which the amendment of the Senator from Delaware [Mr. WILLIAMS] was rejected.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

Mr. BEALL subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD preceding the passage of House bill 9023 a statement which I have prepared.

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

STATEMENT BY SENATOR BEALL

I wish to associate myself with the senior Senator from Delaware in urging the adoption of this amendment which will eliminate a gross inequity against numerous self-employed workers, including the holly-wreath makers of our eastern shore. These workers, whose products add so immeasurably to our enjoyment of Christmas seasons, gather their holly boughs whenever and wherever they can, without reference to any type of time-clock schedule. They fashion these boughs into yuletide ornaments on a schedule, if I can use that word, which is equally as uncertain, taking advantage of whatever free moments come their way. To impose on these people the necessity of keeping strict records on their hours is obviously unwise and unworkable, and regulations which do so should be eliminated.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

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

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

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## WHEAT ACREAGE ALLOTMENTS—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 959) to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of August 16, 1957, p. 13745, CONGRESSIONAL RECORD.)

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

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

Mr. JOHNSTON of South Carolina. Mr. President, the conference report was unanimously agreed to by all the House conferees and all the Senate conferees. There was no question with regard to it.

I send to the desk a statement which I ask to have printed in the RECORD, in explanation of the conference report.

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

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The conference substitute, which was agreed upon unanimously by the conferees, differs from the bill passed by the Senate in the following respects:

(1) The conference substitute will make the feed-wheat exemption effective with the 1958 crop, while the Senate bill would have made it retroactive to the 1954 crop. To give the bill retroactive effect would involve the difficult, if not impossible, task of determining the disposition of wheat raised in violation of acreage allotments in past years and the making of refunds. Those who raised excess wheat solely for feed in past years violated their acreage allotments as fully as did those who raised excess wheat and sold or otherwise disposed of a part of their crop, so that in many cases the distinction which the Senate bill would have required would be a very fine one.

(2) The conference substitute will restrict the feed-wheat exemption to farms on which the wheat acreage does not exceed 30 acres, except in the case of State, county, religious, or eleemosynary institutions.

(3) The conference substitute provides that the estimated production from the excess acreage planted pursuant to the feed-wheat exemption shall not be counted in determining total supply or normal supply for the purpose of marketing quota or price-support determinations.

(4) The conference substitute includes a provision which is the same in substance as one contained in S. 606 passed by the Senate on June 24, 1957, and which provides that excess wheat acreage shall not be counted in determining future State, county, and farm acreage allotments. The House amendment in this respect would have gone further than S. 606 or the conference substitute and provided that the production from such acreage would not be counted in determining future marketing quotas and price-support levels. This would have required a larger supply before quotas would be proclaimed, tended to increase the amount of the quota ,and tended to increase the minimum price-support level required by law. The Department of Agriculture recommended that this provision be limited to the excess acreage raised under the feed-

wheat exemption, and the conference substitute so provides.

The foregoing are the major differences between the Senate bill and the conference substitute. Certain minor changes were also made. The feed-wheat exemption provision of the conference substitute permits removal of wheat from the farm for processing for feed use; makes it clear that no exempt wheat may be exchanged for goods or services; and provides that an exempt producer may not vote in the referendum for the next crop rather than that a producer voting in the referendum for any crop may not obtain an exemption for that crop.

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

The report was agreed to.

## AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT RESPECTING THE DISPOSITION OF CERTAIN IMPORTED ARTICLES SEIZED AND CONDEMNED

The bill (H. R. 6456) to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned, was considered, ordered to a third reading, read the third time, and passed.

## ELIMINATION OF TIME LIMITATION ON CERTAIN GRANTS UNDER SECTION 4 (A) OF THE VOCATIONAL REHABILITATION ACT

The bill (S. 2254) to eliminate the time limitation on certain grants under section 4 (a) of the Vocational Rehabilitation Act was announced as next in order.

The PRESIDING OFFICER. The Chair invites the attention of Senators to the fact that House bill 8429 is comparable to Senate bill 2254, Calendar No. 1018. Does the distinguished Senator from Washington desire consideration of the House bill at this time?

Mr. MAGNUSON. Yes. I ask unanimous consent for the present consideration of House bill 8429.

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

Mr. PURTELL. Mr. President, reserving the right to object, I wonder if we may have an explanation of the difference between the two bills. There is a difference in time, is there not, between the House bill and the Senate bill?

Mr. MAGNUSON. That is my understanding.

Mr. PURTELL. If that is the understanding, I have no objection.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 8429) to amend the Vocational Rehabilitation Act which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 8429?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2254 is indefinitely postponed.

## TIME LIMIT FOR SALE OF CERTAIN WAR-BUILT VESSELS

Mr. MAGNUSON. Mr. President, the Senate conferees are holding a final conference with the House conferees on the supplemental appropriation bill. I must attend.

I ask unanimous consent to return to Calendar No. 1015, House Joint Resolution 370. The Senator from Michigan and I have discussed the matter with the Senator from Delaware [Mr. WILLIAMS], and he has withdrawn his objection. We would like to have the bill considered at this time.

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

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 370) to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4.

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

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

## AMENDMENT OF TITLE II OF SOCIAL SECURITY ACT

Mr. JAVITS. Mr. President, I ask unanimous consent to return to Calendar No. 886, House bill 8755. An agreement has been reached with the Senator from Michigan [Mr. POTTER], and I believe the bill can now be passed by unanimous consent.

The PRESIDING OFFICER. Has the Senator who objected to House bill 8755 withdrawn his objection?

Mr. JAVITS. I understand he has agreed to do so. The Senator from Michigan will make a statement in connection with the bill.

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

The LEGISLATIVE CLERK. A bill (H. R. 8755) to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social-security coverage under its agreement separately for those of its employees who are covered by a retirement system and who desire such coverage.

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

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

Mr. PURTELL. Mr. President, my understanding was that Calendar No. 886, House bill 8755 was not objected to. It went to the foot of the calendar.

Mr. JAVITS. That is correct.

Mr. TALMADGE. The understanding of the Senator is correct.

Mr. POTTER. Mr. President, it had been my intention to offer an amendment to the bill. Michigan is one of the States where policemen and firemen may, by their own option, come under the Social Security Act. However, the junior Senator from Michigan [Mr. MCNAMARA] has indicated that if such an amendment as was contemplated were offered he would oppose the bill.

Rather than see firemen and policemen from other States to be covered by the proposed legislation prejudiced, I will not offer my amendment at this time.

I wish the RECORD to show that many communities, particularly smaller communities in the State of Michigan, feel a need for social security protection. I regret that we have not had a unified position of police and firemen within our State, so that the amendment referred to could be included in the bill.

Therefore I shall not offer my amendment. If I do not do so, I understand that the junior Senator from Michigan will not object.

Mr. JAVITS. Mr. President, I express my appreciation to the Senator from Michigan. Speaking on behalf of the State of New York, we want legislation of this character very much, as do other States.

The PRESIDING OFFICER. All amendments to House bill 8755 have been agreed to. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## EXPANSION OF TEACHING AND RESEARCH IN EDUCATION OF MENTALLY RETARDED CHILDREN

The Senate proceeded to consider the bill (S. 395) to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies, which had been reported from the Committee on Labor and Public Welfare, with an amendment on page 3, after line 4, to insert:

SEC. 6. This act shall continue in effect until a date 10 years after the date of the enactment of this act.

So as to make the bill read:

*Be it enacted, etc.*, That the Commissioner of Education is authorized to make grants to public or other nonprofit institutions of higher learning to assist them in providing training of professional personnel to conduct research in, or conduct training of teachers in, fields related to education of mentally retarded children. Such grants may be used by such institutions to assist in covering the cost of courses of training or study for such personnel and for establishing and maintaining fellowships, with such stipends as may be determined by the Commissioner of Education.

SEC. 2. The Commissioner of Education is also authorized to make grants to State educational agencies to assist them in establishing and maintaining, directly or through grants to public or other nonprofit institutions of higher learning, fellowships or traineeships for training personnel engaged or preparing to engage in employment as teachers of mentally retarded children or as supervisors of such teachers.

SEC. 3. Payments of grants pursuant to this act may be made by the Commissioner of Education from time to time, in advance or by way of reimbursement, on such conditions as the Commissioner may determine.

SEC. 4. For the purposes of this act—

(a) The term "nonprofit institution" means an institution owned and operated by

one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(b) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for State supervision of public elementary and secondary schools in the State.

SEC. 5. The Commissioner of Education is authorized to delegate any of his functions under this act, except the making of regulations, to any officer or employee of the Office of Education.

SEC. 6. This act shall continue in effect until a date ten years after the date of the enactment of this act.

The amendment was agreed to.

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

## BRIG. GEN. CHESTER W. GOBLE

The bill (S. 655) for the relief of Brig. Gen. Chester W. Goble, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That Brig. Gen. Chester W. Goble, Army of the United States, retired, shall be advanced on the Army of the United States retired list to the rank of major general effective March 1, 1955, and shall be entitled to retired pay from such date computed on the basis of the rate of basic pay to which he would be entitled if serving on active duty in the grade of major general.

## CONVEYANCE OF CERTAIN LAND TO CALIFORNIA IN EXCHANGE FOR OTHER LAND

The bill (H. R. 787) to authorize the exchange of certain lands between the United States of America and the State of California was considered, ordered to a third reading, read the third time, and passed.

STATEMENT BY SENATOR MORSE ON H. R. 787

This bill would authorize an exchange of 13-plus acres of Federal land in the Alameda Administration Center, California, for 20-plus acres of land to be conveyed by the State to the United States.

The exchange transaction is required in order to make possible the State's construction of a new tube between Oakland and Alameda under the Alameda estuary.

According to Senate Report No. 998, the 20-plus acres to be conveyed by the State are valued at $181,872 (Rept. No. 998, p. 2).

The land to be transferred to the State has an unimproved value of $173,870. (Ibid., p. 4.)

The only problem presented is in connection with the fact that roads, hardstand, rail facilities, fencing, and utilities were constructed at a prorated cost of $404,217 on the Federal acreage. However, Report No. 998 observes that the State has agreed "to relocate Government-owned facilities, utilities, and improvements from the lands made available for tube and roadway purposes and reestablish them in accordance with Army requirements."

It would appear that the United States will receive full consideration for the exchange, particularly in view of the fact that the State will bear the cost of relocating facilities and the tube will improve the traffic situation at the Alameda Administration Center.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. May I inquire about the Calendar No. 1020, House bill 8076?

The PRESIDING OFFICER. The Chair advises the distinguished acting minority leader, the Senator from Colorado, that that bill was passed before the beginning of the call of the calendar.

## CONVEYANCE OF ESLER FIELD, LA., TO THE PARISH OF RAPIDES, LA.

The bill (H. R. 2816) to provide for the conveyance of Esler Field, La., to the parish of Rapides in the State of Louisiana and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

Mr. MORSE. Mr. President, will the Senator withhold his objection? I understand that the Senator from Georgia is cooperating again, by offering an objection on my behalf.

Mr. TALMADGE. I withhold the objection. I objected in behalf of the Senator from Oregon.

Mr. MORSE. Mr. President, I should like the attention of the Senator from Mississippi [Mr. STENNIS], who I think will make a statement with regard to the bill which is not contained in the committee's report, and which clarifies the committee report, if I correctly understand the situation.

I want the Senator from Mississippi to know that my objection to the bill in its present form is that I do not think it makes clear what the Federal interest is in the transfer. I understand that the history of this particular project is such that the Federal Government has a substantial interest in this transfer, and that when it is explained for the RECORD it will be seen that it does not, in fact, violate the Morse formula.

I should like to have the Senator from Mississippi tell the Senate what he told the Senator from Oregon in personal conversation.

Mr. STENNIS. The Senator from Washington [Mr. JACKSON] will handle the bill. The Senator from Mississippi expected to be absent. I think the Senator from Washington is familiar with it, and can answer the Senator's question.

Mr. MORSE. I ask the Senator from Washington, so far as I am concerned, to address himself only to the question of what the Federal interest in this transfer is. What benefits will the Federal Government get from the transfer? The Senator will recall that originally the transfer was made for National Guard purposes.

If the Senate will bear with me for a moment, I shall state my understanding of the bill.

The bill would authorize the Secretary of the Army to convey to the parish title to Esler Field, in Louisiana.

On the basis of the record, it seems that there is no consideration involved for the conveyance. My understanding is that there is a military benefit to the Federal Government which would come from the transfer—for National Guard purposes, and so forth. For the purpose of establishing a legislative history of the bill, I should like to have the Senator from Washington demonstrate that the Federal Government would get value from the transfer. Otherwise, I would have to object to the bill. My understanding is that there is adequate Federal interest in the transfer to meet the requirements of the Morse formula.

Mr. JACKSON. Mr. President, it is my understanding, of course, that the usual recapture clause is contained in the grant in connection with the agreement to be entered into between the Federal Government and the parish, and that if the parish shall fail to utilize the airfield as a public airport for a period of 2 successive years, title shall revert to the United States.

In addition, the United States shall have the right of reentry in the event of a national emergency, and there are the usual reservations and restrictions with reference to the mineral rights, and so forth.

I am informed that the Government's interest is that the State of Louisiana may use the field for National Guard purposes. In addition, the city of Alexandria, which is within the parish of Rapides, donated its public airport to the United States Government for use as an Army Air Corps base during World War II. Since World War II the base has been made into a permanent Air Force installation, known as England Air Force Base.

Since World War II the city of Alexandria has been allowed to use the field for commercial aviation. However, this arrangement has been highly unsatisfactory. Not only is the base crowded with jet aircraft, but, with commercial planes landing on the base, the safety hazard has increased. Furthermore, additional commercial lines serving central Louisiana are reluctant to come into this area because of unsatisfactory operating conditions.

In other words, the city of Alexandria conveyed to the Federal Government, without charge, its base which is now being used by the Air Force. The city of Alexandria would like to use Esler Field. In the meantime it has given up its occupancy of what is now England Air Force Base. I am sure the distinguished Senator from Oregon will agree that there is ample consideration flowing to the Federal Government as a result of the arrangement.

Mr. MORSE. Mr. President, I appreciate very much the explanation of the Senator from Washington. When the bill first reached my desk I felt there was not shown in the report or in the bill an adequate Federal interest which would justify the transfer.

There are many cases of such transfers having been authorized within the Morse formula because of the Federal defense interest, such as National Guard use, and the availability of the base for different purposes, including a reversion clause, which is included in the pending bill. I therefore wish the RECORD to show that I am satisfied that the return the Federal Government will get from the defense use of the property justifies the transfer. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of H. R. 2816, to which the Senator from Oregon has withdrawn his objection?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

## CONVEYANCE OF CERTAIN PROPERTY TO THE GULFPORT MUNICIPAL SEPARATE SCHOOL DISTRICT, MISSISSIPPI

Mr. TALMADGE. Mr. President, a few moments ago S. 1746 was announced as next in order. At that time the Senator from Oregon [Mr. MORSE] indicated an objection. The distinguished Senator from Mississippi [Mr. STENNIS] is now on the floor, and he is prepared to answer any questions the Senator from Oregon may have. I, therefore, ask unanimous consent that order 872 be considered at this time.

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

The LEGISLATIVE CLERK. A bill (S. 1746) to provide for the conveyance of certain property of the United States in Gulfport, Miss., to the Gulfport Municipal Separate School District.

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with an amendment on page 1, at the beginning of line 4, to strike out "Veterans' Affairs" and insert "General Services", so as to make the bill read:

*Be it enacted, etc.,* That, subject to section 2 of this act, the Administrator of General Services shall convey to the Gulfport Municipal Separate School District, Gulfport, Miss., all right, title, and interest of the United States in and to a tract of land (together with improvements thereon) containing 10 acres, more or less, situated within the Veterans' Administration Center, Gulfport Division, Gulfport, Miss., upon the payment by such school district to the United States of the sum of $1,000. The exact legal description of the property authorized to be conveyed by this section shall be determined by the Administrator, except that the cost of any survey necessary to carry out the conveyance authorized by this section shall be paid by such school district.

SEC. 2. (a) The property conveyed under the first section of this act shall be subject to the condition that the property shall be used solely for school purposes, and if it shall ever cease to be used for such purposes title thereto shall revert to the United States, which shall have the right of immediate entry thereon.

(b) All mineral rights, including gas and oil, in such property are reserved to the United States.

(c) Such property shall be subject to such additional terms, conditions, reservations, and restrictions as the Administrator may deem necessary to protect the interests of the United States.

Mr. STENNIS. Mr. President, in addition to what is contained in the committee report, I should like to make a statement concerning the bill. I have already discussed the matter in part with the Senator from Oregon [Mr. MORSE].

The bill authorizes the conveyance of 10 acres of land to be used solely for school purposes. Should the land be used for other purposes, it would revert to the United States. There are also contained in the bill the usual reservations with respect to mineral rights.

The history of the land shows the following facts: About 1914 or 1915 the State of Mississippi and the city of Gulfport bought this land for the purpose of erecting buildings to celebrate the 100th anniversary of the State's admission to the Union. More than a million dollars' worth of buildings were erected on the land for that purpose.

World War I intervened, and in April 1917, the centennial celebration plans were altogether canceled. The celebration was never held. The property, including the buildings, was leased to the Federal Government for a nominal sum, and used by the Government during the war for a naval training base—something on the order of a Seabees training camp. Thereafter, the Federal Government continued to use the property for the beginning of a veterans' hospital. Thereafter, in 1922, the entire property, consisting of more than 140 acres, including the 10 acres I have mentioned, was conveyed to the Federal Government, including, of course, the buildings thereon, worth in excess of a million dollars, for $125,000.

That property has been expanded, and it is now a veterans' facility, including a 950-bed hospital.

The 10 acres are now in surplus, and not needed for veterans' hospital purposes.

The city of Gulfport donated a great deal of this land in the beginning, not merely the 10 acres. However, 10 acres now being in excess, it is proposed to deed the 10 acres back to the city of Gulfport, to be used solely for school purposes. The Veterans' Administration states that it wishes protection as to the use, but it will agree to have it used for school purposes.

There are certain equities involved in the set of facts in favor of the city of Gulfport. I believe we would be justified to let the city have the land for its use. Nevertheless, the bill provides for the payment of $1,000.

In view of these facts, I trust the Senator from Oregon will see fit to let the land be conveyed conditionally with the reservation that it will be used exclusively for the purpose stated.

Mr. MORSE. I thank the Senator from Mississippi for giving us the information. That information was not in the record when the bill came to our desks in the first place.

I wish to point out that this is a conditional transfer. Secondly, I wish to point out that the State of Mississippi and the city concerned made a substantial contribution to the Federal Government of a tract of land in the first place. There were some very valuable buildings on the land which were used during World War II by the——

Mr. STENNIS. During World War I.

Mr. MORSE. Buildings which were used by the Federal Government during World War II, at only a nominal cost to the Federal Government.

I believe this case falls very much within the pattern of other veterans' hospital cases, where a State has contributed property to the Federal Government for a specific use. When the Federal Government no longer needs the property for such use, legislation has been introduced giving it back to either the State or the city, or whatever local government agency originally contributed the property. The bill can be squared with all the precedents, and I believe the equities which have been described by the Senator from Mississippi make perfectly clear that the bill in fact does not violate the Morse formula. I withdraw any objection I may have had to the bill originally.

Mr. STENNIS. I thank the Senator. Mr. President, I ask unanimous consent that there be substituted for the Senate bill the identical House bill, which is also on the calendar. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1062, H. R. 6080; and that, after the passage of the House bill, the Senate bill be indefinitely postponed.

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

The LEGISLATIVE CLERK. A bill (H. R. 6080) to provide for the conveyance of certain property of the United States in Gulfport, Miss., to the Gulfport Municipal Separate School District.

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

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

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

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1746 is indefinitely postponed.

## CONVEYANCE OF CERTAIN ACCESS RIGHTS, BROOKLYN NAVAL SHIPYARD, TO CITY OF NEW YORK

The bill (H. R. 3025) to authorize the Secretary of the Navy to surrender and convey to the city of New York certain rights of access in and to Marshall, John, and Little Streets adjacent to the New York Naval Shipyard, Brooklyn, N. Y., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

STATEMENT OF SENATOR MORSE ON H. R. 3025

This bill would authorize the Secretary of the Navy to convey to the city of New York certain rights of access to designated streets adjacent to the New York Naval Shipyard, Brooklyn.

In exchange for the giving up of these access rights the bill provides that a certain triangular parcel of land near the shipyard shall be conveyed to the United States by the Consolidated Edison Co. Report No. 1000 states that the triangular parcel has an estimated value of $2,400. No estimate of the value of the access rights has been made and it would be somewhat difficult to place a monetary value upon them.

The exchange is desired in order to enable the Consolidated Edison Co. to improve traffic conditions on what is now an alleyway that is too narrow to permit motor vehicles to pass one another.

There is no indication that the Morse Formula would be violated by this transfer.

In that connection, Senate Report No. 1000 states:

"It is considered that this proposed exchange of property rights will be in the Government's interest. The improvement in traffic conditions within the shipyard, which would result from the widening of West Street, will considerably outweigh any possible disadvantage which might result from any waiver of the shipyard's right of access to Little Street at the location involved. Inasmuch as there is no existing authority of law whereby this exchange may be effected, legislation is considered necessary."

## EXCHANGE OF LANDS BETWEEN THE UNITED STATES AND PUERTO RICO

The bill (H. R. 3246) to authorize the exchange of lands at the United States Naval Station, San Juan, P. R., between the Commonwealth of Puerto Rico and the United States of America was considered, ordered to a third reading, read the third time, and passed.

STATEMENT OF SENATOR MORSE ON H. R. 3246

Under this bill the United States would be authorized to convey to Puerto Rico 5.74 acres of land adjacent to the United States Naval Station, San Juan, for 1.12 acres of land to be conveyed to the United States by Puerto Rico.

All but 3.18 acres of the land to be conveyed by the United States are subject to reversion to Puerto Rico for nonuser, inasmuch as the original grant of the Naval Station was made subject to a nonuse reversion.

The 3.18 acres are valued at $71,809.81 and the 1.12 acres to be conveyed to the United States are valued at $65,851.96. However, other benefits are derived by the United States from this exchange. On this subject the Senate report states:

"On the land to be transferred to the United States, individuals have built very poor structures having no sanitary facilities and have attempted to tap the station's water mains. This, in addition to constituting a nuisance to the station, creates a security problem. For these additional reasons, it is deemed most desirable that this land be under the control of the Department of the Navy.

"The government of Puerto Rico has agreed to assume the financial responsibility for the correction and improvement of the traffic conditions at the entrance to the naval station which will, in general, include the construction of sidewalks and pavement, relocation of existing fences, sentry booths, provision of a parking area for vehicles of naval station personnel, and construction of isles to channel traffic."

The United States appears to be receiving substantially equivalent monetary benefits from this exchange. Thus the bill is unobjectionable under the Morse formula.

## AMENDMENT OF CAREER COMPENSATION ACT OF 1949 TO PROVIDE INCENTIVE PAY FOR HUMAN TEST SUBJECTS

The bill (H. R. 7914) to amend the Career Compensation Act of 1949 to provide incentive pay for human test subjects was considered, ordered to a third reading, read the third time, and passed.

## INTERIM SYSTEM OF APPOINTMENT OF CADETS TO AIR FORCE ACADEMY

The bill (H. R. 8531) to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of four years was considered, ordered to a third reading, read the third time, and passed.

## TRANSFER OF CERTAIN LANDS AT CASTLE ISLAND TERMINAL AT SOUTH BOSTON TO THE COMMONWEALTH OF MASSACHUSETTS

The bill (H. R. 9188) to amend the act to authorize the Secretary of the Navy to transfer to the Commonwealth of Massachusetts certain lands and improvements comprising the Castle Island Terminal Facility at South Boston in exchange for certain other lands was considered, ordered to a third reading, read the third time, and passed.

STATEMENT OF SENATOR MORSE ON H. R. 9188

In 1951, pursuant to Public Law 222 of the 82d Congress, the United States exchanged the Castle Island Terminal Facility, Boston, for certain parcels of land in South Boston owned by Massachusetts.

One portion of Public Law 222 gave the United States during time of war or national emergency, free and unlimited use of Castle Island, including any improvements placed thereon by Massachusetts.

The present bill would amend Public Law 222 by requiring the United States to pay for rental for such improvements used in time of emergency.

Senate Report No. 1004 states:

"It is understood that the Port of Boston Commission is desirous of improving the terminal facilities on Castle Island in order to insure a greater flow of commerce to and from the port of Boston, which would benefit not only the Commonwealth, but the Nation as a whole. Because of the recapture clause, however, the Commission finds it impossible to obtain public or private capital to make further necessary improvements to the terminal.

"Although no consideration is offered the Government for this voluntary release, it would, nevertheless, be advantageous to the Government to have the greater facilities available in time of emergency. The Government should, however, pay rental only on those facilities which it uses."

Since the Government would derive benefits in time of emergency from improvements that otherwise would not be placed on Castle Island, there is no objection under the Morse Formula.

## READJUSTMENT OF RETIREMENT BENEFITS OF CERTAIN INDIVIDUALS ON EMERGENCY OFFICERS' RETIRED LIST

The Senate proceeded to consider the bill (S. 1732) to readjust equitably the retirement benefits of certain individuals on the emergency officers' retired list, and for other purposes which had been reported from the Committee on Armed Services with an amendment on page 2, line 10, after the word "Secretary", to strike out "during the period September 9, 1940, to June 30, 1946,", so as to make the bill read:

*Be it enacted, etc.*, That (a) upon application made to the Administrator of Veterans' Affairs within 1 year after the date of enactment of this act, each individual who has been placed upon an emergency officers' retired list and is eligible to receive retired pay under the act entitled "An act making eligible for retirement under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War", approved May 24, 1928 (45 Stat. 735; 38 U. S. C. 581), as amended, shall be advanced on the applicable officers' retired list to the highest temporary grade in which he served satisfactorily on active duty for not less than 6 months as a commissioned officer of the Army, Navy, Marine Corps, or Coast Guard or of any reserve component of any such armed force, as determined by the cognizant Secretary, and shall be entitled to receive retired pay computed under applicable provisions of law on the basis of such grade.

(b) No increased retired pay shall be paid to any individual by reason of the enactment of this act for any period prior to the effective date of this act.

(c) This act shall become effective on the first day of the first month beginning after the date of enactment of this act.

The amendment was agreed to.

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

## AMENDMENT OF TITLE 10, UNITED STATES CODE, RESPECTING CERTAIN SERVICE AS MEMBER OF WOMEN'S ARMY AUXILIARY CORPS

The Senate proceeded to consider the bill (S. 2305) to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That chapter 53 of title 10, United States Code, is amended as follows:

(1) By adding the following new section at the end thereof:

"§ 1036. Service credit: certain service in Women's Army Auxiliary Corps

"In computing years of active service of any female member of the armed forces, there shall be credited for all purposes, except the right to promotion, in addition to any other service that may be credited, all active service performed in the Women's Army Auxiliary Corps after May 13, 1942, and before September 30, 1943, if that member performed active service in the Armed Forces after September 29, 1943. Service as an officer in the Women's Army Auxiliary Corps shall be credited as active service in the status of a commissioned officer, and service as an enrolled member of the Corps shall be credited as active service in the status of an enlisted member."

(2) By adding the following new item at the end of the analysis thereof:

"1036. Service credit: certain service in Women's Army Auxiliary Corps."

SEC. 2. A person entitled to pension or compensation under any law administered by the Veterans' Administration, based upon the active service described in section 1 of this act, may elect within 1 year after the enactment of this act to receive that pension or compensation in lieu of any compensation under the Federal Employees' Compensation Act (39 Stat. 742), as amended, to which that person is entitled on the basis of the same service. Such an election is irrevocable and does not entitle that person to the pension or compensation for any period before the date the election is made.

SEC. 3. No person is entitled to back pay or allowances because of any service credited under section 1 of this act.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes."

## ESTABLISHMENT OF U. S. S. "ENTERPRISE" IN NATION'S CAPITAL AS NATIONAL SHRINE

The Senate proceeded to consider the joint resolution (S. J. Res. 96) to establish the United States ship *Enterprise* (CV–6) in the Nation's Capital as a national shrine, which had been reported from the Committee on Armed Services with an amendment on page 3, after the preamble, to strike out all after the resolving clause and insert:

That subject to the conditions hereafter prescribed, at such time as the United States ship *Enterprise* is released by the United States and acquired by the Enterprise Association and its distinguished leader Fleet Adm. William F. Halsey, United States Navy (retired), it may be berthed at, or in the vicinity of, the Nation's Capitol as a memorial museum to be supported and maintained by private funds at no expense to the United States or the Government of the District of Columbia.

SEC. 2. In furtherance of the purposes of this act, the Secretary of the Navy is authorized to transfer the *Enterprise* to the Enterprise Association upon conditions (1) that a showing satisfactory to the Secretary of the Navy that the association is in a suitable position financially, or will be in a suitable position financially, to move, repair, renovate, berth, prepare for display, maintain, and administer such vessel satisfactorily and in the public interest for purposes of this act; (2) that a site for berthing the vessel with adequate land approach facilities is approved (a) by the Secretary of the Navy, the National Capital Planning Commission and the Secretary of Commerce and, (b) if such site is within or adjacent to areas under their jurisdiction, also by the Secretary of the Interior, the Fine Arts Commission, and the Board of Commissioners of the District of Columbia; (3) that the *Enterprise* will not be operated for profit above necessary operating and maintenance costs.

SEC. 3. If the conditions described in section 2 are not met within 6 months of the date of enactment of this act, the Secretary of the Navy may dispose of the United States ship *Enterprise* in accordance with law.

The amendment was agreed to.

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

The preamble was amended, so as to read:

Whereas the United States ship *Enterprise*, after 20 years of outstanding service in the United States Navy, has been declared to be obsolete by reason of having outlived its military usefulness; and

Whereas the United States ship *Enterprise* was known as the "fightingest carrier in the fleet" during World War II, during which time it accumulated 18 of 22 possible combat stars for carriers in the Pacific area; and

Whereas the United States ship *Enterprise* at one period during World War II was the only aircraft carrier operating in the Pacific; and

Whereas, although reported by the Japanese to be sunk seven times, the United States ship *Enterprise* succeeded in accounting for 911 Japanese aircraft, 71 enemy ships sunk by her pilots, and another 192 ships damaged or probably sunk; and

Whereas the United States ship *Enterprise* was called "The Galloping Ghost of the Oahu Coast" by Fleet Adm. William F. Halsey, Jr., and during the early days of World War II symbolized the American resistance against a foe advancing with seemingly overwhelming strength: Now, therefore, be it

The title was amended, so as to read: "A joint resolution to authorize establishment of the United States ship *Enterprise* (CV–6) in the Nation's Capital as a memorial museum."

## TRANSFER OF NAVAL VESSELS TO FRIENDLY FOREIGN COUNTRIES

The bill (H. R. 6952) to authorize the transfer of naval vessels to friendly foreign countries, was announced as next in order.

Mr. HUMPHREY. Mr. President, I should like to have a brief explanation of the bill.

Mr. TALMADGE. Mr. President, the purpose of the bill, as amended, is to authorize the President to sell not more than three destroyers and one submarine to the Government of Venezuela and to extend the loan of two submarines to the Government of the Netherlands.

Mr. HUMPHREY. Mr. President, I appreciate the explanation. I was of the opinion that the bill related to some of our merchant marine vessels which had been requested by certain friendly nations, under a sales contract. I hope those merchant marine vessels may be released, under proper conditions.

However, I have no objection at all to this bill.

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

There being no objection, the Senate proceeded to consider the bill (H. R. 6952), which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding section 7307 of title 10, United States Code, or any other law, the President may sell not to exceed three destroyers and one submarine to the Government of Venezuela, from the reserve fleet, and may extend the loan of two submarines to the Government of the Netherlands, on such terms and under such conditions as he deems appropriate. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this act.

SEC. 2. The loan authorized under this act is in renewal of the loan made under the authority granted by the act of July 11, 1952 (66 Stat. 587), and shall be for a period not to exceed 5 years. Such loan shall be made on the condition that it may be terminated at an earlier date if necessitated by the defense requirements of the United States.

SEC. 3. All expenses involved in the activation, rehabilitation, and outfitting, including repairs, alterations, and logistic support, of vessels transferred under this act shall be charged to funds programed for the recipient government under the Mutual Security Act of 1954, as amended, or to funds provided by the recipient government under the reimbursable provisions of that act.

SEC. 4. No vessel may be made available under this act unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that its transfer is in the best interests of the United States. The Secretary of Defense shall keep the Congress currently advised of all transfers under this act.

SEC. 5. The authority of the President to transfer naval vessels under this act terminates on December 31, 1950.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

## EXTENSION OF PERIOD FOR GRANTING EDUCATION AND TRAINING BENEFITS TO CERTAIN VETERANS

The Senate proceeded to consider the bill (S. 166) to amend the laws granting education and training benefits to certain veterans so as to extend, with respect to certain individuals, the period during which such benefits may be offered, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That paragraph 1 of part VIII of Veterans Regulations No. 1 (a) is amended by adding at the end thereof the following new sentence: "Notwithstanding the provisions of the first and second provisos of the preceding sentence any otherwise eligible person whom the Administrator determines to have been prevented from initiating a course of education or training under this part within the period provided by the first of such provisos because such person had not met the nature of discharge requirements of this paragraph or of section 1503 of the Servicemen's Readjustment Act of 1944 (38 U. S. C. 697c) prior to a change, correction, or modification of a discharge or dismissal made pursuant to section 301 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693h), or the correction of a military or naval record made pursuant to title 10, United States Code, section 1552, or other corrective action by competent authority shall be permitted (a) to initiate a course of education or training under this part within 4 years after the date of his discharge or dismissal was so changed, corrected, or modified, or within 4 years after the date of enactment of this sentence, whichever is later, and (b) to pursue, subject to the other provisions of this part, such course for a period of not more than 5 years after the date of initiation thereof."

SEC. 2. (a) Section 212 (a) of the Veterans' Readjustment Assistance Act of 1952 is amended by adding at the end thereof the following new sentence: "Notwithstanding the preceding sentence any otherwise eligible veteran whom the Administrator determines to have been prevented from initiating a program of education or training under this title within such period because such veteran had not met the nature of discharge requirements of section 201 (2) (B) of this title prior to a change, correction, or modification of a discharge or dismissal made pursuant to section 301 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693h), or the correction of a military or naval record made pursuant to title 10, United States Code, section 1552, or other corrective action by competent authority shall be permitted to initiate a course of

education or training under this title within 3 years after the date his discharge or dismissal was so changed, corrected, or modified, or within 3 years after the date of enactment of this sentence, whichever is later."

(b) Section 213 of the Veterans' Readjustment Act of 1952 is amended by striking out the period at the end thereof and inserting in lieu of such period a semicolon and the following: "except that any veteran who is eligible to initiate a program of education or training by reason of the provisions of the second sentence of section 212 (a) of this title shall be permitted to pursue, subject to the other provisions of this title, such program for a period of not more than 5 years after the date of initiation thereof."

The amendment was agreed to.

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

## EXTENSION OF TIME FOR APPLYING FOR MUSTERING-OUT PAYMENTS

The Senate proceeded to consider the bill (S. 1698) to amend the Veterans' Readjustment Assistance Act of 1952, to extend the time for filing claims for mustering-out payments, which had been reported from the Committee on Labor and Public Welfare with an amendment in line 5, after the numerals "16", to strike out "1958" and insert "1959", so as to make the bill read:

*Be it enacted, etc.,* That section 503 of the Veterans' Readjustment Assistance Act of 1952 is amended by striking out "July 16, 1956" and inserting in lieu thereof "July 16, 1959."

The amendment was agreed to.

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

## CONVEYANCE OF CERTAIN LANDS TO THE HERMANN HOSPITAL ESTATE, HOUSTON, TEX.

The Senate proceeded to consider the bill (H. R. 2741) to authorize and direct the Administrator of Veterans' Affairs to convey certain lands of the United States to the Hermann Hospital Estate, Houston, Tex., which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 7, after the word "land", to strike out "more particularly described in section 2,"; on page 2, line 1, after the word "upon", to insert "the estate furnishing to the Administrator a legal description of such land, satisfactory to him, and", and, after line 11, to strike out:

SEC. 2. The property referred to in the first section of this Act consists of a tract of land situated in the county of Harris, State of Texas, being part of the D. W. C. Harris survey (A–325) and the P. W. Rose survey (A–645) and being more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of United States Highway No. 59 (Old Spanish Trail) with the easterly right-of-way line of Knight Road (sometimes called Old Main Street Road), said intersection being marked by a Texas Highway Department concrete monument, the northwest corner of the tract herein described; thence with the southerly right-of-way line of said United States Highway No. 59 north 74 degrees 36 minutes 30 seconds east 2,842.03 feet to the point of curve; thence with the southerly right-of-way line of said United States Highway No. 59 along the arc of a curve to the right having a radius of 11,410.0 feet and subtending a central angle of 1 degree 48 minutes 18 seconds 359.4 feet to a point for the northerly northeast corner of this tract, from which the intersection of the southerly right-of-way line of United States Highway No. 59 with the westerly right-of-way line of Almeda Road bears north 77 degrees 38 minutes 20 seconds east 1,204.36 feet; thence along the arc of a curve to the left having a radius of 1,200.0 feet and a central angle of 61 degrees 07 minutes 1,280.02 feet to a point on the westerly right-of-way line of Almeda Road for the southerly northeast corner of this tract, from which the intersection of the southerly right-of-way line of United States Highway No. 59 with the westerly right-of-way line of Almeda Road bears north 16 degrees 38 minutes 30 seconds east 1,200.0 feet; thence with the westerly right-of-way line of Almeda Road south 16 degrees 38 minutes 30 seconds west 2,563.2 feet to a point for the southeast corner of this tract; thence north 73 degrees 21 minutes 30 seconds west 3,120.34 feet to a point on the easterly right-of-way line to a roadway for the southwest corner of this tract; thence with the easterly right-of-way line of said roadway and the Knight Road north 3 degrees 48 minutes 30 seconds west 867.95 feet and north 10 degrees 36 minutes 50 seconds west 756.80 feet to the place of beginning, containing 199.959 acres of land, less the following described tracts of land:

Beginning at the intersection of the southerly right-of-way line of United States Highway 59 (Old Spanish Trail) with the easterly right-of-way line of Knight Road (sometimes called Old Main Street Road or Main Street Cutoff), said intersection being marked by a Texas Highway Department concrete monument as the northwest corner of the parcel of land herein described; thence with the southerly right-of-way line of said United States Highway 59 north 74 degrees 57 minutes east, 477 feet to a point; thence south 15 degrees 03 minutes east, 600 feet to a point; thence south 74 degrees 57 minutes west, 523.55 feet to a point in the easterly right-of-way line of Knight Road; thence north 10 degrees 36 minutes 50 seconds west, 601.8 feet to the point of beginning, containing a total of 6.89 acres of land, more or less.

Beginning at a point located on the southerly right-of-way line of United States Highway 59, said point being 477 feet in an easterly direction from a Texas Highway Department concrete monument which marks the intersection of the southerly right-of-way line of United States Highway 59 with the easterly right-of-way line of Knight Road (sometimes called Old Main Street Road or Main Street Cutoff); thence north 74 degrees 57 minutes east, 363 feet to a point; thence south 15 degrees 03 minutes east, 600 feet to a point; thence south 74 degrees 57 minutes west, 363 feet to a point; thence north 15 degrees 03 minutes west to the point of beginning, containing a total of 5 acres of land more or less.

Commencing at a concrete monument set by the Texas State Highway Department at the intersection of the southerly line of the right-of-way for United States Highway Numbered 59 (Old Spanish Trail) with the easterly line of the right-of-way for Old Main Street Road (Main Street Cutoff) thence along said southerly line of the right-of-way for United States Highway Numbered 59, north 74 degrees 57 minutes east, 840 feet to the point of beginning; thence continuing along said southerly right-of-way line north 74 degrees 57 minutes east, 600 feet to a point; thence south 15 degrees 03 minutes east, 600 feet to a point; thence south 74 degrees 57 minutes west, 600 feet to a point; thence north 15 degrees 03 minutes west, 600 feet to the point of beginning, containing 8.26 acres, more or less.

From a highway department monument approximately 50 feet southeast of the intersection of Knight Road and United States Highway Numbered 59 (Old Spanish Trail) in the city of Houston, State of Texas, north 74 degrees 34 minutes 30 seconds east a distance of 1,440 feet to the point of beginning north 74 degrees 34 minutes 30 seconds east a distance of 720 feet to a point; thence south 15 degrees 25 minutes 30 seconds east, a distance of 603.92 feet to a point; thence north 74 degrees 34 minutes 30 seconds east a distance of 723.96 feet to a point; thence north 15 degrees 03 minutes west a distance of 603.93 feet to the point of beginning consisting of approximately 10 acres more or less.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MORSE subsequently said: Mr. President, a parliamentary inquiry.

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

Mr. MORSE. What action was taken on Calendar No. 1035, House bill 2741?

The PRESIDING OFFICER. The bill was passed, without objection.

Mr. MORSE. Mr. President, I have an objection on file on that bill. I was engaged in a conference on another matter when the bill was called. I ask unanimous consent that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Is there objection? Without objection, the vote by which the bill was passed is reconsidered; and the bill is before the Senate.

Mr. MORSE. Mr. President, I wish to have the attention of the Senator from Texas [Mr. JOHNSON]. I desire to make a statement about the bill, because it concerns me very much.

As I understand, the bill would authorize the Veterans' Administrator to convey to the Hermann Hospital Estate 169.809 acres of land, upon payment by the grantee of the original cost, or approximately $581,356.04, plus 3 percent interest from December 17, 1946, to the date of payment.

The land in question is a part of a 200-acre tract previously owned by the Hermann Hospital Estate, and acquired by the United States, through condemnation, for $684,577.38.

Senate report No. 1011 suggests that the land is surplus to the needs of the United States. The proposed Veterans' Hospital was not constructed.

A memorandum submitted to me on a confidential basis has the following to say with respect to the present value of the land in question:

It is worth $1,150,000, as the fair market value as of October 1956, for the 169.809 acres, and that the best use of the property would seem to be for industrial and commercial purposes.

Under section 203 (k) of the Surplus Property Disposal Act, a hospital, public or private, can apply to the Secretary of Health, Education, and Welfare

for a transfer of federally owned real property. If the Secretary finds that public benefits will result from the transfer, he approves the tranfer, upon certain conditions, including the following of a program outlined by the Secretary.

In case the hospital accepts the conditions, an allowance of 5 percent a year is made, over a period of 20 years, on the purchase price. At the end of 20 years the hospital acquires a fee simple interest.

Mr. President, I am always very frank about matters in connection with proposed legislation that disturbs me.

The report on the bill gives no indication that the land will be used for hospital purposes, but the report leads one to conclude that possibly the land will be held for investment purposes. It is Federal property. I see no reason why all the taxpayers of the United States should not receive the benefits to be had from this property.

Furthermore, I am informed that oil is being struck all around the property, within very short distances of it. It might be that the property is on top of an oil dome. I do not know that it is; but at least I think we should obtain all the facts regarding the matter, and we should obtain from the committee a much clearer report than the one made thus far.

So, for the benefit of the Senator from Oregon, let me say that I wish to know, first, how much the property is really worth, because at this time it belongs to all the taxpayers of the United States. It was condemned. This is not a case of a donation by the original owners to the Federal Government. The Federal Government paid for the property, to the tune—so far as the value of this particular amount of land is concerned—of over $500,000; and the land became the property of all the people of the United States.

Second, we have on the books a statute which makes it possible for a hospital to obtain property for hospital uses if certain procedures are followed.

Third, is the property going to be used for hospital purposes?

In the report there is not a word which shows that it is.

Fourth, is this potentially rich oil land? If it is, I believe that all the people of the United States—not merely this particular group—should obtain the benefits to be had from the oil which may be found.

Let me say that the bill is not a new one; it has been around for some 3 years, in one form or another.

I only want the Senate to know that responsible people in Texas have satisfied me that I ought to proceed rather carefully in regard to the bill, at least, before permitting it to be passed during the call of the consent calendar.

If the Senator from Texas can clear up the points which are bothering me, I shall be glad to consider the matter. Otherwise, I shall object to the bill.

Mr. JOHNSON of Texas. Mr. President, I am unable to clear up all the things that bother the Senator from Oregon, because I do not have the facts in regard to all the questions he has raised.

All I know is, first, that the bill is a House bill. The land was owned by the Hermann Hospital, in Texas. The Government said it needed the land, in order to build a Veterans' Administration hospital. The strong arm of the Government moved in, and the owners were told, "We are going to take this land away from you. We are going to institute condemnation proceedings. We are going to have a condemnation jury tell us how much the land is worth, and we are going to pay you for it, because the land is required to serve a governmental interest." That is what happened.

Subsequent to the condemnation proceedings, it was determined that the land was not needed. The Hermann estate did not desire to convey the land; but when the Government condemned the land and took the land away from the estate, the estate had no recourse.

At this time, when the Government has found that the purpose for which it acquired the land no longer exists, the Hermann Hospital Estate trustees apparently feel that the land which they formerly owned should be returned to them, provided they pay the Government all the Government had paid for the land, plus a reasonable amount of interest.

The Member of Congress from that district introduced a bill, and it was considered carefully by a House committee, composed of a group of reasonable men. The committee reported the bill to the House of Representatives, and the House of Representatives passed the bill unanimously. Then the bill came to the Senate.

This is not a Senate bill. I had no knowledge of the bill until a few minutes ago, when a member of the committee informed me that the strong arm of the Government had reached in and had taken the land—land that it did not need, and could not use—from a hospital that owned it, used it, and did not want to give it up; and that the committee felt that under those circumstances—since the Government did not need the land, and could not use it, and was not in the real-estate speculation business—if the hospital would return to the Government all the money the Government had paid under the condemnation proceedings, plus interest, the land should be returned.

I have never heard anyone raise a question as to whether there is any oil or gas or whether there are rich mineral deposits under the land. If there are any under it, evidently that was not taken into consideration when the condemnation jury made its award.

This matter does not involve a private citizen, it involves the estate of a very wealthy and very prominent man, who passed away, and left his money to a charitable hospital; and a part of the estate consisted of some of this land.

To what use the hospital expects to put the land, the Senator from Texas does not know. What is under the land or what is on top of it, the Senator from Texas is not informed.

But this bill was referred to a committee headed by the able Senator from Alabama [Mr. HILL]; and the committee felt that since the Government did not need the land, and since the Government took the land under a total misapprehension, the hospital is entitled to have the land returned, since the Government can no longer use it.

If the Senator from Oregon, who has done so much in this way to protect the interests of the Government, feels that this is an inequitable situation, I shall be glad to have the bill remain on the calendar, and I shall explore the matter further; and I shall be glad to supply to him and to the Senate all the facts I may obtain.

I certainly do not wish to ask for my constituents anything I would not expect to have any other Senator have his constituents receive.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I wish to say that the explanation given by the Senator from Texas is very helpful to me in reaching my judgment on the bill.

I desire to point out to him that there have been many, many cases of States or cities donating land to the Federal Government, for veterans' hospital purposes. The Federal Government subsequently decided it did not need the land, or abandoned its plan to have a veterans' hospital. It had proposed legislation introduced, and the land was given back to the city or State, because the purpose for which it was donated in the first place no longer was to be carried out by the Federal Government.

Time and time again I have taken the position that in such instances a city or State is entitled to take its property back. We all know why those donations are made—in part, at least. They are made because the people of the community know the donation will be a small amount compared to the return they will get from the location of the hospital in their midst, because of the new population it will bring in and the expenditures which will be made in the community.

If it is fair to do that, I think, in all equity, I would have to admit it is fair in the case where a donation has not been forthcoming and property has had to be condemned for the purpose designated, and only for that purpose. This land was not taken for a general purpose. It was for a specific purpose, against the opposition of the owners of the land. Then I think it is only fair, if the Federal Government does not use the property for the purpose for which it purchased it, at least the owner should have the first opportunity to get the property back. That is the principle we follow in some other legislation on the books; preference is given to the original owners to repurchase property which has been taken by the Government for a purpose the Government no longer wishes to pursue. I think that is an equitable point.

In the third place, from what the Senator from Texas has said—and my recollection of the record would cause me to conclude he is completely right about it—when the land was originally purchased by the Federal Government, it was not purchased, by condemnation, on the basis of potentially rich land which

might have minerals under it. Therefore, I do not think the Government would have a just right to take advantage of the original owners of the land from whom they took the property, by condemnation for a specific purpose, and no longer intend to pursue that purpose.

That leads me to the question, Is the Federal Government getting back from the original sellers of the property the amount of money the Government has in fact put into it, based upon the value as determined at the time of the original sale? If the Senator from Texas and the members of the committee can give me assurances that the Federal Government is getting back every dollar it put into this property in the first place, with interest, then, in all fairness, on the basis of the position I have taken in similar cases in the past, I would have to withdraw my objection, although it is a particularly difficult case, because of the references which have been made in regard to what may be under this land.

If the Government had not condemned it in the first place, the original owners would have the oil, if oil is there. I do not believe we have any moral right as a government to deal unfairly with the owners of the land simply because subsequently it may be discovered that it is oil-bearing.

If the Federal Government is getting back all the money it put into the property, with interest, then I cannot, on fair grounds, it seems to me, object to the bill.

Mr. JOHNSON of Texas. Mr. President, I deeply appreciate the fairness of my friend from Oregon. I shall quote from page 2, line 4, of the bill:

an amount equal to the original cost to the United States of acquiring the above 169.809 acres of land (costing approximately $581,-356.04) plus interest at the rate of 3 percent per annum computed from December 17, 1946.

So I will say to the Senator from Oregon that, according to the language of the bill, the report on the bill, and the understanding of the senior Senator from Texas, the land, which was not necessary for a veterans' hospital, which cannot be used for that purpose, and which never should have been condemned, now goes back to a hospital that can use it, that needs it, that is willing to return all the money paid under the condemnation proceedings, plus a reasonable rate of interest. I shall not go into the interest argument at this time.

Mr. MORSE. On the basis of the legislative history the Senator from Texas has made on the proposed legislation, I withdraw my objection.

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

The bill (H. R. 2741) was passed.

## CONTRACT FOR USE OF SEWAGE FACILITIES BY FORT MEADE VETERANS' HOSPITAL

The Senate proceeded to consider the bill (S. 2467) to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak., which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 8, after the word "to", where it appears the first time, to strike out "(1)"; on page 2, line 2, after the word "cost)", to strike out the comma and "and (2) pay to such city an annual maintenance and operation fee for the use of such sewage facilities by such hospital", and, in line 7, after "W-631", to strike out "Eng-2875" and insert "eng-2876"; so as to make the bill read:

*Be it enacted, etc.,* That (a) the Administrator of Veterans' Affairs is authorized and directed to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak., for the purpose of permitting the Veterans' Administration to pay to such city a proportionate share of the construction cost for the expansion and improvement of such sewage facilities (such share to be not less than 15 percent of the construction cost). Such contract shall be for a period not exceeding 50 years.

(b) The contract entered into on September 8, 1942 (contract No. W-631-eng-2876), between the United States and the city of Sturgis, S. Dak., shall be canceled by mutual agreement upon the execution of the contract herein authorized.

(c) The payments authorized to be made under this act shall be made out of any funds appropriated to the Veterans' Administration for hospital and domiciliary facilities.

The amendments were agreed to.

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

## ERECTION OF NATIONAL MONUMENT SYMBOLIZING THE IDEALS OF DEMOCRACY—BILL PASSED OVER

The PRESIDING OFFICER. It was agreed by unanimous consent that the remaining bills on the calendar should be passed because the reports on them were not available. There is a bill at the foot of the calendar, Calendar No. 892, S. 2363, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2363) to authorize the erection of a national monument symbolizing the ideals of democracy.

Mr. TALMADGE. Mr. President, at the request of the junior Senator from Virginia, I renew my request that the bill be recommitted to the committee for hearings.

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

Mr. TALMADGE. There is.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What bill is now before the Senate?

The PRESIDING OFFICER. Calendar No. 892, S. 2363, to authorize the erection of a national monument symbolizing the ideals of democracy.

Mr. KNOWLAND. I would have to object at this time to recommitting that bill to committee.

The PRESIDING OFFICER. Under the objection of the minority leader, the bill will stay on the calendar, but will be passed over, on the objection of the Senator from Georgia.

That completes the call of the calendar.

## KLAMATH RIVER BASIN COMPACT, CALIFORNIA AND OREGON

Mr. ANDERSON. Mr. President, there is at the desk an amendment of the House to S. 2431.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2431) granting the consent of Congress to the Klamath River Basin compact between the States of California and Oregon, and for related purposes which was, on page 31, line 18, strike out "$100" and insert "$50."

Mr. ANDERSON. Mr. President, an amendment was made by the House of Representatives. There was in the bill a provision for a Federal mediator in the controversy between the States of California and Oregon. The House struck out the provision for the fee of $100 which the Senate provided, and made it $50. Rather than send the bill back to conference, we will accept the House amendment.

I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

## INDIAN HOSPITALIZATION PAYMENTS TO BERNALILLO COUNTY, N. MEX.

Mr. ANDERSON. Mr. President, I thought the Senator from Montana was going to ask that the Senate proceed to the consideration of Calendar No. 1016, H. R. 9023.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1016, H. R. 9023.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. An act (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians.

The PRESIDING OFFICER. Is there objection to the consideration of Calendar No. 1016, H. R. 9023?

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

The PRESIDING OFFICER. The bill (H. R. 9023) is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

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

The bill was read the third time and passed.

## VACATION IN NORTHLAND

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. For what purpose does the Senator from Minnesota rise?

Mr. HUMPHREY. For recognition.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. HUMPHREY. Mr. President, this is the time of the year when America is on the move with vacation travel—and many of us here would like to be vacationing, ourselves.

Perhaps it will spur conclusion of our work to call attention to a wonderful vacation suggestion, appearing in the August issue of Successful Farming magazine. In an article entitled "A Thousand Miles of Excitement," it suggests an ideal vacation trip through Minnesota into Canada.

Mr. President, I ask unanimous consent that the article referred to be printed in the body of the RECORD, and invite my colleagues to enjoy this wonderful tour of the north country, with long residence in the State of Minnesota.

Mr. DOUGLAS. Mr. President, reserving the right to object—and I do not intend to object—every year at this time the Senator from Minnesota rises and gives a travel talk on behalf of the State of Minnesota. I do not object to that. Minnesota is a very fine State.

I will say, though, Mr. President, that I have never seen any group of people who take so much credit for what the Lord has done for them as the residents of Minnesota. We in Illinois are more modest. I hope the travelers the Senator from Minnesota entices into the northwoods spend some time in the Prairie State of Illinois, the home of Abraham Lincoln and Stephen A. Douglas.

Mr. HUMPHREY. Mr. President, since we are generous people, we are happy to share the travel time of anyone who wishes to come to Minnesota with a day in Illinois. The visitors will enjoy Minnesota all the more, and we will welcome them all the more.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? Without objection, the propaganda of the Senator from Minnesota will be printed in the RECORD.

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

### A THOUSAND MILES OF EXCITEMENT

(By Mike Bay)

Vacations can be fun and not too costly if you plan your trip carefully—and with imagination.

To challenge your imagination, Successful Farming is suggesting this trip to the northland. Our map shows only one of several good routings through Minnesota to Canada and return.

This trip is designed to capture the fancy of every member of the family. Of course, fishing and swimming are the favorite activities of farm families visiting this area.

You'll nearly always be near a clear, clean lake, placing all the water sports at your beck and call. In Minnesota alone you have 10,000 lakes for sailing, water skiing, powerboating, surfboarding, swimming, or even skindiving.

But just to make sure everyone's fun needs are met, this vacationland offers golf, tennis, sightseeing, shuffleboard, riding, dancing, playground equipment for the kids, and just plain loafing.

In this northern lake country side trips are unlimited. You'll want to get more details on these by writing to the Division of Promotion, Department of Business Development, State Capitol, St. Paul 1, Minn., and to the Canadian Government Travel Bureau, Ottawa, Canada.

Now, to get started on our trip, let's go to Canada via eastern Minnesota. If you live west or south of Minneapolis you may want to reverse the routing shown on our map to save mileage.

Depending on how many miles you'll have driven before reaching the beginning of our trip, you may wish to stay overnight in the Minneapolis-St. Paul area. If you expect to arrive the week of August 24–September 2, you should make your reservations well in advance. This is Minnesota State Fair week.

At the Twin Cities you'll find the finest hotel and motel accommodations along with shops of fashion, first-rate entertainment, and famous eating places. You'll enjoy seeing Southdale Center in Minneapolis. Acclaimed for architectural beauty, it embodies a modern concept of shopping facilities.

For a better understanding of the development of earth and man, visit the science museum and see the dinosaurs and other exhibits.

Leaving St. Paul on your way north on Highway 61, you'll go through resort centers such as White Bear Lake and Forest Lake. You'll cross the southern boundary of the great Northwoods. The change from diversified farming to evergreen forests will begin to be noticeable.

If you're bothered with hay fever, Duluth will hold a special interest for you. It is known as the "Air-Conditioned City of America" and a haven for hay-fever sufferers. The Hay Fever Club of America, Inc., has maintained its summer headquarters here for more than 30 years.

At Duluth you'll want to see the Aerial Lift Bridge which spans a ship canal. This bridge is the second of its kind in the world.

At Duluth-Superior harbor, America's second largest port in tonnage shipped, trains will be unloading their ore into ships. A total of 276 ships, the ore industry's navy, moves the graded ore to the steel furnaces via the Great Lakes. The ships' total capacity is more than 3 million tons per trip. The larger vessels are more than 700 feet long.

Should you plan your vacation the early part of August, Duluth has special entertainment in store for you. Their International Folk Festival takes place the first weekend of August. Costumed folk dancers from many nations are represented and visitors are offered culinary delights from many other countries.

You'll leave Duluth on the famous North Shore drive. Your next 60 miles will be startling scenery. Rushing rivers, with spectacular cascades and waterfalls, boiling through rocky beds, tumble down from the uplands and into Lake Superior. Breathtaking cliffs, long stretches of forest, and a rocky shoreline make this lakeshore drive unforgettable.

At Illgen City, you turn into State Highway 1 for a 63-mile drive through the wilderness of the Superior National Forest to Ely. This area, known to the natives as the wilderness country, is one of the favored jumping-off places for campers. And the camp-out-week type of vacation is becoming increasingly popular among budget-minded vacationers.

At Ely, International Falls, Grand Marais, and many other places in this canoeing country, outfitters have all the necessary camping equipment for rent. This includes canoes, a tent, air mattresses, gear of all kind, fishing tackle, cooking and eating utensils, all kinds of specially selected dried and canned foods, and even the sturdy type of clothes best suited for outdoor living.

A camping party can take off in canoes and soon be in the most beautiful wilderness country in the world for as little as $5 to $6 per day per person.

Hundreds of miles of portage routes for the canoe and camp enthusiast have been clearly marked by the United States Forest Service. You'll find rustic camps, picnic grounds in this national forest.

As you leave the wilderness country of Ely on Highway 169 toward Hibbing you will see unforgettable scenes of men, cars, and machinery struggling in the great drama of steelmaking.

In the Vermillion and Mesabi Iron Range country, monster power shovels will be scooping tons of earth at a bite and dropping it with a clang into the open laps of red-bellied hoppers.

The Hull-Rust Mahoning mine at Hibbing is the largest open-pit mine in the world and the most stupendous excavation ever dug by man. Here man has moved more earth than was moved in building the Panama Canal. Sixty percent of all the ore mined in the United States is produced in Minnesota and the Mesabi Iron Range near Hibbing produces 90 percent of the State's iron ore.

At Hibbing, you're only 93 miles from International Falls—port of entry to Canada, a nation which each year welcomes visitors numbering almost twice her own population.

To assist immigration officials of both nations to speed your crossing, you should carry identifying papers such as birth, baptismal, or voter's certificate; driver's license, or special letters. If you're not a native-born United States citizen, you'll be asked to show your naturalization certificate or alien registration receipt card.

Be sure you have your car registration card. If you don't own your car, secure written permission from the owner to bring the car into Canada and have the registration card.

Your reentry into the United States will be simplified if you'll list all your purchases before you reach the border, keep sales receipts and invoices handy, and pack purchases separately for convenience of inspection.

For full details on regulations pertaining to purchases, pets, foods, boats, and other things of interest to you, write to the Canadian Government Travel Bureau, Ottawa, Canada, for their publication How to Enter Canada.

As you drive the 143 miles to Kenora, you'll be in the Lake of the Woods country. This lake has 14,000 islands, more than any other lake in the world.

Here, you can find the mighty muskellunge, or popular northern pike, the appetizing walleyed pike, and the fighting black bass, or lake trout.

If you prefer to fish in virgin waters in the Canadian northland, plan a side trip from Kenora. Outfitters are ready to fly you to camps farther north.

Make your reservations for lodgings as far in advance as possible, says the Ontario Department of Travel and Publicity. Facilities are sometimes crowded to capacity on weekends or over specific holidays. Your reservation should be accompanied by a deposit which will be applied against your accommodation account when you arrive.

On your way to Winnipeg you'll leave the Province of Ontario and enter Manitoba. Winnipeg, its capital, is a big bustling city with excellent stores.

As you leave Winnipeg to return home, you'll travel south through the rolling wheatlands. This route runs through the heart of the Red River Valley—the bread basket of the world.

After this 70-mile drive you'll reach Noyes, the United States port of entry where customs and immigration officials await you. Ninety-two miles later on highway 75, you're in Crookston; 75 miles farther on along Highway 2 and you will be in Bemidji.

Bemidji was one of the last areas opened to settlement along the Mississippi between Lake Itasca and the gulf.

Along the lake shore near the city's information center are the giant figures of Paul Bunyan, Minnesota's legendary hero, and his blue ox, Babe. They stand almost 20 feet high in steel and concrete.

Just 32 miles southwest of Bemidji is the Itasca State Park, Minnesota's largest, a vast domain of 32,000 acres. Here the Mississippi River gets its inspiration for the long journey to the gulf, making it one of the great rivers of the world. You can walk across the small stream where it begins to flow northward for almost 100 miles before turning south.

As a final chapter to what can be your most memorable vacation, take a horseback ride along the park's numerous trails and enjoy the acres of unspoiled beauty. You'll see magnificent virgin Norway and white pine, deer which roam the area at will, and crystal-clear, blue lakes. You'll be glad that you took time to see the northland.

Mr. HUMPHREY. I should like to correct the Presiding Officer, when he made his comment relating to the epistle of truth and veracity which I placed in the RECORD relating to the God-given and blessed wonders of Minnesota, as well as those which were embellished somewhat by man's hand. I want to say that that was the truth and it was not propaganda.

It will always be well for my colleagues to differentiate between truth and that which is propaganda. I was speaking of Minnesota and not other parts of the Nation.

The PRESIDING OFFICER. The Chair regrets having used the unfortunate word "propaganda" and also regrets that the description cannot be printed in technicolor.

## COMMENDATION OF FORMER SENATOR HITCHCOCK

Mr. HUMPHREY. Mr. President, a distinguished former Member of the United States Senate will observe his 90th birthday on Thursday.

He is former United States Senator Herbert E. Hitchcock, of Mitchell, S. Dak.—my own native State.

I am proud to claim Senator Hitchcock as a friend. He has been a great public servant for South Dakota, and thousands of his friends will join in wishing him good health on the occasion of his approaching 90th birthday.

Herbert Hitchcock was born in Maquoketa, Iowa, on August 22, 1867. He attended high schools at Anamosa, Iowa, and San Jose, Calif., business college at Davenport, Iowa, the State College at Ames, Iowa, and took a law course at the College of Law in Chicago.

Senator Hitchcock moved to Mitchell, S. Dak., in 1884, and was admitted to the South Dakota bar on examination in 1896. He practiced law for 40 years at Mitchell, where he was a member of the firm of Hitchcock and Sickel. During that time he was president of the Mitchell School Board for 10 years—from 1924 to 1934; served as State's attorney for 4 years, 1902 to 1906, and as State senator in 1909, 1911, and 1929. He was appointed to the United States Senate on December 29, 1936, by Gov. Tom Berry, to fill the unexpired term of Peter Norbeck ending January 3, 1939.

Senator Hitchcock was a Democrat, and a good Democrat. He was active in Democratic State politics for many years, and still maintains his keen interest in our party. He served as State chairman for 4 years, and as party secretary and executive committeeman.

As a friend and admirer of Senator Hitchcock, I wanted to take this opportunity today to salute him from the floor where he once represented his fine State of South Dakota.

Mr. ANDERSON. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. ANDERSON. I may say to the Senator from Minnesota that he and I were both born in the State of South Dakota. We both know former Senator Hitchcock.

It was my pleasure to come to Washington to visit Senator Hitchcock when he was a Member of the Senate. He was a practicing lawyer for my family 65 years, and has continuously but only occasionally represented my family for all that time. In the last 6 months he has been engaged in doing some legal business for me.

It is a rather unusual thing when one can keep the services of a single attorney for more than 60 years.

During the time this was going on, a piece of property changed hands in the family by inheritance. When the matter came to the notice of Senator Hitchcock, he called attention to the fact but for an error of omission on the part of the deceased, the inheritance would have gone a different way. He was able to produce the papers and show that justice required some other disposition be made, and it was made.

My confidence in Senator Hitchcock has never varied. My respect for him has never changed. He is truly a remarkable man.

The interesting thing to me is that while he is 90 years old, I must say he is as keenly interested in public affairs as is any other person. I am sure he takes a great interest in what goes on in the Senate Chamber. I have received letters in the past few months from him commenting on the proceedings of the United States Senate.

I appreciate the action of the Senator from Minnesota in inviting attention of Senators to the fact that Senator Hitchcock's birthday will be Thursday.

Mr. HUMPHREY. I thank the Senator from New Mexico. I may say that one of the young friends of the distinguished former Senator to whom I have referred, the Representative from the East River district, Representative GEORGE MCGOVERN, is on this same day in the other body paying tribute to this distinguished Democrat, this fine citizen, and this trustworthy public servant.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I appreciate the opportunity to join in paying tribute to Herb Hitchcock, as we know him in South Dakota.

Former Senator Hitchcock served in this body during the time I was serving my first term in the House of Representatives. He was appointed to succeed the late Senator Peter Norbeck.

Herb Hitchcock has been a public-spirited citizen widely known throughout the State of South Dakota during his entire life. It was my privilege to be on a school platform with him last year when we were dedicating a new college hall at the Dakota Wesleyan University. Mr. Hitchcock on that occasion observed that he was present when the old college hall building of the Dakota Wesleyan University had been dedicated some 70 years before. He was again there present to participate in the dedication of a new college hall to replace the old one, which had burned down.

Mr. Hitchcock served many, many years as chairman of the board of education for Mitchell. One of the parks of the city is named Hitchcock Park. He is a distinguished citizen in any man's land or any man's country. We are all proud of him.

Mr. HUMPHREY. I thank the Senator from South Dakota for his generous comments. They are truly characteristic of his kind and generous attitude.

Mr. DOUGLAS. Mr. President, will the Senator yield to me?

Mr. HUMPHREY. I yield to the Senator from Illinois.

Mr. DOUGLAS. I am glad the Senator from Minnesota has paid tribute to the distinguished statesman and Democrat from the State of South Dakota. I should like to join the Senator in that tribute.

I am continually impressed with the famous men who once lived in South Dakota—and I dare say there are some who still continue to live there—because, in addition to the two distinguished Senators from South Dakota, the Senator from Minnesota has stated he was born in South Dakota, and the Senator from New Mexico has now come forward to say that he is a refugee from South Dakota. I believe the senior Senator from Washington grew up in South Dakota.

Mr. HUMPHREY. Minnesota was the State for the senior Senator from Washington.

Mr. DOUGLAS. I think he went to college in South Dakota.

Mr. HUMPHREY. No.

Mr. DOUGLAS. The general conclusion which I draw is that South Dakota is not only a good State to live in but a good State to come from.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HUMPHREY. I should add at this point that South Dakota leads in experts. It is a great State and it is well represented.

Mr. CASE of South Dakota. Mr. President, will the Senator yield to me, in view of the reference to my State?

Mr. HUMPHREY. Of course, I shall now yield to the Senator from South Dakota.

Mr. CASE of South Dakota. I may say, Mr. President, that South Dakota does produce many, many fine people. We do have the privilege of having three persons in the Senate who do not now represent the State of South Dakota as Senators but who represent other States. Those persons are both Senators from Minnesota and the Senator from New Mexico. My colleague, the senior Senator from South Dakota, was born in South Dakota. I was one who was born in another State, but thought South Dakota was a good State to go to.

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

Mr. HUMPHREY. I yield to the Senator from New Mexico.

Mr. ANDERSON. Some years ago, Mr. President, there were contests in which one would send in questions to stump the panel of experts. I thought it would be a good idea to send in a question to stump the panel, so I sent in a question. At that time Senator Gurney was a Member of this body. I asked the question, "In what State were the largest number of the present United States Senators born?"

The obvious answer would be Massachusetts, Maryland, Maine, Pennsylvania, Virginia, Ohio, and so forth. When I wrote down the facts and showed that South Dakota at that time had 2 Senators born in South Dakota, Minnesota had 2 Senators born in South Dakota, and New Mexico had 1 Senator born in South Dakota, the people in charge of the quiz wrote back and said, "Nobody would ever look up that subject and come up with that answer. Anybody would think of some other State than the far-off State of South Dakota.

Now, South Dakota has come down one in its number, but it still is tied with any other State for the most Senators born within its borders.

I am happy that the Senator from Minnesota and I could join in paying tribute to that State.

Mr. HUMPHREY. Mr. President, I again thank the Senator from New Mexico for his generous comments about an old friend.

## REREGULATING RESERVOIR AND OTHER WORKS AT BURNS CREEK SITE, UPPER SNAKE RIVER VALLEY, IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 888, S. 2757, relating to the Burns Creek site of the upper Snake River Valley, Idaho.

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

The CHIEF CLERK. A bill (S. 2757) to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes.

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MANSFIELD. Mr. President, I withhold the suggestion.

## FOREIGN-AID APPROPRIATIONS

Mr. BYRD. Mr. President, while the Senate Appropriations Committee is still considering the foreign-aid appropriations bill, I wish to say I hope they will cut it still more.

In support of this expression, I invite the attention of the committee and the Senate to the fact that there will be more than $1 billion available for expenditure through foreign-aid programs which:

First. Was not included in the President's appropriation requests or totals;

Second. Was not included in the figures shown in the President's recent message requesting foreign-aid appropriations for fiscal year 1958;

Third. Was not publicized in any reports on the hearings held by either the House or the Senate on the new basic foreign-aid bill;

Fourth. Will not be subject to appropriation control;

Fifth. Will not be susceptible of meaningful audit or accounting; and

Sixth. Is not included in the pending appropriation bill.

This $1 billion-plus is in addition to the more than $6 billion already available for foreign-aid expenditure in unexpended balances remaining in prior appropriations.

If the Senate were to accept the $3.2 billion in new appropriations passed by the House of Representatives last week, total available for foreign-aid programs would be in excess of $10 billion—$3.2 billion in new appropriations, $6.1 billion in unexpended balances in prior appropriations, and this $1 billion-plus in unbudgeted funds. This is too much, and I desire to say in advance that I shall support amendments reducing appropriations to the foreign-aid program.

These unpublicized, unbudgeted funds which I mentioned at the beginning are in the form of foreign currencies which are being generated every day for use in foreign-aid programs. Great effort has been made to keep them out of the budget, and prevent them from coming back to the Treasury where they belong for application on the public debt whence they came. The $1 billion figure for fiscal year 1958 is a highly conservative estimate on the basis of the best official information. To show how conservative the estimate is, I cite documentary references which are available to the Appropriations Committee and the Senate as a whole:

Six members of the House Foreign Affairs Committee, House Report No. 776, 85th Congress, 1st session, dated July 9, 1957, page 107, estimated foreign currency funds available for foreign-aid program expenditure at $2 billion—$1 billion generated by the Agricultural Trade Development and Assistance Act, and another billion in other programs producing foreign currencies loosely referred to as counterpart funds.

The House Appropriations Committee report on the pending foreign-aid appropriations bill—page 4—last week said:

As of June 30, 1957, the Agricultural Trade Development and Assistance Act alone was expected to generate more than $1.5 billion in foreign currencies for foreign-aid programs:

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|---|---|
| Military procurement (sec. 104c) | $243,700,000 |
| Multilateral trade (sec. 104d) | 42,400,000 |
| Economic development grants (sec. 104e) | 61,500,000 |
| Economic development loans (sec. 104g) | 1,169,300,000 |

Under this law the President may waive purchase of these currencies with appropriated dollars in cases where they do not become available as free-use funds.

The Congress has just enacted an amendment to the Agricultural Trade Development and Assistance Act authorizing another $1 billion for purchase of agricultural surpluses to be sold for foreign currencies which may be used largely for foreign-aid programs. This new authorization is in addition to $3 billion already available for this purpose. Foreign aid financing from this source is getting to be big business. Funds provided in this new $1 billion authority are not included in any of the estimates which I cite in this connection.

In the House Appropriations Committee hearings on the pending bill, page 219, Mr. John B. Hollister, Director of the International Cooperation Administration, said he did not know how much foreign currency would be available to foreign-aid programs in fiscal year 1958, and he declined to make a guess. Later his organization submitted a table showing, on page 1118A of the same hearings, that foreign currencies available under this law for expenditure between April 1, 1957, and June 30, 1958, were estimated at $1.2 billion.

The Budget Bureau, in the January budget document estimates which were formulated nearly a year ago, indicated more than $835 million would be available in free-use foreign currencies for fiscal year 1958. The estimate included more than $727 million for economic programs and $108 million for military assistance programs. These figures are shown in informational tables, developed a year ago, setting forth the estimated detail of these funds. The tables are to be found on pages 83 and 77 of the budget document.

It should be noted that I said informational tables. This money does not appear anywhere in the figures which add up to the $73.3 billion appropriations requested by the President, or in the $4.4 billion he originally requested for foreign aid. It should be noted also that I said these figures were developed a year ago.

I am informally advised by budget people that if this estimate were now revised it probably would be higher. I have checked also with Treasury and General Accounting Office officials. All agree that something more than $1 billion would be a conservative estimate of these currencies which will be available

for foreign-aid programs. But none of them would say how much. I can understand why they hesitate. By exempting this money from appropriation control, proper accounting and audit is impossible. The question becomes doubly complicated by the loose law under which these currencies are generated and used. The situation is ripe for a full-scale investigation, and frankly I have this under serious consideration.

At this point, however, I am completely satisfied that more than $1 billion in free-use currencies, unbudgeted, omitted from the pending bill, and beyond appropriation control, will be available to foreign-aid programs in the current year, and I hope the Appropriations Committee and the Senate will take this fully into consideration.

I hope, also, that the committee and the Senate will keep in mind the tremendous unexpended balances in these programs. And I am not impressed by any of the arguments for more foreign-aid funds on a permanent basis, or by the threat of necessity for a special session of Congress if these foreign aid funds are cut.

The House of Representatives has done a good job on the foreign aid appropriation bill, and I suspect what has been done is a direct result of pressure from the grassroots of the American public.

When the budget document was presented in January, the President requested $4.4 billion in new foreign-aid money. The American people let their dissatisfaction with that budget be known in no uncertain terms. The President revised his request down to $4 billion. The basic law recently enacted authorized $3.4 billion. The House reduced the appropriation figure to $3.2 billion, including $665 million in reappropriation of old funds which were expiring.

I sincerely believe the American people want these funds reduced still more, and I am hopeful that the Senate Appropriations Committee and the Senate will continue their good record for the year, and cut the appropriations still further.

I hope the committee and the Senate will keep in mind, also, the fact that foreign-aid loans are already available from the Export-Import Bank, the International Bank for Reconstruction and Recovery, the International Finance Corporation, and through the economic development loan program of the International Cooperation Administration.

In addition to these, the pending bill, as passed by the House, proposes to appropriate capital to set up a new foreign loan agency called the Development Loan Fund. Frankly, from all the information available to me, I do not know whether it is intended to be another Government corporation, another revolving fund, or what form it is supposed to take. This is not made clear in the basic law, and it is not made clear in the appropriation bill as it passed the House. One thing is clear; it was originally intended to be a device to make foreign aid permanent without the requirement for annual review by Congress and without appropriation control.

I realize that at each stage of its consideration this proposal has been subjected to additional curbs. But I predict that if it is allowed at all, the foot will be in the door and ultimately the original purpose will be accomplished.

The one safeguarding feature in these foreign-aid programs at the beginning was the original policy of keeping them on an annual basis, with the requirement for annual renewal of basic legislation and annual appropriations.

Gradually, over the years, advocates of the worldwide WPA have been whittling away at this policy. A permanent corporation or revolving fund for dispensing soft foreign loans would eliminate most of what remains of Congressional control.

I am hopeful that the Senate Appropriations Committee will eliminate funds for inauguration of this program, and limit all appropriations for foreign-aid programs to 1 year.

This foreign aid cannot go on forever. It would be keeping faith with the American people to cut it down now.

If we have not bought off the threat of communism with expenditures of between $60 billion and $70 billion, through more than 40 programs, over more than 10 years, we might as well recognize the uselessness of the effort and start trimming this foreign aid giveaway substantially. The so-called economic aid, especially, is not worth the price, and I would support an amendment to eliminate all new money for these programs which already have cost more than $40 billion.

While we have been pouring all this money abroad, our people at home have been suffering the cruel burden of tax rates at or near their peak.

Practically all of this foreign-aid money has increased our terrible Federal debt. Without these foreign-aid programs the debt would not now be pushing at the statutory ceiling.

Interest on the $275 billion Federal debt is now costing $7.4 billion a year. I have not calculated precisely the interest on money borrowed for foreign aid to date, but it would run into billions and the end is not in sight. The price of borrowed money is going up, and from now on interest on new and refunded Federal debt will be 4 percent or more. This is twice the rate paid in the earlier days of foreign aid.

I hope the Appropriations Committee and the Senate will cut foreign-aid appropriations for fiscal year 1958 still further, and the purpose of this statement is to pledge my support to such an effort in advance.

## THE PRESIDENT'S GIFTS

Mr. CASE of South Dakota. Mr. President, there has been some comment on the floor from time to time about gifts being offered the President of the United States. I thought the Washington Evening Star made an appropriate comment. The Star said:

Any President, certainly any popular President, has something of a problem in deciding what to do about the gifts his admirers shower on him. Mr. Eisenhower, when asked about this at his news conference, gave a pretty good answer.

* * * * *

He said that as far as he is concerned he needs no gifts and never accepts gifts if he thinks there is any personal, any selfish motive behind them. He rules out gifts from corporations and business firms, but sees no reason why he should not keep his relations with people on "a friendly, decent basis."

The Star continues:

This, it seems to us, is the only way in which a President can operate. It comes down to a matter of good taste and good judgment.

The following sentence, I think, contains the nub of the whole thing:

If the bearer of a gift has some ulterior purpose, if he is looking for a quid pro quo, of course he should be summarily sent about his business. But if this is not the case, if the person donating the gift is simply an admirer of the President, or even if he hopes to get his picture taken with the President, we see no objection. A President can hardly reject this kind of offering without implying that his admirers are trying to corrupt him—and we do not believe that any President is subject to suspicion of corruption on this score, be the gift a 10-pound ham or a prize bull.

I commend the commonsense of that editorial to Members of this body.

## IN DEFENSE OF QUEEN ELIZABETH

Mr. BEALL. Mr. President, I ask unanimous consent to have printed in the RECORD, the pertinent portion of the radio news broadcast of August 8, 1957, over the WWDC broadcasting station of Washington, D. C., in which a prominent Washington attorney, Col. Heber H. Rice, who resides in Chevy Chase, Md., and who recently attended the convention of the American Bar Association in London, defended and praised Queen Elizabeth following the critical comments which had been made by Lord Altrincham.

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

This is Joe Phipps, presenting the 12:30 edition of today's news, over WWDC broadcasting station. * * * A Washington colonel defends the Queen. * * * Following Lord Altrincham's recent procedural criticism concerning Queen Elizabeth, we contacted a Washington, D. C., lawyer who attended the Queen's party in London on July 29, Col. Heber H. Rice, chairman of the private claims committee, American Bar Association; and Colonel Rice said (over the radio): "At the royal reception, Queen Elizabeth was most cordial, charming, and friendly in meeting and talking with our American lawyers and their ladies in the palace gardens, and her impressive manner of speaking to us and extending her warm welcome and greetings, carried with it both the royal dignity and a spirit of cordiality and friendship which, I believe, contributed much to closer ties of cooperation and good will between our two great English-speaking nations."

## COMMUNISM IN LATIN AMERICA

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk and ask to have printed after my remarks, an editorial from the Charleston, S. C., News and Courier dated August 19, 1957. This editorial has hit on the head a nail

that I have been driving home in the Senate for some time now.

It points up the amazingly ridiculous foreign policy our Government is sponsoring, one in which we are spending billions, in Asia, Africa, and Europe, to help overcome communism, but are, at the same time, not doing anything to curb communistic infiltrations here in the Western Hemisphere right at our own back door.

To the contrary, some of the loudest spokesmen and some of the most influential papers of the land are about the business of leading a journalistic crusade to assassinate the character of the Dominican Republic Government and the Cuban Government, the strongest friends of the United States in the Caribbean area. While they do this, these spokesmen and papers silently duck the issue of Communist infiltration in Latin America and pass over lightly inroads being made by communism in this hemisphere such as we witnessed recently in British Guiana.

Mr. President, I think the News and Courier should be praised for this forthright editorial on this highly controversial issue. This paper has placed reasoning and logic above the popular headline campaigns of the day and recognized friends who have done more to help halt communism in the Western Hemisphere than any other Caribbean countries.

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

MARXIST IN GUIANA

While the New York Times and other liberal newspapers have been conducting a campaign against two pro-American Caribbean leaders, Batista of Cuba and Trujillo of the Dominican Republic, a Communist has come to power in British Guiana.

Dr. Cheddi Jagan, who says that the "Marxist philosophy will one day be the philosophy of the world," won a sweeping victory in recent elections. The liberal press, which should have alerted the American people to what has been taking place, has been strangely silent.

Fortunately, Dr. Jagan may not be able to set up a Communist regime. The British, who ousted him in 1953, have warned that Communist rule will not be tolerated.

Again, as in the Sultanate of Muscat and Oman, across the world, the British are serving American interests. By their firmness, they may prevent red rule in South America. If the British were not firm, would the United States intervene in order to halt communism on this continent? There is no indication whatever that it would intervene.

The hollowness and sham of our foreign policy can be seen in this paralysis of American power. We will give billions to buy the friendship of Egypt, India, Yugoslavia. But the United States, the most powerful nation on earth, won't lay down the law and say that red rule shall be struck down wherever it arises in this hemisphere.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

## BURNS CREEK PROJECT, UPPER SNAKE RIVER, IDAHO

The Senate resumed the consideration of the bill (S. 2757) to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes.

Mr. ANDERSON. Mr. President, the junior Senator from Idaho [Mr. CHURCH] is in Buenos Aires attending the meeting of the Economic Council of American States. Before his departure he asked me to make a brief statement on his behalf in support of S. 2757, to authorize the Burns Creek project on the upper Snake River in Idaho.

S. 2757 was introduced by the senior Senator from Idaho [Mr. DWORSHAK] with his junior colleague [Mr. CHURCH] as cosponsor. Previously, each of the Idaho Senators had introduced separate bills which had the same objective—the authorization of the Burns Creek dam and reregulating reservoir with a powerplant on the upper Snake River.

The able senior Senator from Idaho [Mr. DWORSHAK] has worked hard on this proposal for a long time, and when there seemed to develop within the committee a difference of opinion as to how to approach the problem, it was suggested to the two Senators from Idaho that we should try to arrive at a bill in which they could both join. I commend the two Idaho Senators for the fact that they harmonized their differences at an open meeting of the subcommittee on reclamation, and agreed upon a single bill, which the senior Senator from Idaho introduced, and with respect to which he permitted his junior colleague to be a cosponsor. That bill was reported to the Senate.

Following public hearings by the Subcommittee on Irrigation and Reclamation, of the Interior and Insular Affairs Committee, on the bill and a series of conferences attended by representatives of the Department of the Interior, S. 2757 was cosponsored by both Idaho Senators.

The Committee on Interior and Insular Affairs reported favorably on S. 2757 and unanimously recommended that it do pass.

The bill and the project are fully explained in Senate Report No. 861, filed by the junior Senator from Idaho [Mr. CHURCH] on August 13, by direction of the Committee on Interior and Insular Affairs.

The Burns Creek project is estimated to cost $44,240,000 at January 1957 prices, and 98 percent will be reimbursable to the Federal Treasury through power revenues. A 90,000-kilowatt powerplant will be installed and operated in conjunction with the Palisades Dam project power facilities.

Burns Creek Dam, as a reregulating facility, will enhance the value of the power output of Palisades. Integrated operation will make the power output of both plants more valuable.

The water users of the upper Snake Valley have endorsed the project, which will also aid irrigation, provide protection for fish and wildlife, and recreational facilities.

The Committee on Interior and Insular Affairs has adopted the policy of incorporating in all irrigation project authorizations a proviso prohibiting the delivery of water to any new land for a period of 10 years for the production of crops in surplus. The provision was omitted in reporting S. 2757 for the reason that the Burns Creek project is for reregulation of water released from Palisades Dam, and therefore develops no new irrigation supplies. Further, no new land is irrigated by the project. This statement is made to explain the omission of the surplus crop prohibition proviso.

Mr. President, with the concurrence of the chairman of the Committee on Interior and Insular Affairs, I offer an amendment to S. 2757, which is recommended by the Department of Agriculture on behalf of the Forest Service. The amendment is to protect the interests of the Forest Service in the Burns Creek development, and is identical with a similar proposal the Senate included in S. 60, the Fryingpan-Arkansas project.

I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, line 13, after the word "agency", it is proposed to strike out the period and insert a semicolon and the following:

*Provided*, That all lands within the exterior boundaries of a national forest acquired for project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the project works shall become national forest lands: *Provided further*, That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *Provided further*, That the authority contained in this subsection shall not be exercised by the Secretary of the Interior with respect to national forest lands without the concurrence of the Secretary of Agriculture.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DWORSHAK. Mr. President, I am pleased with the cooperation of the chairman of the Subcommittee on Reclamation in bringing the bill to the floor of the Senate today. Several years ago, when the Palisades Dam was authorized and subsequently constructed on the South Fork of the Snake River—in fact, it is now under construction and is being completed—it was recognized that in order to get the maximum benefits from that multiple purpose dam, it would be advisable to construct, about 30 miles downstream, the Burns reregulating dam. That is the project which is authorized by S. 2757.

Frequently when such projects are authorized, opposition develops from a group interested directly in a public works project. In this instance, it is

significant that the reclamation interests and conservation groups and preferential powers users are in complete agreement as to the desirability of authorizing the project. Under such circumstances, I am pleased to join with my junior colleague in cosponsoring the bill. It will provide maximum benefits not only from the Palisades project but likewise from the Burns Creek re-regulating dam. It is highly desirable to provide upper watershed developments of this kind and to provide maximum benefits under them, and to enable the people in the upper watershed to enjoy these multipurpose benefits.

Under such circumstances I am happy to join with my junior colleague and with the chairman of the Subcommittee on Reclamation in sponsoring the proposed legislation.

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

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

## AMENDMENT OF SECTION 22 OF THE INTERSTATE COMMERCE ACT—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report on S. 939.

Mr. KEFAUVER. Mr. President, I object to the consideration of the conference report.

Mr. MANSFIELD. Mr. President, I understood it was ready to be considered at this time. The Senator from Florida [Mr. SMATHERS] is prepared, and the reason I have asked that it be laid before the Senate at this time is that there may be some business pending, because the Senator from Minnesota [Mr. HUMPHREY] wishes to make a statement on another subject. Is the Senator from Tennessee opposed to the consideration of the conference report?

Mr. KEFAUVER. I am against the consideration of the conference report.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

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

Mr. KNOWLAND. A conference report, of course, is privileged, and it is not subject to objection. Is that correct?

Mr. KEFAUVER. Nevertheless a motion will have to be made to take it up.

The PRESIDING OFFICER. The Senator from California is correct; it is a privileged matter, and may be brought up at any time.

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

Mr. HUMPHREY. Mr. President, will the Senator from California withhold his suggestion of the absence of a quorum? I have a statement to make on another subject which is of great interest to the Department of Agriculture. It does not relate to the conference report.

## TRANSFER OF CERTAIN LANDS TO THE STATE OF MINNESOTA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 301, S. 864.

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

The CHIEF CLERK. A bill (S. 864) to provide for the transfer of certain lands to the State of Minnesota.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment.

Mr. KNOWLAND. Mr. President, the Senator from Florida [Mr. SMATHERS], is on the floor, but I shall withhold the suggestion of the absence of a quorum until the Senator from Minnesota has made his statement.

## LENDING AUTHORITY OF THE RURAL ELECTRIFICATION ADMINISTRATION

Mr. HUMPHREY. Mr. President, as the session draws to a close, I should like to call to the attention of the Senate a series of events which I have mentioned on prior days.

For weeks, reports have been current that the White House is not at all satisfied with the policies of Rural Electrification Administrator, David A. Hamil. The matter first came to public attention on July 20 when the Louisville (Ky.) Courier-Journal published an article by Robert L. Riggs of its Washington Bureau which recounted the pressures brought by the White House upon Mr. Hamil to reject a $42 million loan to build a cooperative generating plant in southwestern Indiana.

Queried by the Courier-Journal, the REA Administrator pointed out that the Rural Electrification Act vests exclusive authority in the Administrator to approve loans and was quoted by Mr. Riggs in the article as follows:

> I will face my responsibilities as provided in the law. Of course, the President, or his representatives, can always ask for my resignation.

Mr. President, I have before me a copy of Public Law 605, 74th Congress, an act to provide for rural electrification, and for other purposes, and I read section 2 of the act:

> SEC. 2. The Administrator is authorized and empowered to make loans in the several States and Territories of the United States for rural electrification and the furnishing of electric energy to persons in rural areas who are not receiving central station services, as hereinafter provided.

In other words, the authority to make loans is vested in the administrator by the act.

So far Mr. Hamil has not resigned nor, to my knowledge, has the $42 million loan been approved. However, I have an idea that the palace guard at 1600 Pennsylvania Avenue is not at all happy about the existing clash of wills over who is running REA—the White House or Mr. Hamil.

Subsequently, the Rural Electrification magazine in its August issue reported that Mr. Hamil's authority to approve transmission or generation loans in excess of $500,000 had been transferred, or was on the verge of being transferred, to other officials of the Department of Agriculture. The magazine quoted the manager of the Southeastern Illinois Rural Electrification Cooperative at El Dorado, Ill., as stating that he had been advised by REA officials that a new departmental policy required approval of the office of the Secretary of Agriculture on all loans over $500,000.

Mr. President, this is a matter which I have called to the attention of the Senate on three different occasions. On each occasion I said categorically that my comments were based only upon allegations; that they were not based on any affirmation or confirmation from any official authority. Today, however, I have noted on the news ticker in the Senate lobby the following dispatch:

> WASHINGTON.—Secretary Benson said today that David Hamil, REA Administrator, now must get clearance from his office to make loans of $500,000 or more.
>
> Benson told a news conference that Kenneth Scott, Director of Agricultural Credit Services, told Hamil some time in June that he should discuss with Scott any loans of a half million dollars or more before they are made.
>
> Benson said Scott did this with his approval.
>
> Benson insisted that this did not involve a reorganization requiring Congressional approval.
>
> Reports that Hamil had been stripped of his authority to make large REA loans on his own brought criticism on Capitol Hill, particularly from Senator HUMPHREY. HUMPHREY on two occasions has sent letters to Benson asking him to appear before a Government Operations Subcommittee to give an explanation.
>
> In a letter to HUMPHREY today, Benson said he had in no way declined to appear when his schedule permits. He suggested, however, that HUMPHREY summon Scott and Hamil, saying he had no facts to which they could not testify.
>
> Benson said a tight budget situation and an increasing demand for rural electrification loans prompted the plan of requiring Hamil to clear big loans.
>
> It was Benson's first Washington news conference since June 25. He has been on a western trip during which he inspected various national forests and other projects.
>
> Benson said he came back to Washington encouraged and reassurred that his farm program is on the right track. He said he hoped to have recommendations ready for the new Congress for improving the farm program.

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

Mr. HUMPHREY. I prefer to complete my statement. Then I shall be glad to yield. For the present I should like to preserve the continuity of my statement.

Subsequently, according to the magazine article which I inserted in the CONGRESSIONAL RECORD of Tuesday, August 6, this action was contemplated under the provisions of Reorganization Plan No. 2 of 1953, which transferred to the Secretary of Agriculture the functions

of all other officers, agencies, and employees of the Department of Agriculture, with certain exceptions; and it further authorized the Secretary of Agriculture to delegate the functions vested in him by Reorganization Plan No. 2 of 1953 to any other officer, employee, or agency of the Department, as he deemed fit.

This reported change in policy by the Department in administration of the three to four billion dollars rural electrification program, whether actually implemented, as the published reports indicate, or proposed for implementation when the Congress adjourns, is of vast importance, not only to Members of the Congress, but also to the hundreds of cooperative associations and the millions of farmers throughout this country who are members of them.

Mr. President, I note now that since I prepared this statement, the Associated Press dispatch confirms that this policy change has been made. The confirmation has been given by none other than the Secretary of Agriculture himself.

Mr. President, that such action would even be contemplated without both the advice and consent of the Congress was, and still is, inconceivable to me.

At this point I would note for the record that the Secretary of Agriculture, when testifying before the subcommittee of the Senate Committee on Government Operations—and as shown in the report that the committee made to the Senate—made the following comment; and now I shall quote from page 12 of Senate Report No. 297, dated May 25, 1953, which accompanied Senate Resolution 100. On page 12 of the report, the following appears:

> The authority provided in the plan for redistribution of functions is subject to express qualifications. The first qualification (section 4 (b)) provides that, to the extent deemed practicable, the Secretary of Agriculture shall give advance public notice of any proposed major change and afford interested persons and groups an opportunity to present their views.

I also call the attention of the Senate to the following comment in the report:

> The Secretary stated in his testimony before the committee that he regarded this provision as imposing upon any Secretary of Agriculture an obligation to advise and consult with the appropriate committees of the Congress before any major organization changes are made. This has been the practice for many years in the Department.

Furthermore, at the hearing at which the Secretary of Agriculture testified, many other persons participated. The Secretary replied as follows to a question which I had directed to him:

> I think there are several rather fundamental things, Senator HUMPHREY. In the first place, I feel the Secretary, under this plan—

That is to say, under Reorganization Plan No. 2 of 1953—

> is under definite obligation to consult with farmers, leaders of farm organizations, Members of Congress, and other interested groups, and to serve notice of any plan he intends to put into operation before he takes such action, and get their views and their recommendations. And I think that is a very real safeguard.
>
> I would feel under obligation to consult with Members of the Congress before I took any major step in that direction.

Mr. President, I shall not quote all the testimony which relates to that particular observation. I only state for the edification and interest of my colleagues that I am referring to the hearings before the Subcommittee on Reorganization, of the Committee on Government Operations of the United States Senate, 83d Congress, 1st session. The hearings were on Reorganization Plan No. 2 of 1953, pertaining to the Department of Agriculture, and on Senate Resolution 100, disapproving Reorganization Plan No. 2 of 1953. The hearings were held on May 12, 13, and 18, 1953.

As the RECORD will reveal, ultimately the Senate did not disapprove the plan, nor did the committee recommend it.

I call attention to the following pages: 6, 9, 27, 86 through 91, 123, 129, 135, 146, 150, 154, 155, 158, 163, 168 through 169, 171 through 175, and 186.

I shall not ask unanimous consent to have all of that testimony printed in the RECORD, because it would involve an unnecessary public expense. However, the testimony relates to the following:

First, the authority of the Administrator to make loans under the REA Act.

Second, the reorganization authority of the Secretary of Agriculture, in redistributing the functions and the activities of the agencies under his Department.

Third, at great length—because Senator after Senator questioned the Secretary—the Secretary of Agriculture made it manifestly clear, as does the report which was made to both Houses of Congress on the plan, that before any policy change whatever would be made, there would be adequate notice to the Congress and to the appropriate committees of the Congress. The Secretary of Agriculture went even further in his testimony in response to my questions; he said he would feel an obligation to consult with farmers and leaders of farm organizations, as well as with the Members of Congress.

I submit that, as of today, the Secretary of Agriculture has stated that it was in June of this year that orders were issued to Mr. Hamil, the REA Administrator, that he, Mr. Hamil, before he could grant approval in the case of any loans of over $500,000, must clear the matter with Mr. Scott—as the dispatch from which I have quoted clearly indicates. It shows clearly that Mr. Hamil must, under the order, clear such matters with Mr. Scott, the Director of Agricultural Services. This order has been the subject of conversations, discussions, and debate in public journals, newspaper articles, public speeches, and here on the floor of the United States Senate.

I have in my possession a letter from a responsible official of the Department of Agriculture—and the letter will be made a part of this record—to the effect that no change had been made.

But now we hear—and again I quote, as follows:

> Secretary Benson said today that David Hamil, REA Administrator, now must get clearance from his office to make loans of $500,000 or more.
>
> Benson told a news conference that Kenneth Scott, Director of Agricultural Credit Service, told Hamil sometime in June that he should discuss with Scott any loans of a half million dollars or more before they are made.
>
> Benson said Scott did this with his approval.

Mr. President, I submit in all fairness that this action on the part of the Secretary of Agriculture, as he has stated it in his own words, is in contradiction to and is in violation of the assurances given to the Subcommittee on Reorganization, and the assurances given to the Senate in connection with Reorganization Plan No. 2 of 1953, as stated in the report which is dated May 25, 1953; and the measure was calendar No. 301.

Furthermore, Mr. President, the report to which I have referred states as follows, in referring to the Secretary of Agriculture:

> In commenting on the requirement in the plan, that the Secretary, to the extent practicable, shall give appropriate advance notice of delegations of functions, and to afford opportunity for interested persons or groups to place their views before the Department, the former Secretary—

Referring to the former Secretary of Agriculture, now the junior Senator from New Mexico [Mr. ANDERSON]—concluded that—

> In view of this very clear mandate, it would be most unrealistic to think that any Secretary of Agriculture might disregard the will of Congress by using the "to the extent practicable" provision as an excuse to avoid the notice and hearings. * * * This is a sound provision which will insure careful consideration of any proposed transfers or delegations.

Mr. President, I quote further from the report of the committee, in support of the plan:

> Secretary Ezra Taft Benson, in his statement * * * pointed out that there was no authority contained in the plan which would authorize the Secretary to abolish, in whole or in part, any function of the Department, and thereby frustrate the will of the Congress. Although this authority is granted to the President under the Reorganization Act of 1949, any proposed abolition must be specifically included in such a plan submitted under the authority of that act before it may become effective.

I quote further from the report, on page 6:

> The Secretary gave specific assurance in his testimony before the committee that it would be his purpose to advise and consult with the appropriate committees of the Congress before any major organization changes are made, concluding that—

And now I quote the Secretary of Agriculture—

> It is hardly conceivable that a major change in organization would be made by any Secretary of Agriculture if the Congress were strongly opposed to it. The executive and legislative branches must live together, and it would hardly be possible for the Secretary to direct successfully a type of reorganization with which the Congress was not in sympathy.

Mr. President, I have quoted the pertinent pages of the report and the testimony, which are replete with commitments made by the Secretary of Agriculture and his associates to the Committee on Reorganization.

Therefore, Mr. President, as chairman of the Subcommittee on Reorganization, of the Senate Committee on Government Operations, which committee has legislative jurisdiction over the reorganization of the executive branch of the government, I wrote to the Secretary of Agriculture, Mr. Benson, on August 5, inviting him to appear at a hearing scheduled for August 9, to provide the Congress with information on the reported changes in policy.

Mr. President, I wrote the letter in light of the commitments which were given at the time when the reorganization plan was adopted. I wrote the letter in the spirit of seeking clarification. I wrote the letter with the intention of affording the Secretary of Agriculture an opportunity to fulfill the obligations he had made and the commitments he had given in his testimony before the committee in May 1953.

I assumed, of course, that, with the adjournment of the Congress imminent, the Secretary of Agriculture, along with other members of the Cabinet, whose presence might be needed during the closing days of a session, would be available to testify on such an important matter. However, Mr. President, on August 6 officials of the Department of Agriculture advised my staff that the Secretary was away from Washington inspecting the national forests, that he would be away from his office for 3 or 4 more weeks, and, therefore, would not be able to appear before the subcommittee on August 9.

On August 7 I asked officials of the Department where the Secretary could be reached, what his schedule would be for the next several days, and whether I could be given a definite date when he was expected to return so that a hearing could be subsequently scheduled at the Secretary's convenience following his return to his office. I was advised that Mr. Benson was at Priest River, Idaho, that he would remain in that vicinity for a few more days inspecting the forests, but that he was expected back in Washington late next week or on or about August 15.

Incidentally, Mr. President, the United Press, on August 15, reported that the Secretary had returned to Washington after a 50-day absence which began June 26, about half of which the United Press reported he devoted to inspecting the national forests and the remainder to a vacation.

Mr. President, I am not at all critical of the period of time the Secretary may take for his vacation. He is entitled to it. All I am speaking about is cooperation with the committee in light of the commitments which were made.

When I was informed that the Secretary was expected back about August 15, I invited him, through official channels, to come before the subcommittee on any of three dates that I suggested—Friday, August 16, Monday, August 19, or Wednesday, August 21, or any other date more convenient to him before the Congress recessed.

On the next day, August 8, Mr. Robert L. Farrington, General Counsel of the Department of Agriculture, advised my administrative assistant, and the clerk of the Reorganization Subcommittee of the Committee on Government Operations, that this request had been communicated to the Secretary of Agriculture, who was still out inspecting the national forests, but that the Secretary could not appear August 16, nor August 19, nor August 21, and, moreover, that the Secretary did not know when he could appear.

On Monday, August 12, I received a letter from Mr. True D. Morse, the Deputy Secretary of the Department of Agriculture, who was serving as Acting Secretary during the Secretary's absence.

Mr. President, I ask unanimous consent that a copy of that letter be printed at this point in my remarks.

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

DEPARTMENT OF AGRICULTURE,
*Washington, D. C., August 9, 1957.*

Hon. HUBERT H. HUMPHREY,
*Chairman, Subcommittee on Reorganization, Committee on Government Operations, United States Senate.*

DEAR SENATOR HUMPHREY: This refers to your letter of August 5 about the proposed hearing on the rumors regarding a recent reorganization in the Rural Electrification Administration of this Department. There has been no reorganization.

If you have information beyond the magazine article attached to your letter we would appreciate having such information so that it can be studied.

I am informed that as a result of conversations between members of your staff and ours the hearing which you tentatively set for Friday, August 9, was canceled. A subsequent date for a hearing has not yet been determined.

We regret that the Administrator of the Rural Electrification Administration and his deputy are absent from the city at the present time, but assume that they can return and be available for the hearing at your convenience. Also, the Director of Agricultural Credit Services, who has primary responsibility for working with officials of the Rural Electrification Administration on behalf of the Secretary, and a member of our legal staff can be available at any time upon reasonable notice. Should you so desire, the undersigned would also be pleased to attend the hearing.

I assure you of the full cooperation of this Department with your committee.

Sincerely yours,

TRUE D. MORSE,
*Acting Secretary.*

Mr. HUMPHREY. Mr. President, I call the Senate's attention to several interesting things about Mr. Morse's letter. First, the Acting Secretary states there has been no reorganization of REA, which may technically be true, but he does not say whether Mr. Hamil's authority to approve loans has been transferred to another official of the Department of Agriculture or has been made subject to review by another or other officials of the Department, as has been publicly charged, and as of now, today, publicly confirmed.

Second, nowhere does the Acting Secretary make reference to my formal request for the Secretary of Agriculture's appearance before the subcommittee on reorganization in connection with this matter. He ignores completely, and most conveniently, I might add, the fact that it is the Secretary of Agriculture who is responsible for the Department of Agriculture for any basic changes in policy, such as that reportedly affecting the Rural Electrification Administration, and for an accounting to the Congress for any such changes made.

I again refer to the testimony given in 1953 on Reorganization Plan No. 2, in which testimony the Secretary specifically stated that he, and he alone, shall be responsible for reorganization plans and developments, and that he, and he alone, would feel under obligation to consult committees of Congress, and farm organizations, and farm leaders themselves.

I might add, Mr. President, that it was the same Secretary of Agriculture, Mr. Benson, who, when the Congress considered Reorganization Plan No. 2 of 1953, stated in public hearings to the Subcommittee on Reorganization, of which I was a member at that time, that he contemplated no major changes in the administration of the Rural Electrification Administration program; that if any major changes were made in the Department of Agriculture under the provisions of the reorganization plan, he would be the first to consult with the Congress before making such a change, and that if the Congress disapproved of any proposed changes, he was certain such changes would not be made.

On August 13, following receipt of Acting Secretary Morse's letter, I again offered the Secretary of Agriculture a cordial invitation to sit down with members of the Subcommittee on Reorganization at any time convenient with him to discuss the reported policy changes in the handling of REA loans.

I repeat, we did not accuse anybody. We said we heard these reports. I said a magazine that goes to REA members was carrying such a report, and I pointed out further that the Louisville Courier-Journal, a leading newspaper, had a feature story relating to allegations as to the loan funds.

I thought that since the Secretary was returning to Washington earlier than was expected, he might be able to give this matter a few minutes of his time.

But, not so, Mr. President. On August 16, the first day that the Secretary was in his office after his 50-day absence inspecting the national forests, his general counsel, Mr. Farrington, advised my staff that the Secretary "was in no position to make a commitment as to his appearance before the subcommittee at this time." That was a verbatim notation made by the chief clerk of the subcommittee on reorganization, who has worked with the Hoover Commission for many years in an effort to get an improvement in the administration of our Government.

Now, Mr. President, I submit that things have come to a high pass, indeed, when a Cabinet officer, after repeated requests, cannot get himself into a position where he can give a committee or a subcommittee of the Congress a few minutes of his time—particularly when he has been away from Washington for more than a month and a half inspecting the national forests.

To me this is a serious matter. So far as I am concerned, the Secretary can inspect all the national forests he desires. I can understand how air-con-

ditioned Cadillacs treading noiselessly down pine-scented forest trails between luxurious campsites can afford great balm to overworked Washington bureaucrats, but I cannot agree that such sojourns, as delightful as they must be, are quite appropriate when a Cabinet officer's presence in Washington is required by the Congress on a matter of importance to a great segment of the economy, especially in the last days of a session, as at the present time.

Finally, Mr. President, it seems to me that the Secretary would be delighted to accept a friendly invitation to appear before a committee of the Congress to refute the public allegations that have been made against him.

I now note that since I prepared this statement the Secretary has not refuted the allegations; he has confirmed them. He did this, I may say, in a news conference. He did not have time to come before the committee and sit with Members of Congress. I have been a member of the reorganization committee ever since it was established. I have supported many Hoover Commission reports and recommendations in that committee. Members of the committee are not hostile to Secretary Benson. It is a bipartisan committee. I would say the majority of the committee would approach the matter with friendly interest. But the Secretary was too busy to come before the subcommittee to say what he did. However, he was not too busy to hold a press conference, and to announce that the allegations which had been made with reference to change of policy are true.

We were asking, in light of the commitments which were made to the subcommittee 4 years ago, if we might be privileged to have the Secretary appear before us to discuss the matter, in a more orderly fashion.

I cannot reconcile Mr. Benson's refusal to come to Capitol Hill with the reported facts I have recited—unless, perchance, the facts might be true, and today we find they are true.

Mr. President, this morning a letter was finally delivered to me from Secretary Benson, the first personal acknowledgment of my subcommittee's request.

It is interesting to note that Secretary Benson says he has in no way declined to appear "when my schedule will permit," but he has failed to tell us when his schedule will permit—if ever. We had repeatedly asked when he would be able to appear. He has declined to give us any date. Yet he says he is not declining to appear.

In the conclusion of Mr. Benson's letter, he says he would be glad to visit with me after Mr. Hamil returns.

In the first place, I am not inviting Mr. Benson to visit me. I am asking him to appear before a subcommittee of this Senate in line with my official duties as chairman, covering a subject over which the committee has assigned responsibilities and jurisdiction. I consider this much different than a visit. It is generally the end product or the result of official responsibilities.

In the second place, inquiries at the Department of Agriculture regarding the possible return of Mr. Hamil indicate he is not scheduled to return until after Labor Day—in other words, until after Congress adjourns.

I think the conclusion is obvious. Secretary Benson is deliberately ducking appearance before our Committee until Congress goes home. None of the polite words of his letter can hide that fact.

Mr. Benson is most generous about sending other people. However, we are interested in discussing what Mr. Benson promised, or did not promise, to our committee at the time the reorganization authority was granted. It is hardly very becoming of the Secretary to want to hide behind subordinate personnel to try and interpret promises Secretary Benson made.

I am informed through members of the press that Secretary Benson assured them today he was perfectly willing to appear before the committee. I submit that his replies to me do not so indicate.

However, I shall ask again tomorrow, Mr. President, because I do not care to continue this argument about who is going to appear and when he is going to appear.

I am further informed that Secretary Benson on the one hand denies any policy changes, and then on the other "justifies" the new screening of larger loans at the Secretarial level on the ground of a tight budget and an increase in requests for such loans. I must admit I am a bit confused. If there has been no policy change, what is Secretary Benson justifying?

Mr. President, I think it ill-behooves the Secretary of Agriculture to try to answer these charges through the press, when he declines to answer them officially in response to official inquiries. If he wants to justify his actions, we have offered him every opportunity to do so.

I repeat, they were offered on the first two occasions at least with no recalcitrance on my part at all. It was nothing more nor less than a friendly suggestion that he appear before the subcommittee. It was a personal request on the part of the chairman, through a duly authorized staff member, so that the matter would be properly formalized. Furthermore, the request was buttressed by a formal letter to the Secretary. But I am not interested in him trying to make the REA Administrator be his scapegoat, or in sending anyone else from the Department to take on their shoulders any criticism or any questioning that may be due the Secretary himself.

The Reorganization Act does not say that the Under Secretary of Agriculture shall be responsible for reorganization. The Reorganization Act does not place upon any Assistant Secretary of Agriculture the responsibility for reorganization plans or any type of organization change. The Reorganization Act and Reorganization Plan No. 2 specifically place the responsibility upon the Secretary.

Secretary Benson's letter to me says "I have had no complaints about the manner in which REA is functioning within the Department."

Mr. President, that is rather insulting, when I personally called his attention to complaints voiced in the national magazine of the Rural Electric Cooperatives.

Mr. President, I ask unanimous consent that both my reply to Under Secretary Morse and the subsequent reply received today from Secretary Benson be printed at this point in the RECORD.

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

AUGUST 13, 1957.

Hon. TRUE D. MORSE,
*Acting Secretary, Department of Agriculture, Washington, D. C.*

DEAR MR. SECRETARY: This will acknowledge your letter of August 9, 1957, relating to hearings by the Subcommittee on Reorganization on the administration of REA loans.

As I am certain you must be aware, the hearing scheduled for August 9 was temporarily postponed because of the inability of the Secretary of Agriculture to be present on that date.

I also would like to advise you that, contrary to the statement in your letter, subsequent dates for the hearing were determined to suit the convenience of the Secretary when his office advised that he could not appear on August 9. Three dates were suggested to the Secretary through the Office of the General Counsel of the Department of Agriculture—August 16, 19, or 21.

I appreciate very much your offer to appear in the Secretary's behalf, but it is my conviction since the reported policy changes affecting approval of REA loans were allegedly made at the Secretary's direction, that he would be the responsible official to provide the Congress with information on this matter.

I, therefore, would indeed appreciate a reply at your earliest opportunity as to what date the Secretary can find it convenient to meet with the subcommittee on this important matter.

I, of course, extend a cordial invitation to you or to any other Department officials to accompany the Secretary as he may desire when he appears.

Respectfully yours,

HUBERT H. HUMPHREY,
*Chairman, Subcommittee on Reorganization.*

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DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
*Washington, August 20, 1957.*

Hon. HUBERT H. HUMPHREY,
*Chairman, Subcommittee on Reorganization, Committee on Government Operations, United States Senate.*

DEAR SENATOR HUMPHREY: This is in reply to your letter of August 13, 1957, addressed to the Under Secretary of Agriculture, True D. Morse, regarding the hearing you propose to call to inquire into reported reorganizations of the Rural Electrification Administration of this Department. This same question was the subject of the letter of August 5 from Under Secretary Morse to you.

As stated by Mr. Morse, the Director of Agricultural Credit Services, Mr. Scott, through which REA reports to the Secretary's Office, is willing to meet with your committee at any time upon reasonable notice. Mr. Morse also offered to appear. As soon as Mr. Hamil, the REA Administrator, and Mr. Strong, his deputy, return to Washington, I am sure they, too, will be willing to appear upon a few days' notice. I have in no way declined to appear when my schedule will permit, although there are no facts within my knowledge which could not be testified to by the parties I have mentioned.

May I reiterate that there has been no reorganization of REA, other than the organizational changes discussed in my testimony on Reorganization Plan No. 2 early in 1953 and of which due notice was given

in the Federal Register. I have had no complaints about the manner in which REA is functioning within the Department.

Should you still feel that there are matters which should be inquired into, I, accompanied by Mr. Hamil when he returns to the city, shall be glad to visit with you.

Sincerely yours,

E. T. BENSON.

Mr. HUMPHREY. Mr. President, I want the reply of the Secretary to be featured in a prominent place in this commentary, because I feel that he is entitled to have his entire statement made public for every Member of Congress and for all interested citizens.

Mr. President, the record speaks for itself. It is an example of arrogance that has been repeated too often by the Secretary of Agriculture in refusing to cooperate with Congressional committees trying to do a responsible job in protecting the public's interest.

Mr. President, I also ask unanimous consent to have printed in the RECORD at this point the article to which I alluded earlier, so that the full text may be made a part of the official proceedings. It is an article written by Robert L. Riggs, the Courier-Journal Washington bureau feature writer. The article is entitled "REA Head Says He Will Approve Indiana Loan If Application's O. K."

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

REA HEAD SAYS HE WILL APPROVE INDIANA LOAN IF APPLICATION'S O. K.

(By Robert L. Riggs)

WASHINGTON, July 20.—The man in the middle of the current fight to make Indiana a testing ground for those who want to curb the activities of rural electric cooperatives is David A. Hamil.

He is a Colorado rancher and former State legislator who for a little more than a year has been Administrator for the Rural Electrification Administration. He is being pulled and hauled by those who want him to give his approval to a $42 million loan to permit rural cooperatives to build a generating plant in southwestern Indiana, and by those who want him to refuse approval so the co-ops will have to continue buying their power from the private utility companies.

Hamil was one of the organizers of a power-generating cooperative in Colorado. Hence it is difficult for the private utilities to argue with him that generating co-ops are iniquitous.

UNUSUAL LENGTHS

But on the official side, high administration officials have gone to unusual lengths to make it clear to the REA Administrator that they would like to have him reject the Indiana loan application.

The Indiana request for funds has the unique distinction of being the cause for a summons to Hamil to visit the White House. Out of all the applications he has processed in a year, Hamil says, the Indiana case is the only one which he has been asked to discuss with the President and his Congressional advisers.

But for all the pressure which goes with a summons to see the President, Hamil stoutly insists that he is going to treat the Indiana request in exactly the same manner as he has scores of others.

"If the application meets all the proper tests, and if the money is available," Hamil says, "I will approve the loan. So far as the money is concerned, it is available now."

The Indiana request has been sent back to that State for filling-in of further information, which, Hamil says, is normal procedure in most applications. The best guess is that the data will be on hand in time for a decision by Hamil late in September or early October.

It is obvious that Hamil has much on his mind the problem of carrying out his duty as he sees it, regardless of what the administration in general, and Presidential Assistant Sherman Adams in particular, want done.

As he talks about the principles that must guide him, he picks up from his desk a copy of the law governing his agency.

"The law plainly says," Hamil remarks, "that 'the Administrator is authorized and empowered to make loans.' It doesn't say that he acts on the advice of his Department head, the Secretary of Agriculture. Nor does it say he's supposed to find out what the White House wants him to do.

"I will face my responsibilities as provided in the law. Of course, the President or his representatives can always ask for my resignation."

Being asked to resign holds no terrors for Hamil. His ambitions rest, not on being a Washington bureaucrat, but on being elected Governor of Colorado or Senator from that State. He knows that he can do more to further his political ambitions by being in Colorado than he can presiding over a governmental agency in Washington. Had he been willing to retire to a political graveyard, he more than likely could have received the 9-year appointment as member of the Board of the Tennessee Valley Authority.

The reason so much energy is being put into the Indiana loan application on both sides is that the private power companies apparently have come to the conclusion that the climate is right in that State to experiment with the idea of clipping REA expansion into the field of generating electricity.

Just how good the climate is from their point of view is demonstrated by the fact that Gov. Harold W. Handley sent the chairman of the Indiana Public Service Commission to Washington to argue against granting the $42 million. REA staff members say that never before in their memory has such an official offered opposition to a loan.

But even more spectacular was the summoning of Administrator Hamil to the White House.

That event was engineered by Representative CHARLES A. HALLECK, who represents a Congressional district almost as far removed from the site of the proposed plant, near Petersburg, as it could be and still be in Indiana.

HALLECK is, however, the President's most trusted lieutenant in the House of Representatives, taking precedence in that respect over Minority Leader JOE MARTIN.

The White House visit was made on May 28 at the weekly morning conference between President Eisenhower and the Republican leaders in House and Senate.

Hamil got his summons to attend the meeting from Adams. Accompanying him was Don Paarlberg, then assistant to Agriculture Secretary Benson. In addition to HALLECK, another influential Indiana legislator was present. He is HOMER E. CAPEHART, former supporter of the late Robert A. Taft who has emerged as Eisenhower's principal Senate defender on fiscal issues.

HALLECK OBJECTS

Reports from the meeting are that President Eisenhower asked Hamil only for a brief explanation of the Indiana loan request. Someone else is reported to have asked him his attitude toward the application; but HALLECK, for all his willingness to help apply pressure to the Administrator, objected that such a question was improper at that stage.

The tangible result of the White House meeting was that CAPEHART, in his capacity as ranking Republican on the Banking and Currency Committee, introduced a bill which would require REA loans and similar Government loans to pay an interest rate higher than the 2 percent now authorized by law.

Whether a further result will be reflected in the action on the Indiana loan application is something that obviously is giving Administrator Hamil considerable thought. He is behaving very much like a man who does not care to be pushed around.

Mr. HUMPHREY. Mr. President, I conclude on this note: One of the greatest and most able Senators of this body warned, in fact, forewarned, the Congress that this very thing might happen. Those of us who were less practical, less realistic, and more trusting did not follow the admonition we received.

I desire to quote from page 27 of the hearings, and I quote the distinguished senior Senator from Georgia [Mr. RUSSELL] who in a colloquy said:

I am perfectly willing for the President to send a plan here to reorganize the Department of Agriculture every day, so long as Congress knows what he is doing. I just do not want to buy a pig in a poke. I do not know what is proposed here. In other words, if we were to get a Secretary of Agriculture in the good year of 1965, let us say, who proposed to abolish the Rural Electrification Administration, I think the Congress ought to have a right to vote on that reorganization plan before they abolish it, or before they subordinate it or stifle it where it cannot operate.

Under this plan we do not have that right. I am perfectly willing to follow the Reorganization Act of 1949, as amended by the bill handled by the Chair this year, in reorganizing the Department of Agriculture, and I will support those programs. But I want to know what they are, and I want them to have a time limit on them, to where they will finally get the Department reorganized, and not permit the Department to be set up according to the whim or fancy of whoever happens to be the Secretary of Agriculture, rather than in accord with what Congress thinks.

Mr. President, what the distinguished Senator from Georgia was pointing out was that, despite all the protestations to the contrary from official quarters, there is a danger in the reorganization plan that the REA may be tampered with. The subject of the REA was discussed for many pages in the testimony. Every Member of Congress made it crystal clear in the testimony and in the questions that the REA was to be left untouched, and if any change whatsoever were to be made in the organizational pattern or policy, the Secretary was to come to the Congress to explain it, with plenty of advance notice.

In fact, section 4 (b) of the reorganization plan carries a specific requirement. By the way, the plan had been rejected once before by the Congress. Section 4 (b) insisted upon and made a specific requirement of advance notice to the Congress in case of any fundamental change in policy or plan of organization.

The Secretary then repeated time after time to several Senators, to a point where it was made a part of the official report to the Senate, that there would be no change made without advance consultation, and that there would be no changes in organization or policy made without notice to the appropriate committees of Congress. I note for the RECORD that the distinguished senior Senator from Vermont [Mr. AIKEN] stated his opinion,

which I quote now from the report on Reorganization Plan No. 2 of 1953, page 4:

> Senator AIKEN stated that in his opinion section 4 (b) of the plan would insure the cooperation of the Secretary of Agriculture with the appropriate committees of the Congress before any reorganizations were effectuated, and that "he would consider the committees of Congress proper persons to be notified whenever he contemplates making important changes within the Department."

I ask any fairminded person, Is it not a major change when the Secretary of Agriculture requires that all loans of $500,000 or more be referred to the head of the Agricultural Credit Services when such referral was not required by the law and has never been mentioned in any hearing or testimony? If that is a major change in organizational pattern or policy, is there not a commitment in the law itself, under section 4 (b), and is there not a commitment in the testimony, in the assurances given by the Secretary, that such a change would be the subject of careful study and cooperation by the Secretary of Agriculture and the appropriate committees of Congress?

It seems to me there is no other conclusion we can draw.

The Secretary may be able to make a case for the review of loans of $500,000 or more by Mr. Kenneth Scott, the Director of Agricultural Credit Services. However, that gentleman's appointment is not confirmed by the United States Senate. He is not an Assistant Secretary. The REA Administrator, Mr. Hamil, is confirmed by the United States Senate for a Presidential appointment.

Mr. President, if the Secretary can make a case for the change in organizational pattern, he should do so. That is obviously what is involved, because one of the main features of the REA program, the granting of a loan, is being referred to an agency over and beyond what the law itself directs. The law directs that the loans be made by the REA Administrator, and no one else. If there is to be a change, then is there not a requirement, first, in the reorganization plan submitted to us, in section 4 (b), which must be met, and is there not a commitment in the testimony to which I have referred, given in May of 1953? Is there not a commitment in that testimony on the part of the Secretary at least to inform the Members of Congress and the appropriate committees of Congress before such changes take place?

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

Mr. HUMPHREY. There were no references or referrals made to the Committee on Agriculture and Forestry. There was no contact made by the Department of Agriculture with the Committee on Government Operations. Those are the two committees involved. One of them is involved on the basis of the substance of the legislation. That is the Committee on Agriculture and Forestry. The other committee is involved on the basis of the organizational pattern of the Department, and that is the Committee on Government Operations. Those committees have jurisdiction over the entire matter.

I say without fear of successful contradiction that neither committtee of Congress has ever been consulted on this policy change and this organizational change. Neither committee of Congress was given advance notice. Neither committee of Congress, nor any member of either committee, to my knowledge, has been in any way visited with, talked to, or informed of these changes.

I yield now to the Senator from Colorado.

Mr. CARROLL. I wish to say to the distinguished Senator from Minnesota that he need not feel badly because he was misled when the Reorganization Act was passed.

He is not the only Member of Congress who was misled. Let me read from the report of the House committee hearing on Reorganization Plan No. 2. This is what Secretary Benson said when he was asked by Representative POAGE about this subject. He said, referring to the Rural Electrification Administrator:

> I am sure he would do nothing to weaken the program, nor would I. I cannot conceive of a Secretary appointing a man to an important post and then stripping him of his power.

Let us see whether any stripping was done. We discussed this subject on the floor of the Senate yesterday. It was said that there was to be no change in the program. It was said that this was not an important change, that there was not a limitation of lending authority. Let us take a look and see how important this is.

In the fiscal year 1957 there were 404 REA electricity loans; 158 of these loans were over $500,000. If the same proportion is maintained this year it will mean that 4 out of every 10 loans will be taken out of Mr. Hamil's hand and subjected to higher review. In the fiscal year 1957 the average loan under the electrification program was $743,000.

In the fiscal year 1956, 30 percent of the loans were for more than $500,000. With reference to telephone loans for the fiscal year 1957, 25 percent were over $500,000, and almost 25 percent in the fiscal year 1956.

This new review procedure is a very sharp departure from precedent. There is no question that Mr. Benson has broken faith with the Congress, as I read the record in this case.

In his remarks the junior Senator from Minnesota has mentioned the distinguished Senator from Vermont [Mr. AIKEN], who was the leader in connection with the reorganization bill. The able junior Senator from Washington [Mr. JACKSON] had great concern over the bill, as to whether or not the reorganization plan should be accepted. He expressed his concern to the distinguished Senator from Vermont, and the Senator from Vermont responded in debate:

> We have Mr. Benson's assurance that so long as he is Secretary he will never permit it to be used for anything that is in the reorganization plan except to carry out the express intent of Congress.

I especially wish to commend the distinguished junior Senator from Minnesota for revealing and disclosing what has been happening.

Yesterday it was said that we should not pay any attention to some of the newspaper reports. It was the newspapermen who revealed what was going on. Congress had no way of knowing. I pay special tribute to the press, and especially to my own press in Colorado. Gene Wortsman, a distinguished reporter for the Rocky Mountain News, had called the Department of Agriculture, and had received the information which I placed in the RECORD yesterday. The information contained in Mr. Wortsman's August 13 news story was confirmed by Secretary Benson's press release today. According to the Associated Press report, Mr. Benson now admits that there was a limitation of lending authority, and that Kenneth Scott, Director of the Agricultural Credit Service, had already been placed over the REA Administrator in this regard. The limitation was on loans over $500,000.

The reported admission by Secretary Benson must come as a distinct shock and embarrassment to my distinguished senior colleague from Colorado [Mr. ALLOTT], who yesterday asserted so emphatically that there was no watering down of the lending authority of Dave Hamil, who comes from Colorado, and who is the REA Administrator. Twenty-four hours later he found that the rug had been pulled out from under him by the Secretary of Agriculture in his press conference today. The senior Senator from Colorado was sincere in trying to find out the facts, but apparently he was never given all of the facts by the Department of Agriculture.

Here we are on the eve of the adjournment of Congress. The Secretary of Agriculture has an obligation to come to the Congress and make a report as to why he is modifying an important Congressional policy. The Secretary has the duty to come forward and give an explanation as to why he is violating the intent of Congress.

I commend the distinguished junior Senator from Minnesota for the fine work he has done in this connection.

Mr. HUMPHREY. I thank the Senator from Colorado.

At this point I turn to the hearings, on page 168. This was a hearing on May 8, 1953, on Reorganization Plan No. 2. I should like to read, for the interest of my colleagues, one or two excerpts from those hearings. They are quite revealing, in the light of what has happened.

I asked Secretary Benson a number of questions about credit policies of the Department of Agriculture. In the earlier pages I had reviewed with the Secretary what might happen to the Farmers' Home Administration, the Farm Credit Administration, and other agencies. I received the assurance that they would be left intact, and untampered with. Then I said:

> Senator HUMPHREY. Now, moving down to concern about another agency that is highly regarded yet sometimes controversial, as you know. The National Association of Rural Electric Cooperatives, I believe, has gone on record in opposition to this reorganization plan. I believe that is correct. Is that not so?

Secretary BENSON. I did not know that. If it is true, that is their prerogative, of course.

Senator HUMPHREY. I think that I have heard that.

Secretary BENSON. I was away at the time. I guess that is the reason it slipped by me.

Senator HUMPHREY. I am sure that their concern is over the autonomy of the REA. It has had a very fine record. The statute concerning REA—I have here the committee documentation on this—the authority is vested in the Secretary, but the statute makes it quite clear that it must be administered through the Rural Electrification Administrator.

Now, the fear is—I hope it is an unfounded fear—that the reorganization proposal may result in the dismantling of the Rural Electrification Administration, in other words, taking certain functions of the Rural Electrification Administration and dispersing them through several units in the Department, the credit functions, for example, of the REA. Then, of course, there are the technical aspects of REA.

What is your thinking on that, Mr. Secretary?

Secretary BENSON. I certainly have not reached any conclusion that any of the important functions of REA would be distributed to other agencies. I have been intensely interested in the work of REA.

Senator HUMPHREY. I know you have.

That was the reply to the junior Senator from Minnesota, who was asking specifically whether there had been any tampering with the credit functions, the lending functions. The Secretary indicated to the contrary.

Secretary BENSON. It goes way back even beyond REA, really.

He told us his experiences as a young man on a farm.

Reading further:

Senator HUMPHREY. Your intention, then, as I interpret from your remarks, is to leave the REA pretty much as an autonomous organization?

Secretary BENSON. Certainly I do not have in mind weakening the service which REA is rendering. I think it is very essential, and I do feel that we have selected a good man to help it, and he will be given a pretty free hand, I am sure. But if we have in mind any major changes, certainly we would want to consult with the Congress before we took such steps, because I know there is a very wide interest in that agency, probably as much as in almost any other agency in the Department.

Senator HUMPHREY. Now, Mr. Secretary, you have indicated that you have no intention of abolishing the farmer-elected committees; is that correct?

Secretary BENSON. Yes, I think that is generally true. I think my statement which I made before the Agricultural Appropriations Committee sets forth that rather clearly.

I was but one of a dozen or more Senators who showed an interest in this particular reorganization plan. Every single Senator received the same type of response to questions placed before the Secretary.

At that time some of the farm organizations were against the reorganization plan. The National Rural Electric Cooperative Association was against the plan, as I recall. The Senator from Georgia [Mr. RUSSELL] was against the plan. The distinguished Senator from North Dakota [Mr. YOUNG] was against the plan—all of them because they were dubious as to what might happen under the particular terminology of the reorganization plan.

Subsequently Congress did not disagree to the plan. Let me say again that it is not merely a question of what the Secretary is doing. It is the manner in which it is done.

I have now been appointed chairman of the conference committee on the extension of the Reorganization Act, which the President has requested. It has been my privilege to support that act every year, and to support, almost without exception, every reorganization plan. I say that this is an unfortunate set of circumstances which has recently developed. It throws a cloud over the entire reorganization program. The reorganization program specifically stated, and every implication of every word of testimony was to the effect, that before reorganizations were made the appropriate committees of Congress would be consulted.

I respectfully say—and I say it with sadness—that every attempt that has been made to have the appropriate committees of Congress informed or notified as to contemplated or alleged changes in the REA has been rebuffed. Not a single effort has been made by the Department to inform any committee or subcommittee of Congress, including the Committee on Appropriations.

The Committee on Appropriations was not told of this change in policy. The Committee on Appropriations, which makes the initial recommendation as to REA loan funds, should have been told if there was to be any major change of policy. A change of policy has been made, when loans of $500,000 or more are subject to the approval or disapproval of a man appointed by the Secretary, without his nomination being confirmed by the Senate—a man who is in charge of agricultural credit services, without a Presidential appointment, and without Senate confirmation, when, in fact, the law specifically states that the Administrator of REA, who is a Presidential appointee, and whose nomination is confirmed by the United States Senate, is to have the exclusive right and prerogative of managing the REA, particularly so far as loan authorizations are concerned.

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

Mr. HUMPHREY. I yield.

Mr. MORTON. The Senator from Minnesota said it is clear, he feels, that the Secretary of Agriculture has designated a Mr. Scott as his agent and has given him power to veto loans of the REA which Mr. Hamil has agreed to make.

Mr. HUMPHREY. I would say that it is clear that Mr. Scott has been designated, as the Secretary himself has stated; and that loans in excess of $500,000 are to be cleared through Mr. Scott.

Mr. MORTON. In other words, Mr. Hamil is to consult with Mr. Scott.

Mr. HUMPHREY. Do they have so little to do in that Department that they must visit with each other?

Mr. MORTON. The Secretary has responsibility in the budgetary field. I feel he must know about these large loans. The Secretary has a very real responsibility in view of the debt ceiling.

Mr. HUMPHREY. I say most respectfully——

Mr. MORTON. He can delegate someone in his behalf to go over the loans. That is a responsibility from a budgetary standpoint, in view of the debt ceiling. If that is done, perhaps we can go through another few months without being forced to reassemble in the fall to consider raising the debt ceiling. I do not believe it involves a change in policy.

Mr. HUMPHREY. I say most respectfully that how much money is available for loans under the REA program is not within the jurisdiction of the Secretary of Agriculture. It is within the jurisdiction of Congress. Let us make no mistake about it.

Mr. MORTON. Absolutely.

Mr. HUMPHREY. If the Secretary of Agriculture sticks his nose into it, he will get his nose out of joint. The debt ceiling is not involved in this subject, because Congress determines how much money is to be made available to the Rural Electrification Administration. Congress is supposed to have established a separate, autonomous office, removed from politics, with an REA Administrator as its head, who is not supposed to be subject to the whims of political pressures in the making of loans.

I say that whenever a Presidential Cabinet officer can exercise his authority over an officer of Government whose office has been established by special act of Congress, and whom it has removed from the political field, the REA program is heading for trouble, and it will be in trouble both politically and economically.

Surely the Senator can say that the Secretary of Agriculture ought to be consulted on budgetary matters. But, if that is the case—and I am assuming for the moment that it is the case—why did not the Secretary of Agriculture tell the Committee on Appropriations or some other committee of Congress that there was a change of policy? There was no such notice given. This is a violation of the word of the Secretary of Agriculture to the committee of the Senate which handles organization plans. It is a violation of the report of that committee to the Senate. Surely if the Secretary is to exercise budgetary supervision—and I believe that is necessary—then there is a means provided for that in section 4 (b) of the Reorganization Act, for notification to the Members of Congress through appropriate committees.

Taking the argument of my friend from Kentucky on any ground, the Secretary has not acted, I will not say in bad faith, but has not acted in terms of what is sound administrative practice. If he had, this matter would not have come up.

Mr. MORTON. I cannot agree with the Senator from Minnesota that it involves a basic change of policy. I think it is the responsibility of the Secretary of Agriculture to know about large loans. Certainly the Secretary cannot be charged with not being a friend of REA. I think perhaps more money has been lent to REA under the Secretary's stewardship than any other Secretary.

Mr. HUMPHREY. I must ask the Senator not to put words in my mouth. I did not attack the Secretary as not being a friend of REA. I have never said that. I did not say he did not make loans. What I said was that the Secretary said before there was any change of policy he would notify the appropriate committee of Congress. He did not do that.

Mr. MORTON. Is there a change of policy involved when he merely keeps himself informed and requires the head of the Rural Electrification Administration to consult with a member of his staff?

Mr. HUMPHREY. I would say there was. The Secretary himself has said it. He did not say it to me or to any other Senator. He said it to a newspaper man, and we are indebted to him for that. Furthermore the Secretary said that that change of policy went into effect in June.

Mr. MORTON. I believe I will reserve further comment until I have read the report of the Secretary's press conference.

Mr. HUMPHREY. I shall be the first to apologize if I am wrong, or if I am being misinformed by the Associated Press dispatch. I made a very conscientious effort to obtain the facts. I have spent not only my time on the matter, but the staff of the committee has spent its time on it. It is a nonpartisan staff. It is the same staff that was in office during the time the Republicans were in control of Congress. I have asked members of that staff to seek out the facts. I have asked Mr. Walter Reynolds and Mr. Miles Scull of the Committee on Government Operations to assemble the facts for me. I have asked them, "All I want you to do is to get the material that is pertinent to the allegation. I do not know whether it is true. Will you please try to get the Secretary to come before the committee."

I have not stayed up nights thinking how I will make this speech. I am not the only one who has spent time on this subject. I went to the trained nonpartisan staff of the committee, and I asked them to look up the facts and give them to me. They have done that.

I say this is no way to conduct the Department of Agriculture. This is no way to operate the REA. The Senator from Kentucky can reserve his right, if he wishes, to determine whether it is a change of policy.

I say if a bank has a policy that a person can get a loan of $1,000 without filing a statement as to his worth—which many banks require—and then it changes the policy to the effect that it will grant a loan of only $200 without such a statement being filed, that involves a change of policy. Everyone knows that. This is a change of credit policy.

All I am saying is that not a single instrumentality of Congress was notified of the change. It can be argued whether the change is good or bad. The Senator suggests that the lending policy may be reviewed. Perhaps so. I say in light of the long history of REA and in the light of the REA's autonomous position within the executive branch of the Government, and in light of what I believe to be the good record of the REA, under Republican and Democratic administrations, I believe what has happened is most unfortunate.

I do not wish to prolong the argument. I am not seeking any fight. I am not angry with Mr. Benson. I am not trying to be personal at all. I would respectfully suggest to my good friend from Kentucky, if he has the opportunity—and I know he is very busy—that he take the time to look through the hearing records.

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

Mr. HUMPHREY. I yield.

Mr. CARROLL. I wish to say to the Senator from Kentucky that the reason I have personally taken an interest in the matter is because Dave Hamil, the REA Administrator, comes from Atwood, Colo. However, more than that, it is because of some fine newspaper reporting in Colorado. Both the Rocky Mountain News and the Denver Post have done a wonderful job in getting at the truth, namely, that there has been a limitation placed on the lending authority of the Administrator of REA.

I say to the Senator from Minnesota that a very serious charge has been leveled here. This is what the Denver Post, an independent Republican paper, said in an editorial on August 14:

> Thus, when REA's now apply for loans to heavy up their lines or to build generation and transmission systems, those applications are exposed to more frequent challenge by private power companies which insist the loans are unnecessary.

I skip a few paragraphs.

> Now, all of this bears upon the reported difficulties of Colorado's David Hamil, who for the last year has been Administrator for the REA in Washington. The Administrator is now expected to submit all applications for loans of more than $500,000 to higher authority in the Department of Agriculture for review. We can only guess why.

Here is the charge this independent Republican paper makes:

> The conflicts that are multiplying between private power companies and rural electric cooperatives have been carried into the upper strata of politics. The Administrator, who adheres to the guidelines of the REA Act, who processes loan applications by long-accepted standards of economic feasibility, and who ignores the protests of private power companies whose service areas are beginning to commingle or overlap with those of the REA, invites political repercussions. That, we suggest, happened to Mr. Hamil.

That is a very good point, it seems to me, and that is why the Secretary ought to come before the subcommittee and tell a regularly constituted Congressional authority what the facts really are.

I read further:

> The point is, such foregoing questions can be answered by Congress in the kind of REA law it makes, and not by administrative policy which exposes the REA Act to the whim or the whip of politicians and the lobbies of special interests that may or may not be effective at any given time. Mr. Hamil and indeed no administrator of the REA should be expected to distort the law by executive decision simply because the law is inadequate to the stresses modern problems impose on it.

Mr. President, in a few paragraphs the Denver Post has set forth the whole issue. In spite of the fact that the Secretary of Agriculture stated there would be no change of policy without consulting Congress, a change has now been made. The Secretary of Agriculture has the obligation to come before a committee of Congress, in view of the overwhelming evidence that a change of policy has been made.

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## ORDER OF BUSINESS

Mr. ALLOTT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield to me for a moment?

Mr. ALLOTT. I am glad to yield.

Mr. MANSFIELD. Mr. President, if I may do so, I yield to the Senator from Florida [Mr. SMATHERS], who desires to submit a conference report.

The PRESIDING OFFICER. Does the Senator from Colorado yield for that purpose?

Mr. ALLOTT. Yes, I yield for the purpose of having the conference report submitted, if it is understood that I shall not thereby lose the floor.

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

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## AMENDMENT OF SECTION 22 OF INTERSTATE COMMERCE ACT—CONFERENCE REPORT

Mr. SMATHERS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 939) to amend section 22 of the Interstate Commerce Act, as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 19, 1957, pp. 15235–15236, CONGRESSIONAL RECORD.)

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

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

Mr. MANSFIELD. Mr. President, let me say that objecton was made earlier, and there was pending a call for a quorum. I think that should be stated for the record. The quorum call will be had as soon as possible, so that the objection may be heard. But I believe the conference report should be made the pending business at this time.

Mr. SMATHERS. Mr. President, will the Senator from Colorado yield further, so that I may propound a parliamentary inquiry?

Mr. ALLOTT. I am glad to yield.

Mr. SMATHERS. Mr. President, is the conference report now the pending business?

The PRESIDING OFFICER. The conference report is now before the Senate; and the pending question is on

agreeing to the report. That question is debatable.

Mr. SMATHERS. That is the pending question, is it not?

The PRESIDING OFFICER. Yes.

Mr. SMATHERS. I thank the Senator from Colorado.

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## LENDING AUTHORITY OF THE RURAL ELECTRIFICATION ADMINISTRATION

Mr. ALLOTT. Mr. President, I desire to address myself to the remarks, which have been made for the last hour or so by Senators on the other side of the aisle, concerning the situation in connection with the Rural Electrification Administration.

I shall try to do so with some brevity, and I hope I shall do so with some clarity, in order that no further errors will appear in the RECORD.

I do not have before me the Associated Press dispatch to which the Senator from Minnesota has referred, and from which he has quoted. If he will let me have it for a few minutes, I shall be happy to use it in the course of my remarks. But I do not have it before me now.

Mr. HUMPHREY. I now have the report before me, and I hand it to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator from Minnesota.

Mr. President, I now hold in my hand the Associated Press dispatch which was issued this morning, and upon which the remarks of the distinguished Senators have been based.

First of all, let it be noted that it is a press dispatch; it is not a statement by the Secretary of Agriculture, Mr. Benson; neither is it a press release from his office; neither does it quote the Secretary of Agriculture in any respect.

On yesterday, when we discussed this matter, several issues developed. I desire to dispose of them.

First of all, I wish to make it perfectly clear that I have not yet heard on this floor any criticism of the great ability of Mr. Hamil, as applied to the performance of his duties as Director of the REA; nor, I am glad to say, has there been any criticism of the growth of the REA and the expansion of the REA under this administration and under Mr. Hamil.

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

Mr. ALLOTT. I am very happy to yield.

Mr. AIKEN. I wish to say that I do not believe the Senator from Minnesota had to rely upon a press release to find out what Secretary Benson was saying this morning, because I believe the Senator from Minnesota received, this morning a letter from Mr. Benson; and probably the Senator from Minnesota will be glad to put the letter into the RECORD.

Mr. HUMPHREY. Mr. President, will the Senator from Colorado yield to me?

Mr. ALLOTT. I yield.

Mr. HUMPHREY. Not only did I receive the letter—which I have been waiting for since August 5—but I also placed it in the RECORD.

Mr. AIKEN. It is in the RECORD; is it?

Mr. HUMPHREY. Yes. And at the time I said I wanted to do justice to the Secretary, and I wanted the entire letter to be printed in the RECORD. But the letter does not say when he will come before the committee. He said that sometime he would like to visit with me.

Mr. AIKEN. I believe he said Mr. Hamil would visit with the Senator at any time.

Mr. ALLOTT. Mr. President, I shall be glad to yield for questions, but I do not wish to yield to other Senators, to have them make speeches in the course of my remarks.

First of all, I must disagree with my very distinguished friend, the Senator from Vermont [Mr. AIKEN]. We shall get these matters straightened out one by one.

On yesterday, the junior Senator from Minnesota [Mr. HUMPHREY] made the statement, in substance—it appears in the RECORD, and he said it categorically—that the REA was an independent agency. Yet a few minutes ago he said, in reading from his own prepared statement, which I copied down as best I could, because I do not have before me the document referred to, that he asked the Secretary of Agriculture whether he was leaving it pretty much as an autonomous organization.

I submit that one cannot say categorically that it is independent, and still ask whether a certain official is leaving it pretty much as an autonomous organization.

Mr. HUMPHREY. I did not say that.

Mr. ALLOTT. I copied it down as best I could, as the Senator from Minnesota read the statement. I shall be happy to read the paper, if the Senator from Minnesota will give it to me.

On yesterday, we discussed this matter.

At this time I desire to address myself to one point, as follows: I feel that entirely too much work is done for Senators by their staff members. I desire to make myself entirely clear on that point. I feel that if possible, and it is possible, Senators should not depend so much upon staff members. By avoiding that, perhaps Senators can avoid some of the confusion which often develops.

During the remarks made on the floor of the Senate this afternoon, I talked with two persons—one in Washington, D. C., and one in Colorado. Before that, and as a basis for the remarks I made on yesterday, I had talked to Mr. True D. Morse, in the absence of Mr. Benson; and I had talked to Mr. Scott, who is the head of the Agricultural Credit Agency in the Department of Agriculture. From those conversations it seemed abundantly clear to me, that there has been no change in the basic policies of the Department of Agriculture.

First of all, the Department of Agriculture does have a basic responsibility for the REA.

Second, no basic change has been made.

Despite what the press report says, the Secretary of Agriculture has assured me within the hour, and Mr. Hamil has assured me within the hour, that there is no veto or any direction as to how these loans shall be made.

Mr. HUMPHREY. Mr. President, at this point will the Senator from Colorado yield to me?

Mr. ALLOTT. I yield for a question.

Mr. HUMPHREY. Then, in light of the request I made personally by letter to the Secretary of Agriculture, does not the Senator from Colorado think it would have been appropriate for the Secretary of Agriculture to have informed the junior Senator from Minnesota of the same thing? The Secretary of Agriculture wrote me a letter, but in it he did not inform me of this at all.

Mr. ALLOTT. I do not know about that, and I shall not attempt to answer that question. I am simply stating what the facts are.

There has been a very serious attempt to say, here on the floor of the Senate, that the Department of Agriculture, through Mr. Scott, has set itself up in a veto relationship in the case of REA loans. That is what I propose to discuss. I intend to inform the Senate and the country of the investigation I have made into this matter.

Mr. HUMPHREY. Mr. President, will the Senator from Colorado yield for another question?

Mr. ALLOTT. I yield for a question.

Mr. HUMPHREY. Is it not rather peculiar that the Secretary of Agriculture has plenty of time to talk to the Senator from Colorado on the telephone, but has no time at all, at any time at his convenience, to meet with a duly authorized committee of the Congress? I am perfectly willing to sit down with him at 9 o'clock at night.

Mr. ALLOTT. Mr. President, I have yielded for a question, I shall answer it; and then I shall proceed with my remarks, in my own way, for a few minutes.

A few minutes ago I said, in regard to the remarks the Senator from Minnesota had made, that he had asked certain staff members to investigate this matter. There is no question in my mind that if the junior Senator from Minnesota had called the Secretary of Agriculture—and I am sure the Senator from Minnesota is not unacquainted with him—the Secretary of Agriculture would have talked with him and would have discussed the matter with him.

Mr. HUMPHREY. Mr. President, at this point will the Senator from Colorado yield?

Mr. ALLOTT. I yield for one more question.

Mr. HUMPHREY. Will the Senator from Colorado tell me how I could even get hold of the Secretary of Agriculture, when he had gone away? No one would tell where he was.

Second, when the Secretary of Agriculture did return, will the Senator from Colorado tell me why—when a letter was lying on the Secretary's desk—it would not have been proper for him to communicate with the Senator who wrote the letter?

Mr. ALLOTT. I cannot place myself in the position of Secretary Benson.

It was the Senator from Minnesota who pointed out to me, on the floor of

the Senate, on yesterday, that the Secretary of Agriculture had returned. That is why I had the information, and that is why I called him this afternoon.

Mr. HUMPHREY. I heard that from the United Press, not from the Secretary of Agriculture.

Mr. ALLOTT. Mr. President, I shall develop the matter further. As nearly as it is possible to do, I should like to straighten out several things.

First of all, question has been raised as to why Mr. Hamil is in Colorado at this time. At one point it was implied that someone was trying to "run him out." Perhaps that is true; but, if so, those who are trying to run him out are not the ones whom it has been implied were trying to do so. Mr. Hamil is in Colorado, for his annual vacation; and I do not think anyone should be critical of him for that.

As a matter of fact, there are few people in Government who have devoted themselves more assiduously to their jobs than has Mr. Hamil.

First of all, in discussing this matter with Secretary Benson, in view of the remarks I made on the floor yesterday, and in view of the remarks that were being made on the floor this afternoon, I put directly to the Secretary, the questions which have arisen as to his assumption of a veto power over and the direction of the REA. In reply to those questions, he told me that Mr. Hamil and Mr. Scott had mutually agreed some time ago that they would look into these questions and would discuss the economic feasibility of these matters, because they felt that mutual advice on the overall agricultural picture, and how it was developing, would be of great value in the matter. He told me further they had reviewed some of the files—which was the statement I made yesterday—and they had discussed them, but only as to some of the larger loans; that there had been no reorganization of their Department; that there had been no reorganization of REA; that there was no veto power; and that there had been no pressure of any kind, either to approve or disapprove any loan or any application for a loan that had come up. He further advised me that Mr. Hamil had told him this review and discussion of policy had been helpful to him.

This afternoon, when I discussed the matter with Mr. Hamil, he reaffirmed, almost in the same words, what the Secretary had said—that he has himself been wholly responsible for the decisions that were made with respect to loans; that the purpose of the discussions was primarily to bring the Department of Agriculture up to date on what the REA was doing and how it was developing and how it was performing; that not one loan had been turned down where the Department of Agriculture had ever seen the file; that there were absolutely no restrictions of any kind upon him, nor had any policies or guidelines been laid upon him; and that he finds no objection to the practice of checking the files or reviewing the files—however one wants to put it—which have come into existence.

I am sure Senators on the other side of the aisle are genuinely concerned about the benefits and welfare of REA, but it seemed to me that this matter should be made abundantly clear. If there was ever much ado about nothing, I believe this is it, because the policies of the REA, the direction and control of REA, according to Mr. Hamil's statement and according to the Secretary's statement, have remained unchanged.

Mr. Hamil was very, very emphatic in saying that in no instance had his policies ever been interfered with, nor had the Department of Agriculture, or any member of it, ever controlled or tried to tell him to approve or disapprove a loan; that he understood, as of now, that he was responsible for the directorship of REA, and not the Department of Agriculture, Mr. Scott, or anybody else; and that he intended to continue fulfilling that responsibility to the best of his ability.

So, Mr. President, while I realize that interpretations as to what is said can differ, it seems to me it is only proper at this time, in view of the rather lengthy discussion which has taken place, that the RECORD be made perfectly clear as to what the situation is with respect to the Department of Agriculture and the REA. It is that while some of the files have been reviewed, there has never been a loan turned down on any file which has been reviewed, and there has never been any attempt on the part of the Department of Agriculture, or any of its members, to cause him either to disapprove or approve a loan, or in any other way to operate or run or interfere with his department.

I believe it is necessary to make such a statement for the RECORD. It is my hope it can be set straight in more positive fashion; but during this interval, for whatever reasons there may be, in the absence of Mr. Hamil, in all due fairness to the welfare of the farmers of the Nation who are dependent upon the REA, it seems to me it is necessary to make such a statement.

In 4 years of this Republican Administration, the backlog of REA loans was reduced from $192 million to $90 million. In addition to that, I believe more money has been lent under REA during this administration than was loaned in any like period before.

The record of Mr. Hamil, as well as that of his predecessor, Mr. Ancher Nelsen, in expanding the REA and in realizing the ideal of making REA really a working and practical agency has been a record of which certainly I, and I am sure every Member of the Congress, is very proud.

Mr. President, I hope this will lay the matter at rest. In view of the fact that both the conversations occurred while the matter was under debate on the floor, I felt that my colleagues, and the people who are interested in the welfare of REA, should be aware of it.

I suggest the absence of a quorum——

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado withhold his suggestion of the absence of a quorum?

Mr. ALLOTT. Does the Senator wish me to yield to him, or does he wish the floor?

Mr. HUMPHREY. I wish to make a comment in my own right.

Mr. ALLOTT. I yield the floor.

Mr. HUMPHREY. To conclude this colloquy, I wish to say to the Senator from Colorado that we are not arguing about the accomplishments of REA. While it is true that more money has been loaned, the reason it has been loaned is that it has been provided and made available by the Congress. I suppose both political parties can take credit for that.

Mr. ALLOTT. I think the Senator from Minnesota will agree that while Congress provides the money, the circumstance that it was loaned is illustrative of the fact that the policies of the Congress as expressed in legislation were being carried out.

Mr. HUMPHREY. I think that is a correct statement. I should add that the cost of construction is probably higher, so we are not too sure what we are getting for the money we are spending.

I think what must be dealt with is not the capability of Mr. Hamil, which is not questioned. If Mr. Hamil is on vacation, God bless him. I am sure he deserves it. If he is in Colorado for his vacation, he is probably having a wonderful time. It is a beautiful State.

The Senator from Minnesota was very careful in his comments, and he has reread them. If the allegations of a change in organization or policy are true, then there has been a violation of the commitments which were made at the time of Reorganization Plan No. 2 in 1953. At that time the Secretary assured us that if such a change were contemplated, the committees would be informed. It is well and good for a Senator to inform other Senators as to what is going on in the Department of Agriculture. I am deeply indebted to the Senator from Colorado for his information as to what was said. It is very helpful. But telephone calls are two-way streets. I initiated the conversation with the Secretary in my role as chairman of the subcommittee. I sent him a personal letter through my staff, and awaited a reply. A reply was not forthcoming until today, in the form of a letter. It is no more difficult for the Secretary to call the junior Senator from Minnesota than it is for the junior Senator from Minnesota to call the Secretary. Since a request was made by a Member of Congress, it appeared that a reply was only just and courteous.

The point at issue here is: If a decision has been made relating to loan policy, why was that decision not discussed with the Congress, in the light of the commitments made under Reorganization Plan No. 2? The friends of the REA had better be pretty careful, because if the present Secretary can get by with such a procedure, another Secretary will get by with even more.

I repeat what the Senator from Georgia [Mr. RUSSELL] said, when he reminded us in the committee, "If we do not tie

this thing down into specific terms, gentlemen, somebody is going to tamper with the REA."

It may be said that there is no tampering with the REA now, and we can argue the point and take sides on the question. There seems to be little doubt that the Director of the Agricultural Credit Services is at least in a consultative position with the Administrator of the REA on loans. I submit that was not the case before June 1. I submit that the record, at least so far as we have been able to ascertain it, is that their kind of arrangement is operative with the approval of the Secretary of Agriculture. I further submit that it represents a change in policy.

If there is anyone who can produce a letter from the Secretary saying that Mr. Hamil, the Administrator—whoever the Administrator may be, since we are not talking solely about Mr. Hamil—is not required to discuss loans of $500,000 or more with the Director of Agricultural Credit Services, by the production of such a letter one could say there is no change. The truth is that prior to June 1, 1957, loans of $1 million, loans of $2 million, and loans of $5 million were made, consummated, signed, sealed, and delivered by the Administrator of the REA under the authority of the Congress.

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

Mr. HUMPHREY. That was done without any requirement whatsoever on the part of the Secretary of Agriculture that the loans be cleared with or discussed with any other member of the Department.

I am not going to argue the merits of the matter. If there is to be an argument about it, the place for it, it seems to me, is before a committee. All the Senator from Minnesota has said, which he will repeat, is that anyone who wants to look at his comments will find them respectful of the Secretary, and considerate of the position of the Congress and the responsibility and the authority of Reorganization Plan No. 2.

I now yield to the Senator from Colorado.

Mr. ALLOTT. Is the Senator contending that the conveyance of information in the files to the Department of Agriculture is a change of policy?

Mr. HUMPHREY. The Senator from Minnesota is contending that prior to June 1, 1957, there was no such requirement whatsoever.

Mr. ALLOTT. Let me state what is occurring.

Mr. HUMPHREY. There was no requirement that a loan of any size be cleared with any member of the Department of Agriculture, save the Director of the REA. If the Senator from Colorado can prove to the contrary, he will be given all the time necessary in my time. I will yield to him for that purpose.

Mr. ALLOTT. I shall take the time in my own time.

Mr. HUMPHREY. I should like to have the Senator prove that there was such a policy prior to June of 1957. If there was a change in policy, why were we not notified?

Mr. ALLOTT. When the Senator yields the floor I will answer him.

Mr. HUMPHREY. I thought the Senator had another question to ask.

I think all the debate boils down to whether we are to have a Cabinet officer who has administrative jurisdiction over an agency, which by law of Congress has been granted autonomy so far as its policy and function is concerned, make basic policy decisions and organizational changes without any reference to the Congress of the United States, in the light of Reorganization Plan No. 2. That is all that is involved, in my view.

Mr. ALLOTT and Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I should like to ask the Senator from Minnesota one question.

Did I understand the Senator to say that he had placed in the RECORD a letter he received from the Secretary this morning?

Mr. HUMPHREY. Yes. I also asked to have printed the letter to Under Secretary Morse.

Mr. ALLOTT. So that there will be no question about that, I hold in my hand a copy of the letter. It does not say at any point that there has been any reorganization.

I should like to make one point. The junior Senator from Minnesota has said that loans of $500,000, $750,000, and $1 million or more have been made heretofore upon the authority of the Director of the REA, and they are made upon the authority of the Director of the REA, according to Mr. Hamil. He is the only one, the sole person, who has the say "yes" or "no" based upon the feasibility or advisability of any loan. So there has been no change of policy. The submission of information to the Department of Agriculture for its information does not constitute a change of policy.

Mr. HUMPHREY. Will the Senator then answer a question for me? For what purpose is the reference? I am serious about the matter. I am not trying to be picayunish. What is the purpose of the reference to the Director of the Agricultural Credit Services? Perhaps the Senator can tell me, since he has had such a friendly contact with the Department and since he receives copies of letters which the Secretary sends to me. I hope the Secretary does not send copies to everybody.

Mr. ALLOTT. I received this copy after the debate had started. I do not receive copies of any letters sent from the Secretary of Agriculture to the Senator from Minnesota, or copies of letters sent to any other Senator. I want to make that perfectly clear.

Also, so that the record may be made straight, I want to make perfectly clear that I do not believe my relationships with the Secretary of Agriculture are unique or any better or any worse than those of many other Senators, and I wish to state that any other Senator could have the same access to the Secretary if he wished to have it.

The question which the Senator asked me could be answered by what Mr. Hamil said. Mr. Hamil said that they decided it would be mutually advantageous, and that he had found it helpful, since it gave them a picture of the general agricultural situation as it pertained to the REA which they would not have except through official reports. As I understood him—and I think I am quotting him correctly—he explained that it was a proper position, entirely satisfactory to him, and had not resulted in any handtying, any crippling, any direction, or any veto power.

## AMENDMENT OF SECTION 22 OF INTERSTATE COMMERCE ACT—CONFERENCE REPORT

Mr. SMATHERS. Mr. President, a few moments ago when the motion was made that the Senate proceed to consider the conference report as to Senate bill 939, there apparently was some misunderstanding with respect to the wishes of the Senator from Tennessee. The Senator from Montana felt that a quorum call should have been requested prior to the motion being made to take up the conference report. In the absence of the Senator from Tennessee, of course, there was no objection to taking up the conference report, for consideration, so it became the order of business.

Shortly thereafter the Senator from Tennessee came into the Chamber, and seemed to be somewhat put out about what had happened, so I agreed with him that I would ask unanimous consent that the vote on the motion to take up the conference report be reconsidered as soon as the colloquy between the Senator from Colorado [Mr. ALLOTT] and the Senator from Minnesota [Mr. HUMPHREY] had come to an end.

Since that time the Senator from Tennessee has advised me that he is satisfied with the procedure which we originally followed, and that he does not now desire a reconsideration of the vote by which the motion to take up the conference report was agreed to.

The Senator does insist that we should have a quorum call before any vote is taken on the conference report. I have assured the Senator that if I am on the floor at that time I certainly shall ask for the quorum call, and I want to make it a matter of record, so that whoever may be the acting majority leader at the time will ask for a quorum call prior to the vote being taken on the adoption of the conference report.

## JURISDICTION OVER MEATPACKERS AND FOOD HANDLERS

Mr. WATKINS. Mr. President, on August 16, 1957, the United States Department of Agriculture announced that it had issued a complaint against Wilson & Co., one of the largest meatpackers in the country, charging that firm with price discrimination, deceptive practices, and the keeping of false records in violation of title II and other provisions of the Packers and Stockyards Act.

It is too bad that such announcements, which I am sure in this case, just happen to be coincidental with rather immediate pending Senate consideration of S. 1356, a bill to return such jurisdiction to the

FTC because of 36 years of nonenforcement by the United States Department of Agriculture, have not been more frequent and thus indicative of vigorous and effective enforcement. That such is not the case, is evidenced by these facts:

First, in 36 years the United States Department of Agriculture has issued exactly 7 cease and desist orders against packers under title II for engaging in unfair trade practices in the wholesaling of meat products—the last one was issued 18 years ago.

Second, in 36 years, the United States Department of Agriculture has never issued a cease and desist order against a packer under title II in connection with the wholesaling of a nonmeat food or nonfood product.

Third, in 36 years, there has never been even one court case involving title II. As the Senate report on S. 1356 indicates:

> Agriculture's failure to prosecute cases under the trade practice provisions of the Packers and Stockyards Act has resulted in a complete lack of judicial construction of the act.

In this connection, I call attention to an editorial of August 19, 1957, in the Washington Post entitled, "Packers and the FTC." In part, it properly points out that—

> The O'Mahoney-Watkins bill would properly leave regulation of the stockyards in the Department of Agriculture. It would shift to the FTC only the kind of watchdog function it exercises against unfair trade practices in other industries. Indeed, the meatpacking industry, although it is the third largest in the United States, is the only group which effectively escapes such supervision. The meatpackers have no better claim to immunity from FTC supervision than any other food processors.

I ask unanimous consent that the editorial be printed in full at this point as a part of my remarks.

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

PACKERS AND THE FTC

The Senate will have an opportunity today to extend the area of effective policing against monopolistic practices. It is scheduled to consider a bill by Senators O'MAHONEY and WATKINS that would shift jurisdiction over unfair trade practices in the meatpacking industry from the Department of Agriculture to the Federal Trade Commission. Congress assigned this function to Agriculture when it passed the Packers and Stockyards Act in 1921 on the assumption that it would be more vigorously enforced by that Department. This was an illusion. In 36 years the Department has issued only 28 cease and desist orders under the act, many of them trivial. No order dealing with monopolistic or unfair trade practices by meatpackers has been issued during the last 19 years. Representative CELLER had a good deal of justification for calling this situation a supervisory vacuum, despite recent moves to correct it.

The inability of Agriculture to cope with the problem is evident from the fact that its Trades Practices Section is staffed by only two marketing specialists and a stenographer. Probably more important is the fact that the Department relies upon the packers for an assortment of data that go into its reports. Its major interest lies in the regulation of the country's 375 livestock markets, 1,300 commission firms, and 2,000 livestock dealers. It has neither the specialists nor the experience for effective enforcement of the law against unfair trade practices.

Recently another powerful incentive to action on this measure has arisen. The law divesting the FTC of jurisdiction over packers is so sweeping that chain stores may now indulge in unfair trade practices without challenge from the FTC if they buy a packing plant or prepare meats for shipment in interstate commerce. If for no other reason than to arrest this spreading of immunity to antitrust regulation, the law should be promptly amended.

The O'Mahoney-Watkins bill would properly leave regulation of the stockyards in the Department of Agriculture. It would shift to the FTC only the kind of watchdog function it exercises against unfair trade practices in other industries. Indeed, the meatpacking industry, although it is the third largest in the United States, is the only group which effectively escapes such supervision. The meatpackers have no better claim to immunity from FTC supervision than any other food processors.

Mr. WATKINS. The action of the United States Department of Agriculture in announcing that it had issued a complaint against Wilson & Co., of course, is to be commended, but in light of 36 years of nonenforcement by the United States Department of Agriculture the public interest requires that S. 1356 be enacted, and jurisdiction over packers returned to the Federal Trade Commission, where it was before 1921.

Mr. President, on June 26, 1957, I called to the attention of Members of the Senate that the Giant Food Shopping Center on June 18, 1957, had petitioned the Federal Trade Commission to dismiss a complaint issued under section 5 of the Federal Trade Commission Act against it by the Federal Trade Commission in November 1955, because it was a meatpacker. This is a corporation which operates a chain of 36 supermarkets here in the District of Columbia, Virginia, and Maryland.

On that occasion, I went on to point out that the Giant Food Shopping Center did not even own a packing plant or a 20 percent interest in one; rather that its meatpacking operations, if you can call them that, were limited "to preparing retail cuts of meat from carcasses of steers, calves, lambs, and so forth, purchased from bona fide packers for sale in its 36 stores. Yet on this basis, it claimed exemption from the jurisdiction of the Federal Trade Commission, on the grounds that it was a packer within the definition contained in the Packers and Stockyards Act of 1921, and thus subject to the exclusive jurisdiction of the United States Department of Agriculture.

A Federal Trade Commission hearing examiner ruled on August 15, 1957, as summarized by a Federal Trade Commission release, that—

> The preparation of sausage and meatloaf by Giant Food Shopping Center, Inc., Washington, D. C., is sufficient to prevent the Federal Trade Commission from proceeding against it on charges of inducing illegal promotional allowances.

Mr. President, S. 1356, which shortly, I understand, will be called up for debate, will remedy this situation by amending the Packers and Stockyards Act of 1921 and the Federal Trade Commission Act so as to bring the trade practices of all firms wholesaling meat, nonmeat food and nonfood products under the jurisdiction of the Federal Trade Commission.

I ask unanimous consent that the press release and the hearing examiner's decision, referred to a moment ago, be inserted in the RECORD at this point in my remarks.

There being no objection, the press release and decision were ordered to be printed in the RECORD, as follows:

[Federal Trade Commission press release of August 15, 1957]

UNFAIR COMPETITION (FTC ACT)—INITIAL DECISION (6459) (FOOD PRODUCTS)

The preparation of sausage and meatloaf by Giant Food Shopping Center, Inc., Washington, D. C., is sufficient to prevent the Federal Trade Commission from proceeding against it on charges of inducing illegal promotional allowances, an FTC hearing examiner "reluctantly but firmly" ruled today.

The examiner, Frank Hier, said Giant is a packer under the Packers and Stockyards Act, and this law grants the Secretary of Agriculture exclusive jurisdiction. The FTC is denied jurisdiction, he continued, and the company's motion to dismiss the Commission's amended complaint of May 7 must be granted.

This is not a final decision of the Commission and may be appealed, stayed, or docketed for review.

The Commission had charged Giant with inducing special allowances from suppliers for promotion of an anniversary sale which it "knew or should have known" were not being offered to competitors.

The examiner ruled, contrary to Giant's contention, that cutting up, slicing, grinding, trimming, and wrapping meat does not make the concern a meat manufacturer or preparer.

"There remains, however," he continued, "the problem of sausage and meatloaf, which respondent makes by grinding up meat, mixing it with spices, and in the case of sausage, with other meat such as veal, and perhaps with other ingredients. The resultant products are not, therefore, meat per se, such as hamburger, but are meat products distinctly known to the public as such. Whether this be called manufacturing or merely processing, the operation is, nevertheless, preparing a meat-food product, separate and different from meat alone and consequently, in my opinion, within the definition [set out in the Packers Act]."

The examiner stated that Giant, which operates 36 supermarkets in the District of Columbia, Virginia, and Maryland, had retail sales of meat and meat products of about $11,800,000 for the fiscal year ending April 27, 1957, while its total sales for the same period—excluding ice cream, poultry, poultry products, and eggs—were $23,600,000. He observed that the record does not show what the percentage of meatloaf and sausage sales is compared to total sales, but it must be minuscule.

Although the company has been in business since 1936, the examiner stated it apparently did not regard its activities as within the Packers Act until the day before the filing of the motion to dismiss, when it registered as a packer with the Department of Agriculture.

The Commission's staff attorneys had argued that the Packers Act does not exempt the Commission from having jurisdiction over the Giant's entire business, but only over its meat activities. Although the examiner termed this interpretation as both plausible and persuasive, he emphasized that "Where the statute is plain and unambiguous in its terms, there is neither warrant nor

power to 'interpret'—only Congress can do so."

"The conclusion, reluctant but firm, therefore," he continued, "is that the jurisdictional grant to the Secretary of Agriculture and the denial thereof to the Federal Trade Commission is one in personam and that if any part or facet of a 'person's' business is within the definition of 'packer,' no matter how small or insignificant, all of his activities are beyond regulation by the Commission. Intellectual honesty compels no less."

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UNITED STATES OF AMERICA, BEFORE THE FEDERAL TRADE COMMISSION—IN THE MATTER OF GIANT FOOD SHOPPING CENTER, INC., A CORPORATION, DOCKET NO. 6459

INITIAL DECISION

Frank Hier, hearing examiner.

Andrew C. Goodhope, Fredric T. Suss, and Alvin D. Edelson, for the Commission.

Danzansky & Dickey, by Raymond R. Dickey, Washington, D. C., for the respondent.

This matter comes on for decision on motion by respondent to dismiss the complaint because of an asserted lack of jurisdiction of the Federal Trade Commission to bring or prosecute same. Although considerable proof on the merits has been taken and the complaint has been amended by the Commission, the motion is timely since it is a plea to jurisdiction.

The ground of the motion is that respondent claims to be a packer, subject exclusively to the jurisdiction of the Secretary of Agriculture under the Packers and Stockyards Act of 1921 (7 U. S. C. 181 et seq.). Respondent operates a chain of 36 supermarkets in the District of Columbia, Virginia, and Maryland, of which 14 are located in the District of Columbia; and through these stores it markets meat, meat-food products, dairy products, poultry and poultry products, eggs, floor wax, groceries, and allied products of all kinds and descriptions, doing a business for the fiscal year ending April 30, 1955, according to the complaint of some $60 million. The moving papers, the factual allegations of which are not controverted by the counsel supporting the complaint, show that for the fiscal year ending April 27, 1957, respondent did approximately $11,800,000 at retail in meat and meat-food products manufactured or prepared by it as a packer, and that its total business at retail for meat, meat-food products, dairy products, excluding ice cream, poultry, poultry products, and eggs amounted to $23,600,000 for the same period. Its claim for immunity by reason of lack of jurisdiction is based on title 7, United States Code, section 191, paragraph (b) thereof, which reads as follows:

"When used in this chapter—the term 'packer' means any person engaged in the business of * * * manufacturing or preparing meats or meat-food products for sale or shipment in commerce."

There is no claim that respondent buys livestock in commerce for purposes of slaughter, that it owns or controls, directly or indirectly, through store ownership, controlled or otherwise, any interest in a packing plant to the extent of 20 percent or more. Although respondent has been engaged in its present business since 1936, it apparently did not regard its activities as within the Packers and Stockyards Act until the day before it filed this motion to dismiss, when it registered as a packer with the United States Department of Agriculture. This is rather persuasive evidence in and of itself. The factual allegations set forth in the moving papers, which must be taken as true as they are not controverted by counsel supporting the complaint, show that respondent buys from slaughterhouses slaughtered carcasses of steers, calves, and lambs, the lambs being in whole carcass, the calves in half carcass, and the steers in quarter carcass; and that its butchers cut them up into steaks, roasts, chops, and, in addition, make meatloaf and country sausage; that when so cut up or so ground up the results are placed in cellophane or pliofilm and set out in cool counters for customers' selection. This butchering, trimming, cutting, slicing, grinding, etc., are illustrated by some 41 fancy photographs of the operations described. Because of this, respondent claims that it is engaged in manufacturing or preparing meats or meat-food products for sale or shipment in commerce. Exclusive jurisdiction over the acts and practices enumerated in title 7, United States Code, section 192, by those defined in United States Code, section 191, is conferred on the Secretary of Agriculture by title 7, United States Code, section 227, reading as follows:

"On or after the enactment of this act, and so long as it remains in effect, the Federal Trade Commission shall have no power or jurisdiction so far as relating to any matter which by this act is made subject to the jurisdiction of the Secretary, except in cases in which, before the enactment of this act, complaint has been served under section 5 of the act entitled 'An act to create a Federal Trade Commission, to define its powers and duties * * *' and except when the Secretary of Agriculture, in the exercise of his duties hereunder, shall request of the said Federal Trade Commission that it make investigations and report in any case (August 15, 1921, ch. 64, sec. 406, 42 Stat. 169; 7 U. S. Code, sec. 227)."

The two exceptions mentioned in the above code section are obviously inapplicable to this proceeding and it will be noted that the jurisdictional exclusion is as "to any matter which by this act, is made subject to the jurisdiction of the Secretary * * *."

The "matter" above referred to is obviously that which is contained in title 7, United States Code, section 192, which is so broad as to embrace, in this hearing examiner's opinion, the charge of the complaint which, in gist, was soliciting and inducing or accepting advertising allowances from its suppliers with knowledge that such advertising allowances were in violation of section 2 (d) of the Clayton Act. Respondent is admittedly engaged in commerce.

In addition, respondent relies on section 5 (a) (6) of the Federal Trade Commission Act (15 U. S. C. 45), which reads as follows:

"The Commission is hereby empowered and directed to prevent persons, partnerships, or corporations, except banks, common carriers subject to the acts to regulate commerce, air carriers, and foreign air carriers subject to the Civil Aeronautics Act of 1938, and persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921, except as provided in section 406 (b) of said act, from using unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce."

This hearing examiner has previously discussed these various sections of the law in the matter of Food Fair Stores, Inc., docket No. 6458, and in the matter of Crosse & Blackwell Co., docket No. 6463, and came to the conclusion that from the law itself and its legislative history the Congress intended, in the enactment of the Packers and Stockyards Act by its very breadth, to confer exclusively on the Secretary of Agriculture, the acts and practices of all who came within the definition of a packer as set out in title 7, United States Code, section 191, and to deny the Federal Trade Commission any regulation thereof.

The issue here, therefore, boils down to whether or not the activities of respondent, as above set out, are within the definition of "manufacturing or preparing meat or meat food products for sale or shipment in commerce."

Cutting up, slicing, grinding, trimming, and wrapping meat certainly cannot be considered manufacturing, nor is it, in my opinion, preparing meat or meat-food products for sale or shipment in commerce, any more than a delicatessen owner running a loaf of bread through a slicing machine at the customer's request is preparing bakery products for sale or shipment in commerce, or a men's clothing store which lengthens or shortens sleeves on a coat or cuffs on trousers is preparing clothing for sale or shipment in commerce. As a matter of fact, all of these trimming and slicing and grinding operations used to be done by the purchaser himself, at least, when this hearing examiner was a boy, and are presently done to a large extent by those restaurants which specialize in steaks and the like. To hold that slicing off a steak to the thickness desired by the customer would put a restaurant in the District of Columbia in the category of a packer, is stretching not only the law but one's commonsense to the breaking point. My conclusion, therefore, is that insofar as respondent cuts and wraps meat, whether it means trimming off fat or taking out bones, is not preparing meat or meat-food products for sale or shipment in commerce.

There remains, however, the problem of sausage and meatloaf, which respondent makes by grinding up meat, mixing it with spices, and in the case of sausage, with other meat such as veal, and perhaps with other ingredients. The resultant products are not, therefore, meat per se, such as hamburger, but are meat products distinctly known to the public as such. Whether this be called manufacturing or merely processing, the operation is, nevertheless, preparing a meat food product, separate and different from meat alone and consequently, in my opinion, within the definition (7 U. S. C. 191 (b)) quoted above.

The record does not show what percentage of sales these two products account for, but it must be minuscule, in comparison to respondent's total business. Hence the problem is immediately posed, does this minor and incidental activity as a "packer" exempt respondent from Federal Trade Commission jurisdiction over its entire business and give to the Secretary of Agriculture exclusive jurisdiction to regulate its immense retailing activities in groceries, fresh fruits and vegetables, kitchen aids such as floor wax and soap? Or, posed in legal terms, does the Packers and Stockyards Act confer an in personam immunity or is it merely in rem?

Commission counsel have consistently contended in this series of cases for the latter. The argument is both plausible and persuasive, but the Packers and Stockyards Act is couched in personal as opposed to activity terms. Thus, section 191 defines "packers" not "packing," and consistently uses the term "person," which by section 182 includes individuals, partnerships, corporations, and associations. Section 192, which interdicts a broad category of commercial practices, reads in preamble "it shall be unlawful for any 'packer' " etc.—"packer" having been defined in the previous section. And so throughout the remainder of the act. Similarly, the Wheeler-Lea amendment of 1938 to the Federal Trade Commission Act (15 U. S. C. 45) section 5 (a) (6), of the latter act, reads in its exempting clause "persons, partnerships or corporations subject to the Packers and Stockyards Act of 1921 * * *." I find nothing in the legislative history to support any segmentation of jurisdiction.

Commission counsel's plea in effect asks for relegislation or amendment of the Packers and Stockyards Act by adding thereto, in appropriate places, such words as "to the extent that" or "only insofar as" respondent's business falls within the definition in title 7, United States Code, section 191. This, of course, under the euphemism of "interpretation." Where the statute is plain and unambiguous in its terms, there is neither

warrant or power to "interpret"—only Congress can do so.

The conclusion, reluctant but firm, therefore, is that the jurisdictional grant to the Secretary of Agriculture and the denial thereof of the Federal Trade Commission is one in personam and that if any part or facet of a "person's" business is within the definition of "packer," no matter how small or insignificant, all of his activties are beyond regulation by the Commission. Intellectual honesty compels no less.

It follows that respondent's motion to dismiss must be granted.

ORDER

It is therefore ordered that the complaint and the amended and supplemental complaint in this proceeding be, and the same hereby are, dismissed for lack of jurisdiction.

FRANK HIER,
*Hearing Examiner.*

AUGUST 7, 1957.

## EXPANDED PUBLIC COMMUNITY COLLEGE PROGRAM

Mr. CASE of New Jersey. Mr. President, yesterday I introduced a bill providing financial assistance to States for use in an expanded public community college program. In preparing this bill, S. 2810, I exchanged views with a good many university officials and others interested in the field of education. I ask unanimous consent to have some of their responses placed at this point in my remarks in the body of the RECORD. It should be added that the release of these replies has been authorized in each case by the correspondent.

I hope that these favorable replies from many at the higher education level will demonstrate to the Senate the need for some constructive action to overcome the current shortage of facilities which confronts high-school graduates anxious to take the next step toward their education.

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

UNIVERSITY OF ALASKA,
*College, Alaska, January 25, 1957.*

Hon. CLIFFORD P. CASE,
*Senator from New Jersey,*
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for sending me your news release of December 27 relative to school problems. Just recently I attended a meeting of some university presidents and we are all troubled by the problem of the wave of students approaching the universities. These people are now in the grammar and high schools and we can count them. We know what a serious situation confronts us in trying to accommodate them.

Here at the University of Alaska we have had considerable experience with community college programs, and we are now successfully operating a community college at Ketchikan, Juneau and Anchorage, with a total enrollment of over 1,500 students. We were rather dubious about the community colleges when they were first established but they have worked out remarkably well and are filling a real need. This is being done by handling all classes at night and utilizing the high schools, but we will soon reach the stage where it will be necessary to have our own buildings.

So long as the Government siphons off most of the available tax money, we will have to look to the Federal Government for aid; and in my opinion this aid should be largely in providing funds for a physical plant. The money should be given without strings so that our educational program will not be dominated by Federal bureaus. I think the Canadian Government has a very commonsense approach to the problem. At the present time they give to each of their Provinces 50 cents per capita for university building construction. This money is given as a direct appropriation to each Province in Canada, depending on the population of that particular Province, and the Canadian Government does not concern itself with how the money is used except that it is for the physical plant. I understand they are now planning to increase this to $1 per capita. I am a great admirer of the Canadian people for their commonsense and direct approach to such problems and I think such an empirical form cuts right across the usual government redtape.

Sincerely yours,

ERNEST N. PATTY,
*President.*

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UNIVERSITY OF ARKANSAS,
*Fayetteville, February 11, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR CASE: Your bold program for community colleges tackles a problem of national concern.

If your proposal were to succeed, the enrollments at senior-college level and beyond would also be stimulated even more than at present. This result would be good for the country, assuming, of course, that we apply adequate resources for support at the advanced level.

Safeguards against establishment of many uneconomic units should be provided somewhere along the line or higher education would find its limited faculty resources poorly used.

We all appreciate your interest. I hope your thinking stirs up additional concern for meeting the obvious need.

Sincerely yours,

JOHN T. CALDWELL,
*President.*

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THE UNIVERSITY OF CALIFORNIA,
*January 25, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: It was with great interest that I read the copy of the news release reporting your suggestions for an emergency program of Federal aid to assist States in meeting their increasing needs for higher education through grants-in-aid for establishing and expanding 2-year public community colleges. Your thoughtfulness in sending it to me under cover of your letter of December 29, 1956, is much appreciated.

Those of us who have had firsthand experience with the community junior college are glad to support advocacy of their extension and expansion. Without them, it is doubtful that we, in California, could be meeting the State's higher education needs. With them, we believe we can not only continue to meet those needs but can meet them with the most proper distribution of responsibilities among the several institutions of higher education and a minimum of cost to individual students.

I am sending copies of this letter to Senators WILLIAM F. KNOWLAND and THOMAS H. KUCHEL.

Sincerely yours,

ROBERT G. SPROUL.

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SAN JOSE STATE COLLEGE,
*San Jose, Calif., January 18, 1957.*

Hon. CLIFFORD P. CASE,
*The Senate, Washington, D. C.*

DEAR SENATOR CASE: Thank you for bringing to my attention your recommendations for alleviating the shortage of college facilities in our country.

Since 1931, when the United States Office of Education published my doctoral dissertation on American junior colleges, I have been speaking and writing on the subject of their potentialities as an integral part of our great system of free public education. To learn that you are now devoting your energies and exerting your influence in support of Federal aid to these community colleges is indeed heartening.

I agree with you that a well-organized national approach, rather than piece-meal efforts in separate and isolated communities, is the only way to insure that thousands of college-age young people in the next decade will not be denied admission to an institution of higher learning. Because we abhor the Russian practice of conscripting young people and training (not educating) them as scientists and technicians dedicated to a totalitarian state, we must insure that our American youth, as free men and women, will have the privilege of choosing the field of specialization which best suits their aptitudes and natural inclinations.

Your analysis of the advantage of the community college system is deserving of wide publication: Its economy, its value as a screening agency for our universities, its potentiality as a center of community culture for adults as well as young people.

My one reservation concerning your plan is whether a one-third Federal share in construction costs will prove sufficient to appeal to those communities and States which have not, as yet, been convinced of the need for such institutions. On the other hand, you may feel that any increased participation by the Federal Government might be interpreted as intention to gain control.

You may be sure that you have my full support as you carry on this campaign for the general welfare.

Sincerely yours,

JOHN T. WAHLQUIST.

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LOYOLA UNIVERSITY OF LOS ANGELES,
*Los Angeles, Calif., January 22, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

Dear SENATOR CASE: Because of a long absence I have not been able to answer your letter of December 29 before this time.

I think your suggestion of Federal aid for public community colleges is an excellent one. I would like to be sure, however, that such institutions would not conflict with already existing institutions. Recent studies seem to make it clear that in many cases our existing colleges are not making a very high usage of present student stations in the classrooms. A survey made here in California came out with a recommendation that the colleges endeavor to get a higher percentage of usage of existing student stations. If existing colleges could come closer to an optimum useage of existing student stations, taxpayers would be saving a great deal of money.

Another caution I would like to express is that in community colleges there be reasonably high standards. I do not think that the community colleges should exist simply to keep young boys and girls in school for 2 more years. If standards are low, then very few students in these community colleges will be able to transfer to 4-year institutions. Thus, one purpose of your proposal would be defeated in large measure.

Apart from these two cautions, I think that your proposal will help to alleviate the shortage in college facilities.

Sincerely yours,

CHARLES S. CASASSA, S. J.,
*President.*

SAN BERNARDINO VALLEY COLLEGE,
*San Bernardino, Calif., January 22, 1957.*
The Honorable Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I am very appreciative of receiving your statement released to the newspapers on December 27, 1956, regarding the development of junior colleges. I say this because, having worked as the president of a community college or junior college since 1927, I think that I understand something about the development of such institutions, and I assure you that I am in hearty agreement with your concept of the development of such institutions as a means of taking care of the educational needs of thousands of young men and women graduating from high school. To me, the services that can be rendered by a truly great junior college are enormous. They can take care of the student who wants to transfer to institutions of higher learning such as the 4-year colleges and universities and be well prepared. They can take care of thousands of students who need additional training above the high school but need not go to a 4-year institution to secure it. They can be financed and developed at a much less cost to the local and national taxpayer than can the 4-year colleges and universities. All of these factors give added strength to the thing you advocate, namely, the development of a series of community colleges or junior colleges within each of the States.

We have in California the finest system of public junior colleges found anywhere. We have been pioneers in this development, and we feel that these institutions will take care of the educational needs of thousands of post - high - school students — youth and adults—who are benefited by the experiences they gain from attending a junior college. We are convinced that State and National aid will have to be given to these institutions, but it will be cheaper for the taxpayer for aid to be given in this way than in any other form. It would also mean that millions of young men and young women will have opportunities for educational experiences they could not have without the development of a junior college.

If I can help in any way or lend my voice to the efforts you are putting forth in securing funds or encouraging the development of junior colleges, please let me know. I stand ready and willing to help in every way.

Thanks again for calling to my attention to your stand with respect to this important matter and, with warm regards, I am,

Sincerely,

JOHN L. LOUNSBURY,
*President.*

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MENLO SCHOOL AND COLLEGE,
*Menlo Park, Calif., January 18, 1957.*
The Honorable CLIFFORD P. CASE,
*United States Senate, Washington, D. C.*

DEAR SENATOR CASE: This will acknowledge your recent letter with the enclosure which presents your suggestion for alleviating the shortage in college facilities. Your presentation was carefully read by our entire administrative staff, and we found it to be a very excellent presentation of a very grave situation.

As we are a small, independent college with no endowment funds we are not in a position to increase our facilities even though we feel a responsibility to do so. The success of the 2-year community college has certainly been proven in this State as well as elsewhere, and as you say, offers one of the best solutions to the ever-increasing college population.

We are indebted to you for passing on your suggestion to us.

Respectfully yours,

WILLIAM E. KRATT,
*President.*

PASADENA CITY SCHOOLS,
PASADENA CITY COLLEGE,
*Pasadena, Calif., January 10, 1957.*
The Honorable CLIFFORD P. CASE,
*United States Senate, Washington, D. C.*

DEAR SENATOR CASE: Your proposal for Federal building aid to public community colleges is, I believe, the finest and most constructive proposal which has been as yet made toward resolving our overwhelming national problem of providing college education for the youth of America.

May I congratulate you on your penetrating analysis of the problems we face, and your very thorough and logical analysis of the reasons for proposing this particular solution. I do not believe a finer statement could have been made. In the interest of our young people of college age throughout the country I sincerely hope that the program you outline may be enacted into legislation.

Sincerely,

WILLIAM B. LANGSDORF,
*President.*

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VALLEY JUNIOR COLLEGE
OF THE LOS ANGELES
CITY JUNIOR COLLEGE DISTRICT,
*Van Nuys, Calif., January 25, 1957.*
Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I would like to commend you on the presentation you made regarding the community college. In California it looks as though the community college is the No. 1 answer to the impending flood of college students.

The State university is delegating more and more of the lower division work to the junior college. Industry is turning to us for assistance in solving the need for technical training. In order to finance this program the junior college people of California are endeavoring at the present time to obtain more financial assistance from the State.

Your remarks are thus doubly welcome at this time. May we wish you success in your efforts and offer whatever help we may give.

Sincerely yours,

WALTER COULTAS,
*Director.*

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VENTURA COLLEGE,
*Ventura, Calif., January 31, 1957.*
Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR CASE: I am deeply interested in your proposal to introduce legislation authorizing Federal aid for the construction of public community colleges. All thinking citizens are acutely aware of the complete inadequacy of our present college facilities to accommodate the inevitable twofold increase in college-age students within the next decade. There appears to be no possibility that State and local political subdivisions or private sponsors can finance expansion of college plants sufficiently to accommodate the increasing student potential.

The Nation's only hope, in my opinion, to salvage these young people lies in Federal aid. It is sound planning, both from the educational and the financial standpoint, that priority be given to expansion of public community colleges—educationally, because the record of community colleges proves decisively that the quality of their lower division program is equal or superior to that of the lower division program of the baccalaureate institutions. From the financial standpoint, the statistics reveal that both capital investment and operating costs per student in junior college are only approximately 50 percent as great as costs per student in the 4-year colleges.

Since California leads the Nation in its junior college program, I am sure that both of the Senators from our State will share your enthusiasm for this proposal. I wish you every success in this critically needed legislation and pledge you my personal support as well as any additional support which I can obtain from the California Teachers Association, the PTA, and other interested groups.

Sincerely,

PHIL H. PUTNAM,
*Director.*

Copies to Hon. WILLIAM F. KNOWLAND, and Hon. THOMAS H. KUCHEL.

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WHITTIER COLLEGE,
*Whittier, Calif., February 13, 1957.*
Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read your comments concerning community 2-year junior colleges and their establishment through Federal financial support.

The proposal appears to me to be a sound one. As the president of a non-tax-supported institution, I would emphasize that at the same time we continue our best thinking in all quarters to sustain the important educational program these institutions also carry on.

Very sincerely yours,

PAUL S. SMITH,
*President.*

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ST. PETERSBURG JUNIOR COLLEGE,
*St. Petersburg, Fla., January 3, 1957.*
Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for your letter of December 28 with the enclosed statement of your suggestions for alleviating the shortage in college facilities.

Your summarization of the junior-college situation is one of the most enlightened statements I have read. It is most encouraging to know that you are initiating action on the national level to help care for the anticipated tremendous increase in demand for higher education in the United States.

Your proposal to administer the funds on the State level is most commendable. One of the strong advantages of the junior college is its ability to conform to local educational needs. Local needs, in my opinion, are best met through local control.

Please call on me if you have any suggestions concerning things I can do to support your program.

Very truly yours,

M. M. BENNETT,
*President.*

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PENSACOLA JUNIOR COLLEGE,
*Pensacola, Fla., February 1, 1957.*
Hon. CLIFFORD P. CASE,
*United States Senator,*
*United States Senate Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I was very interested in your suggestions which you sent on the community college and your suggested remedy for alleviating the shortage in college facilities. Those of us who are in administration at the local level realize only too well how accurately you sum up the situation. I know that you are well aware of the terrific significance of the classroom. As we endeavor to provide world leadership it is a sad commentary on American life that more of our leaders do not recognize this fact.

I wish you all the success possible in your undertaking.

Sincerely yours,

HENRY L. ASHMORE,
*President.*

NORTH IDAHO JUNIOR COLLEGE,
*Coeur d'Alene, Idaho, January 4, 1957.*
Re letter and circular of December 28, 1956.
Hon. CLIFFORD P. CASE,
*Senator from New Jersey,*
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Permit me to congratulate you on your proposal to handle the ever increasing number of college students through a government subsidy of junior or 2-year community colleges.

Since the Federal Government does not hesitate to subsidize other national resources such as waterpower, crops, livestock, railroads, etc., there should be even less hesitancy to subsidize our greatest national resource, the young men and women of America.

There are a number of valid reasons for this:

1. Every boy or girl is entitled to the opportunity to attend college; any attempt to restrict attendance in public colleges on the basis of grades, tests, or other artificial criteria is unfair, un-American, and possibly unconstitutional.

2. Community colleges, not being bound by tradition, can easily adjust to student needs, either academic or vocational.

3. The need for engineering technicians is well known; our survival may depend upon the number we produce. It is a matter of record that 2 years of college training can produce well-qualified technicians who could not have attempted the rigors of a professional engineering courses.

4. Degree granting colleges (4-year institutions and graduate schools) can do a much better job and handle more students on the junior-senior and graduate level if they do not have to process the tremendous number of freshmen and sophomores, who by the process of elimination must supply their upper division classes.

5. Statistics will show that the per-student-year cost of education in a junior college will be from one-half to one-third the cost in a senior college.

Many other reasons could be given justifying your proposal, but these seem particularly pertinent at this time.

I shall be happy to use my influence in any way possible to see that your proposal is given favorable reception.

Very truly yours,
G. O. KILDOW,
*Member, Board of Directors, American Association of Junior Colleges.*

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LINCOLN COLLEGE,
*Lincoln, Ill., January 2, 1957.*
The Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: We appreciate receiving your suggestions for college expansion and sincerely believe that the 2-year program is one that will greatly aid us in keeping abreast with our college enrollment.

Very sincerely yours,
RAYMOND DOOLEY,
*President.*

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THE PRINCIPIA COLLEGE OF LIBERAL ARTS,
*Elsah, Ill., January 11, 1957.*
The Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read with interest the copy of your newspaper release of December 27, which you very thoughtfully forwarded to me. This is a very interesting presentation of a plan which deserves the most careful study. We are all acutely aware of the problem which you describe, and there is no doubt that the community type college can play an important part in alleviating the coming overcrowding of our colleges.

Sincerely,
WILLIAM E. MORGAN.

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THE UNIVERSITY OF CHICAGO,
OFFICE OF THE CHANCELLOR,
*Chicago, Ill., January 4, 1957.*
The Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Your letter to Dr. J. L. Morrill, of the Association of American Universities, has been referred to me for reply. Dr. Morrill has completed his presidency of the Association, and I am serving as Secretary at the present time. I have to speak personally on your statement, since the Association of American Universities does not customarily make pronouncements on a matter without giving thoughtful consideration to it in their annual meetings. Personally I entirely agree with your proposed program for 2 year institutions of higher education. Perhaps I should add that I have been serving as a member of the State of Illinois Commission on Higher Education, and this is one of our strongest recommendations to our State legislature.

Very sincerely yours,
LAWRENCE A. KIMPTON.

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SOUTHERN ILLINOIS UNIVERSITY,
*Carbondale, Ill., January 29, 1957.*
Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for your letter of January 2 and the enclosed copy of your suggestions for alleviating the shortage in college facilities. It seems to me that you have set forth the problem very clearly.

I sincerely hope you will be able to gain the support of our national leaders for the establishment of an emergency program, which will enable many thousands of boys and girls to obtain college training in spite of rapidly increasing enrollments in present colleges and universities.

Sincerely yours,
DELYTE W. MORRIS, *President.*

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UNIVERSITY OF ILLINOIS,
*Urbana, January 2, 1957.*
Hon. CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for your letter of December 17 and a copy of the newspaper release describing your proposal for Federal aid for community colleges.

There is no doubt that the development of community colleges will be one of the mainstays for meeting the increases in enrollments in the days immediately ahead.

A copy of some excerpts from a public statement on this subject some months ago is enclosed.

As to whether there should be Federal support for this program, and the nature of such support, is a subject on which I have not formed definite conclusions. I appreciate having received your thoughts on this matter, however, and shall give it continuing attention.

Sincerely,
DAVID D. HENRY, *President.*

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UNIVERSITY OF NOTRE DAME,
*Notre Dame, Ind., January 28, 1957.*
CLIFFORD P. CASE,
*United States Senator, United States Senate, Washington, D. C.*

DEAR SENATOR CASE: President Hesburgh has referred to me your letter of January 2 in which you enclose your suggestions for alleviating the shortage in college facilities. Your suggestions are quite in line with my own thinking. I have said for several years now that the big institutional development in American education in the second half of the 20th century would be the establishing of community junior colleges much as high schools were established in the past 50 to 75 years. I believe that these community colleges will become almost as universal as our high schools are today. The development of junior colleges has been going on for at least 25 years. This is because they have met a need and this need will grow tremendously with the greatly increasing number of youth who want to enter college. The impact of this greatly increased potential college student population is only now beginning to be felt by the colleges. It is, therefore, my opinion that we shall see a multiplication of local junior colleges in the next few years. Presuming that these colleges will offer 2 programs, 1 terminal and the other preparatory to upper division college education and university education, they will furnish one of the best means of meeting the challenge of affording every young American who wants to continue education beyond the high school the opportunity to do so.

We already have a number of private local junior colleges, and it is my hope that their number will increase. But in the general picture these colleges will be public institutions. I would be in favor of Federal funds up to one-third of the cost of building and equipping these colleges to be distributed as grants-in-aid to the States. But I think that demonstrated proof should be offered that local communities and the States are not able to fully finance their own colleges before Federal funds would be granted them. Also, it would be my hope that these institutions would not be tuition free, though I suspect that here too the high-school pattern will be paralleled, and that most of these public colleges will be tuition free.

As these local 2-year colleges multiply there are going to be significant changes in our present institutions of higher education. Thus I believe that all our large universities and even those that are not so large will become upper division college and graduate-school institutions. In regard to liberal arts colleges it seems to me that those which draw on a local student clientele will have to increase their enrollments, because I do not see the feasibility of establishing a junior college in a small community which already has a local liberal arts 4-year college. Many liberal arts colleges, however, do not depend upon a local student body, but are nationally known and draw students from all parts of the United States. I am not too sure what will happen to these colleges. It would be conceivable that some of them would find it hard to keep up their enrollments with most students spending the first 2 years in local community colleges. I am inclined to think, however, that they will have no trouble filling their halls, and that they will be able to perform a very valuable service to American education by remaining small with a highly selective student body.

Trusting that these comments may be of some help to you, I am,

Sincerely yours,
Rev. PHILIP S. MOORE, C. C. C.,
*Vice President, Academic Affairs.*

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BURLINGTON COLLEGE,
*Burlington, Iowa, January 2, 1957.*
Senator CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I have just read your very excellent statement concerning an emergency program of Federal aid to provide classrooms at public community colleges. Your proposal is very sound, economical, and far reaching. Two years of college at or near

home can be obtained at considerably less cost to the student and to the taxpayer.

For the past 10 years I have surveyed the students at this community college concerning their financial ability to undertake a college program away from home. Seventy-five percent have reported that if the local junior college was not available they would have been unable to undertake formal study beyond high school graduation.

I sincerely hope that your proposal receives vigorous and nationwide support. By bringing college education to the many who cannot now afford it, we will be building a stronger America.

Sincerely yours,

D. D. STONEHOCKER, *Dean.*

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EL DORADO JUNIOR COLLEGE,
*El Dorado, Kans., January 2, 1957.*

Senator CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SIR: I suppose most of your mail emanates from disgruntled patrons, however, in this case I come to praise Caesar and not to bury him.

We in the Kansas Public Junior Colleges feel your approach to solving the higher education is, perhaps, the most intelligent approach to the problem we have seen in years.

We know our first 2 years are comparable to any school and the fact that our cost would be but one-fourth of the 4-year college figure makes it such an economic factor that it cannot be ignored.

Our congratulations to you, sir, for your grasp of educational needs.

Very truly yours,

T. H. ALEY, *Dean.*

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UNIVERSITY OF KENTUCKY,
*Lexington, January 2, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I sincerely appreciate your thoughtfulness in sending me a copy of your suggestions for alleviating the shortage in college facilities. I was very much pleased to read part of your statement in the newspapers several days ago; however, this complete statement is much more helpful and certainly gives a clear insight into the proposal which you have presented.

As you point out, the program would require a large sum of money, but nothing is as vitally important to the future welfare of our Nation as is education. Those of us in administrative positions in higher education are most interested in the proposal which you have made, and I should like to assure you of our support of such a program.

Please feel free to call upon us if we can be of further assistance.

Very sincerely yours,

FRANK G. DICKEY,
*President.*

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COMMONWEALTH OF KENTUCKY,
DEPARTMENT OF EDUCATION,
*Frankfort, January 11, 1957.*

Hon. CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for sending me a copy of your proposal for Federal aid to public community colleges. I hope it will receive serious consideration in the coming Congress. The shortage of college facilities is reaching emergency proportions and, as you point out, will grow worse in the next 10 years. We, in Kentucky, prefer an apportionment of Federal funds that recognizes differences in the financial ability of the States. The formula which you outline does this.

I am familiar with the excellent Survey of Future Facilities in Higher Education which was done in New Jersey. We are planning to do a similar survey here in Kentucky next year. I am certain our findings will be the same as New Jersey's—a large number of young people will be denied a college education unless emergency action is taken now to provide adequate facilities for them.

Cordially yours,

ROBERT R. MARTIN,
*Superintendent, Public Instruction.*

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THE COMMONWEALTH
OF MASSACHUSETTS,
DEPARTMENT OF EDUCATION,
*Boston, January 2, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senator,*
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I wish to acknowledge your letter of December 27 with the enclosure, a copy of your suggestions for alleviating the shortage in college facilities. I am very much interested in your proposal.

For many years in Massachusetts I have striven to have established a program of community colleges to meet the needs of the increasing number of young men and women who are seeking opportunities for higher education. The studies I have made indicate that many young people may be prepared adequately for life by a minimum of 2 years of higher education.

You have indicated many authorities to substantiate your own statements, and I wish to offer you the evidence which we have here in Massachusetts. The large number of students who withdraw after the completion of 1 or 2 years of college indicates that many of them are attracted to profitable employment early and that they seek to complete their education by extension study in the late afternoon or evening. The community college offers the incentive to these young people to begin a program of advanced study, and they receive ample encouragement from industry to continue through extension courses.

The Board of Education of Massachusetts, on my recommendation, has established the first of the community colleges this year at Fitchburg State Teachers College, Fitchburg, Mass. I have enclosed a copy of the enabling legislation which may be of interest to you. It is my proposal to establish additional community colleges at other locations in the Commonwealth. The legislation you have proposed will provide a further incentive to this plan. I shall be pleased to receive a copy of the legislation which you are to file and any further information which is available.

With personal best wishes for the success of your program, I am

Sincerely yours,

JOHN J. DESMOND, Jr.,
*Commissioner of Education.*

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SMITH COLLEGE,
OFFICE OF THE PRESIDENT,
*Northampton, Mass., January 23, 1957.*

The Honorable CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for sending me the copy of your suggestions for alleviating the growing shortage in institutions of higher learning in this country.

In general I agree with the program and, if I understand it correctly with the principle on which it is proposed and defended. I think that it is an admirable plan provided it is not erected or administered according to the assumption that every young man or young woman who wants to go beyond high school has a right to do so. It seems to me extremely important that we make it perfectly clear that no one has a right to higher education unless he can and will profit from that higher education.

I am myself a graduate of a free State university which, to my great good fortune, was located in my home town, and I certainly have no doubts whatever about the desirability of free public education. Nor do I advocate the same standards of admission for all colleges, universities, and technical institutions. Nor do I believe that all of them should be modeled on Harvard or Yale or Princeton or Columbia, or, for that matter, on Radcliffe or Wellesley or Smith or Vassar. I do mean, and this I mean with all seriousness, that there are many reasons why the country cannot afford to guarantee a higher education, even through community colleges, to all young people regardless of aptitudes, of zeal, of ambition, and of character.

We need many kinds of institutions of higher learning in this country, and this point I discussed at some length at my annual report of a year ago, but the country will be much the worse if they are not all of them institutions of higher learning. And of course by that I mean they are institutions which carry learning or training well beyond the level possible in public high schools or private secondary schools.

Since I did discuss this point at some length a year ago I am sending you a copy of the report in which my discussion is contained.

I still remember with much pleasure your visit here on rally day of last year.

With all kind regards,

Cordially yours,

BENJAMIN F. WRIGHT.

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STATE DEPARTMENT OF EDUCATION,
*Baltimore, Md., February 7, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Your letter of December 27, 1956, has been referred to me in Dr. Pullen's absence. Dr. Pullen underwent a serious operation about a month ago and is still convalescing. Following a conference with him and other members of this department, I should like to commend you for your wisdom in framing the legislation for establishing and expanding 2-year public community colleges through grants-in-aid to the States.

Although, as you have suggested, such legislation is only part of the answer to the problem of providing higher educational facilities for the future, it should have the effect of stimulating further similar activity on the part of individual States.

May I congratulate you for your wisdom and courage in proposing a plan of action for helping to insure that oncoming youth will not be deprived of the opportunity to avail themselves of appropriate college education.

Sincerely yours,

D. W. ZIMMERMAN,
*Assistant State Superintendent.*

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STATE TEACHERS COLLEGE AT TOWSON,
*Baltimore, Md., January 10, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senator,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read with much interest the material you sent me recently dealing with the problem that will be facing higher education within the next decade or so in view of the vastly increasing number of college age youths.

I certainly agree with you that the further establishment of 2-year junior or community colleges is a most important factor to be considered if we are not to be completely overwhelmed with the number of youngsters who wish to attend college. I happen to be a member of the Commission on Higher Education which Governor McKeldin appointed here in Maryland in 1953. Our report to the governor and the State was published in the fall of 1955 and one of our basic

recommendations was the wider establishment of junior colleges throughout the State.

I think that the middle Atlantic seaboard area has lagged considerably behind many of the other areas in the country in the recognition of the part the junior college can play and in the establishment of the junior colleges. California, of course, leads the entire country in its use of junior college facilities and for some reason Mississippi is another State that has developed quite a number of public junior colleges.

I think much can be done in bringing to the public the awareness of the part the junior college can play in increasing the respectability in which junior colleges are held and in making it financially possible for many youngsters to attend a community or junior college in their own vicinity.

Here in Maryland I know that several of our counties are contemplating setting up junior colleges by using an existing high school building during the afternoon and evening hours. I think some of them are likely to be launched this coming fall—in addition to the 2 or 3 public junior colleges which have been established in our State during the past decade.

I feel sure that some available money from the Federal Government would be a spur to having States take a keener interest in the possibilities of establishing junior colleges.

It is unfortunate—isn't it?—that so often we as a people seem unwilling to act decisively enough to avoid a crisis which we definitely see is going to face us? In this instance we know that the number of college youths are definitely going to increase; the children are born, are now in our elementary schools, and beginning to flood our high schools; and within a few years they will be flooding the colleges. This is a known fact and yet I am sure you are finding it very difficult to arouse your colleagues to a sufficient extent to obtain the action that is so vitally necessary.

Thank you again for sending me the material. I would like to thank you for your forward-looking viewpoint and your efforts in behalf of meeting the educational needs of our college-age youths.

Sincerely yours,

EARLE T. HAWKINS,
*President.*

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MICHIGAN STATE UNIVERSITY,
*East Lansing, January 28, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I delayed replying to your letter of January 2 until I had an opportunity to discuss the matter with several of my colleagues.

There seems to be little doubt that we shall need in the years ahead to expand and strengthen our community colleges. The arguments which you advance in your release certainly are valid. Furthermore, I would guess that in order to achieve this end some assistance from the Federal Government would be necessary, and your proposal would seem to minimize the possibility of Federal intervention in the educational process.

While I am sure additional study of this matter is called for, I know that many of us in higher education appreciate the interest which you have taken in the enormous problem that confronts us.

Sincerely yours,

THOMAS H. HAMILTON,
*Vice President.*

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WAYNE STATE UNIVERSITY,
*Detroit, Mich., February 6, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read with close attention your proposal for Federal assistance toward the provision of facilities for junior colleges. You do not overstate the need or the danger that opportunities for higher education will become annually less available to our young people. Michigan, as you no doubt know, has moved quietly but rapidly in the establishment of junior colleges. I believe you will find something close to unanimity in the State of Michigan concerning the development of community colleges as one of our fundamental needs if we are to meet the increasing demands for higher education.

I am sure that I speak for all of my colleagues in expressing our gratitude to you for your interest.

Sincerely yours,

CLARENCE B. HILBERRY,
*President.*

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MICHIGAN STATE UNIVERSITY,
*East Lansing, January 2, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: This acknowledges yours of the 21st with the interesting enclosure.

I commend you for this useful contribution and hope that it may receive adequate support.

Sincerely,

JOHN A. HANNAH,
*President.*

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EASTERN MICHIGAN COLLEGE,
*Ypsilanti, Mich., January 11, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for sending me a copy of your suggestions for assisting community colleges.

The need for institutions of this type is growing daily. As you have suggested, I hope any funds that may be appropriated will be released in such a manner that they will not be so tied to Federal restrictions as to make them almost useless.

Yours sincerely,

EUGENE B. ELLIOTT,
*President.*

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MICHIGAN DEPARTMENT OF PUBLIC INSTRUCTION,
*Lansing, January 18, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SIR: I appreciate receiving your letter of December 27 and the newspaper release.

Your release is unusually well formulated, and I believe we can concur in almost all of your points of view. The only question which we have regarding your point of view concerns your statement on page 7 which reads: "One possible way of apportioning funds to the States would be on a formula combining flat grants made on the basis of the number of youngsters of college age with some weight given to the per capita income of the State. States would be required to establish a program of junior colleges on a statewide basis to become eligible for funds. This would encourage an organized approach to the problem, rather than a piecemeal arrangement that would mean many colleges located in some parts of the State and none in others."

Does this quoted statement mean that community colleges should be organized and controlled directly by the State? If it does mean or infer that approach as a criteria for Federal subsidy, then we believe that this is contrary to our present policy in Michigan—that community colleges should be established, organized, and controlled by local school districts as an extension of the local public school program—that the establishment of community college programs by local schools shall be made as a result of action by local school boards subject only to the approval of the superintendent of public instruction.

On the other hand, if this quoted statement might mean that the approval authority should be guided by a plan or blueprint for approval of the establishment of community colleges even though the board of education would retain option as to whether they would establish such a program, then I believe that we could agree with the quoted statement.

It is heartening to note that your statement is so very consistent with what we believe about community colleges for Michigan.

Sincerely yours,

CLAIR L. TAYLOR.

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FLINT JUNIOR COLLEGE,
*Flint, Mich., January 10, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: It was most considerate of you to send the outline of your plan for Federal aid to community colleges. Your plan certainly reaches the heart of the problem and, if implemented along the general lines you suggest, will make it possible for us to meet the coming crisis in higher education. I cannot stress too strongly my feeling that the unlimited expansion of traditional 4-year colleges and universities will not solve the problems of higher education for most areas of the United States. It is also true that a good many areas in the country do not have the financial resources with which to build adequate physical plants for community colleges.

I believe you can count on the support of most educational leaders in the United States. Your plan effectively eliminates Federal control of education, but, at the same time, makes it possible to provide the facilities we so desperately need.

I am taking the liberty of writing to the two Senators from Michigan, indicating my support of your proposal. If I can be of any service in supporting the cause, please feel free to call on me.

Sincerely,

CLYDE E. BLOCKER, *Dean.*

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NORTHERN MICHIGAN COLLEGE,
*Marquette, Mich., January 11, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read with a great deal of interest your release to the newspapers under the dateline of December 27, 1956, relative to the problem confronting our institutions of higher learning. May I compliment you on an exceedingly intelligent approach to the difficulties which beset higher education. There is little doubt in my mind but that for many areas the junior college, or as I would prefer to designate that unit—the community college, is one of the most sensible answers.

The current manpower shortage, the need for trained intelligence, and the complex problems facing the United States in its role as world leader make it imperative that every citizen be educated to his highest potential. The plan you propose would come closest to making this possible than any other that I know.

I sincerely appreciate your sending me a copy of your release and feel that it is consistent with the thinking of forward-looking educators throughout the Nation.

My sincere good wishes for success in bringing into reality your proposal, and best wishes for a very happy New Year.

Sincerely,

EDGAR L. HARDEN,
*President.*

VIRGINIA JUNIOR COLLEGE,
*Virginia, Minn., January 11, 1957.*
The Honorable CLIFFORD P. CASE,
*United States Senator,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for sending me a copy of your release to the press concerning junior colleges.

Your proposal is a forward-looking one. Since 50 percent of all entering college students do not reach the junior year, it should be evident that the most economical way to meet the inevitable bulge is to increase junior college facilities. The screening and try-out functions, and they are as vital as any other, can be performed at approximately one-half the regular cost in 4-year colleges.

Sincerely yours,

F. B. MOE.

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UNION COLLEGE,
*Lincoln, Nebr., December 31, 1956.*
Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for your letter of December 21, in which you send me a copy of your suggestions pertaining to the establishment of a junior college for alleviating the shortage in college facilities.

I think this is a very fine plan, especially in crowded urban and city sections.

Very sincerely yours,

HARVEY C. HARTMAN,
*President.*

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FEBRUARY 1, 1957.
Hon. CLIFFORD P. CASE,
*Rahway, N. J.*

MY DEAR SENATOR CASE: I have been following, through the excellent coverage of the Newark News, your interests and efforts in behalf of education. I think the community college can play a large role in the future of higher education, and that Federal and State aid could provide the needed impetus.

I thought you might be interested in a letter which I sent to Dr. Frederick Raubinger, commissioner of education, a short time ago, and I am enclosing a copy.

As a member of the New Jersey Citizens Committee for Public Schools, the League of Women Voters, and the Essex County Republican Committee, I am very much in favor of your efforts—from a variety of viewpoints.

Very truly yours,

ELEANORE R. RUDY
Mrs. Robert E. Rudy.

BLOOMFIELD, N. J.

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JANUARY 17, 1957.
Dr. FREDERICK RAUBINGER,
*Commissioner of Education,*
*Trenton, N. J.*

DEAR DR. RAUBINGER: I have been very much interested in reading and hearing so much recently about the pressing need for more colleges. I wonder if much serious thought has been given to municipally sponsored junior colleges, which would seem to me to be able to take at least some pressure off the already established colleges without great expense or too detailed planning.

I attended such a junior college in the 1930's in Springfield, Mass. Springfield Junior College was financed entirely by the city; there were no fees or tuition of any kind. Classes were held in the high school, and our professors were high school teachers, many of them with doctorates and certainly well qualified for their jobs. Arrangements were made with the college of the student's choice, so that we took college board examinations at the end of high school, had our junior college courses approved by our future colleges, and then were able to go directly on without further examination of any kind.

I attended this junior college for 1 year (at a saving to my family of $1,000 which was the tuition in those days) and then went directly to Mount Holyoke College and was graduated from there in 1935. I experienced no difficulty whatsoever in making the transition scholastically, and if there were any psychological difficulty, I guess I was too young to know it, since I was able during my college years to work on the school paper, the yearbook, the press bureau, and was head of a cooperative house in my senior year.

It seems to me that such a plan on a large scale could do a great deal to alleviate the pressure on present colleges. High school facilities are already established, and are certainly not in use all of the time. Many high school teachers are well qualified to teach college courses, and perhaps there are some who would welcome the opportunity to do so. If a town or city did not wish to finance such a project on its own, students could be asked to pay a small tuition fee to cover expenses.

Since I have two children of my own—ages 7 and 10—I feel it behooves me at this time to start worrying about college facilities in another 8 or 10 years. I am certainly most grateful that the State board of education is worried, too, and I hope some solution may be found in the near future.

Very truly yours,

ELEANORE R. RUDY
Mrs. Robert E. Rudy.

BLOOMFIELD, N. J.

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PHELPS-STOKES FUND,
*New York, N. Y., December 21, 1956.*
The Honorable CLIFFORD P. CASE,
*United States Senator,*
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I thank you for your letter of December 19 and the statement containing suggestions for alleviating the shortage in college facilities

I have read the statement and I concur most heartily in its proposal. I think it is entirely the sound way to meet the almost staggering problem of serving adequately the needs of American youth through the level of the junior college.

Sincerely yours,

F. D. PATTERSON,
*Director.*

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TEACHERS COLLEGE,
COLUMBIA UNIVERSITY,
*New York, N. Y., January 2, 1957.*
Senator CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you very much for the privilege of reading the prospective news release on your recommendation for grants-in-aid to the States in connection with the expansion of 2-year colleges. Let me congratulate you on this statesmanlike effort to anticipate and relieve the disturbing congestion of students which will soon beset our institutions of higher education.

It is clear that many of the additional students who will attend colleges and universities in the years ahead must, and should be, accommodated in colleges near their homes. The community college movement has developed very rapidly in the past decade and a number of localities are, therefore, ready to accept many students if they can find the financial resources to do so. Your plan for grants-in-aid would also be extremely helpful in erecting new physical plants where the community college concept has already taken root. It would also, I hope and believe, stimulate the development of completely new community colleges in areas where they do not now exist.

I am not one of those who believe that the Federal Government should constantly expand its grants-in-aid programs and, consequently, increase Federal expenditures. Nevertheless, I think it is in the national interest in inaugurate your program, for it seems to me, in terms of the national benefit, the cost is small indeed.

I would make the three following recommendations: (1) that all moneys provided under this account be administered by the United States Office of Education; (2) that the State educational authorities should be brought into close cooperation in this program so that the planning within the States will not be disturbed or distorted; (3) that, before the bill is finally drawn up, you undertake to have appointed a group of prominent educators to advise with you and the appropriate committee of the Congress on the details of this effort.

I have not undertaken to comment on all the subjects in your release because I assume that you wanted a general statement on this matter at present. If I can be helpful in the future in any respect, please call upon me.

May I suggest that President Eisenhower, just before his heart attack, in a visit to Lowry Air Base in Denver, made an even stronger statement with regard to the extension of educational opportunities into the 13th and 14th grades than the one which is quoted in his talk at Defiance.

May I conclude by saying that I have long admired your intelligent and constructive understanding of America's urgent social problems. It would be a pleasure to have an opportunity to meet you sometime when I am in Washington.

Sincerely yours,

EARL J. MCGRATH,
*Executive Officer.*

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COLUMBIA UNIVERSITY,
IN THE CITY OF NEW YORK,
*New York, N. Y., January 5, 1957.*
The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read your newspaper release with much interest and I am most grateful to you for sending it to me.

Your conclusions, that much relief can be found by developing the 2-year community college plan, is undoubtedly sound, and I am confident that we shall see a substantial growth of these colleges in the next decade. They will not provide a full substitute for even the first 2 years of a first-rank college, but they will be better than nothing and they will help to meet a genuinely critical situation.

Since I am now working in a private institution which is so largely devoted to graduate and professional work, I am naturally mindful of the problems faced by the private college in years ahead. For one thing, the tremendous shortage of teachers which we are likely to experience will tend to drain off able men from the small private colleges to the universities and to the tax-supported colleges. I often wonder what the small struggling private institution will do to keep together an adequate faculty in years ahead.

The private universities will continue to be hard-pinched financially because graduate work is expensive, relatively speaking, and because classes cannot be carried on in large numbers. The strains and demands upon them are certain to be very great, and possibly beyond their power to resolve successfully.

I have set down these brief sentences, not to challenge in any way your own sound program, but to suggest that a comprehensive program for our educational needs must also take into consideration some means of assisting the small private liberal arts college and the large privately supported university to continue effectively to make their

special contributions to the satisfaction of our over-all needs. The greatness of our educational system comes from its diversity and all elements of it will be heavily taxed to meet our oncoming problems.

Sincerely,

GRAYSON KIRK,
*President.*

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NEW YORK UNIVERSITY,
*New York, N. Y., January 4, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: It was thoughtful of you to send me a copy of your suggestions for alleviating the shortage in college facilities. I do not feel that I am in a position to pass judgment upon the financial aspects of your proposal, but your recommendation in regard to community colleges is sound. Many times I have advocated essentially the same program that you are promulgating.

Yours sincerely,

CARROLL V. NEWSOM.

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THE NEW SCHOOL
FOR SOCIAL RESEARCH,
*New York, N. Y., March 4, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Because of illness followed by a vacation, I am very late in answering your letter of December 28 that contained your suggestions for alleviating the shortage in college facilities.

Even though my own plans are different I have been a strong advocate of junior colleges since I visited a number of them out west 10 years ago and came to admire their potentialities as educational and cultural centers in their respective communities, their capacity to render important services at reduced cost, and their screening effect. The latter should help to keep from small liberal arts colleges that considerable number of students who simply do not qualify for this kind of education yet clutter up these facilities at great financial expense and at great sacrifice on the part of better equipped students, whether they go to college or cannot get admission.

I am glad to know that your viewpoint is shared by many legislators, administrators and educators. Thus I am confident that a large part of the problem we are going to face in the not too distant future can be solved by establishing more and more community colleges all over the country.

Sincerely,

HANS SIMONS,
*President.*

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INTERNATIONAL LADIES' GARMENT
WORKERS' UNION, AFL–CIO,
*New York, N. Y., December 26, 1956.*

The Honorable CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for sending me a copy of your statement on Federal aid for community colleges. I am in complete agreement with you because I think that Federal aid would be a stimulus even to those States who already, as in the case of New York, are developing a big program in this field.

I am a member of the board appointed by Governor Harriman to the Community College of Applied Arts and Sciences in New York City. Here we have the usual 2-year terminal course, but we are at pains to see that the technical training is accompanied by academic work, particularly in the social studies. I think you will agree that a balance between the so-called liberal arts and the applied sciences is necessary. We hope to help develop not only mechanics but men.

Another additional advantage which the community college has is that it can develop local advisory groups in the various industries. Obviously, the curriculum is going to be more practical and useful, and placement of the students carried through more satisfactorily if there is a good system of active advisory boards.

As you can see, these are supplementary ideas to your main proposals and I am glad that you have raised the matter.

Incidentally, may I also thank you for joining with your fellow Senators who are trying to abolish rule XXII so that the Senate can operate according to its majority.

With New Year greetings.

Yours sincerely,

MARK STARR,
*Educational Director.*

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SKIDMORE COLLEGE,
*Saratoga Springs, N. Y., January 3, 1957.*

The Honorable CLIFFORD P. CASE,
*The United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR CASE: I was very glad indeed to have a copy of your suggestions for alleviating the increasing shortage in college facilities. It is heartening to know that you are initiating legislation to meet this need, and I heartily agree with the method you have outlined.

Sincerely

HENRY T. MOORE, *President.*

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SIENA COLLEGE,
*Loudonville, N. Y., January 15, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senator,*
*Senate Office Building,*
*Washington, D. C.*

Dear SENATOR CASE: Thank you for so kindly offering me the opportunity to comment on your proposal for alleviating the shortage in college facilities.

One the whole I agree with your views on the need for two-year colleges and on their function in relieving the shortage in higher educational opportunity. I have one reservation, however. There will be a strong tendency for the two-year colleges to become extensions of the high school system. In two-year terminal programs this will not matter too much; for those students who continue at four-year college, it could mean an almost complete loss of the time and money spent in the two-year facility. I would suggest a definite demarcation between the terminal programs and the "academic" or "general education" curriculum which would probably best serve those intending to continue their educations, and qualified to do so.

I realize that this point should be the concern of the administrators of the new institutions rather than of the legislators who provide for their establishment. I make it in the hope that influential voices like yours will be raised, when opportunity offers, to avert this development.

Sincerely yours,

Rev. EDMUND F. CHRISTY, O. F. M.

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PRATT INSTITUTE,
*Brooklyn, N. Y., January 2, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR CASE: Thank you very much for sending me a copy of your proposal regarding assistance to local communities and the States to establish and expand 2-year colleges. I had already read this statement since it was sent me by my successor at the Association for Higher Education, Dr. G. Kerry Smith. He had asked my advice about the matter and I felt that the association should strongly support the proposal. I believe that the 2-year institution will need to take up a heavy share of the increasing number of college students. I so indicated in an address I made over a year ago, which has been printed and of which I enclose a copy. You will find the matter discussed on pages 166 and 167.

There is only one aspect of your proposal that troubles me a bit. It is that this proposal tackles the problem of increased educational facilities only from the standpoint of the 2-year institution. Incidentally, I used to head a private junior college. The problem of the next 10 to 20 years is so great that there should be some overall approach to the problem. This may be too much to expect legislatively so that it will have to be solved by several separate actions. Your proposals are extremely well thought out and I trust will receive warm support.

With all good wishes for success in this important legislation.

Sincerely yours,

FRANCIS H. HORN, *President.*

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The Honorable CLIFFORD P. CASE,
*United States Senate.*

MY DEAR SENATOR CASE: I was very glad indeed to have the full text of the release of January 3, 1957, which you were kind enough to send me. I have read it with great interest. As you know, I have long been an advocate of the expansion of 2-year community colleges. In my little book published a year ago, The Citadel of Learning, I devoted several paragraphs to the arguments in favor of this method of solving the problem created by the sudden increase in the number of children in the United States. You can therefore well imagine how pleased I was to learn of your proposals which in concrete form would assist the development of these colleges.

Naturally, I would hope that the emphasis would be placed on the terminal program. For I am quite convinced that such a program, if it can be made socially acceptable to the American public, will mean a saving in the money spent on education and, above all, a saving in regard to college teachers who are going to be in great demand in the future. I think the American people must learn in the coming years to consider how they can use most effectively the relatively small number of capable college teachers who will be available. We simply do not have the teaching staff which would be required for the expansion of 4-year colleges to meet the increased numbers, nor is it likely that we can greatly enlarge this staff. This line of reasoning leads therefore directly to the conclusion that a 2-year terminal community college program should be provided for a much larger proportion of the student body than at present.

May I conclude by wishing you all success in your endeavor. I hope the reaction to your proposal will be so great that the necessary Congressional action will shortly follow.

Sincerely yours,

JAMES B. CONANT.

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STATE UNIVERSITY OF NEW YORK,
COLLEGE FOR TEACHERS,
*Buffalo, January 2, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

My Dear SENATOR CASE: Thank you very much indeed for your letter of December 27, 1956, with which you sent a copy of the news release from your office of your proposals for alleviating the shortage in college facilities. I had read with a very great deal of interest the newspaper accounts of your proposals and I am delighted to receive from you a copy of the release itself in order that I might see the complete statement.

Your proposal is an excellent one and I agree with it in every detail. Much more needs to be done than has been proposed

in most of our States to provide the necessary facilities for post-high-school education for the great numbers of young people who are currently coming to college attendance age. Your proposal is a timely one and it is certainly my hope that it will bear fruit.

You may be interested in knowing that in connection with the present shortage of facilities we received 1,962 applications for admission in September 1956 and of this number we were able to admit only about 940. At the present rate of incoming applications for September 1957 we contemplate that more than 2,400 high-school graduates will apply to us for admission. We shall be able to admit only about 900. Our plant utilization is in excess of 80 percent from 8 a. m. to 6 p. m. and is more than 50 percent from 6 p. m. to 10 p. m. and on Saturdays from 9 a. m. to 2 p. m. It is in such terms of utilization that I say we cannot admit more than the number of new students I mentioned above. When you consider that 40 percent utilization was formerly considered to be "normal" and that 60 percent was considered to be very high, you can see the character of the extent to which we are using our facilities.

I wish you every success in your campaign to make possible more facilities in order that more of our young people will have opportunities for education beyond the high school.

Most sincerely yours,

HARVEY M. RICE, *President.*

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STATE UNIVERSITY OF NEW YORK,
AGRICULTURAL AND TECHNICAL INSTITUTE,
*Alfred, N. Y., January 25, 1957.*

Senator CLIFFORD P. CASE,
*The United States Senate,*
*Washington, D. C.*

My Dear SENATOR: Thank you for your news release that refers to the 2-year, post-high-school program.

I agree with you that this will become one of the most effective ways of meeting the influx of students that we will be facing during the next few years. We, of course, are doing some work in this direction, as you undoubtedly know, and we do have a number of plans for expansion in the future.

With thanks for your courtesy, I am,

Very truly yours,

PAUL B. ORVIS, *Director.*

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VASSAR COLLEGE,
*Poughkeepsie, N. Y., December 27, 1956.*

The Honorable CLIFFORD P. CASE,
*United States Senator from New Jersey,*
*The United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR CASE: I congratulate you upon the plan you are proposing to increase facilities for higher education.

Community colleges established with the aid of State and Federal funds and providing either 2 years of college-credit education or a terminal program of 2 years education beyond the high school are, in my opinion, the best expedient that we have to meet the needs of the rapidly increasing college-age population. The Federal Government, the State, and the community must assume the financial responsibility.

I understand that the New Jersey estimate of $3,000 to $4,000 per student is for building costs. I should like to suggest that estimated figures include in addition a subsidy to cover the salaries of the teachers, and that this figure be included in the proposed one-third share of the Federal Government. I agree with your emphasis upon the desirability of State control of curriculum and policy.

With best wishes for the New Year and for the success of your proposal, I am

Cordially and sincerely,

SARAH GIBSON BLANDING.

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CAMPBELL COLLEGE,
*Buies Creek, N. C., February 10, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have deferred writing you to express appreciation for your address before Congress on the community college program for some time. Only recently have I found opportunity to read the speech. I believe your conclusions are rather convincing to the effect that the community college may be the most economical way for providing training for thousands of young people in the forthcoming emergency. Looking at the matter from a personal standpoint as a president of a privately supported junior college, I naturally wonder what will become of these private institutions if free junior college education is provided universally as we are now providing similar training on the high school level. Even so, I would have to agree that the overall welfare of the people is of greater significance than the preservation of any system of schools.

Yours very sincerely,

LESLIE H. CAMPBELL, *President.*

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EAST CAROLINA COLLEGE,
*Greenville, N. C., January 4, 1957.*

Senator CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I appreciate your sending me a copy of your article concerning the shortage of college facilities. I concur with your suggestions throughout. Just a short time ago, I had a release in the papers and made a speech along similar lines. The junior college idea is certainly basically sound in every way. We should make provision for more regular 2-year scholastic junior colleges, 2-year combined scholastic-vocational junior colleges and 2-year vocational-technical colleges.

Incidentally, before coming here I was dean of Montclair State Teachers College and it has always disturbed me that the State of New Jersey has not been more conscious of its responsibilities in higher education. I certainly trust that with your vision and insight you will be able to help generate and motivate the spirit that is essential to touch the pocketbook which is so necessary to finance the on-going program you envision.

With all good wishes for the New Year, I am

Cordially yours,

J. D. MESSICK,
*President.*

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ANTIOCH COLLEGE,
*Yellow Springs, Ohio, January 3, 1957.*

Hon. CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I congratulate you on the splendid suggestions you have made regarding establishing and opening 2-year colleges through grants-in-aid to the States.

Your suggestion is farsighted and practical. It will do much to alleviate the pressures which we know are soon to be upon us. It provides for the kind of education which many young people should be having today and is not at all unrealistic, financially speaking.

As you say, this is only part of the answer to the need for college expansion. The problems of the independent colleges, which are a vital aspect in higher education, still remain unsolved. Perhaps we can find people in the realm of business and industry who will concern themselves with these problems as ably as you are approaching the matter of public education.

Sincerely yours,

SAMUEL B. GOULD,
*President.*

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LANGSTON UNIVERSITY,
*Langston, Okla., January 26, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for your letter of December 27, 1956.

Your proposal relative to alleviating the shortage in college facilities is fundamentally sound. I trust legislation to that effect will be enacted by the current Congress.

Again I wish to thank you for having a copy of your proposal sent to me.

With very best wishes, I am,

Sincerely yours,

G. L. HARRISON,
*President.*

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NORTHEASTERN OKLAHOMA
A. AND M. COLLEGE,
*Miami, Okla., January 2, 1957.*

Senator CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I want you to know I deeply appreciate your consideration and kindness in sending me a copy of your proposed legislation remedying the shortage of college facilities.

Frankly, I have been greatly concerned as to what we could do to take care of the growing demand of additional students seeking a college education. I certainly hope that you can and will push this legislation in such a way as to assist the students in the colleges as they strive to develop and grow into the kind of citizens that we are going to need.

Full steam ahead.

Sincerely,

BRUCE G. CARTER,
*President.*

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PHILLIPS UNIVERSITY,
*Enid, Okla., February 19, 1957.*

Senator CLIFFORD CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: I congratulate you upon your proposal to provide Federal aid to States for the purpose of establishing public community colleges. Many of us who are connected with private colleges feel that your proposal has much merit and is in no way harmful to us. These institutions should improve both the quantity and quality of higher education and provide a partial solution to the impending tidal wave of students.

Sincerely yours,

BEN H. WEAVER,
*Head, Department of Education.*

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CARNEGIE INSTITUTE OF TECHNOLOGY,
*Pittsburgh, Pa., January 9, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I want to thank you for sending me a copy of your suggestions for alleviating the shortage in college facilities which I have read with much interest.

I favor your proposal that community colleges be developed. In this connection I have always favored the plan in which the cost of operating community colleges is borne one-third by the State, one-third by the community, and one-third by the students through tuition. I agree with you that the community colleges should have two objectives: (1) a 2-year terminal program, and (2) the educational equivalent to the first 2 years of a normal 4-year college program.

With best regards,

Sincerely yours,

J. C. WARNER.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC INSTRUCTION,
*Harrisburg, January 2, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: This acknowledges with thanks your letter of December 27, 1956. Your suggestions for the alleviating of the shortage of colleges are excellent.

By assisting junior colleges, more students can be provided for at a lower cost than any other known proposal. Here most students can board at home and therefore attend college at a considerably lower cost. There are other advantages in having youth take 2 years of college at home rather than at a large institution.

May I congratulate you for your far-reaching proposal.

Sincerely yours,

CHARLES H. BOEHM.

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URSINUS COLLEGE,
*Collegeville, Pa.*

The Honorable CLIFFORD P. CASE,
*United States Senator, Senate Office Building, Washington, D. C.*

DEAR SENATOR CASE: Thank you for your letter of December 21 and for your suggestions for alleviating the shortage in college facilities.

I consider your plan an excellent one and certainly in the public interest, provided that the facilities cannot be provided at the local and State level.

Sincerely yours,

N. E. MCCLURE, *President.*

JANUARY 14, 1957.

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JUANITA COLLEGE,
*Huntingdon, Pa., December 28, 1956.*

The Honorable CLIFFORD P. CASE,
*United States Senator,*
*Washington, D. C.*

DEAR SENATOR CASE: It was a coincidence that your letter was placed on my desk this morning at the very moment when I was reading the news release in the New York Times. I congratulate you on your endorsement of community colleges. For a number of years I have believed that the 2-year community college was educationally and economically a sound idea. It is my conviction that we do not have a sufficient diversity of educational opportunity in our country to meet the needs and abilities of our youth.

I feel that the cost of education in these community colleges should be borne partly by the student, partly by the community, and partly by the State. The cost of providing the buildings and equipment would be a heavy drain upon certain communities and States and your program of Federal aid up to one-third of the cost of building and equipping academic structures would seem a reasonable contribution on the part of the Federal Government. It would also have the effect of stimulating increased interest on the part of the States and communities in this program.

With appreciation for your leadership in this program, I am

Sincerely yours,

CALVERT N. ELLIS, *President.*

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COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC INSTRUCTION,
STATE TEACHERS COLLEGE,
*California, Pa., February 4, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you very much for including me on your privileged list to receive a copy of your suggestions for alleviating the shortage in college facilities.

I have given careful study to your proposals and am convinced that your plan for establishing and expanding our colleges through grants in aid to the States would help to catch up with the educational needs of the country.

I heartily endorse your proposal and commend you for your keen interest in desiring to assist the cause of education.

Sincerely,

MICHAEL DUDA, *President.*

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UNIVERSITY OF RHODE ISLAND,
*Kingston, R. I., December 28, 1956.*

The Honorable CLIFFORD P. CASE,
*United States Senate, Washington, D. C.*

DEAR CLIFF: Your letter of December 20 has come to my desk, and I have just read your enclosed statement.

First of all, let me say that I am delighted that you have been giving attention to the problems of higher education, and that you have come forth with a concrete proposal. I think your statement is an excellent one. I have long felt that the junior college, or community college as we now call it, is one of the most promising means of meeting the mounting demands for higher education. As you indicate, it is not the whole answer, but I believe that a great increase in the number and scope of community colleges is inevitable. For their full development, I believe a measure of Federal aid will be necessary. Also, I should hope that within the respective States they will come under some kind of centralized administration so that their programs will be fully coordinated with those of the land-grant colleges and State universities.

I enclose a brief memorandum which I recently prepared in response to a request from the President's Committee on Education Beyond the High School. Some of my views also on the future prospect are given in our annual report for the year 1955–56 and an address which I delivered at the meeting of the National Association of State Universities last May.

The best of wishes to you in this effort and in the other challenging problems which will engage your attention during the new year.

Faithfully yours,

CARL R. WOODWARD, *President.*

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UNIVERSITY OF RHODE ISLAND,
*Kingston, R. I., December 31, 1956.*

Dr. ELVIS J. STAHR, JR.,
*Executive Director, President's Committee on Education Beyond the High School, Department of Health, Education, and Welfare, Washington, D. C.*

DEAR DR. STAHR: I have read with great interest the first interim report of the President's Committee on Education Beyond the High School. Prompted by Mr. Josephs' request, I am writing you some thoughts about the problem of meeting the growing demands for higher education, without attempting to give you an exhaustive discourse on the subject.

While I believe that there is great need for financial aid for talented individuals who are unable to meet the expenses of a college education on their family resources, I doubt if a nationwide system of Federal scholarships offers the best solution. We should use every effort to increase scholarship aid from private sources at both private and public institutions. I believe, also, we should have Federal aid in some form, but I foresee serious difficulties in administering any large program of Federal scholarships, and I believe such a program would in large measure discourage the contribution of funds from private sources for this purpose. I would be disposed to favor a program of work-aid, similar in purpose to the NYA of depression times. And I believe also there is merit in the plan for Federal loans recently reported in the press.

More acute than the need for aid to the individuals, I believe, is the need of Federal aid for the expansion of physical facilities. If college enrollments are to be doubled within the next 15 years, the problem of providing additional buildings and other physical resources is truly a staggering one. It is a serious limiting factor at private institutions in their effort to accept their share of the increased enrollment. Almost certainly the burden of expansion will fall more heavily upon the public institutions. To this end, I believe a large-scale Federal program of building aid for colleges and universities is desirable. Such a program should provide aid for both public and private institutions. Direct grants of Federal funds to private institutions may well be questioned, on the ground that they are contrary to sound public policy. On the other hand, long-time loans at low interest to private institutions, and a combination of loans and direct grants for public colleges and universities, would meet a critical need, and could be defended from the standpoint of public policy.

But urgent as the needs may be for scholarship aid and funds for physical facilities, the most acute and the most vital problem we shall face is the shortage of competent personnel—teachers, scientists, administrators, and other specialists in education. This is an immediate problem since it is from the undergraduates and graduate students in our colleges today that we shall have to recruit the manpower of the next decade. And here we encounter the decisive factors of career motivation, aptitude, preparation, experience, salary, and the devastating competition of business, industry, and other professional forces for the upper levels of competence. In qualified manpower lies the key to the solution of our future educational problems. In this area, it seems to me, your committee will find its most difficult problem, its greatest challenge, and its largest opportunity for performing a public service.

I have discussed some of these matters at greater length, principally from the point of view of a State university, in my annual report for the year 1955–56, now in press. I shall send you a copy when it is available. You may be interested in the enclosed reprint of my presidential address before the National Association of State Universities last June, entitled "The Evolving Mission of the State University."

Sincerely,

CARL R. WOODWARD,
*President.*

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WOFFORD COLLEGE,
*Spartanburg, S. C., December 31, 1956.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you for your material on the need for increasing college facilities. I certainly agree that the 2-year community college is one way whereby we can help alleviate this situation. I don't think it is the only answer, but certainly it will help.

I am grateful for your interest in this matter of higher education. With all good wishes, I am

Cordially yours,

PENDLETON GAINES,
*President.*

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CONCORDIA,
*Austin, Tex., January 4, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senator,*
*Washington, D. C.*

DEAR SENATOR CASE: May this note acknowledge receipt of and thank you for your recent news release on the role the junior colleges may play in our expanding college population.

I am happy to note that a man in your position recognizes the potential of the junior college. If all States were to follow

the lead of California, Texas, and Florida in the establishment of junior colleges, the gravity of the problem facing American higher education would be considerably lessened.

Very truly yours,

GEORGE J. BETO.

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THE TEXARKANA COLLEGE,
*Texarkana, Tex., January 15, 1957.*

Senator CLIFFORD P. CASE,
*The United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I read with much interest your release concerning the need for Federal aid for college buildings. I read it with much interest because of the present problem in connection with the growing enrollment at the various colleges.

I think all of the facts which you adduce are of indisputable nature. They all serve to point up the fact that colleges must have assistance if they take care of enrollments that will come in the next few years.

I found particularly sound reasoning in your discussion of the community colleges.

Please let me thank you for having sent this to me.

Yours very truly,

H. W. STILWELL,
*President.*

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TEXAS CHRISTIAN UNIVERSITY,
*Fort Worth, Tex., January 2, 1957.*

Senator CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I am in complete agreement when you emphasize a widespread system of community colleges which would carry the student 2 years beyond our usual high-school program. If we could have this kind of development across the country, it would not be necessary for us to increase the number or size of our senior colleges and universities. One of the major difficulties is that almost every time you have a college doing what is considered junior-college work some ambitious leaders want to make it a senior college.

With sincere appreciation, I am,

Very cordially yours,

M. E. SADLER,
*President, Texas Christian University.*

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MIDDLEBURY COLLEGE,
*Middlebury, Vt., January 14, 1957.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I have read with interest your analysis of the problem of this coming shortage in facilities for higher education. I have for some time given support to the point of view of the at-least-partial solution that you propose. Certainly the 2-year community college has demonstrated its effectiveness in the Far West and Southwest. I see no reason why such institutions should not be equally successful in other parts of our country. Frankly, I see no other solution for accommodating the very great increase in numbers of high-school seniors who will be seeking further educational opportunities.

With best wishes to you,

Sincerely yours,

SAMUEL S. STRATTON,
*President.*

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STATE OF VERMONT,
JOHNSON TEACHERS COLLEGE,
*Johnson, December 26, 1956.*

Hon. CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

Dear SENATOR CASE: I appreciate receiving a copy of your suggestions for alleviating the shortage in college facilities.

I am completely in accord with your findings as to the need for additional facilities. I have advocated the idea of more 2-year colleges for some time. I do believe that Federal aid must be forthcoming if a State such as Vermont is to provide adequate educational opportunities for its youth.

Your plan has my wholehearted support.

Sincerely yours,

ODINO A. MARTINETTI,
*President.*

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THE GEORGE WASHINGTON UNIVERSITY,
*Washington, D. C., January 2, 1957.*

The Honorable CLIFFORD P. CASE,
*The United States Senate,*
*Washington, D. C.*

My dear SENATOR CASE: I have had the pleasure of going over the address which you sent to me and find myself essentially in agreement with your statements.

Thank you for your thoughtfulness, Mr. Senator, in writing me. I sincerely hope that your interest will be highly significant in the advancement of our educational program.

A happy New Year to you.

Sincerely yours,

CLOYD H. MARVIN,
*President.*

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WENATCHEE VALLEY COLLEGE,
*Wenatchee, Wash., January 8, 1957.*

Senator CLIFFORD P. CASE,
*Senator from New Jersey,*
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: We were pleased to get your letter of December 29 indicating the proposed action with reference to the community junior colleges. It is needless for me to say that your thinking is in absolute accord with ours. We have felt for some time that the junior colleges should be used to alleviate this high enrollment problem.

The newspaper article that you included indicated to us a broad understanding of the function of the junior colleges. There was, however, one argument which we frequently use in this connection which may help to strengthen your position. We feel that we are giving a service at much less cost to the public than can be given by any of the other institutions of higher learning. In the State of Washington it is costing the people of the State through State taxes somewhere in the neighborhood of $700 to $800 per student per year; whereas in the junior colleges we are performing the same function on the freshman and sophomore level for approximately $600 per student per year. When we consider the money that the student saves in board and room and transportation, this saving becomes even greater. Since it is true that there is approximately a 52-percent dropout nationally in colleges in the freshman and sophomore years it would seem only reasonable that this should be in the local communities.

We are anxious to hear of any progress that is made by you and your supporters in this matter.

Yours very sincerely,

JAMES M. STARR,
*President.*

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BLUEFIELD STATE COLLEGE,
*Bluefield, W. Va., January 4, 1957.*

The Honorable CLIFFORD P. CASE,
*United States Senate,*
*Washington, D. C.*

DEAR SIR: This will acknowledge with appreciation the receipt of your thoughtful and informative statement concerning the alleviation of the shortage in college facilities. In my opinion, the statement is timely indeed and every reasonable effort should be made to accelerate its implementation, for even with all of the breaks, we can scarcely be ready in time for the peak enrollments.

I would offer only one very minor suggestion, namely, that greater emphasis be given, in future releases and/or presentations, to the fact that many young people find the cost of room and board in noncommunity colleges prohibitive. Many American families—and many of them have two or more college-age youths—simply cannot pay these costs. Furthermore, the large majority of the families that will supply the tidal wave of students in the years immediately ahead are very probably families with modest incomes. This basic fact underlying this suggestion is, of course, clearly implied in the statement. I am simply suggesting that greater emphasis be given to it.

Very truly yours,

S. J. WRIGHT,
*President.*

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MARQUETTE UNIVERSITY,
*Milwaukee, Wis., February 25, 1957.*

Subject: College facilities.

Honorable CLIFFORD P. CASE,
*United States Senator,*
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR CASE: I am in substantial agreement with the proposal for the expansion of public community colleges as a practical approach to the problem of providing for the increasing college enrollment in the next 15 years.

A major problem confronting all higher education is the conservation of resources; that is, faculty, buildings, and equipment. The community can provide for such conservation by making use of many existing facilities in local schools, by utilizing most efficiently various levels of professional talents in the school system, and by permitting students to live at home.

Further, democratization of education through the 14th year, during a period of rapid population growth, places a burden on colleges and universities which can be handled only with great difficulty. The curriculum revisions and instructional adaptations required cannot be given adequate consideration by university faculties already straining to fulfill their obligations.

Various controls dealing with size of community served, community ability to support, local facilities and State assistance must be provided. Provision should also be made to assure local control.

Sincerely yours,

M. G. BARNETT, S. J.,
*Executive Vice President.*

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STOUT STATE COLLEGE,
*Menomonie, Wis., January 2, 1957.*

Hon. CLIFFORD P. CAS :,
*United States Senate,*
*Washington, D. C.*

DEAR MR. CASE: I have your letter of December 21 requesting me to examine your suggestions for alleviating the shortage in college facilities.

I have very carefully read the enclosure and I am in hearty agreement. It would be difficult for any college president to evaluate this material without being in full agreement. Unfortunately, junior colleges in the past have not been terminal in nature. The offerings in the junior colleges could be terminal in nature as well as preparation for further study at a more advanced level.

There are many vocational technical workers who do not require a college education, i. e., a college degree, but should have more than preparation offered in high school. The 2 years of junior college available at home and adjusted to the community would be a solution to this problem.

You have done much more in the East than we have out here in the Middle West in development of junior colleges of terminal nature.

I hope I have provided you with the information that you desire. My comments can only be comments of encouragement.

Sincerely yours,

VERNE C. FRYKLUND,
*President.*

NORTHLAND COLLEGE,
*Ashland, Wis., December 31, 1956.*
The Honorable CLIFFORD P. CASE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR CASE: Thank you so much for sending me a copy of your suggestions for alleviating the shortage in college facilities. It seems to me that your ideas are feasible and reasonable, and I think they deserve full support.

Cordially yours,
GUS TURBEVILLE, *President.*

## AMENDMENT OF SECTION 22 OF INTERSTATE COMMERCE ACT—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 939) to amend section 22 of the Interstate Commerce Act, as amended.

Mr. SMATHERS. Mr. President, I desire to make a very brief statement on the conference report on Senate bill 939. Members of the conference committee representing the Senate were the junior Senator from Ohio [Mr. LAUSCHE], the junior Senator from Texas [Mr. YARBOROUGH], the Senator from Connecticut [Mr. PURTELL], the Senator from Kansas [Mr. SCHOEPPEL], and the junior Senator from Florida.

We found ourselves, at the time of the conference, in a rather unusual situation. We did not exactly know how to resolve the differences when we sat down in conference, but we have worked out what we believe is the best and most practicable solution at which we could arrive.

The situation, very briefly, was this: After the Senate had passed Senate bill 939, which was the bill originally submitted at the request of the Interstate Commerce Commission, to render inapplicable section 22 of the Interstate Commerce Act except during war or national emergency, the House undertook consideration of a similar bill. After considering the bill in the Senate committee, we left the substantive provisions of section 22 unchanged. This continued to make it possible for various Government agencies to take advantage of section 22 quotations, which meant that they could continue to take advantage of rate quotations below published rates.

However, we saw fit to incorporate into the original bill an amendment which provided that when the carriers did make section 22 quotations, they would have to submit copies of them to the Interstate Commerce Commission at the time they made the quotations, in order that any of their competitors might be able to see the new rates, and thereby themselves compete.

That bill, as amended, passed the Senate on June 12, and went to the House. The House undertook consideration of a similar bill. However, after the House had completed its deliberations, it decided to amend its bill by providing that section 22 should still remain operative, except for one provision, which would take away from the motor carriers of household goods the privilege under section 22.

The House bill was finally reported to the House for final action, but before it could be brought up a district court in the District of Columbia entered a memorandum decision in a case which involved certain nonscheduled air lines against certain railroads.

The decision held, in effect, that the railroads were not protected from antitrust prosecution under section 5 (a) of the Interstate Commerce Act in making rate quotations under the privilege offered to them by section 22 of the Interstate Commerce Act to quote free or reduced rates.

Immediately the question arose, particularly on the part of the Defense Department, as to what the effect of the court decision would be. The Defense Department said that if it were not permitted to continue to negotiate with the railroads as it had been doing since 1948, and to continue to follow the pattern and procedure which it had followed since that time, the cost to the Defense Department would be $100 million in 1958 alone.

The reason such a result would have been brought about is that the railroads, in the light of the decision which had been rendered against them in the district court case, did not wish to continue to make quotations to the Federal Government, and particularly to the Defense Department, under section 22, because in so doing, in the light of the district court decision, they would be subjecting themselves to further damage suits.

They wrote a letter to the Department of Defense, and said, in effect, "So long as this decision stands, we will not be in a position to offer section 22 quotations."

Thus, there came about a situation because of which the Defense Department said the cost to it would be $100 million in 1958.

The House of Representatives, having these facts explained to it, determined, in its wisdom, that the only thing to do was to attempt to put everyone back in the status quo as it had existed since 1948, until possibly some future legislation might be enacted and some changes might be made by the Congress, or at least until the Supreme Court of the United States had made a final decision on this particular question.

So the House passed what has come to be known as the Harris amendment to S. 939, which, in effect, immunized the railroads from the provision of the antitrust laws. In other words, what the House did, in effect, was to redefine or reinterpret the intent of the Congress as expressed in 1948, so as to say that when the act was passed in 1948, known as the Reed-Bulwinkle Act, the Congress not only attempted to give to the railroads the right to act in concert and get together in fixing rates with respect to commercial shippers, but also with respect to offering quotations to the Federal Government under section 22.

The Harris amendment was adopted overwhelmingly by the House of Representatives. Then the bill went to conference. We have not had a single day of testimony. We have not heard a single witness, which is a circumstance we do not like. We were faced with such a situation, however, that, if we did not go along with the House approved amendment, the Defense Department said the cost to it would be, as I have repeatedly stated, $100 million in 1958.

As practical men, we thought the only thing to do was to accept the amendment which had been previously adopted by the House. It is the amendment which seeks to maintain the status quo, so that this enormous amount of money will be saved by the Defense Department. Then, next year, or at some future date—if the Supreme Court upholds the district court decision—if it is the wish of a Senator or Member of the House to introduce a bill to strike out section 22 or to restrict the interpretation of the Reed-Bulwinkle Act, he can do so. We have assured those interested that we would have an immediate hearing on such proposals.

That, in essence, was what the conferees did. It is not what we would have preferred. We do not agree that it is the best way to legislate, but we are not up against a theory; we are up against a practical matter.

At this point I ask unanimous consent to have printed in the RECORD, a letter from the Defense Department, signed by Major General Lasher, executive director of the Military Traffic Management Agency, together with an attached memorandum on S. 939. I ask that both be printed in the RECORD.

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

MILITARY TRAFFIC
MANAGEMENT AGENCY,
UNITED STATES ARMY,
*Washington, D. C., August 15, 1957.*

Hon. GEORGE A. SMATHERS,
*United States Senate.*

DEAR SENATOR SMATHERS: I am inclosing a memorandum covering some of the essential information in connection with S. 939 as requested by your counsel, Mr. Barton.

I am happy for the opportunity of assembling this information and hope that it may be of assistance to you.

Sincerely yours,
E. C. R. LASHER,
*Major General, United States Army,*
*Executive Director.*

MEMORANDUM

S. 939, which, stripped to its essentials, affords the same privileges to Government shippers as is already afforded commercial shippers, must be enacted into law.

Concerted action by groups of carriers in connection with the rates and fares for the movement of traffic generally has been the practice for years and such action has been of great assistance to both the carriers and their customers in negotiating and establishing reasonable rates for moving both the commerce of the United States as well as persons and things for the Government. These practices result in substantial savings to shippers not only in transportation charges themselves but in the reduction of administrative expenses as well, and has greatly aided in expediting such negotiations as well as the movement of the traffic itself.

The fact that the hundreds of separate and independent railroads of the country have been integrated into virtually a single system, so far as the shipping public is concerned, is so familiar as to be apt to be taken for granted with no thought of the extent of cooperative action on the part of the carriers that is necessary to bring about such a result.

In amending the Interstate Commerce Act by adding section 5a in 1948, we do not believe that Congress could have intended to pass the benefits thereof only to industrial shippers and exclude Government shippers, for such would have been discrimination against itself. Were this the case, the meaning of "rates, fares, and charges" would have been different in different parts of the act and Congress would have made its meaning clear. However, the Congress made no distinction between "rates, fares, and charges," in one section as opposed to any other section and these words must be given the same meaning throughout the act. We have always thought that the protections of 5a extended to joint section 22 quotations. It is unbelievable that Congress expected the Commission, the carriers, the Department of Defense, other Government shippers, as well as the courts, to interpret these words differently without any indication in the law that it intended a different meaning.

However, the Interstate Commerce Act, specifically 5a thereof, was so interpreted by a recent court decision which, if upheld, makes the conscientious and honest efforts in this field, of the Interstate Commerce Commission, of Government shippers, and the carriers, illegal since 1948. The court's opinion would permit carriers to jointly establish "rates, fares, and charges" on the traffic of commercial industry through the conference method but would deny these benefits to the Government on the traffic it moves under the provisions of section 22 of the act. The economic ramifications of the Government dealing with the thousands of carriers individually on rate matters are enormous—not only impractical during peacetime and impossible during times of emergency, but at all times expensive beyond reason.

Over and above the high administrative costs, the rates and fares themselves, under such a ruling, would have been much higher. For instance, in the Department of Defense alone for fiscal year 1956, had the restriction now imposed by this court's decision been in effect, that Department would have had to pay in excess of $100 million more to move its traffic. The estimated volume of fiscal 1958 traffic appears at this time to be at about the same level as fiscal 1956.

Further, all carriers are required by law to move people and things at the legal rate. The court's decision renders illegal all rates arrived at by the conference method and offered the Government under the provisions of section 22 of the act at least since 1948. Being required, therefore, to charge the legal rate, carriers would be legally obligated to file claims for the undercharge differences thus accrued. Including as it does the Korean emergency and its high volume movement, this period could produce lawful claims almost incalculable in total.

Therefore, in order to absolutely clarify the original intent of Congress, to make doubly sure that the law will admit of no misinterpretations, to continue fair and reasonable rates for movement of Government traffic, and to prevent further embarrassment of the Interstate Commerce Commission, Government departments, and the carriers, S. 939 should be enacted into law as reported out of conference.

Mr. SMATHERS. I ask unanimous consent to have printed in the RECORD, so that Senators and Members of the House will have an opportunity to read it before we continue the discussion tomorrow, a letter from the Interstate Commerce Commission dated August 19, 1957, signed by the Honorable Owen Clarke, Chairman of the Interstate Commerce Commission, on the applicability of section 5a to rates made under section 22.

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

INTERSTATE COMMERCE COMMISSION,
*Washington, D. C., August 19, 1957.*

Hon. GEORGE A. SMATHERS,
*Chairman, Surface Transportation Subcommittee, Committee on Interstate and Foreign Commerce, United States Senate, Washington, D. C.*

DEAR SENATOR SMATHERS: This is in response to a telephonic inquiry from Mr. Frank Barton requesting an expression by the Commission concerning the relation between section 5a and section 22 of the Interstate Commerce Act in connection with proposed legislation which would amend section 22.

Section 22 now provides, among other things, "That nothing in this part shall prevent the carriage, storage, or handling of property free or at reduced rates for the United States * * * or the transportation of persons for the United States Government free or at reduced rates." This provision removes such rates from the jurisdiction of the Interstate Commerce Commission insofar as the power to prescribe minimum rates and fares is concerned.

Section 5a (2) provides "Any carrier party to an agreement between or among two or more carriers relating to rates, fares, * * * may * * * apply to the Commission for approval of the agreement * * *." Under section 5a (9) such approval relieves the parties to the agreement from the operation of the antitrust laws.

The question arises as to whether the term "rates" as used in section 22, is coextensive in meaning with the words "rates" and "fares" as they are used in section 5a. As we see it, they are coextensive in meaning in the absence of any specific language to the contrary. The mere restraint upon the Commission's jurisdiction over rates under section 22 would not, in my view, make it inappropriate for the Commission to pass upon agreements relating to such rates and fares under section 5a. I do not believe that this view would in any way run counter to or be inconsistent with the broad intent of Congress in enacting section 5a. Although the Commission has not had occasion to pass upon this particular question, we have approved agreements which included the processing of section 22 proposals. I believe, therefore, that such approval would bring section 22 proposals thereunder within the purview of section 5a (9) of the Interstate Commerce Act.

In order to remove any doubt respecting the extent of our jurisdiction under section 5a, however, I believe that it would be desirable to enact clarifying legislation as proposed.

If I can be of further assistance, please do not hesitate to call on me.

Sincerely yours,

OWEN CLARKE,
*Chairman.*

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a letter from the Atomic Energy Commission, signed by Mr. R. W. Cook, Deputy General Manager, in which he states that if we do not adopt the House amendment and agree to the conference report, as now submitted, it will cost the Atomic Energy Commission approximately $4 million in their operations next year.

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

UNITED STATES
ATOMIC ENERGY COMMISSION,
*Washington, D. C., August 15, 1957.*

Hon. GEORGE A. SMATHERS,
*Chairman, Subcommittee on Surface Transportation, Committee on Interstate and Foreign Commerce, United States Senate.*

DEAR SENATOR SMATHERS: This is in response to your request for an expression of our views on S. 939, an act to amend section 22 of the Interstate Commerce Act, as amended, as this bill was recommended yesterday by the committee of conference on the disagreeing votes of the two Houses. (See pp. 15235–15236, CONGRESSIONAL RECORD, August 19, 1957.)

As we understand this bill as reported out by the committee of conference, it would add a subsection to section 22 of the Interstate Commerce Act which would require carriers offering tenders for transportation or related services to the United States Government under section 22 to submit copies of such tenders to the Interstate Commerce Commission. Upon submittal of tenders made pursuant to an agreement approved by the ICC under section 5a of the act, the provisions of paragraph (9) of section 5a, granting relief from the operation of the antitrust laws, would apply. The bill further provides that no liability or cause of action previously accrued would be affected, and that submission of tenders to the ICC shall not be required if the Government indicates to the carriers that there is involved information disclosure of which would endanger the national security.

A recent judicial decision holding that section 5a of the Interstate Commerce Act does not apply to carrier agreements relating to section 22 quotations to the Government threatens to create a serious situation with respect to the rendering of transportation services to the Government under such quotations. Not only do estimated annual savings in excess of $4 million accrue to the Atomic Energy Commission as a result of reduced rates made available under section 22 quotations, but many special arrangements, some of nationwide scope, are negotiated with carriers for the rendering or special services in connection with shipments of items of vital importance to the national defense and security. Important considerations of public health and safety are also involved in these specially negotiated arrangements. We are disposed to regard with concern any developments which might tend to inhibit the carriers from negotiating with us for these special arrangements, both with respect to rates and other considerations mentioned above.

We therefore urge enactment of S. 939, as reported out with amendments by the Committee of Conference.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

R. W. COOK,
*Deputy General Manager.*

Mr. SMATHERS. Mr. President, I also ask unanimous consent to incorporate in the RECORD at this point a letter, with attached memorandums, from the Association of American Railroads, dated August 13, in which it is stated that under the decision of the district court as it now stands, they are not in a position to do any business with the Government under section 2 A unless some further immunity is granted to them. Attached to the letter are two memorandums.

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

ASSOCIATION OF AMERICAN RAILROADS,
*Washington, D. C., August 13, 1957.*
Hon. GEORGE A. SMATHERS,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR SMATHERS: Mr. Frank Barton, transportation counsel, Senate Committee on Interstate and Foreign Commerce, has advised me that the committee has in its possession a copy of a memorandum dated July 30, 1957, from a Mr. J. J. Kelley to Mr. Gass (copy attached), and that not being aware of who these gentlemen are, you would like to have a confirmation from an official of the Association of American Railroads regarding the statements contained therein.

For your information, Mr. Gass is chairman of the car service division, Association of American Railroads and Mr. J. J. Kelley is manager of the military transportation section, car service division, Association of American Railroads. Neither has anything to do with the making of section 22 quotations to the Department of Defense, but representatives of the regional passenger associations have their offices with the military transportation section and thereby Mr. Kelley keeps abreast of the action being taken by the various passenger associations.

The Association of American Railroads performs no function in connection with the making of quotations to the Government, but in view of your request, I have undertaken to obtain the information that would enable me to inform you accurately as to the current situation with respect to making section 22 quotations to the Government for the movement of military personnel. I have obtained the information by talking directly to the chairman of each of the following passenger organizations: Trunk Line-Central Passenger Committee, New York, N. Y.; New England-Passenger Committee, Boston, Mass.; Southern Passenger Association, Atlanta, Ga.; Western Railroads Military Bureau, Chicago, Ill.

That information I am furnishing to you in the form of a separate memorandum, enclosed. As you will note, the situation was as described in the memorandum from Mr. Kelley to Mr. Gass at the time that memorandum was prepared and has continued up until almost the present time, but has now been modified somewhat.

I trust this gives you the information you desire.

Very truly yours,
GREGORY S. PRINCE,
*Vice President and General Counsel.*

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JULY 30, 1957.

MR. GASS: As Judge McGarraghy's injunction against the rail carriers submitting concerted section 22 quotation bids to the Department of Defense on passenger traffic is now effective, the regional passenger traffic associations have been instructed to submit no quotations of any kind to the Government for the time being. The only movements the rail carriers will now get will be those on which the air carriers do not bid. In other words, while the military will continue to submit cost requests on all movements of 15 or more they will be returned with the notation that the rail carriers will handle the traffic under the joint military passenger agreement.

While the interpretation of the restraining order is that it prohibits only what is called package bidding the instructions to the passenger associations are that no bids will be submitted on straight point-to-point movements as well.

J. J. KELLEY.

AUGUST 13, 1957.

Based on the opinion of the Federal District Court for the District of Columbia (Judges McGarraghy) in *Aircoach Transport Assn. et al.* v. *Atchison, Topeka & Santa Fe Ry., et al.* (Civil Action 875–57), the railroads stopped making spot variable section 22 quotations and also stopped making so-called package section 22 quotations with the expiration of the court's stay on July 27, 1957. After this date, the only offering by the railroads in answer to the military's specific cost requests was the standing section 22 quotation known as the Joint Military Passenger Agreement which provides that the railroads will handle any and all military traffic at 10 percent less than regular commercial fares. This continued to August 8, and the railroads received practically none of the competitive passenger traffic. They did receive a few movements but only as a standby service when the nonscheduled air carriers found that they could not or did not desire to bid for the traffic.

On August 1, the Court of Appeals for the District of Columbia granted a stay of the order until the case could be heard and decided on appeal. Subsequently, the carriers, other than those in the New England Passenger Association, in an attempt to compete for at least a small part of the military passenger traffic, concluded that in addition to the quotations in the Joint Military Passenger Agreement they would make special section 22 per capita bids for a period of 30 days or longer between points between which they were aware of recurring traffic in substantial volume. New England roads continue to limit their quotations to those contained in the Joint Military Passenger Agreement. The eastern and western railroads proceeded to prepare a limited number of such section 22 quotations dated August 8 and 9, carrying an expiration date of September 30. The southern railroads have not made any such quotation from or within the South nor have they participated in such quotations from the West to the South and have participated in only one such quotation from the East to the South. Eastern railroads have concurred in a few such quotations on movements originating in the western territory and likewise the western railroads have concurred in a few quotations made on movements originating in eastern territory. The military started using these period quotations August 12 in their evaluation of bids received in response to their cost requests. It is our information that up to this time only one competitive movement has been awarded the railroads under these period per capita quotations.

While the statement above relates only to the movement of passenger traffic for the Government, the construction of the law arrived at by Judge McGarraghy in his opinion imposes upon the railroads a threat of possible antitrust prosecution and treble damage suits from competitors in connection with reduced-rate quotations made under section 22 through concert of action for the transportation of freight for the United States Government or for State or municipal governments. The same thing would be true for other reduced rates pursuant to section 22, such as drought relief rates, special rates to blind persons, the clergy, and others.

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

Mr. SMATHERS. I yield.

Mr. CARLSON. I should like to ask one or two questions. I was on the floor on June 12 when the bill was passed. I thought I understood the proposed legislation then. As I understand the Senator's statement, the conferees have agreed upon a totally different bill. Is that correct?

Mr. SMATHERS. The Senator is not correct in that statement. The conferees have agreed upon exactly the same bill that we passed, plus an amendment.

Mr. CARLSON. It has the same number.

Mr. SMATHERS. It has the same number and the same provisions which were passed on June 12, with one addition, and that addition refers to section 5 (a). What we are attempting to do is to state that in 1948, when the Reed-Bulwinkle bill was passed, it was intended that these provisions should protect the railroads in making rates in concert not only to the business community, but to the Government as well. That seems to be everyone's interpretation.

Mr. CARLSON. I should like to propound one more question. Did I correctly understand the Senator to say that he feels it is necessary to adopt the provisions as passed by the House, or there will be no legislation enacted this year, and that the Committee on Interstate and Foreign Commerce will look at the whole program?

Mr. SMATHERS. I will answer the Senator in the affirmative. The Senator is correct. We believe, unless we take this step, there will be enacted no legislation with respect to immunizing the railroads, temporarily at least, from the decision of the district court. It is also indicated in the House report and in statements we have made that we believe the matter is of sufficient importance to go into thoroughly next year.

Mr. CARLSON. I have a very high regard for the Senator who has submitted this conference report to the Senate. I am sure that will be the view of the committee.

Mr. SMATHERS. I should like to suggest one other point. We also provide that any lawsuits which are now pending will not in any way be prejudiced by the conference bill, if it is enacted. We do not intend that that shall be the case.

There is one other point I should like to make. In the course of the hearings the conferees were all determined that the nonscheduled airlines, which at the present time are not permitted the same equal opportunity to compete for section 22 business as are the railroads and motor carriers, will at the first opportunity be placed on an equal competitive basis.

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

Mr. SMATHERS. I yield.

Mr. KNOWLAND. I wish to inquire as to the parliamentary situation. As I understand, the Senator from Florida is not asking for a vote on the conference report tonight, but that it will be taken up tomorrow. Is that correct?

Mr. SMATHERS. The Senator is correct.

Mr. KNOWLAND. Has the Senator completed his statement? I was going to ask unanimous consent to make an insertion in the RECORD.

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

Mr. SMATHERS. I shall yield first to the Senator from Washington.

Mr. MAGNUSON. The Senator from Florida has stated the proposition very clearly and concisely. The situation before us is not to the liking of the committee involved. However, it so happens that it has been brought about by a court decision. In the meantime all we are trying to do is to keep matters in status quo. The nonscheduled airlines have most of the business, anyway. I can assure the Senator from Kansas that it is of sufficient importance to all of us on the committee, including my distinguished friend, the Senator from Kansas, who is a member of the Surface Transportation Subcommittee, that it is a matter which we must take care of in January. In the meantime we will keep matters in status quo, so that the Government will not lose this great amount of money.

Mr. SMATHERS. The Senator is correct.

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

Mr. SMATHERS. I yield.

Mr. SPARKMAN. I wish to ask the Senator if I am correct in my understanding that it is not intended to have further discussion of the conference report today, but to wait until tomorrow to discuss the merits of the report?

I heard the response of the Senator to the Senator from California that there would be no vote on it tonight. As a matter of fact, I recognize the importance of the subject and the situation we are in at the present time. Nevertheless I believe it is a very serious question that ought to be discussed thoroughly before the conference report is agreed to.

If it is the intention to carry over the debate on the conference report until tomorrow, I do not care to engage in any discussion of it at this time. However, I do not want to be precluded from discussing it. As a matter of fact, it seems to me that what we are trying to do is offset a Supreme Court decision involving an antitrust situation.

Mr. SMATHERS. A district court decision.

Mr. SPARKMAN. Yes; a district court decision, pending on appeal to the Supreme Court. It is an attempt to offset that decision by proceeding with a piece of legislation which is based upon not one single day's hearing before a committee of either the House or the Senate. It is a very serious matter. Regardless of whether the conference report is voted up or down, the Senate ought to know what it is voting on. We have had matters similar to this considered before, and I can quote some of the ablest Members of the Senate on this subject, going back to the days of the Reed-Bulwinkle bill, when southern Senators waged a fight for fair rate systems.

At that time the question arose about an effort to try to stop a court decision involving antitrust proceedings.

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

Mr. SPARKMAN. The Senator from Florida has the floor.

Mr. SMATHERS. I yield.

Mr. KNOWLAND. I merely wish to say that I am sure there was no implication in what the Senator from Florida said, and certainly not in what the minority leader said in addressing the inquiry to the Senator from Florida, that it is the intention to close off discussion. To the contrary, I understand the Senator from Kansas and other Senators on both sides of the aisle will be prepared to discuss the subject before the report comes to a vote. Earlier in the day it was thought that the matter might be taken up and voted on tonight.

Mr. SMATHERS. I thank the Senator for his statement. Apparently the Senator from Alabama was not on the floor when I began my remarks.

Mr. SPARKMAN. No; I was not.

Mr. SMATHERS. I said we regretted the situation. We regretted the fact that we had had not so much as 1 day's hearing on the matter, and that we did not hear one witness testify before the committee. However, we face a situation involving a threatened cost to the Government of $100 million. Therefore we are attempting to keep matters in status quo, at least until such time as the Supreme Court enters a decision in the case, or until possibly the Senator from Alabama or some other interested Senator introduces proposed legislation at the beginning of the next session, when we will be able to look into the matter thoroughly.

Mr. SPARKMAN. Let me say, first of all, that I did not intend to imply that anyone was trying to railroad through this conference report. I wanted to be certain that we would have an opportunity to discuss it tomorrow. I wanted to serve notice how serious and important this matter is. I feel that we ought to have a thorough discussion of it, because if there is one question confronting the country today about which we ought to be very careful, indeed, it is the question of antitrust and monopolistic tendencies.

Mr. MAGNUSON. I wish to say that the Senator from Florida was very frank in his statement.

Mr. SPARKMAN. I did not mean to imply otherwise. I wanted to have it clear in my own mind.

Mr. MAGNUSON. This is a very unusual problem with which we are faced. The situation certainly is unusual. I have never seen quite such a situation arise before. The Senator from Florida, I believe, feels just as keenly about it as anyone else.

Mr. SPARKMAN. I know he does. I have talked to him about it.

Mr. SMATHERS. I agree with the Senator from Alabama that it is a matter of tremendous importance. Tomorrow I am hopeful the Senator from Ohio, the Senator from Kansas, the Senator from Connecticut, and other members of the conference committee will have something to say about it. We feel on the subject exactly as does the Senator from Alabama, but we did not know which way to turn. We believe we have arrived at the most practical solution in the light of all the circumstances. We shall have a debate on the report tomorrow.

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

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Florida yield to the Senator from Kentucky?

Mr. SMATHERS. I yield.

Mr. COOPER. I understand the conference report will be debated further on tomorrow.

I should like to ask a question, so it may appear in the RECORD, and so it may be the subject of some thought between now and tomorrow, because I have received a number of communications about the bill.

What is the judgment of the Senator as to the effect of the new provision upon the prosecution of any appeal from the decision of the district court? In other words, does this addition of the amendment which has been agreed to make that issue moot, insofar as any further determination by the courts is concerned?

Mr. SMATHERS. I would say to the Senator from Kentucky that we have included in the conference report bill the following words:

*Provided*, That nothing in this paragraph shall affect any law or cause of action which may have accrued prior to the date on which this paragraph takes effect.

Furthermore, the House, in its report, went further, and stated that it was not its intention in any way to affect any cause of action which any person or any corporation might have had prior to the enactment of this measure, or in any way to affect any rights which might accrue to them in the future. And that is our intention.

Mr. COOPER. I am not arguing about the merits of what the committee has done. But I think this is a very important legal matter. Any provision enacted by Congress is the law; and regardless of whatever a committee may state or regardless of whatever may be stated on the floor of the Senate, if the provision in itself is clear, it seems to me that statements included in the report or made on the floor could not affect the meaning of the actual provision of law. I want to state that for the RECORD.

Mr. SMATHERS. I appreciate the statement the Senator from Kentucky has made. In the case of the recent decision of the district court, apparently it placed a great deal of reliance on what had been said on the floor in respect to the Reed-Bulwinkle bill, in 1948.

Mr. COOPER. I may say that I voted for the Bulwinkle bill.

Mr. SMATHERS. We hope the record we are making here will preserve any legal right which any such person or corporation had before, or any right which may accrue in the future.

Mr. COOPER. I think that is a very important issue.

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## AUTHORIZATION FOR SELECT COMMITTEE ON SMALL BUSINESS TO FILE A REPORT

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the first session of the 85th Congress, to file with

the Secretary of the Senate a report entitled "Small Business Participation in Government Procurement, 1957," and that the report be printed.

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

## IMPLEMENTATION OF TREATY WITH REPUBLIC OF PANAMA—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6709) to implement a treaty and agreement with the Republic of Panama and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CLARK in the chair). The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, pp. 15386–15387, CONGRESSIONAL RECORD.)

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

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

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

The motion was agreed to.

## MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

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

H. R. 8992. An act to provide for the appointment of representatives of the United States in the organs of the International Atomic Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; and

H. R. 8996. An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

## ORDER FOR ADJOURNMENT TO TOMORROW, AT NOON

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until tomorrow, at noon.

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

## ORDER FOR LIMITATION ON STATEMENTS MADE DURING THE MORNING HOUR TOMORROW

Mr. JOHNSON of Texas. I ask unanimous consent that, during the transaction of routine business, after the Senate convenes on tomorrow, statements shall be limited to 3 minutes.

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

## LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I understood that on tomorrow the Senate will continue consideration of the conference report on Senate bill 939, to amend section 22 of the Interstate Commerce Act, as amended. That report has been under discussion today.

In addition, I should like to give notice to all Senators, and especially to the Senator from California [Mr. KNOWLAND], of the possibility of the consideration by the Senate of the following measures:

Calendar No. 389, Senate bill 25, relating to effective dates of increases in compensation granted to Wage Board employees.

Calendar No. 660, Senate bill 491, a private relief bill which has to be brought up by motion.

Calendar No. 714, House bill 4240, which also is a private relief bill which must be brought up by motion.

Calendar No. 1054, Senate bill 2205, amending the Federal Bankruptcy Act.

In addition, there is a conference report on the veterans' housing bill. The Senator from Arkansas [Mr. FULBRIGHT] is the senior conferee. The report is on House bill 4602. The Senator from Ohio [Mr. BRICKER] is the ranking Republican Member. I have asked that the Senator from Ohio be informed of the possibility that the report will be brought up tomorrow.

Mr. KNOWLAND. I may say, Mr. President, that, according to my understanding of the parliamentary situation, that is not a conference report, but is a House bill. The Senate made some amendments to the bill, and they went to the House of Representatives. The House concurred in the Senate amendments, with some amendments of its own. But the additional amendments added $200 million or $300 million to the bill.

Mr. JOHNSON of Texas. I believe the Senator from California is correct; and I correct my previous statement accordingly. This measure involves a request that the Senate concur in some action taken by the House of Representatives.

Mr. KNOWLAND. Either that, or to send the measure to conference.

Mr. JOHNSON of Texas. It was indicated to me that it will be agreeable to the Senator from Ohio [Mr. BRICKER] to have the Senate take action on it tomorrow. So I wish to be sure that he is informed that the bill will be taken up then.

Furthermore, I wish to give notice of the possibility of bringing up the Jencks bill, which is Calendar No. 577, Senate bill 2377. We have previously announced on several occasions that the Senate would consider that bill in due time.

In addition, I list the immigration bill which is to be reported by the judiciary committee. I should like to have that bill brought up tomorrow or the next day, if we find we have any spare time.

Mr. KNOWLAND. Mr. President, while the Senator from California is checking the list, let me inquire about the nominations on the Executive Calendar; I refer particularly to the nominations of representatives to the United Nations. Those nominations were passed over last week. As the distinguished Senator from Texas knows, the session begins in September, and I believe that normally there are some advance briefings by the Department, before the representatives actually go to New York, to take over their assignments.

I wonder whether the Senator from Texas can give any indication as to when those nominations may be called up.

Mr. JOHNSON of Texas. I think we can get to them in the near future. We shall give as much advance notice about them as possible.

In addition, I include Calendar No. 706, Senate bill 1356, reported by the Senator from Wyoming [Mr. O'MAHONEY]. It is a bill to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts by certain persons engaged in commerce in meat and meat products, and for other purposes.

I understand that the Senator from Utah [Mr. WATKINS] wishes to have some notice regarding that measure; and I should like to have the RECORD show that we expect to have the Senate take it up in the next day or two.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

## ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, under the order previously entered, I now move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 10 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to tomorrow, Wednesday, August 21, 1957, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate August 20, 1957:

### UNITED STATES MARSHAL

Paul Johnson, of Oklahoma, to be United States marshal for the eastern district of Oklahoma for a term of 4 years. He is now serving in this office under an appointment which expires August 5, 1957.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

*To be major generals*

Brig. Gen. Theodore Scott Riggs, O17076, United States Army.

Brig. Gen. Garrison Barkley Coverdale, O17148, United States Army.

Brig. Gen. Hugh Mackintosh, O17716, Army of the United States (colonel, U. S. Army).

*To be brigadier generals*

Col. Herbert Voivenelle Mitchell, O18073, United States Army.

Col. Willis Almeron Perry, O18131, United States Army.

Col. Harrison Alan Gerhardt, O18697, United States Army.

Col. Charles John Timmes, O29777, United States Army.

Col. Richard John Meyer, O19147, United States Army.

Col. Samuel Edward Gee, O19251, United States Army.

# HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 20, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, by whose grace we are privileged and permitted to enter upon a new day, make us eager to conserve the good which we have gained from our yesterdays and all the days that are past.

Inspire us with Thy grace to cooperate with one another in reaching out to loftier fields of endeavor and in making each succeeding day even more glorious.

Grant that we may manifest Thy grace in all of life's human contacts and relationships. Give us the grace to practice the Golden Rule and to forgive those who have wronged us, as Thou art always forgiving us.

May we cultivate the grace to refrain from hasty speech and harsh judgments; the grace that is tolerant and charitable toward the thoughts and opinions of others; the grace that will make us courageous enough to change our minds when that is needed.

Now may the grace of our Lord Jesus Christ, the love of God, and the fellowship of the Holy Spirit be with us all. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5807. An act to amend further and make permanent the Missing Persons Act, as amended.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9131. An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. HOLLAND, Mr. STENNIS, Mr. SALTONSTALL, Mr. YOUNG, Mr. KNOWLAND, Mr. THYE, Mr. MUNDT, and Mrs. SMITH of Maine to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1556. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes; and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8240) entitled "An act to authorize certain construction at military installations, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8992) entitled "An act to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1747) entitled "An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products."

## HERBERT E. HITCHCOCK

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, one of the most illustrious citizens of the State of South Dakota is former United States Senator Herbert E. Hitchcock, of Mitchell, S. Dak., who will celebrate his 90th birthday on Thursday of this week. Senator Hitchcock has not only lived a long life but he has filled his life with worthwhile endeavors in the interest of his fellow citizens.

Appointed to the United States Senate on December 29, 1936, by Gov. Tom Berry to complete the unexpired term of Senator Peter Norbeck, who died in office, Mr. Hitchcock won the esteem and the warm friendship of his colleagues during the 2 years that he served in the Senate.

As a senior fellow townsman of mine, he has for many years been a source of inspiration to me during the time that I was going through the public school system and the college of our city. His vast political and public experience was in more recent years of inestimable value to me during the time that I joined with other interested citizens in rebuilding our Democratic Party in South Dakota.

In 1954, Democratic county officers in all parts of the State selected Senator Hitchcock for the honorary title, "Mr. South Dakota Democrat." This is an honor the Mitchell attorney richly deserved but he is appreciated not only by his fellow partisans.

Senator Hitchcock has been an inspiration to good citizens throughout a long and constructive life. He has for many years held the respect of both Democrats and Republicans because of his keen interest in vital public issues.

Although I have no doubt that my esteemed friend and counselor will live for many more fruitful years, I want to take this occasion of his 90th birthday to express my public appreciation for the inspiring example that he has set for me and my fellow South Dakotans. We are all richer because he is our friend.

## SUPPLEMENTAL APPROPRIATION ACT, 1958

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. WIGGLESWORTH. Mr. Speaker, reserving the right to object, I understand the chairman of the committee has reached an agreement with the gentleman from New York [Mr. TABER], the ranking minority member, to go to conference?

Mr. CANNON. That is true.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON, MAHON, THOMAS, ROONEY, TABER, WIGGLESWORTH, and CLEVENGER.

## COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## PROTECTING THE FBI FILES

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I hope the leadership of both parties will listen to these relatively few words I say today on an extremely major issue which this Congress should face and solve before it adjourns. I, for one, shall refuse to vote for adjournment until it is met. In short, I shall oppose adjournment of this session until legislation is enacted to overturn the Supreme Court decisions now imposing almost impossible burdens on law-enforcement agencies of the Government.

I refer specifically to bills aimed at overcoming the Supreme Court decisions opening up FBI files to defense lawyers in criminal cases and related decisions affecting prosecution of criminal cases.

The indictment last week of Soviet Army Col. Rudolph Ivanovich Abel, a mastermind in the Soviet espionage network in America, is fresh evidence of the secret war against the United States being carried on within our own borders. Every moment we delay enacting laws to stop the FBI's secret weapons against subversion from being disclosed to friends and enemies alike, we are playing Russian roulette with American security.

Legislation is languishing in the committees of the House to correct this condition. It would permit Federal judges to withhold FBI from disclosure whenever the public interest, safety, and security is involved. It fully protects constitutional right by limiting testimony against defendants which could not be met without seeing the files.

Both FBI Director J. Edgar Hoover and Attorney General Herbert Brownell have made urgent pleas for enactment of this legislation.

Notwithstanding these pleas, and despite the fact that Congress has been in session almost 8 months and often spent days deliberating the most trivial pieces of legislation, nothing is yet on the law books. I am sure that the American people will agree with me when I say that Congress has no business going home until this gaping hole in the Nation's security is plugged.

## INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. DURHAM submitted the following conference report and statement on the bill (H. R. 8992) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 1200)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8992) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

*"Be it enacted, etc.*, That this Act may be cited as the 'International Atomic Energy Agency Participation Act of 1957'.

"SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the International Atomic Energy Agency (hereinafter referred to as the 'Agency'), who shall hold office at the pleasure of the President. Such representative and deputy representative shall represent the United States on the Board of Governors of the Agency, may represent the United States at the General Conference, and may serve ex officio as United States representative on any organ of that Agency, and shall perform such other functions in connection with the participation of the United States in the Agency as the President may from time to time direct.

"(b) The President, by and with the advice and consent of the Senate, may appoint or designate from time to time to attend a specified session or specified sessions of the General Conference of the Agency a representative of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Conference.

"(c) The President may also appoint or designate from time to time such other persons as he may deem necessary to represent the United States in the organs of the Agency. The President may designate any officer of the United States Government, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States on the Board of Governors or to the General Conference of the Agency in the absence or disability of the representative and deputy representative appointed under section 2 (a) or in lieu of such representatives in connection with a specified subject matter.

"(d) All persons appointed or designated in pursuance of authority contained in this section shall receive compensation at rates determined by the President upon the basis of duties to be performed but not in excess of rates authorized by sections 411 and 412 of the Foreign Service Act of 1946, as amended (22 U. S. C. 866, 867), for Chiefs of Mission and Foreign Service officers occupying positions of equivalent importance, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under subsection (b) or subsection (c) of this section as a delegate or representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Any person who receives compensation pursuant to the provisions of this subsection may be granted allowances and benefits not to exceed those received by Chiefs of Mission and Foreign Service officers occupying positions of equivalent importance.

"SEC. 3. The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its Statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress on the activities of the International Atomic Energy Agency and on the participation of the United States therein. In addition to any other requirements of law, the Department of State and the Atomic Energy Commission shall keep the Joint Committee on Atomic Energy, the House Committee on Foreign Affairs, and the Senate Committee on Foreign Relations, as appropriate, currently informed with respect to the activities of the Agency and the participation of the United States therein.

"SEC. 4. The representatives provided for in section 2 hereof, when representing the United States in the organs of the Agency, shall, at all times, act in accordance with the instructions of the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Statute of the International Atomic Energy Agency.

"SEC. 5. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the International Atomic Energy Agency as apportioned by the Agency in accordance with paragraph (D) of article XIV of the Statute of the Agency, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof and of their appropriate staffs, including personal services without regard to the civil service laws and the Classification Act of 1949, as amended; travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Travel Expense Act of 1949, as amended, and section 10 of the Act of March 3, 1933, as amended; salaries as authorized by the Foreign Service Act of 1946, as amended, or as authorized by the Atomic Energy Act of 1954, as amended, and expenses and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); translating and other services, by contract; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section II of the Act of March 1, 1919 (44 U. S. C. 111); official functions and courtesies; such sums as may be necessary to defray the expenses of United States participation in the Preparatory Commission for the Agency, established pursuant to annex I of the Statute of the Agency; and such other expenses as may be authorized by the Secretary of State.

"SEC. 6. (a) Notwithstanding any other provision of law, Executive order or regulation, a Federal employee who, with the approval of the Federal agency or the head of the department by which he is employed, leaves his position to enter the employ of the Agency shall not be considered for the purposes of the Civil Service Retirement Act, as amended, and the Federal Employees' Group Life Insurance Act of 1954, as amended, as separated from his Federal position during such employment with the Agency but not to extend beyond the first three consecutive years of his entering the employ of the Agency: *Provided,* (1) That he shall pay to the Civil Service Commission within ninety days from the date he is separated without prejudice from the Agency all necessary deductions and agency contributions for coverage under the Civil Service Retirement Act for the period of his employment by the Agency, and (2) That all deductions and agency contributions necessary for continued coverage under the Federal Employees' Group Life Insurance Act of 1954, as amended, shall be made during the term of his employment with the International Atomic Energy Agency. If such employee, within three years from the date of his employment with the Agency, and within ninety days from the date he is separated without prejudice from the Agency, applies to be restored to his Federal position, he shall within thirty days of such application be restored to such position or to a position of like seniority, status and pay.

"(b) Notwithstanding any other provision of law, Executive order or regulation, any Presidential appointee or elected officer who leaves his position to enter, or who within ninety days after the termination of his position enters, the employ of the Agency, shall be entitled to the coverage and benefits of the Civil Service Retirement Act, as amended, and the Federal Employees' Group Life Insurance Act of 1954, as amended, but not beyond the earlier of either the termination of his employment with the Agency or the expiration of three years from the date he entered employment with the Agency: *Provided,* (1) That he shall pay to the Civil Service Commission within ninety days from the date he is separated without prejudice from the Agency all necessary deductions and agency contributions for coverage under the Civil Service Retirement Act for the period of his employment by the Agency, and (2) That all deductions and agency contributions necessary for continued coverage under the Federal Employees'

Group Life Insurance Act of 1954, as amended, shall be made during the term of his employment with the Agency.

"(c) The President is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section and to protect the retirement, insurance and such other civil service rights and privileges as the President may find appropriate.

"SEC. 7. Section 54 of the Atomic Energy Act of 1954, as amended, is amended by adding the following new sentences: 'Unless hereafter otherwise authorized by law the Commission shall be compensated for special nuclear material so distributed at not less than the Commission's published charges applicable to the domestic distribution of such material, except that the Commission to assist and encourage research on peaceful uses or for medical therapy may so distribute without charge during any calendar year only a quantity of such material which at the time of transfer does not exceed in value $10,000 in the case of one nation or $50,000 in the case of any group of nations. The Commission may distribute to the International Atomic Energy Agency, or to any group of nations, only such amounts of special nuclear materials and for such periods of time as are authorized by Congress: *Provided, however,* That, notwithstanding this provision, the Commission is hereby authorized subject to the provisions of section 123, to distribute to the Agency five thousand kilograms of contained uranium-235, together with the amounts of special nuclear material which will match in amount the sum of all quantities of special nuclear materials made available by all other members of the Agency to July 1, 1960.'

"SEC. 8. In the event of an amendment to the Statute of the Agency being adopted in accordance with article XVIII-C of the Statute to which the Senate by formal vote shall refuse its advice and consent, upon notification by the Senate to the President of such refusal to advise and consent, all further authority under section 2, 3, 4, and 5 of this Act, as amended, shall terminate: *Provided, however,* That the Secretary of State, under such regulations as the President shall promulgate, shall have the necessary authority to complete the prompt and orderly settlement of obligations and commitments to the Agency already incurred and pay salaries, allowances, travel expenses, and other expenses required for a prompt and orderly termination of United States participation in the Agency: *And provided further,* That the representative and the deputy representative of the United States to the Agency, and such other officers or employees representing the United States in the Agency, under such regulations as the President shall promulgate, shall retain their authority under this Act for such time as may be necessary to complete the settlement of matters arising out of the United States participation in the Agency" and the Senate agree to the same.

CARL T. DURHAM,
MELVIN PRICE,
PAUL J. KILDAY,
STERLING COLE,
JAMES E. VAN ZANDT,
*Managers on the Part of the House.*

CLINTON P. ANDERSON,
JOHN O. PASTORE,
ALBERT GORE,
HENRY M. JACKSON,
BOURKE B. HICKENLOOPER,
WILLIAM F. KNOWLAND,
JOHN W. BRICKER,
HENRY DWORSHAK,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8992) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

The main matter in dispute between the House and the Senate was the desirability of requiring that other amounts of materials beyond the amount tentatively offered to the Agency by the President in his message of October 26, 1956, should be transferred only after Congressional authorization. The Senate members of the conference insisted that this requirement would have been written into the Resolution of Ratification if it had not been certain that it would have gone into the Participation Act. There is no doubt in the minds of Members of the House of the importance of having Congressional control of some kind over the materials to be transferred. While it was the thought of the House Members that there were already adequate controls for this purpose in the Atomic Energy Act, the House Members receded from their objections when the amendment was broadened so as to include all international agencies and not to single out just the International Atomic Energy Agency. In addition, the language of the requirement for Congressional authorization is broadened to require the Congress indicate the time limit on the authorization. This was done in order to negate any idea in other nations that the Congressional authorization would be required for either single years or single projects.

CARL T. DURHAM,
MELVIN PRICE,
PAUL J. KILDAY,
STERLING COLE,
JAMES E. VAN ZANDT,
*Managers on the Part of the House.*

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill H. R. 8992.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, this conference report has not been printed; therefore, it is not in conformance with the rules of the House for the matter to be under consideration at this time. Is that not correct?

The SPEAKER. That is the reason the gentleman from North Carolina is asking unanimous consent to take it up now.

Mr. GROSS. Is any printed information available?

The SPEAKER. The Chair has no information on that. The Chair is simply putting a unanimous-consent request.

Mr. GROSS. Mr. Speaker, I object.

Mr. COLE. Mr. Speaker, will the gentleman withhold his objection?

Mr. GROSS. I withhold the objection, Mr. Speaker.

Mr. COLE. What the gentleman says is right; the printed report is not available, but I am sure the explanation that will be given to the gentleman will satisfy him that the work of the conferees is entirely acceptable.

Mr. GROSS. May I have the assurance of the gentleman from North Carolina that the conference report will be explained so that the House may know what changes were made in conference?

Mr. DURHAM. I will try to do that.

Mr. GROSS. I withdraw my objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

Mr. DURHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker and Members of the House, this is the implementing legislation for the treaty which was signed some weeks ago in regard to the international organization. The difference between the House and the other body was on the so-called Bricker amendment. The Bricker amendment put a limitation in the bill. The President, as we all recall, first obligated 5,000 kilograms of this material to the International Agency to begin with. Under the treaty, of course, there are, I believe, 82 nations which will meet in Geneva to finally organize this agency in October. The safeguards that the committee put around this Agency and which were of some concern to Members of the House and the Members of the other body, I think, are adequate. The State Department at first objected to part of the Bricker amendment. In revising the amendment, we made it so that all of the international organizations which participate in this material such as Euratom and under our bilateral agreements, they will all be treated alike. The committee felt, of course, that it was the best procedure to try to treat them all alike in the distribution of this material. We do not give this material away, except for small grants for research purposes. It is sold at the prevailing price, which is about $16,000 a kilogram. That, in substance, explains the conference report as far as I know.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE. Mr. Speaker, as the gentleman from North Carolina has explained, this conference report relates to the bill which is called the participation act making it possible for our Government to designate a member of the Board of Governors which will direct the International Atomic Energy Agency and for that representative of our Government to engage whatever personnel he may need to carry out that responsibility. There was an amendment, a sentence added to the bill by the Joint Committee which, in the minds of some of us, was highly objectionable. The effect of that amendment was, with respect to the International Agency, with the exception of the amounts heretofore promised by the President of fissionable material and special nuclear material, that hereafter the Congress would have to pass an act authorizing the transfer of any additional amounts.

That was felt to be discriminatory against the Agency and too restrictive to permit the Agency to operate in a reasonable program. The conferees worked out a compromise which seems to have accomplished all that the so-called Bricker amendment sought to accomplish, but at the same time removing some of the discriminatory aspects and its limitations. It is now worded so that the Commission may distribute to the International Agency or to any other group of nations only those amounts of special nuclear material and for such periods of time as the Congress may designate. So that as it is now worded, both the amounts of material and the periods of time under which those amounts may be sold to the Agency are retained in the hands of the Congress. It indicates that the Congress may, by appropriate act, authorize the sale of whatever quantity the Congress feels reasonable and for whatever period of time the Agency may need to use that material. So there is a reasonably acceptable compromise from both viewpoints. I urge that the conference report be accepted.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. GROSS. This bill provides for participation in the international organization?

Mr. COLE. Yes.

Mr. GROSS. Were any further safeguards provided, strengthening the ability of this international organization to control fissionable material?

Mr. COLE. Whatever additional safeguards may be added would not be appropriate for the participation act, because the statute which has been ratified by the required number of countries covers the operation of the agency itself. It contains safeguards appropriate for the inspection of the operations of the agency, to make sure that there is no diversion of this material to nonpeaceful purposes, and provides for penalties and sanctions in case of violation of the commitment.

Mr. GROSS. The gentleman may disagree, but one of my reasons for opposing the bill was that there were not adequate safeguards set up in the international statute despite the inspection provisions, and so forth and so on.

Mr. COLE. The gentleman should know that our Government is now engaged in making bilateral agreements with individual countries in which our Government retains the right of inspection for the purpose of safety and health of the people, and to prevent diversion. Those very same safeguards are contained in the statute of the international organization.

Mr. GROSS. I thank the gentleman for yielding.

Mr. DURHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

## MILITARY CONSTRUCTION ACT OF 1957

Mr. VINSON. Mr. Speaker, I call up the conference report on the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

MILITARY CONSTRUCTION ACT OF 1957 (H. REPT. NO. 1193)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I

"SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

*"Inside the United States*

"Technical Services Facilities

"(Ordnance Corps)

"Aberdeen Proving Ground, Maryland: Troop housing, $2,288,000.

"Anniston Ordnance Depot, Alabama: Utilities, $2,015,000.

"Jet propulsion laboratory, California: Utilities, $130,000.

"Savanna Ordnance Depot, Illinois: Supply facilities, and utilities, $758,000.

"Sioux Ordnance Depot, Nebraska: Maintenance facility, $249,000.

"White Sands Proving Ground, New Mexico: Operational and training facilities, maintenance facilities, research and development facilities, storage facilities, administrative facilities, troop housing, community facilities, and utilities, $16,530,000.

"(Quartermaster Corps)

"Atlanta General Depot, Georgia: Operational facility, land acquisition, and utilities, $595,000.

"New Cumberland General Depot, Pennsylvania: Operational facilities, and utilities, $464,000.

"Fort Lee, Virginia: Operational facility, storage facilities, hospital facility, troop housing, and utilities, $5,417,000.

"Seattle Quartermaster Market Center, Washington: Land acquisition, $40,000.

"Sharpe General Depot, California: Operational facilities, and utilities, $110,000.

"Fort Worth General Depot, Texas: Operational facility, and land acquisition, $95,000.

"(Chemical Corps)

"Fort Detrick, Maryland: Utilities, $627,000.

"Dugway Proving Ground, Utah. Troop housing, $54,000.

"(Signal Corps)

"Fort Huachuca, Arizona: Troop housing, $1,936,000.

"(Corps of Engineers)

"Cold regions laboratory, Hanover, New Hampshire: Research and development facility, $2,496,000.

"Fort Belvoir, Virginia: Operational facilities, training facility, and maintenance facility, $1,654,000.

"Granite City Engineer Depot, Illinois: Utilities, $765,000.

"(Transportation Corps)

"Brooklyn Army Base, New York: Operational facilities, $1,169,000.

"Charleston TC Depot, South Carolina: Operational facilities, $306,000.

"Fort Eustis, Virginia: Operational facilities, troop housing, and utilities, $562,000.

"(Medical Corps)

"Fitzsimons Army Medical Center, Colorado: Troop housing, $937,000.

"Walter Reed Medical Center, Washington, D. C.: Utilities, $1,920,000.

"Field Forces Facilities

"(First Army area)

"Fort Devens, Massachusetts: Operational facilities, maintenance facilities, administrative facilities, troop housing, and utilities, $6,719,000.

"(Second Army area)

"A. P. Hill Military Reservation, Virginia: Troop housing, $153,000.

"Fort Knox, Kentucky: Operational facilities, maintenance facilities, storage facilities and utilities, $4,205,000.

"Fort George G. Meade, Maryland: community facilities, $589,000.

"Fort Ritchie, Maryland: Troop housing, $820,000.

"(Third Army area)

"Fort Benning, Georgia: Operational facilities, and maintenance facilities, $1,583,000.

"Fort Bragg, North Carolina: Operational and maintenance facilities, $1,051,000.

"Fort Campbell, Kentucky: Operational facilities, maintenance facilities, ground improvements, and utilities, $5,117,000.

"Fort Rucker, Alabama: Operational facilities, and troop housing, $7,549,000.

"Fort Stewart, Georgia: Troop housing, $3,691,000.

"(Fourth Army area)

"Fort Bliss, Texas: Operational facilities, training facilities, maintenance facilities, storage facilites, medical facility, administrative facilities, troop housing, community facilities, and utilities, $7,704,000.

"Fort Hood, Texas: Operational facilities, training facilities, administrative facility, maintenance facilities, community facility, and utilities, $2,362,000.

"Fort Polk, Louisiana: Operational facilities, maintenance facilities, troop housing, and utilities, $7,734,000.

"Fort Sam Houston, Texas: Acquisition of land and improvements, $675,000.

"(Fifth Army area)

"Fort Carson, Colorado: Utilities, $1,049,000.

"Fort Leavenworth, Kansas: Utilities, $336,000.

"Fort Riley, Kansas: Operational facility, maintenance facility, and troop housing, $2,525,000.

"Fort Leonard Wood, Missouri: Troop housing, $4,663,000.

"(Sixth Army area)

"Fort Lewis, Washington: Operational facilities, maintenance facilities, administrative facilities, community facility, and utilities, $1,487,000.

"Fort Ord, California: Operational facilities, maintenance facilities, and utilities, $3,307,000.

"(Military Academy)

"United States Military Academy, West Point, New York: Utilities, $1,666,000.

"(Armed Forces special weapons)

"Various installations: Operational facility, community facilities, and utilities, $1,056,000.

"(Tactical installations support facilities)

"Various locations: Operational facility, maintenance facilities, administrative facilities, storage facilities, community facilities, troop housing, family housing, and utilities, $8,466,000.

*Outside continental United States*

"(Alaskan area)

"Alaska general, Eielson Air Force Base, Fort Greely, Ladd Air Force Base, Fort Richardson, and tactical installations: Operational facilities, maintenance facilities, administrative facilities, family housing, and utilities, $4,143,000.

"(Pacific Command area)

"Tripler Army Hospital, Hawaii: Medical facilities, $154,000.

"(Caribbean command area)

"Fort Buchanan, Puerto Rico: Utilities, $137,000.

"Fort Gulick, Canal Zone: Community facility, $289,000.

"(United States Army, Europe)

"Various locations: Maintenance facilities, and storage facilities, $20,754,000.

"(Army Forces Far East)

"Various installations: Operational facilities, training facilities, maintenance facilities, storage facilities, troop housing, community facilities, administrative facilities, medical facilities, and utilities, $9,000,000.

"SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in a total amount of $143,002,000.

"SEC. 103. The Secretary of the Army is authorized to purchase out of appropriations available for military construction family housing including necessary land at, or near, military tactical installations for assignment as public quarters to military personnel and their dependents. Not more than 300 units of such housing may be purchased under this section. Space limitations per unit will be in accordance with subsections (a), (b), and (c) of section 4774 of title 10, United States Code, and cost limitations as now or hereafter established for military housing constructed with appropriated funds.

"SEC. 104. (a) Public Law 209, Eighty-third Congress, is amended, under the heading 'Continental United States' in section 101, as follows:

"Under the subheading 'Technical Services Facilities (Ordnance Corps)' with respect to Red River Arsenal, Texas, strike out '$1,808,000' and insert in place thereof '$2,212,000.'

"(b) Public Law 209, Eighty-third Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts '$44,003,000' and '$133,671,000' and inserting in place thereof '$44,407,000' and '$134,075,000', respectively.

"SEC. 105. (a) Public Law 534, Eighty-third Congress, as amended, is amended under the heading 'Continental United States' in section 101, as follows:

"Under the subheading 'Technical Services Facilities (Signal Corps)' with respect to Department of the Army transmitting station, vicinity of Camp Detrick, Maryland, strike out '$2,360,000' and insert in place thereof '$3,137,000'.

"Under the subheading 'Field Forces Facilities (Military Academy)' with respect to United States Military Academy, New York, strike out '$9,950,000' and insert in place thereof '$11,983,000'.

"(b) Public Law 534, Eighty-third Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts '$129,096,000' and '$236,060,000' and inserting in place thereof '$131,906,000' and '$238,870,000', respectively.

"SEC. 106. (a) Public Law 161, Eighty-fourth Congress, as amended, is amended under the heading 'Continental United States' in section 101, as follows:

"Under the subheading 'Technical Services Facilities (Ordnance Corps)'—

"(1) with respect to Aberdeen Proving Ground, Maryland, strike out '$1,736,000' and insert in place thereof '$2,039,000'.

"(2) with respect to Seneca Ordnance Depot, New York, strike out '$129,000' and insert in place thereof '$212,000'.

"Under the subheading 'Technical Services Facilities (Quartermaster Corps)'—with respect to Fort Lee, Virginia, strike out '$8,589,000' and insert in place thereof '$9,874,000'.

"Under the subheading 'Technical Services Facilities (Chemical Corps)'—

"(1) with respect to Camp Detrick, Maryland, strike out '$452,000' and insert in place thereof '$525,000'.

"(2) with respect to Dugway Proving Ground, Utah, strike out '$1,129,000' and insert in place thereof '$1,491,000'.

"Under the subheading 'Technical Services Facilities (Transportation Corps)'—

"(1) with respect to Brooklyn Army Base, New York, strike out '$1,055,000' and insert in place thereof '$1,240,000'.

"(2) with respect to Fort Eustis, Virginia, strike out '$6,597,000' and insert in place thereof '$8,072,000'.

"Under the subheading 'Technical Services (Medical Corps)'—

Facilities (Medical Corps)'—

"(1) with respect to Brooke Army Medical Center, Texas, strike out '$549,000' and insert in place thereof '$876,000'.

"(2) with respect to Madigan Army Hospital, Washington, strike out '$333,000' and insert in place thereof '$669,000'.

"(3) with respect to Walter Reed Army Medical Center, District of Columbia, strike out '$3,557,000' and insert in place thereof '$4,472,000'.

"Under the subheading 'Field Forces Facilities (Second Army Area)'—with respect to Fort Holabird, Maryland, strike out '$612,000' and insert in place thereof '$800,000'.

"Under the subheading 'Field Forces Facilities (Third Army Area)'—with respect to Camp Jackson, South Carolina, strike out '$5,000,000' and insert in place thereof '$7,500,000'.

"Under the subheading 'Field Forces Facilities (Fourth Army Area)'—with respect to Fort Hood, Texas, strike out '$12,922,000' and insert in place thereof '$14,283,000'.

"Under the subheading 'Field Forces Facilities (Fifth Army Area)'—

"(1) with respect to Fort Carson, Colorado, strike out '$7,487,000' and insert in place thereof '$8,621,000'.

"(2) with respect to Fort Leavenworth, Kansas, strike out '$8,615,000' and insert in place thereof '$9,893,000'.

"(3) with respect to Camp Lucas, Michigan, strike out '$145,000'. and insert in place thereof '$193,000'.

"Under the subheading 'Field Forces Facilities (Armed Forces Special Weapons Project)'—with respect to various installations, strike out '$3,014,000' and insert in place thereof '$3,204,000'.

"(b) Public Law 161, Eighty-fourth Congress, as amended, is amended under the heading 'Outside Continental United States' in section 101 as follows:

"Under the subheading 'Alaskan Area'—with respect to Wildwood Station (Kenai) strike out '$469,000' and insert in place thereof '$559,000'.

"(c) Public Law 161, Eighty-fourth Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts '$225,277,000', '$74,984,000', and '$534,254,000' and inserting in place thereof '$237,320,000', '$75,074,000', and '$546,387,000', respectively.

SEC. 107. (a) Public Law 968, Eighty-fourth Congress is amended under the heading 'Inside the United States' in section 101 as follows:

"Under the subheading 'Technical Services Facilities (Ordnance Corps)'—

"(1) with respect to Seneca Ordnance Depot, New York, strike out '$88,000' and insert in place thereof '$136,000'.

"(2) with respect to Redstone Arsenal, Alabama, strike out '$6,159,000' and insert in place thereof '$8,593,000'.

Under the subheading 'Technical Services Facilities (Quartermaster Corps)'—

"(1) with respect to Atlanta General Depot, strike out '$832,000' and insert in place thereof '$984,000'.

"(2) with respect to Fort Worth General Depot, Texas, strike out '$1,285,000' and insert in place thereof '$1,847,000'.

"Under the subheading 'Field Forces Facilities'—

"(1) with respect to Fort Bliss, Texas, strike out '$5,301,000' and insert in place thereof '$8,293,000'.

"(2) with respect to Fort Sill, Oklahoma, strike out '$4,173,000' and insert in place thereof '$5,798,000'.

"(3) with respect to Fort Leavenworth, Kansas, strike out '$1,092,000' and insert in place thereof '$1,373,000'.

"(b) Public Law 968, Eighty-fourth Congress, as amended, is amended by striking out in section 102, '$200,783,000' and inserting in place thereof '$203,331,000'..

"(c) Public Law 968, Eighty-fourth Congress, as amended, is amended by striking out in clause (1) of section 402 the amounts '$86,916,000', '$200,783,000', and '$323,462,000' and inserting in place thereof '$95,010,000', '$203,331,000', and '$334,104,000', respectively.

"TITLE II

"SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing, permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

*"Inside the United States*

"Shipyard Facilities

"Naval Engineering Experiment Station, Annapolis, Maryland: Development and test facilities, $618,000.

"Naval Shipyard, Bremerton, Washington: Drydock $25,438,000.

"Naval Shipyard, Brooklyn, New York: Utilities, $1,452,000.

"Naval Shipyard, Long Beach, California: Facilities for remedying effects of ground subsidies, $1,500,000.

"Naval Submarine Base, New London, Connecticut: Waterfront facilities, $2,966,000.

"Fleet Base Facilities

"Naval Station, Key West, Florida: Troop housing, $1,326,000.

"Naval Station, Long Beach, California: Waterfront facilities, $544,000.

"Naval Station, Newport, Rhode Island: Troop housing, and utilities, $2,729,000.

"Aviation Facilities

"(Naval air training stations)

"Naval Auxiliary Air Station, Chase Field, Texas: Operational facilities, $566,000.

"Naval Air Station, Corpus Christi, Texas: Operational facilities (Optical landing system), $140,000.

"Naval Air Station, Glynco, Georgia: Utilities, $293,000.

"Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities (Optical landing system), $160,000.

"Navy Auxiliary Air Station, Meridian, Mississippi: Operational facilities, and maintenance facilities, $13,387,000.

"Naval Auxiliary Air Station, New Iberia, Louisiana: Operational facilities, and maintenance facilities, $3,653,000.

"Naval Air Station, Pensacola: Operational facilities, waterfront facilities, and land acquisition, $6,225,000.

"Navy Auxiliary Air Station, Saufley Field, Florida: Operational facilities (Tactical air navigation facility), $39,000.

"(Fleet support air stations)

"Naval Air Stations, Alameda, California: Operational facilities, (Guided missile support facilities), $185,000.

"Naval Air Station, Brunswick, Maine: Operational facilities, and land acquisition, $180,000.

"Naval Air Station, Cecil Field, Florida: Operational facilities, and land acquisition, $5,089,000.

"Naval Air Station, Chincoteague, Virginia: Operational facilities, and land acquisition, $2,818,000.

"Naval Auxiliary Landing Field, Crows Landing, California: Operational facilities (Tactical air navigation facility), $39,000.

"Naval Auxiliary Air Station, El Centro, California: Operational facilities, and land acquisition, $4,310,000.

"Naval Auxiliary Air Station, Fallon, Nevada: Operational facilities, and land acquisition, $4,199,000.

"Naval Seaplane Facility, Harvey Point, North Carolina: Operational facilities, waterfront facilities, supply facilities, and utilities, $5,728,000.

"Naval Air Station, Jacksonville, Florida: Operational facilities (Tactical air navigation facility), $39,000.

"Naval Air Station, Key West, Florida: Operational facilities (Optical landing system), $130,000.

"Naval Air Station, Lemoore, California: Operational facilities, maintenance facilities and utilities, $27,535,000.

"Naval Auxiliary Air Station, Mayport, Florida: Operational facilities, $384,000.

"Naval Air Station, Miramar, California: Operational facilities, $3,401,000.

"Naval Air Station, Norfolk, Virginia: Operational facilities (Tactical Air Navigation facility), $39,000.

"Naval Air Station, North Island, San Diego, California: Maintenance facilities, and supply facilities, $7,964,000.

"Naval Air Station, Oceana, Virginia: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $6,975,000.

"Naval Air Station, Quonset Point, Rhode Island: Operational facilities (Aircraft parking areas), $882,000.

"Naval Auxiliary Landing Field, San Clemente Island, California: Operational facilities, waterfront facilities, and utilities, $9,448,000.

"Naval Air Station, Whidbey Island, Washington: Operational facilities, and land acquisition, $9,365,000.

"(Marine Corps air stations)

"Marine Corps Auxiliary Air Station, Beaufort, South Carolina: Operational facilities, supply facilities, and administrative facilities, $2,632,000.

"Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, maintenance facilities, administrative facilities, supply facilities, and utilities and ground improvements, $6,503,000.

"Marine Corps Air Station, El Toro, California: Operational facilities, $3,620,000.

"Marine Corps Auxiliary Air Station, Mojave, California: Land acquisition, $3,281,000.

"Marine Corps Air Facility, New River, North Carolina: Operational facilities, $39,000.

"(Special purpose air stations)

"Naval Air Development Center, Johnsville, Pennsylvania: Operational facilities, $39,000.

"Naval Air Station, Patuxent River, Maryland: Operational facilities, $2,209,000.

"Naval Air Missile Test Center, Point Mugu, California: Operational facilities (including operational facilities on San Nicolas Island), $7,669,000.

"Naval Air Facility, to be known as John H. Towers Field, and to be located at Andrews Air Force Base, Camp Springs, Maryland, operational facilities, utilities, and ground improvements, $3,200,000.

"Supply Facilities

"Electronics Supply Office, Great Lakes, Illinois: Administrative facilities, $92,000.

"Naval Ordnance Supply Office, Mechanicsburg, Pennsylvania: Administrative facilities, $155,000.

"Aviation Supply Office, Philadelphia, Pennsylvania: Administrative facilities, $550,000.

"Marine Corps Facilities

"Marine Corps Supply Center, Albany, Georgia: Community facilities, $140,000.

"Marine Corps Supply Center, Barstow, California: Maintenance facilities, administrative facilities, and utilities, $6,841,000.

"Marine Corps Base, Camp Lejeune, North Carolina: Operational and training facilities, and utilities, $2,372,000.

"Marine Corps Recruit Depot, Parris Island, South Carolina: Training facilities, troop housing, messhall, and utilities, $2,643,000.

"Marine Corps Base, Camp Pendleton, California: Operational facilities, and utilities, $1,469,000.

"Marine Corps School, Quantico, Virginia: Supply facilities, troop housing, and utilities, $1,923,000.

"Marine Corps Recruit Depot, San Diego, California: Training facilities, $116,000.

"Marine Corps Training Center, Twentynine Palms, California: Training facilities, maintenance facilities, administrative facilities, and community facilities, $2,331,000.

"Ordnance Facilities

"Naval Ammunition Depot, Bangor, Washington: Utilities, $316,000.

"Ordnance Aerophysics Laboratory, Daingerfield, Texas: Research and development facilities, $2,649,000.

"Applied Physics Laboratory, Howard County, Maryland: Research and development facilities, $1,452,000.

"Naval Magazine, Port Chicago, California: Utilities, $236,000.

"Service School Facilities

"Naval Academy, Annapolis, Maryland: Dormitory foundations, $1,602,000.

"Naval Training Center, Great Lakes, Illinois: Training facilities, and troop housing, $5,598,000.

"Naval Training Center, San Diego, California: Troop housing, $1,613,000.

"Communication Facilities

"Naval Communication Station, Norfolk, Virginia: Operational facilities, $443,000.

"Naval Communication Station, San Diego, California: Operational facilities, $100,000.

"Naval Communication Center, Stockton, California: Operational facilities, and land acquisition, $460,000.

"Naval Radio Station, Washington County, Maine: Operational facilities, and utilities, $13,982,000.

"Yards and Docks Facilities

"Naval Shipyard, Brooklyn, New York: Utilities, $332,000.

"Public Works Center, Norfolk, Virginia: Utilities, $3,244,000.

"Naval Construction Battalion Center, Port Hueneme, California: Supply facilities, and administrative facilities, $759,000.

*"Outside the United States*

"Shipyard Facilities

"Naval Shipyard, Pearl Harbor, Oahu, Territory of Hawaii: Operational facilities, $1,297,000.

"Naval Base, Subic Bay, Luzon, Philippine Islands: Maintenance facilities, hospital facilities, troop housing and community facilities, and utilities, $1,750,000.

"Naval Station, Subic Bay, Luzon, Philippine Islands: Troop housing and community facilities, supply facilities, and ground improvements, $7,576,000.

"Fleet Base Facilities

"Naval Station, Adak, Alaska: Hospital facilities, community facilities, and family housing, $1,005,000.

"Commander-in-Chief Pacific, Headquarters, Pearl Harbor, Oahu, Territory of Hawaii: Administrative facilities and utilities, $332,000.

"Naval Station, San Juan, Puerto Rico: Utilities, $190,000.

"Aviation Facilities

"Naval Air Station, Agana, Guam, Mariana Islands: Operational facilities (Guided missile support facilities), $428,000.

"Naval Station, Argentia, Canada: Family housing and community facilities, $1,793,000.

"Naval Air Station, Barber's Point, Oahu, Territory of Hawaii: Operational facilities (Aircraft parking areas), $2,088,000.

"Naval Air Station, Cubi Point, Luzon, Philippine Islands: Operational facilities, and land acquisition, $149,000.

"Naval Air Station, Guantanamo Bay, Cuba: Operational facilities, $5,730,000.

"Marine Corps Air Station, Kaneohe Bay, Oahu, Territory of Hawaii: Operational facilities, $249,000.

"Naval Station, Kwajalein, Marshall Islands: Operational facilities (Tactical air navigation facility), $69,000.

"Naval Station, Midway Islands, Territory of Hawaii: Operational facilities (tactical air navigation facility), $69,000.

"Naval Air Facility, Naha, Okinawa: Waterfront facilities at White Beach, $504,000.

"Naval Air Station, Roosevelt Roads, Puerto Rico: Operational facilities, maintenance facilities, troop housing, utilities, and land acquisition, $15,182,000.

"Supply Facilities

"Naval Station, Adak, Alaska: Supply facilities, $1,550,000.

"Naval Station, Guam, Mariana Islands: Community facilities, $884,000.

"Naval Supply Depot, Subic Bay, Luzon, Philippine Islands: Supply facilities, $397,000.

"Ordnance Facilities

"Naval Ammunition Depot, Oahu, Territory of Hawaii: Utilities, and land acquisition, $326,000.

"Communication Facilities

"Naval Communication Station, Adak,, Alaska: Troop housing, $1,053,000.

"Naval Communication Station, Finegayan, Guam, Mariana Islands: Troop housing, $594,000.

"Naval Security Group Activity, Istanbul, Turkey: Operational facilities, and troop housing, $130,000.

"Naval Security Group Activity, Sakata, Japan: Operational facilities: $69,000.

"Naval Radio Station, Wahiawa, Oahu, Territory of Hawaii: Operation facilities, $4,392,000.

"Yards and Dock Facilities

"Public Works Center, Subic Bay, Luzon, Philippine Islands: Maintenance facilities, $393,000.

"SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $59,056,000.

"SEC. 203. (a) Public Law 534, Eighty-second Congress, as amended, is amended under the hearing 'Continental United States' in section 201, as follows:

"Under the subheading 'Yards and Docks Facilities', with respect to 'Various locations', strike out '$4,500,000' and insert in place thereof '$5,460,000'.

"(b) Public Law 534, Eighty-second Congress, as amended, is amended by striking out in section 202 '$86,397,000' and inserting in place thereof '$95,489,000'.

"(c) Public Law 534, Eighty-second Congress, as amended, is amended by striking out in clause (2) of section 402 the amounts '$138,183,000', '$86,397,000', and '$256,875,000' and inserting respectively in place thereof, '$139,143,000', '$95,489,000', and '$266,927,000'.

"SEC. 204. (a) Public Law 534, Eighty-third Congress, as amended, is amended under the heading 'Continental United States' in section 201 as follows:

"Under the subheading 'Aviation Facilities' with respect to the Naval Auxiliary Air Station, El Centro, California, strike out '$225,000' and insert in place thereof '$369,000'; with respect to the Marine Corps Air Station, El Toro, California, strike out '$1,675,000' and insert in place thereof '$2,030,000'; and with respect to the Naval Air Station, Glenview, Illinois, strike out '$70,000' and insert in place thereof '$170,000'.

"(b) Public Law 534, Eighty-third Congress, as amended, is amended by striking out, in section 202 '$63,358,000' and inserting in place thereof '$70,656,000'.

"(c) Public Law 534, Eighty-third Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts '$102,956,000', '$63,358,000', '$202,807,000' and inserting respectively in place thereof '$103,555,000', '$70,656,000', and '$210,704,000'.

"SEC. 205. (a) Public Law 161, Eighty-fourth Congress, as amended, is amended under the heading 'Continental United States' in section 201 as follows:

"(1) Under the subheading 'Shipyard Facilities', with respect to the Naval Repair Facility, San Diego, California, strike out '$629,000' and insert in place thereof '$1,099,000'.

"(2) Under the subheading 'Fleet Base Facilities', with respect to the Naval Station, Orange, Texas, strike out '$399,000' and insert in place thereof '$563,000'.

"(3) Under the subheading 'Aviation Facilities (Naval Air Training Stations)', with respect to the Naval Auxiliary Air Station, Kingsville, Texas, strike out '$3,686,000' and insert in place thereof '$4,292,000'; and with respect to the Naval Auxiliary Air Station, New Iberia, Louisiana, strike out '$24,361,000' and insert in place thereof '$26,871,000',

"(4) Under the subheading 'Aviation Facilities (Fleet Support Air Stations)', with respect to the Naval Air Station, Alameda, California, strike out '$3,729,000' and insert in place thereof '$4,217,000'; with respect to the Naval Air Station, Moffett Field California, strike out '$2,581,000' and insert in place thereof '$4,355,000'; and with respect to the Outlying Field, Whitehouse Field, Duval County, Florida, strike out '$1,087,000' and insert in place thereof '$1,587,000'.

"(5) Under the subheading 'Aviation Facilities (Special Purpose Air Stations)', with respect to the Naval Air Station, Lakehurst, New Jersey, strike out '$16,311,000' and insert in place thereof '$17,911,000'.

"(6) Under the subheading 'Ordnance Facilities', with respect to the Naval Ordnance Aerophysics Laboratory, Daingerfield, Texas, strike out '$1,111,000' and insert in place thereof '$1,751,000'; and with respect to the Naval Ordnance Test Station, Inyokern, California, strike out '$375,000' and insert in place thereof '$475,000'.

"(7) Under the subheading 'Service School Facilities' with respect to the Naval Powder Factory, Indian Head, Maryland, strike out '$780,000' and insert in place thereof '$879,000'.

"(b) Public Law 161, Eighty-fourth Congress, as amended, is amended under the heading 'Outside Continental United States' in section 201 as follows:

"(1) Under the subheading 'Aviation Facilities' with respect to the Naval Station, Kwajelein, Marshall Islands, strike out '$4,411,000' and insert in place thereof '$5,235,000'.

"(2) Under the subheading 'Communication Facilities', with respect to the Naval Communication Facility, Port Lyautey, French Morocco, strike out '$2,848,000' and insert in place thereof '$3,198,600'.

"(c) Public Law 161, Eighty-fourth Congress, as amended, is amended by striking out in section 202 '$151,342,400' and inserting in place thereof '$152,763,400'.

"(d) Public Law 161, Eighty-fourth Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts '$299,512,600', '$107,191,300', '$151,342,400', and '$564,046,300' and inserting respectively in place thereof '$308,463,600', '$108,365,300', '$152,763,400', and '$575,592,300'.

"SEC. 206. (a) Public Law 968, Eighty-fourth Congress, is amended under the heading, 'Inside the United States' in section 201, as follows:

"(1) Under the subheading 'Shipyard Facilities' with respect to the Naval Shipyard, Charleston, South Carolina, strike out '$148,000' and insert in place thereof '$191,000'; and with respect to the Naval Shipyard, Long Beach, California, strike out '$5,984,000' and insert in place thereof '$8,169,000'.

"(2) Under the subheading 'Fleet Base Facilities', with respect to the Naval Station, Long Beach, California, strike out '$2,256,000' and insert in place thereof '$2,623,000'; and with respect to the Naval Station, Norfolk, Virginia, strike out '$2,844,000' and insert in place thereof '$3,340,000'.

"(3) Under the subheading 'Aviation Facilities (Fleet Support Air Stations)', with respect to the Naval Air Station, Miramar, California, strike out '$8,835,000' and insert in place thereof '$11,040,000'.

"(4) Under the subheading 'Aviation Facilities (Special Purpose Air Stations)', with respect to the Naval Air Missile Test Center, Point Mugu, California, strike out '$1,682,000' and insert in place thereof '$2,010,000'.

"(5) Under the subheading 'Service School Facilities' with respect to the Naval Academy, Annapolis, Maryland, strike out '$7,469,000' and insert in place thereof '$10,919,000'.

"(6) Under the subheading 'Communications Facilities', with respect to the Naval Communication Station, San Francisco, California, strike out '$2,029,000' and insert in place thereof '$3,779,000'.

"(7) Under the subheading 'Yards and Docks Facilities', with respect to the Public Works Center, Norfolk, Virginia, strike out '$443,000' and insert in place thereof '$500,000'.

"(b) Public Law 968, Eighty-fourth Congress, is amended under the heading 'Outside the United States' in section 201, as follows:

"(1) Under the subheading 'Aviation Facilities', with respect to the Naval Air Station, Atsugi, Japan, strike out '$1,961,000' and insert in place thereof '$2,337,000'.

"(c) Public Law 968, Eighty-fourth Congress, is amended by striking out in section 203, '$84,043,000' and inserting in place thereof '$85,939,000'.

"(d) Public Law 968, Eighty-fourth Congress, is amended by striking out in clause (2) of section 402 the amounts '$292,572,000', '$61,625,000', '$84,043,000', and '$438,240,000' and inserting respectively in place thereof '$303,453,000', '$62,001,000', '$85,939,000', and '$451,393,000'.

"TITLE III

"SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

*"Inside the United States*

"Air Defense Command

"Duluth Municipal Airport, Duluth, Minnesota: Operational and training facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $4,499,000.

"Ethan Allen Air Force Base, Winooski, Vermont: Operational and training facilities, maintenance facilities, supply facilities, and ground improvements, $2,048,000.

"Geiger Field, Spokane, Washington: Maintenance facilities, hospital and medical facilities, community facilities, and land acquisition, $1,583,000.

"Glasgow Air Force Base, Glasgow, Montana: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, family housing, community facilities, and utilities and ground improvements, $2,048,000.

"Grand Forks Air Force Base, Grand Forks, North Dakota: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $4,466,000.

"Grandview Air Force Base, Kansas City, Missouri: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $1,100,000.

"Hamilton Air Force Base, San Rafael, California: Operational and training facilities, troop housing, and utilities and ground improvements, $614,000.

"Kinross Air Force Base, Sault Sainte Marie, Michigan: Family housing, community facilities, and utilities and ground improvements, $429,000.

"K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational and training facilities, maintenance facilities, community facilities, and utilities and ground improvements, $905,000.

"Klamath Falls Municipal Airport, Klamath Falls, Oregon: Maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $1,299,000.

"McChord Air Force Base, Tacoma, Washington: Operational and training facilities, supply facilities, and utilities and ground improvements, $632,000.

"McGhee-Tyson Airport, Knoxville, Tennessee: Supply facilities and community facilities, $189,000.

"Minot Air Force Base, Minot, North Dakota: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, community facilities, and utilities and ground improvements, $6,804,000.

"Niagara Falls Municipal Airport, Niagara Falls, New York: Supply facilities, community facilities, and utilities and ground improvements, $674,000.

"Otis Air Force Base, Falmouth, Massachusetts: Family housing, and utilities and ground improvements, $559,000.

"Oxnard Air Force Base, Camarillo, California: Maintenance facilities, supply facilities, administrative facilities, troop housing, and utilities and ground improvements, $1,828,000.

"Portland International Airport, Portland, Oregon: Operational and training facilities,

maintenance facilities, supply facilities, and utilities and ground improvements, $3,768,000.

"Presque Isle Air Force Base, Presque Isle, Maine: Community facilities, $244,000.

"Richard Bong Air Force Base, Kansasville, Wisconsin: Operational and training facilities, supply facilities, and utilities and ground improvements, $7,804,000.

"Selfridge Air Force Base, Mount Clemens, Michigan: Supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,898,000.

"Sioux City Municipal Airport, Sioux City, Iowa: Operational and training facilities and supply facilities, $248,000.

"Stewart Air Force Base, Newburgh, New York: Supply facilities, community facilities, utilities and ground improvements, and real estate improvement, $694,000.

"Suffolk County Air Force Base, Westhampton Beach, New York: Supply facilities, community facilities, and utilities and ground improvements, $956,000.

"Truax Field, Madison, Wisconsin: Utilities and ground improvements and land acquisition, $130,000.

"Tyndall Air Force Base, Panama City, Florida: Maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $3,186,000.

"Wurtsmith Air Force Base, Oscoda, Michigan: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $2,153,000.

"Youngstown Municipal Airport, Youngstown, Ohio: Community facilities, and utilities and ground improvements, $358,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $44,428,000.

"Air Materiel Command

"Griffiss Air Force Base, Rome, New York: Operational and training facilities, maintenance facilities, research, development, and test facilities, supply facilities, administrative facilities, troop housing, utilities and ground improvements, and land acquisition, $10,410,000.

"Hill Air Force Base, Ogden, Utah: Operational and training facilities, and troop housing, $1,911,000.

"Kelly Air Force Base, San Antonio, Texas: Maintenance facilities, and utilities and ground improvements, $899,000.

"Marietta Air Force Station, Marietta, Pennsylvania: Utilities and ground improvements, $2,438,000.

"McClellan Air Force Base, Sacramento, California: Operational and training facilities, maintenance facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $4,912,000.

"Olmsted Air Force Base, Middletown, Pennsylvania: Maintenance facilities, and troop housing, $1,673,000.

"Robins Air Force Base, Macon, Georgia: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $13,104,000.

"Rushmore Air Force Station, Rapid City, South Dakota: Community facilities, $56,000.

"Tinker Air Force Base: Oklahoma City, Oklahoma: Operational and training facilities, supply facilities, troop housing, and utilities and ground improvements, $2,674,000.

"Wright-Patterson Air Force Base, Dayton, Ohio: Operational and training facilities, research, development, and test facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $1,777,000.

"Air Proving Ground Command

"Eglin Air Force Base, Valparaiso, Florida: Research development, and test facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $5,826,000.

"Air Research and Development Command

"Edwards Air Force Base, Muroc, California: Operational and training facilities, research, development, and test facilities, community facilities, and utilities and ground improvements, $1,987,000.

"Holloman Air Force Base, Alamogordo, New Mexico: Operational and training facilities, research, development, and test facilities, troop housing, community facilities, and utilities and ground improvements, $11,869,000.

"Indian Springs Air Force Base, Indian Springs, Nevada: Community facilities, $206,000.

"Kirtland Air Force Base, Albuquerque, New Mexico: Supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,276,000.

"Laurence G. Hanscom Field, Bedford, Massachusetts: Operational and training facilities, maintenance facilities, research, development, and test facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $3,469,000.

"Patrick Air Force Base, Cocoa, Florida: Operational and training facilities, research, development, and test facilities, troop housing, community facilities, utilities and ground improvements, and real estate improvements, $2,882,000.

"Air Training Command

"Amarillo Air Force Base, Amarillo, Texas: Operational and training facilities, maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,872,000.

"Craig Air Force Base, Selma, Alabama: Operational and training facilities, and land acquisition, $2,193,000.

"Harlingen Air Force Base, Harlingen, Texas: Community facilities, $262,000.

"Keesler Air Force Base, Biloxi, Mississippi: Operational and training facilities, troop housing, and community facilities, $2,209,000.

"Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $1,848,000.

"Mather Air Force Base, Sacramento, California: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and land acquisition, $8,249,000.

"McConnell Air Force Base, Wichita, Kansas: Troop housing, community facilities, utilities and ground improvements, and real estate improvements, $763,000.

"Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, maintenance facilities, supply facilities, and community facilities, $938,000.

"Nellis Air Force Base, Las Vegas, Nevada: Community facilities, $436,000.

"Perrin Air Force Base, Sherman, Texas: Operational and training facilities, and land acquisition, $460,000.

"Randolph Air Force Base, San Antonio, Texas: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,858,000.

"Reese Air Force Base, Lubbock, Texas: Operational and training facilities, supply facilities, and land acquisition, $5,909,000.

"Scott Air Force Base, Belleville, Illinois: Community facilities, utilities and ground improvements, land acquisition, and real estate improvements, $900,000.

"Sheppard Air Force Base, Wichita Falls, Texas: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and real estate improvements, $4,200,000.

"Stead Air Force Base, Reno, Nevada: Troop housing, and community facilities, $1,945,000.

"Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, supply facilities, and land acquisition, $1,977,000.

"Webb Air Force Base, Big Spring, Texas: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, and ground improvements, $4,118,000.

"Williams Air Force Base, Chandler, Arizona: Maintenance facilities, community facilities, and land acquisition, $865,000.

"Air University

"Maxwell Air Force Base, Montgomery, Alabama: Land acquisition, $50,000.

"Continental Air Command

"Brooks Air Force Base, San Antonio, Texas: Medical facilities, $952,000.

"Dobbins Air Force Base, Marietta, Georgia: Operational and training facilities, and family housing, $139,000.

"Mitchel Air Force Base, Hempstead, New York: Utilities and ground improvements, and land acquisition, $337,000.

"Military Air Transport Service

"Aeronautical chart and information center, St. Louis, Missouri: Utilities and ground improvements, $620,000.

"Andrews Air Force Base, Camp Springs, Maryland: Operational and training facilities, $920,000.

"Charleston Air Force Base, Charleston, South Carolina: Supply facilities, and utilities and ground improvements, $2,216,000.

"Dover Air Force Base, Dover, Delaware: Troop housing, and utilities and ground improvements, $745,000.

"McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities, utilities and ground improvements, and land acquisition, $496,000.

"Strategic Air Command

"Altus Air Force Base, Altus, Oklahoma: Operational and training facilities, maintenance facilities, and community facilities, $848,000.

"Barksdale Air Force Base, Shreveport, Louisiana: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and community facilities, $3,344,000.

"Beale Air Force Base, Marysville, California: Operational and training facilities, maintenance facilities, supply facilities, and utilities and ground improvements, $7,458,000.

"Bergstrom Air Force Base, Austin, Texas: Operational and training facilities, maintenance facilities, and supply facilities, $1,487,000.

"Biggs Air Force Base, El Paso, Texas: Operational and training facilities, supply facilities, and troop housing, $5,557,000.

"Blytheville Air Force Base, Blytheville, Arkansas: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and land acquisition, $11,510,000.

"Bunker Hill Air Force Base, Peru, Indiana: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and land acquisition, $8,966,000.

"Carswell Air Force Base, Fort Worth, Texas: Operational and training facilities, supply facilities, troop housing, land acquisition, and real estate improvements, $2,059,000.

"Castle Air Force Base, Merced, California: Maintenance facilities, supply facilities, troop housing, utilities and ground improvements, land acquisition, and real estate improvements, $2,076,000.

"Clinton-Sherman Air Force Base, Clinton, Oklahoma: Operational and training facilities, supply facilities, and community facilities, $536,000.

"Columbus Air Force Base, Columbus, Mississippi: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and utilities, and ground improvements, $2,320,000.

"Davis-Monthan Air Force Base, Tucson, Arizona: Maintenance facilities, supply facilities, troop housing, community facilities, and land acquisition, $2,361,000.

"Dow Air Force Base, Bangor, Maine: Operational and training facilities, maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $14,638,000.

"Dyess Air Force Base, Abilene, Texas: Community facilities, $100,000.

"Ellsworth Air Force Base, Rapid City, South Dakota: Operational and training facilities and supply facilities, $1,976,000.

"Fairchild Air Force Base, Spokane, Washington: Operational and training facilities, $1,480,000.

"Forbes Air Force Base, Topeka, Kansas: Operational and training facilities, and supply facilities, $1,357,000.

"Gray Air Force Base, Killeen, Texas: Community facilities, $34,000.

"Greenville Air Force Base, Greenville, Mississippi: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $19,389,000.

"Homestead Air Force Base, Homestead, Florida: Maintenance facilities, $380,000.

"Hunter Air Force Base, Savannah, Georgia: Troop housing and community facilities, $994,000.

"Lake Charles Air Force Base, Lake Charles, Louisiana: Real estate improvements, $179,000.

"Larson Air Force Base, Moses Lake, Washington: Operational and training facilities, supply facilities, and community facilities, $12,552,000.

"Laughlin Air Force Base, Del Rio, Texas: Operational and training facilities, $250,000.

"Lincoln Air Force Base, Lincoln, Nebraska: Land acquisition, $37,000.

"Lockbourne Air Force Base, Columbus, Ohio: Operational and training facilities, supply facilities, and utilities and ground improvements, $1,504,000.

"Loring Air Force Base, Limestone, Maine: Operational and training facilities, maintenance facilities, supply facilities, and utilities and ground improvements, $7,322,000.

"MacDill Air Force Base, Tampa, Florida: Operational and training facilities, supply facilities, and utilities and ground improvements, $936,000.

"Malmstrom Air Force Base, Great Falls, Montana: Operational and training facilities, supply facilities, and utilities and ground improvements, $3,518,000.

"March Air Force Base, Riverside, California: Operational and training facilities, and troop housing, $2,347,000.

"Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities, troop housing, community facilities, and utilities and ground improvements, $2,022,000.

"Offutt Air Force Base, Omaha, Nebraska: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $7,681,000.

"Plattsburg Air Force Base, Plattsburg, New York: Supply facilities, and utilities and ground improvements, $231,000.

"Portsmouth Air Force Base, Portsmouth, New Hampshire: Supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,344,000.

"Schilling Air Force Base, Salina, Kansas: Community facilities, $372,000.

"Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, community facilities, and utilities and ground improvements, $1,937,000.

"Turner Air Force Base, Albany, Georgia: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $8,628,000.

"Walker Air Force Base, Roswell, New Mexico: Operational and training facilities maintenance facilities, supply facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements, $9,676,000.

"Westover Air Force Base, Chicopee Falls, Massachusetts: Operational and training facilities, troop housing, community facilities, and utilities and ground improvements, $1,901,000.

"Whiteman Air Force Base, Knobnoster, Missouri: Operational and training facilities, and community facilities, $235,000.

"Tactical Air Command

"Clovis Air Force Base, Clovis, New Mexico: Maintenance facilities, administrative facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $2,149,000.

"Donaldson Air Force Base, Greenville, South Carolina: Operational and training facilities, troop housing and community facilities, $1,287,000.

"England Air Force Base, Alexandria, Louisiana: Troop housing, community facilities, and land acquisition, $1,558,000.

"Foster Air Force Base, Victoria, Texas: Community facilities, utilities and ground improvements and land acquisition, $683,000.

"George Air Force Base, Victorville, California: Supply facilities, and community facilities, $2,478,000.

"Langley Air Force Base, Hampton, Virginia: Utilities and ground improvements, $20,000.

"Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Maintenance facilities, troop housing, community facilities, land acquisition, and real estate improvements, $1,204,000.

"Sewart Air Force Base, Smyrna, Tennessee: Community facilities, $484,000.

"Seymour Johnson Air Force Base, Goldsboro, North Carolina: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, utilities and ground improvements, land acquisition, and real estate improvements, $9,991,000.

"Shaw Air Force Base, Sumter, South Carolina: Troop housing, and community facilities, $1,184,000.

"Special Facilities

"Various locations: Operational and training facilities, $229,000.

"Aircraft Control and Warning System

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, family housing, community facilities, utilities and ground improvements, and land acquisition, $7,331,000.

*"Outside the United States*

"Alaskan Air Command

"Elmendorf Air Force Base: Operational and training facilities, maintenance facilities, and community facilities, $4,742,000.

"Ladd Air Force Base: Community facilities, $1,630,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements and land acquisition, $11,500,000.

"Air Materiel Command

"Various locations: Operational and training facilities, and community facilities, $247,000.

"Far East Air Forces

"Hickam Air Force Base, Honolulu, Hawaii: Troop housing, and community facilities, $2,228,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $7,569,000.

"Military Air Transport Service

"Various locations: Operational and training facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $14,741,000.

"Strategic Air Command

"Andersen Air Force Base, Guam: Community facilities, $820,000.

"Ramey Air Force Base, Puerto Rico: Operational and training facilities, community facilities, utilities and ground improvements and land acquisition, $3,783,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $57,218,000.

"United States Air Forces in Europe

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements, and real estate improvements, $36,057,000.

"Special Facilities

"Various locations:: Operational and training facilities, $170,000.

"Aircraft Control and Warning System

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, and utilities and ground improvements, $20,000,000.

"SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $47,000,000.

"SEC. 303. (a) Public Law 534, Eighty-third Congress, as amended, is amended under the heading 'Continental United States' in section 301, as follows:

"Under the subheading 'Air Defense Command'—with respect to Pescadero Consolan Station, Pescadero, California, strike out '$224,000' and insert in place thereof '$584,000'.

"Under the subheading 'Strategic Air Command'—with respect to Clinton-Sherman Airport, Clinton, Oklahoma, strike out '$11,393,000' and insert in place thereof '$12,686,000'; and strike out '$1,463,000' and insert in place thereof '$2,756,000'.

"Under the subheading 'Continental Air Command'—with respect to Mitchel Air Force Base, Hempstead, New York, strike out '$729,000' and insert in place thereof '$929,000'; and strike out '$686,000' and insert in place thereof '$886,000'.

"Under the subheading 'Research and Development Command'—with respect to Edwards Air Force Base, Muroc, California, strike out '$27,478,000' and insert in place thereof '$29,442,000'; and strike out '$16,192,000' and insert in place thereof '$18,156,000'.

"(b) Public Law 534, Eighty-third Congress, as amended, is amended by striking out in clause (3) of section 502 so much as reads '$406,120,000' and '$415,949,000' and inserting in place thereof '$409,937,000' and '$419,766,000', respectively.

"SEC. 304. (a) Public Law 161, Eighty-fourth Congress, as amended, is amended, under the heading 'Continental United States' in section 301, as follows:

"Under the subheading 'Air Defense Command'—

"(1) with respect to Geiger Field, Spokane, Washington, strike out '$1,716,000' and insert in place thereof '$2,717,000';

"(2) with respect to Grand Forks site, North Dakota, strike out '$7,709,000' and insert in place thereof '$9,220,000';

"(3) with respect to Kinross Air Force Base, Sault Sainte Marie, Michigan, strike out '$2,029,000' and insert in place thereof '$2,195,000';

"(4) with respect to Minot site, North Dakota, strike out '$6,630,000' and insert in place thereof '$7,268,000';

"(5) with respect to Oxnard Air Force Base, Oxnard, California, strike out '$2,445,000' and insert in place thereof '$2,935,000';

"(6) with respect to Selfridge Air Force Base, Mount Clemens, Michigan, strike out '$5,526,000' and insert in place thereof '$6,445,000';

"(7) with respect to Youngstown Municipal Airport, Youngstown, Ohio, strike out '$742,000' and insert in place thereof '$893,000';

"(8) with respect to Yuma County Airport, Yuma, Arizona, strike out '$2,107,000' and insert in place thereof '$2,676,000'.

"Under the subheading 'Air Materiel Command'—

"(1) with respect to Brookley Air Force Base, Mobile, Alabama, strike out '$4,170,000' and insert in place thereof '$4,728,000';

"(2) with respect to Griffiss Air Force Base, Rome, New York, strike out '$15,803,000' and insert in place thereof '$16,654,000';

"(3) with respect to McClellan Air Force Base, Sacramento, California, strike out '$9,522,000' and insert in place thereof '$11,970,000';

"(4) with respect to Wright-Patterson Air Force Base, Dayton, Ohio, strike out '$12,001,000' and insert in place thereof '$14,508,000'.

"Under the subheading 'Air Training Command'—

"(1) with respect to Ellington Air Force Base, Houston, Texas, strike out '$3,438,000' and insert in place thereof '$3,876,000';

"(2) with respect to Goodfellow Air Force Base, San Angelo, Texas, strike out '$4,081,000' and insert in place thereof '$5,088,000';

"(3) with respect to Greenville Air Force Base, Greenville, Mississippi, strike out '$500,000' and insert in place thereof '$545,000';

"(4) with respect to Harlingen Air Force Base, Harlingen, Texas, strike out '$446,000' and insert in place thereof '$529,000';

"(5) with respect to James Connally Air Force Base, Waco, Texas, strike out '$883,000' and insert in place thereof '$1,129,000';

"(6) with respect to Mather Air Force Base, Sacramento, California, strike out '$1,516,000' and insert in place thereof '$1,998,000';

"(7) with respect to Reese Air Force Base, Lubbock, Texas, strike out '$1,076,000' and insert in place thereof '$1,304,000';

"(8) with respect to Williams Air Force Base, Chandler, Arizona, strike out '$1,215,000' and insert in place thereof '$1,556,000'.

"Under the subheading 'Headquarters Command'—with respect to Bolling Air Force Base, Washington, District of Columbia, strike out '$520,000' and insert in place thereof '$825,000'.

"Under the subheading 'Research and Development Command'—with respect to Indian Springs Air Force Base (Kirtland Auxiliary Numbered 1), Clark, Nevada, strike out '$555,500' and insert in place thereof '$624,500'.

"Under the subheading 'Strategic Air Command'—

"(1) with respect to Carswell Air Force Base, Fort Worth, Texas, strike out '$5,929,000' and insert in place thereof '$7,363,000';

"(2) with respect to Dow Air Force Base, Bangor, Maine, strike out '$11,155,000' and insert in place thereof '$12,218,000';

"(3) with respect to Travis Air Force Base, Fairfield, California, strike out '$9,769,000' and insert in place thereof '$11,473,000';

"(4) with respect to Walker Air Force Base, Roswell, New Mexico, strike out '$6,657,000' and insert in place thereof '$8,324,000'.

"Under the subheading 'Tactical Air Command'—

"(1) with respect to Alexandria Air Force Base, Alexandria, Louisiana, strike out '$2,684,000' and insert in place thereof '$3,527,000';

"(2) with respect to Bunker Hill Air Force Base, Peru, Indiana, strike out '$559,000' and insert in place thereof '$611,000';

"(3) with respect to George Air Force Base, Victorville, California, strike out '$1,598,000' and insert in place thereof '$1,905,000';

"(4) with respect to Larson Air Force Base, Moses Lake, Washington, strike out '$4,724,000' and insert in place thereof '$5,197,000';

"(5) with respect to Sewart Air Force Base, Smyrna, Tennessee, strike out '$3,589,000' and insert in place thereof '$4,010,000'.

"(b) Public Law 161, Eighty-fourth Congress, as amended, is amended under the heading 'Outside Continental United States' in section 301, as follows:

"Under the subheading, 'Alaskan Air Command'—with respect to Galena Airfield, strike out '$518,000' and insert in place thereof '$735,000'.

"Under the subheading 'Area Control Navigational Aids'—with respect to various locations, strike out '$526,000' and insert in place thereof '$1,394,000'.

"(c) Public Law 161, Eighty-fourth Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts '$801,256,000', '$532,454,000', and '$1,339,060,000' and inserting in place thereof '$824,300,000', '$533,539,000', and '$1,363,189,000', respectively.

"SEC. 305. (a) Public Law 968, Eighty-fourth Congress, is amended, under the heading 'Continental United States' in section 301, as follows:

"Under the subheading 'Air Defense Command'—

"(1) with respect to Duluth Municipal Airport, Duluth, Minnesota, strike out '$863,000' and insert in place thereof '$1,469,000';

"(2) with respect to Geiger Field, Spokane, Washington, strike out '$2,827,000' and insert in place thereof '$3,079,000';

"(3) with respect to Glasgow Air Force Base, Glasgow, Montana, strike out '$2,470,000' and insert in place thereof '$3,080,000';

"(4) with respect to Grand Forks Air Force Base, Grand Forks, North Dakota, strike out '$18,969,000' and insert in place thereof '$30,521,000';

"(5) with respect to Grandview Air Force Base, Kansas City, Missouri, strike out '$1,673,000' and insert in place thereof '$1,781,000';

"(6) with respect to Kinross Air Force Base, Sault Sainte Marie, Michigan, strike out '$2,156,000' and insert in place thereof '$2,336,000';

"(7) with respect to Klamath Falls Municipal Airport, Klamath Falls, Oregon, strike out '$1,130,000' and insert in place thereof '$1,560,000';

"(8) with respect to Minot Air Force Base, Minot, North Dakota, strike out '$21,215,000' and insert in place thereof '$27,035,000';

"(9) with respect to Niagara Falls Municipal Airport, Niagara Falls, New York, strike out '$3,030,000' and insert in place thereof $3,409,000';

"(10) with respect to Oxnard Air Force Base, Camarillo, California, strike out '$2,392,000' and insert in place thereof '$2,779,000';

"(11) with respect to Sioux City Municipal Airport, Sioux City, Iowa, strike out '$2,288,000' and insert in place thereof '$2,900,000';

"(12) with respect to Truax Field, Madison, Wisconsin, strike out '$4,876,000' and insert in place thereof '$8,726,000';

"(13) with respect to Wurtsmith Air Force Base, Oscoda, Michigan, strike out '$3,278,000' and insert in place thereof '$3,808,000';

"(14) with respect to various locations, strike out ($21,510,000' and insert in place thereof '$26,201,000'.

"Under the subheading 'Air Materiel Command'—

"(1) with respect to Griffiss Air Force Base, Rome, New York, strike out '$17,966,000' and insert in place thereof '$22,005,000';

"(2) with respect to Searsport Fuel Storage Station, Searsport, Maine, strike out '$473,000' and insert in place thereof '$745,000';

"(3) with respect to Tacoma Fuel Storage Station, Tacoma, Washington, strike out '$129,000' and insert in place thereof '$251,000';

"(4) with respect to Tinker Air Force Base, Oklahoma City, Oklahoma, strike out '$5,990,000' and insert in place thereof '$7,763,000'.

"Under the subheading 'Air Training Command'—

"(1) with respect to Amarillo Air Force Base, Amarillo, Texas, strike out '$17,121,000' and insert in place thereof '$26,471,000';

"(2) with respect to Craig Air Force Base, Selma, Alabama, strike out '$18,000' and insert in place thereof '$22,000';

"(3) with respect to Sheppard Air Force Base, Wichita Falls, Texas, strike out '$24,433,000' and insert in place thereof '$33,858,000';

"(4) with respect to Stead Air Force Base, Reno, Nevada, strike out '$2,221,000' and insert in place thereof '$3,063,000';

"(5) with respect to Vance Air Force Base, Enid, Oklahoma, strike out '$977,000' and insert in place thereof '$1,064,000'.

"Under the subheading 'Air University'—with respect to Maxwell Air Force Base, Montgomery, Alabama, strike out '$215,000' and insert in place thereof '$311,000'.

"Under the subheading 'Continental Air Command'—

"(1) with respect to Beale Air Force Base, Marysville, California, strike out '$13,395,000' and insert in place thereof '$15,993,000';

"(2) with respect to Dobbins Air Force Base, Marietta, Georgia, strike out '$345,000' and insert in place thereof, '$500,000'.

"Under the subheading 'Research and Development Command'—

"(1) with respect to Laurence G. Hanscom Field, Bedford, Massachusetts, strike out '$6,939,000' and insert in place thereof '$7,530,000';

"(2) with respect to Edwards Air Force Base, Muroc, California, strike out '$5,488,000' and insert in place thereof '$7,220,000'.

"Under the subheading 'Strategic Air Command'—

"(1) with respect to Biggs Air Force Base, El Paso, Texas, strike out '$922,000' and insert in place thereof '$1,190,000';

"(2) with respect to Castle Air Force Base, Merced, California, strike out '$2,179,000' and insert in place thereof '$2,643,000';

"(3) with respect to Columbus Air Force Base, Columbus, Mississippi, strike out '$14,518,000' and insert in place thereof '$15,322,000';

"(4) with respect to Ellsworth Air Force Base, Rapid City, South Dakota, strike out '$943,000' and insert in place thereof '$1,075,000';

"(5) with respect to Homestead Air Force Base, Homestead, Florida, strike out '$1,694,000' and insert in place thereof '$1,966,000';

"(6) with respect to Lockbourne Air Force Base, Columbus, Ohio, strike out '$4,952,000' and insert in place thereof '$7,880,000';

"(7) with respect to Malmstrom Air Force Base, Great Falls, Montana, strike out '$1,236,000' and insert in place thereof '$1,586,000';

"(8) with respect to Mountain Home Air Force Base, Mountain Home, Idaho, strike out '$2,064,000' and insert in place thereof '$2,607,000';

"(9) with respect to Offutt Air Force Base, Omaha, Nebraska, strike out '$5,697,000' and insert in place thereof '$6,155,000';

"(10) with respect to Plattsburg Air Force Base, Plattsburg, New York, strike out

'$1,491,000' and insert in place thereof '$2,027,000';

"(11) with respect to Portsmouth Air Force Base, Portsmouth, New Hampshire, strike out '$661,000' and insert in place thereof '$720,000';

"(12) with respect to Walker Air Force Base, Roswell, New Mexico, strike out '$2,791,000' and insert in place thereof '$3,181,000'.

"Under the subheading 'Tactical Air Command'—with respect to Langley Air Force Base, Hampton, Virginia, strike out '$2,613,000' and insert in place thereof '$2,785,000'.

"(b) Public Law 968, Eighty-fourth Congress, is amended under the heading 'Outside the United States' as follows:

"Under the subheading 'Northeast Air Command'—with respect to various locations, strike out '$75,650,000' and insert in place thereof '$94,197,000'.

"(c) Public Law 968, Eighty-fourth Congress is amended by striking out in clause (3) of section 402 the amounts '$742,873,000', '$405,061,000', and '$1,360,934,000' and inserting in place thereof '$811,342,000', '$423,608,000', and '$1,447,950,000', respectively.

"SEC. 306. Subsection (b) of section 302 of the Act of August 3, 1956 (70 Stat. 991, 1012), is amended to read as follows:

"'(b) Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions, new weapons developments, new and unforeseen research and development requirements, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $50,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this subsection, including those real estate actions pertaining thereto.'

"TITLE IV—FAMILY HOUSING

"SEC. 401. Any outstanding authority heretofore provided by the Act of September 1, 1954 (68 Stat. 1119), the Act of July 15, 1955 (69 Stat. 324), and the Act of August 3, 1956 (70 Stat. 991) for the provision of family housing shall be available for the construction of family housing at any installation for which family housing is authorized to be constructed under titles I, II, and III of this Act.

"SEC. 402. Section 515 of the Act of July 15, 1955 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"'SEC. 515. During the fiscal years 1957, 1958, and 1959, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military tactical installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military tactical installations. Such housing facilities shall be leased on a family or individual unit basis and not more than five thousand of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $150 a month for any such unit.'

"SEC. 403. (a) Family quarters to be constructed under the authority of titles I, II, and III of the Act of September 1, 1954 (68 Stat. 1119), shall be subject to the net floor area limitations respectively prescribed in sections 4774, 7574, and 9774 of title 10, United States Code.

"(b) Section 404 of the Act of September 1, 1954 (68 Stat. 1119, 1125), is hereby repealed.

"SEC. 404. Title 10, United States Code, is amended as follows:

"(a) Section 4774 is amended by adding the following new subsection at the end thereof:

"'(f) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Army may be four-bedroom quarters having a net floor area of 1,250 square feet or less.'

"(b) Section 7574 is amended by adding the following new subsection at the end thereof:

"'(d) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Navy may be four-bedroom quarters having a net floor area of 1,250 square feet or less.'

"(c) Section 9774 is amended by adding the following new subsection at the end thereof:

"'(f) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Air Force may be four-bedroom quarters having a net floor area of 1,250 square feet or less.'

"SEC. 405. The second paragraph of section 407 of the Act of September 1, 1954 (68 Stat. 1119, 1125), as amended, is further amended to read as follows:

"'The Department of Defense shall pay the Commodity Credit Corporation, from appropriations otherwise available for the payment of quarters allowances for military personnel and from appropriate allotments or rental charges for civilian personnel, amounts equal to the quarters allowances or allotments otherwise payable to or the rental charges collected from personnel occupying any housing constructed or acquired under authority of this section after deducting amounts chargeable for the maintenance and operation of such housing: *Provided*, That such payments shall not exceed the dollar equivalent of the value of the foreign currencies used for all such construction or acquisition.'

"SEC. 406. (a) Notwithstanding the provisions of any other law, and effective July 1, 1958, no family housing units (other than housing units required to be acquired pursuant to the provisions of section 404 of the Housing Amendments of 1955) shall be contracted for or acquired at or in support of military installations or activities unless the actual number of units involved has been specifically authorized by an annual military construction authorization act.

"(b) Effective July 1, 1958, the provisions of section 419, Public Law 968, Eighty-fifth Congress, second session, are hereby repealed.

"SEC. 407. (a) Notwithstanding the provisions of any other law, members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents, may occupy on a rental basis, without loss of basic allowance for quarters, inadequate quarters under the jurisdiction of any of the uniformed services, notwithstanding that such quarters may have been constructed or converted for assignment as public quarters. The net difference between the basic allowance for quarters and the fair rental value of such quarters shall be paid from otherwise available appropriations.

"(b) The provisions of this section shall be administered under regulations approved by the President.

"(c) The Secretaries of the Army, Navy, and Air Force for the respective military departments, the Secretary of the Treasury for the Coast Guard when the Coast Guard is operating as a service in the Treasury Department, the Secretary of Commerce for the Coast and Geodetic Survey, and the Secretary of Health, Education, and Welfare for the Public Health Service (hereafter referred to as the "Secretaries"), are each authorized, subject to standards established pursuant to (b) above, to designate as rental housing such housing as he may determine to be inadequate as public quarters.

"(d) The Secretaries are each further authorized, subject to standards established pursuant to subsection (b) above, to lease inadequate housing to personnel of any of the mentioned services for occupancy by them and their dependents. The housing facilities leased, as herein provided, shall not be required to have been constructed with funds derived from appropriations specifically made for the purpose of the construction of rental housing for personnel of the services mentioned.

"(e) All housing units determined pursuant to subsection (c) of this section to be inadequate shall, prior to July 1, 1960, either be altered or improved so as to qualify as public quarters, or be demolished or otherwise disposed of.

"(f) This section shall have no application to any housing financed with mortgages insured under the provisions of Title VIII of the National Housing Act as in effect prior to the enactment of the Housing Amendments of 1955.

"TITLE V—GENERAL PROVISIONS

"SEC. 501. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to sections 3648 and 3734 of the Revised Statutes, as amended, and sections 4774 (d) and 9774 (d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

"SEC. 502. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations, for public works projects authorized by titles I, II, and III shall not exceed—

"(1) for title I: Inside the United States, $115,624,000; outside the United States, $34,477,000; section 102, $143,002,000; or a total of $293,103,000;

"(2) for title II: Inside the United States, $230,574,000; outside the United States, $48,199,000; section 202, $59,056,000; or a total of $337,611,000; and

"(3) for title III: Inside the United States $394,076,000; outside the United States, $160,705,000; section 302, $47,000,000; or a total of $601,781,000.

"SEC. 503. Any of the amounts named in title I, II, and III of this Act may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States and by 10 per centum for projects outside the United States. However, the total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

"SEC. 504. Whenever—

"(1) the President determines that compliance with section 2313 (b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

"(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods for adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

"SEC. 505. Contracts made by the United States under this Act shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code, and section 15 of the Act of August 9, 1955 (69 Stat. 547, 551). The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

"SEC. 506. As of July 1, 1958, all authorizations for military public works to be accomplished by the Secretary of a military department in connection wih the establishment or development of military installations and facilities, and all authorizations for appropriations therefore, that are contained in Acts approved before July 28, 1954, and not superseded or otherwise modified by a later authorization are repealed, except—

"(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

"(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts in whole or in part before July 1, 1958, and authorizations for appropriations therefor;

"(3) the authorization for the rental guaranty for family housing in the amount of $100,000,000 that is contained in section 302 of Public Law 534, Eighty-second Congress;

"(4) the authorizations for public works and the appropriation of funds that are contained in sections 2231–2238 of title 10, United States Code, as amended (50 U. S. C. 882, 883, 885, 886);

"(5) the authorization for the development of the Line of Communications, France, in the amount of $60,000,000 that is contained in title I, section 102, of Public Law 534, Eighty-second Congress;

"(6) notwithstanding the provisions of section 410 of the Act of August 3, 1956 (70 Stat. 991, 1016), the authorization for (a) development of classified facilities in the amount of $6,439,000 that is contained in title I, section 102, of the Act of September 28, 1951 (65 Stat. 336, 343), and (b) development of classified facilities in the amount of $6,654,000 that is contained in title I, section 102 of the Act of July 14, 1952 (66 Stat. 606, 609); and

"(7) the authorization for public works and for the appropriations of funds that are contained in the Act of April 1, 1954 (68 Stat. 47), as amended.

"SEC. 507. None of the authority contained in titles I, II, and III of this Act shall be deemed to authorize any building construction project within the continental United States at an average nationwide unit cost in excess of—

"(a) $28 per square foot for cold-storage warehousing;

"(b) $6 per square foot for regular warehousing;

"(c) $1,850 per man for permanent barracks;

"(d) $7,500 per man for bachelor officer quarters,

unless the Secretary of Defense determines that, because of special circumstances, application to such project of the limitation on unit costs contained in this section is impracticable.

"SEC. 508. Section 9 of the Air Force Academy Act, as amended (68 Stat. 49), is further amended by striking out in the first sentence the figure '$126,000,000' and inserting in place thereof the figure '$135,425,000'."

And the Senate agree to the same.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
CARL T. DURHAM,
L. MENDEL RIVERS,
LESLIE C. ARENDS,
STERLING COLE,
LEON H. GAVIN,
WALTER NORBLAD,
*Managers on the Part of the House.*

RICHARD B. RUSSELL,
JOHN STENNIS,
HENRY M. JACKSON,
LEVERETT SALTONSTALL,
FRANCIS CASE,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On July 10, the House of Representatives passed H. R. 8240, which was the fiscal year 1958 military construction and authorization for the three military departments. On August 12, 1957, the Senate passed H. R. 8240, amended.

The larger differences and the action agreed upon by the conferees are as follows:

ARMY

In title I, the Army section of the bill, there were several items in disagreement. Some of them resulted from the decision of the executive branch to lower its budget request subsequent to the House hearings on H. R. 8240. To these changes by the Senate, the House found itself in substantial agreement.

Upon completion of the conference on title I of the bill, the Senate receded with respect to the item involving Fort Sam Houston, Tex., and the House receded with respect to the provision of a gas-heating system for Fort Devens, Mass.

Among the deficiency authorizations for the Army, the committee had raised the authorization for the hospital at Fort Jackson, S. C., from $5,000,000 to $10,400,000. It was the decision of the conferees that the higher figure should be $7,500,000, an amount sufficient to provide a wholly usable hospital facility for this installation.

NAVY

In similar fashion, for budgetary or funding reasons, a large number of the Navy items were lowered or eliminated by the Senate. Most of these items which are not to be funded were accepted in their modified form by the House conferees.

Upon completion of the conference of title II of the bill, the Senate receded with respect to the item involving the construction of a pier at the naval air station, Pensacola, Fla., and also in the case of the Marine Corps air station, El Toro, Calif., where $209,000 was added to the Senate figure for items relating to the extension of a runway. The Senate also receded, in part, for the Marine Corps base, Camp Lejeune, N. C., in order that one of the two requested headquarters buildings might be constructed. At the Marine Corps recruit depot, Parris Island, S. C., the Senate receded in order that provision might be made for barracks and other needed facilities. $48,000 was added to the Senate figure for the Marine Corps schools, Quantico, Va., for utilities. With respect to the Naval Air Station, Chincoteague, Va., the House accepted the Senate figure.

The Senate had deleted $270,000 at the Marine Corps Training Center, Twenty-Nine Palms, Calif. Subsequent investigation by both committees revealed that the soil stabilization which would be performed under this authority was an urgently required item and the Senate receded.

Similarly, subsequent investigation by both committees revealed the importance of the work contemplated at the Ordnance Aerophysics Laboratory, Daingerfield, Tex., and at the Applied Physics Laboratory, Howard County, Md. The Senate, therefore, receded with respect to these two items. In Okinawa, certain waterfront facilities necessary at White Beach were restored in conference, with the Senate receding.

The House had allowed $199,000 for operational facilities at the naval auxiliary air station, Edenton, N. C., while the Senate had allowed only $160,000. In conference, it was determined that the item in its entirety should be stricken.

The House receded in connection with the naval air station, Lemoore, Calif., permitting the Senate reduction of approximately 10 percent to stand. The House also receded with respect to the increased amount granted for the Naval Air Missile Test Center, Point Mugu, Calif.

Other items which were the subject of recession by the House involved, for the most part, construction items which would not be funded during fiscal year 1958.

The Congress is familiar with the long legislative history involved in the provision of a flying facility for the Naval Academy. Again this year the matter came up for Congressional consideration and the House inserted an item authorizing the acquisition of land for such a facility to be named John H. Towers Field (location undetermined). The Senate version of the bill contained no similar authority. Recent studies by both committees have revealed that Andrews Air Force Base would provide an apparently feasible and acceptable site for the now somewhat enlarged functions contemplated by the Navy. The conferees decided, therefore, to insert the following language which, in essence, preserves the thinking of both the House and the Senate:

"Naval Air Facility, to be known as John H. Towers Field, and to be located at Andrews Air Force Base, Camp Springs, Md., operational facilities, utilities, and ground improvement, $3,200,000."

The conferees urge both the Department of the Navy and the Department of the Air Force to arrive at a prompt agreement for the use of such facilities at Andrews Air Force Base, and urge the Navy to proceed expeditiously in planning for such construction or modification as may be necessary to enable this facility to see early operation.

AIR FORCE

The House conferees found themselves in only minor disagreement with the Senate action on title III, the Air Force section of the bill. Again, as was the case with respect to the other two military departments, budgetary and funding considerations made reasonable the deletion or lowering of certain of the items and the House, therefore, receded with respect to a large number of these changes.

At the conclusion of the conference on title III of the bill, the Senate receded with respect to an exchange facility at Niagara Falls Municipal Airport, Niagara Falls, N. Y., the provision of a commissary at the Youngstown Municipal Airport, Youngstown, Ohio, and all items at the Marietta Air Force Station, Marietta, Pa.

At Robins Air Force Base, Macon, Ga., the Senate figure was raised in order to grant authority for the construction of a primary runway and its attendant taxiway.

The House receded with respect to the provision of a dormitory at Otis Air Force Base,

Falmouth, Mass., and the provision of an exchange facility at Oxnard Air Force Base, Camarillo, Calif.

Virtually all of the other recessions by the House involved items which are not to be funded during fiscal year 1958.

GENERAL PROVISIONS

Most of the general provisions in both the Senate and the House versions of the bill were identical. There were, however, some fundamental differences. These differences were found in sections 406 and 407 of the Senate bill.

Section 406 contained no counterpart in the House bill. It was designed, the House conferees were informed, to require that all housing, from whatever source, should be the subject of line item justification in military construction bills enacted after July 1, 1958. After extended discussion, the conferees agreed that the language should be modified in such fashion as to eliminate the applicability of the section to Wherry housing and, specifically, to render certain that Wherry housing would be acquired at any installation where Capehart housing is planned for construction.

The other section which was in substantial disagreement, section 407 of the Senate version, related to the granting of an authority for the occupancy of inadequate quarters on a rental basis, as distinguished from the surrender of an individual's whole housing allowance. The House conferees insisted on amendments which would (1) limit the housing affected to family quarters; (2) require that all housing determined to be inadequate should, prior to July 1, 1960, either be altered or improved so as to qualify as public quarters, or be demolished, or otherwise disposed of; (3) exclude so-called Wherry housing from the applicability of the section; and (4) require that the net difference between the basic allowance for quarters and the fair rental value of the quarters be paid from otherwise available appropriations.

Section 506 of the Senate version, and its House counterpart, of the bill rescinds existing authorizations after they have been in existence for 4 years, and contains certain exceptions. Among these exceptions in the House version of the bill was that relating to the authorizations of the rental guaranty for family housing that is contained in section 302 of Public Law 534, 82d Congress. The Senate version did not include this exception. After deliberation, the conferees agreed that this exception should be included and the Senate receded.

Section 411 of the House bill, which had no counterpart in the Senate bill, in effect, required that the Secretary of Defense inform the Senate and the House of Representatives, for appropriate Congressional consideration, whenever it was proposed to terminate or reduce the operations of any commercial- or industrial-type activity where such activity had been in operation for 5 or more years and required the services of 10 or more civilian employees, and the supplies or services furnished by such activity were to be furnished by other than civilian employees of the United States. After deliberation, the House receded with respect to this section.

Section 412 of the House version of the bill, which similarly found no counterpart in the Senate version, prohibited the use of the national emergency declared by the President on December 16, 1950, as a basis for negotiated contracts, as distinguished from competitive bidding. The section contained certain exceptions to this limitation.

While both the Senate and House conferees were in very substantial agreement that the end to be achieved was a proper one, it was decided that action to this end should be embodied in separate legislation and the House, therefore, receded.

The Senate version of the bill contains cost limitations with respect to cold storage and regular warehousing, permanent barracks, and bachelor officer quarters. The House receded with respect to this section.

The Senate and the House were in disagreement with respect to the amount of additional authority which should be granted for the Air Force Academy. The House on the one hand agreed that a flying facility should be provided at the Academy site while the Senate felt that another airfield in that area could be used for this activity. The House conferees felt that at least on a temporary basis, other flying facilities could be used and therefore receded.

As the bill passed the House, the authorities granted in the Army, Navy, and Air Force titles totaled $1,416,573,000. The corresponding authority granted in the Senate version totaled $1,203,413,000 or $213,165,000 less than the House version. The total agreed to by the conferees for titles I, II, and III is $1,232,495,000. This latter sum is $184,078,000 less than the House version and $29,082,000 more than the Senate version.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
CARL T. DURHAM,
L. MENDEL RIVERS,
LESLIE C. ARENDS,
STERLING COLE,
LEON H. GAVIN,
WALTER NORBLAD,
*Managers on the Part of the House.*

Mr. VINSON. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I would like to discuss briefly the conference report on H. R. 8240, the military construction bill for fiscal year 1958. As you are aware, the Senate took the House bill and struck all language after the enacting clause.

As the bill passed the House, the authorities granted in the Army, Navy, and Air Force titles totaled $1,416,573,000. The corresponding authority granted in the Senate version totaled $1,203,413,000 or $213,165,000 less than the House version. The total agreed to by the conferees for titles I, II, and III is $1,232,495,000. This latter sum is $184,078,000 less than the House version and $29,082,000 more than the Senate version. The House has appropriated $1,475,000,000 for the projects authorized in this bill and for authorizations granted in prior years.

There were some rather important differences in the general provisions of the bill. For example, section 411 of the House bill would require a resolution of one of the Houses to prevent the Secretary of Defense from closing down on industrial or commercial type activity under certain circumstances. The House receded with respect to this section.

Section 412 of the House bill would have prevented the use of the national emergency as a basis for negotiated contracts. I might say with respect to this section that the Senate and House conferees were in complete agreement that legislation of this kind appears necessary, but it was agreed that separate legislation should be used for this purpose.

The Senate version of the bill contained authority for the occupancy of substandard housing by military personnel on a rental basis and without loss of housing allowance. The House version contained no such provision. The House, however, earlier this year had passed a separate bill covering this matter. The language in the Senate construction bill was at considerable variance from this bill passed by the House. In conference, the Senate agreed to language which is virtually identical to the substandard bill as it had passed the House. Under the version accepted by the conferees, no Wherry housing can be declared substandard.

The Senate version also had a section 406 which would require that all housing, from whatever source, and under whatever law, would be the subject of a specific line item in the military construction bill. The House version had no such provision. The conferees agreed that the Senate version should be accepted with an amendment. The amendment eliminates from the applicability of the section to Wherry housing which is located at installations where Capehart housing is to be constructed.

I wish to make it entirely clear that this section does not repeal any existing law. All the current housing programs of the various services continue exactly as they are today through June 30, 1958. After that time, in order to maintain a single unified view of all military housing, the section will require that individual line items be included in the construction bill covering all housing from whatever source.

It might be asked why the clearance procedure with the committee which is in force today, is not sufficient. To this I would answer that it is obviously more effective and more efficient if the committee can check housing requirements at installations at the same time that it is considering the other construction items at that installation. Also with recent cuts and rumors of further cuts in personnel strength an even greater control must be exercised over the housing to be built for our military people in order that we will not find ourselves with vacant family houses at or near military installations.

In effect, then, the change made by the House will require that wherever Capehart housing is to be constructed the Wherry housing must be acquired.

I will file in the RECORD today a State breakdown of all installations indicating the results of the conference.

CAPEHART HOUSING

I do not think the gentleman needs to be at all concerned about the effect of this section on Capehart housing. The House Armed Services Committee has already passed on over 90,000 units of Capehart housing and given its favorable consideration of it.

Between now and next July, a period of almost a year, it would be my judgment that the departments will have firmed up their plans and submitted virtually all of the additional projects which they hope to build. And I can say that wherever the housing is really needed, the House Armed Services Committee will continue as it has in the past and approve these projects.

I might say also that the statement which I have just made in presenting the conference report is wholly consistent with statements made yesterday on the floor of the Senate concerning the effect of section 406 on housing to be constructed under the Capehart law.

Mr. RAINS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mr. RAINS. As I understand, the only change in that part of the act is that after July 1, 1958, the military in the event they desire to build Capehart or title VIII housing will first have to present their needs to the House Armed Services Committee when you consider the military construction bill.

Mr. VINSON. The gentleman is correct.

Mr. RAINS. But now the operation is that you have a kind of veto over them after they bring them in. Is that not it?

Mr. VINSON. We must clear them in 180 days.

Mr. RAINS. One other question, I noticed the gentleman said that no change had to do with the mandatory requirement of Wherry housing.

Mr. VINSON. That is right.

Mr. RAINS. But I notice that the gentleman said in his remarks, if I did not misunderstand him, up until 1958—

Mr. VINSON. No; that is permanent, that stands. In other words, so the House and the public can understand it, no Capehart houses can be built at any installation where there are Wherry houses until the Wherry houses have been acquired, or are in the process of acquisition.

Mr. RAINS. One other question or comment. Then, I am sure, the distinguished gentleman from Georgia would not think that there is anything in this conference report that would adversely affect the program of Capehart housing, would he?

Mr. VINSON. Up to date, as I said, the House committee and the Senate committee have approved 90,000 units of Capehart housing.

Mr. RAINS. If the gentleman will allow me to interrupt I would like to say at this particular point that since January 1957 there have been 20,663 Capehart houses actually started. This I think is a fine record.

Mr. VINSON. That is right. Between now and next July there is almost a year, and in that time the Departments will have presented their plans, submitted what projects they need; but as far as the law is concerned it stands that they have the authority to build Capehart houses. All we are doing is requiring them to come before the committees and Congress in a bill of this kind authorizing Capehart houses to be constructed.

Mr. RAINS. I thank the gentleman.

Mr. TALLE. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. TALLE. I should like to have the assurance of the distinguished gentleman from Georgia on one point. I have read what is included in the CONGRESSIONAL RECORD with reference to section 406 (a), on page 15378, and likewise with reference to section 406 at the top of page 15380. It is not necessary for me to point out to the distinguished gentleman from Georgia that the need for adequate military housing is urgent. Furthermore, the gentleman from Georgia is aware, I am sure, that 15 units of Capehart housing are being built for every unit built with appropriated funds. The contrast is great indeed. What I would like from the chairman of the Committee on the Armed Services, the distinguished gentleman from Georgia, is assurance that there is nothing in this report which will tend to slow up the construction of Capehart military housing.

Mr. VINSON. There is nothing in this report that interferes with the method of authorization of Capehart houses until 1958, in July. After that, instead of having a clearance by the committee, as I just stated to the gentleman from Alabama, they must be cleared in a military construction bill. That will not slow them up because by that time most of the units will be, no doubt, authorized by the committee.

Mr. TALLE. I am glad to have the gentleman's assurance.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that this conference report is $184 million less than the House version of the bill?

Mr. VINSON. To give the figures, when it passed the House there was provided $1,416,573,000. When it passed the Senate it was $1,203,413,000 or $213,165,000 less than the House bill. The conferees agreed on a figure of $1,232,495,000, which is $184,078,000 less than the House version or $29,082,000 more than the Senate version.

Mr. GROSS. Where was the cutback effected principally, if in any particular item?

Mr. VINSON. They went all through the bill because after the House had finished its consideration of the bill and before we took it up in conference, the Department reexamined their authorization and requested that some $200 million in authorizations be deleted. We did not delete it in the House bill because we knew that the Senate would follow the new look of the Department of Defense. That is what they did and that is what accounts for this decrease.

Mr. GROSS. How much was in the House version of the bill for the flying field at the new Air Force Academy?

Mr. VINSON. I do not have that right before me, but that has been reduced. When it was called up in conference someone remarked that this is the item the gentleman was interested in.

Mr. GROSS. I am not speaking about Grandview, Mo. I am speaking about the new Air Academy.

Mr. VINSON. We stand at the Senate figure on that, which was about $12 million under the House version.

Mr. GROSS. There will be a field built out there?

Mr. VINSON. No; no field for the time being is to be built. I will file the State breakdown at this point.

*Summary of military public works bill, fiscal year 1958, continental United States*

| | |
|---|---|
| **ALABAMA** | |
| Army: | |
| Anniston Ordnance Depot | $2,015,000 |
| Fort Rucker | 7,549,000 |
| Air Force: | |
| Craige AFB, Selma | 2,193,000 |
| Maxwell 3FB, Montgomery | 300,000 |
| Total | 12,057,000 |
| **ARIZONA** | |
| Army: Fort Huachuca | 1,936,000 |
| Air Force: | |
| Davis-Monthan AFB, Tucson | 2,361,000 |
| Luke AFB, Phoenix | 1,848,000 |
| Williams AFB, Chandler | 865,000 |
| Total | 7,010,000 |
| **ARKANSAS** | |
| Air Force: Blytheville AFB, Blytheville | 11,516,000 |
| **CALIFORNIA** | |
| Army: | |
| Jet Propulsion Laboratory | 130,000 |
| Fort MacArthur | 1,192,000 |
| Fort Ord | 3,307,000 |
| Presidio of San Francisco | 120,000 |
| Sharpe General Depot | 110,000 |
| Navy: | |
| Naval Air Station, Alameda | 185,000 |
| Marine Corps Supply Center, Barstow | 6,841,000 |
| Auxiliary Landing Field, Crows Landing | 29,000 |
| Naval Auxiliary Air Station, El Centro | 4,310,000 |
| Marine Corps Air Station, El Toro | 3,620,000 |
| Naval Air Station, Lemoore | 27,535,000 |
| Naval Shipyard, Long Beach | 1,500,000 |
| Naval Station, Long Beach | 544,000 |
| Naval Air Station, Miramar | 3,401,000 |
| Marine Corps Auxiliary Air Station, Mohave | 3,281,000 |
| Naval Air Station, North Island | 7,964,000 |
| Marine Corps Base, Camp Pendleton | 1,469,000 |
| Naval Air Missile Test Center, Point Mugu | 7,669,000 |
| Naval Magazine, Port Chicago | 236,000 |
| Naval Construction Battalion Center, Port Hueneme | 759,000 |
| Auxiliary Landing Field, San Clemente | 9,448,000 |
| Marine Corps Recruit Depot, San Diego | 116,000 |
| Naval Training Center, San Diego | 1,613,000 |
| Naval Communication Station, San Diego | 100,000 |
| Naval Communication Center, Stockton | 460,000 |
| Marine Corps Training Center, 29 Palms | 2,331,000 |
| Air Force: | |
| Beale AFB, Marysville | 7,458,000 |
| Castle AFB, Merced | 2,076,000 |
| Edwards AFB, Muroc | 1,987,000 |
| George AFB, Victorville | 2,478,000 |
| Hamilton AFB, San Rafael | 614,000 |
| March AFB, Riverside | 2,372,000 |
| Mather AFB, Sacramento | 8,249,000 |
| McClellan AFB, Sacramento | 4,912,000 |
| Oxnard AFB, Oxnard | 1,828,000 |
| Travis AFB, Fairfield | 1,937,000 |
| Total | 122,191,000 |

*Summary of military public works bill, fiscal year 1958, continental United States—Continued*

COLORADO

| | |
|---|---|
| Army: | |
| Fort Carson | $1,049,000 |
| Fitzsimons Army Hospital | 937,000 |
| Air Force: Air Force Academy, Colorado Springs | 11,916,000 |
| Total | 13,902,000 |

CONNECTICUT

| | |
|---|---|
| Navy: Naval Submarine Base, New London | 2,966,000 |

DELAWARE

| | |
|---|---|
| Air Force: Dover AFB, Dover | 745,000 |

DISTRICT OF COLUMBIA

| | |
|---|---|
| Army: Walter Reed Army Medical Center | 1,920,000 |

FLORIDA

| | |
|---|---|
| Navy: | |
| Naval Air Station, Cecil Field | 5,089,000 |
| Naval Air Station, Jacksonville | 39,000 |
| Naval Air Station, Key West | 1,456,000 |
| Naval Auxiliary Air Station, Mayport | 384,000 |
| Naval Air Station, Pensacola | 6,225,000 |
| Naval Auxiliary Air Station, Saufley Field | 39,000 |
| Air Force: | |
| Eglin AFB, Valparaiso | 5,826,000 |
| Homestead AFB, Homestead | 380,000 |
| MacDill AFB, Tampa | 936,000 |
| Patrick AFB, Cocoa | 2,882,000 |
| Pinecastle AFB, Orlando | 3,271,000 |
| Tyndall AFB, Panama City | 3,186,000 |
| Total | 29,713,000 |

GEORGIA

| | |
|---|---|
| Army: | |
| Fort Benning | 1,583,000 |
| Atlanta General Depot | 595,000 |
| Fort Stewart | 3,691,000 |
| Navy: | |
| Marine Corps Supply Center, Albany | 140,000 |
| Naval Air Station, Glynco | 293,000 |
| Air Force: | |
| Dobbins AFB, Marietta | 247,000 |
| Hunter AFB, Savannah | 994,000 |
| Moody AFB, Valdosta | 938,000 |
| Robins AFB, Macon | 13,104,000 |
| Turner AFB, Albany | 8,628,000 |
| Total | 30,213,000 |

IDAHO

| | |
|---|---|
| Air Force: Mountain Home AFB, Mountain Home | 2,022,000 |

ILLINOIS

| | |
|---|---|
| Army: | |
| Granite City Engineer Depot | 765,000 |
| Savanna Ordnance Depot | 758,000 |
| Fort Sheridan | 359,000 |
| Navy: | |
| Electronics Supply Office, Great Lakes | 92,000 |
| Naval Training Center, Great Lakes | 5,598,000 |
| Air Force: Scott AFB, Belleville | 900,000 |
| Total | 8,472,000 |

INDIANA

| | |
|---|---|
| Air Force: Bunker Hill AFB, Peru | 8,966,000 |

IOWA

| | |
|---|---|
| Air Force: Sioux City Municipal Airport, Sioux City | 248,000 |

*Summary of military public works bill, fiscal year 1958, continental United States—Continued*

KANSAS

| | |
|---|---|
| Army: | |
| Fort Leavenworth | $336,000 |
| Fort Riley | 2,525,000 |
| Air Force: | |
| Forbes AFB, Topeka | 1,357,000 |
| McConnell AFB, Wichita | 763,000 |
| Schilling AFB, Salina | 372,000 |
| Total | 5,353,000 |

KENTUCKY

| | |
|---|---|
| Army: | |
| Fort Campbell | 5,117,000 |
| Fort Knox | 4,205,000 |
| Total | 9,322,000 |

LOUISIANA

| | |
|---|---|
| Army: | |
| Bossier Base | 164,000 |
| Fort Polk | 7,734,000 |
| Navy: Naval Auxiliary Air Station, New Iberia | 3,653,000 |
| Air Force: | |
| England AFB, Alexandria | 1,558,000 |
| Barksdale AFB, Shreveport | 3,344,000 |
| Lake Charles AFB, Lake Charles | 179,000 |
| Total | 16,632,000 |

MAINE

| | |
|---|---|
| Navy: | |
| Naval Air Station, Brunswick | 180,000 |
| Naval Radio Station, Washington County | 13,982,000 |
| Air Force: | |
| Dow AFB, Bangor | 14,638,000 |
| Loring AFB, Limestone | 7,322,000 |
| Presque Isle AFB, Presque Isle | 244,000 |
| Total | 36,366,000 |

MARYLAND

| | |
|---|---|
| Army: | |
| Aberdeen Proving Ground | 2,288,000 |
| Fort Detrick | 627,000 |
| Fort George G. Meade | 589,000 |
| Fort Ritchie | 820,000 |
| Navy: | |
| Naval Academy, Annapolis | 1,602,000 |
| Naval Engineering Experiment Station, Annapolis | 618,000 |
| Applied Physics Laboratory, Howard County | 1,452,000 |
| Naval Air Station, Patuxent River | 2,209,000 |
| Naval Air Facility (Andrews AFB) John H. Towers Field | 3,200,000 |
| Air Force: Andrews AFB, Camp Springs | 920,000 |
| Total | 14,325,000 |

MASSACHUSETTS

| | |
|---|---|
| Army: | |
| Boston Defense Area | 58,000 |
| Fort Devens | 6,719,000 |
| Air Force: | |
| Laurence G. Hanscom Field, Bedford | 3,469,000 |
| Otis AFB, Falmouth | 559,000 |
| Westover AFB, Chicopee Falls | 2,073,000 |
| Total | 12,878,000 |

MICHIGAN

| | |
|---|---|
| Air Force: | |
| Kinross AFB, Sault Ste. Marie | 1,118,000 |
| K. I. Sawyer Municipal Airport, Marquette | 905,000 |
| Selfridge AFB, Mount Clemens | 2,898,000 |
| Wurtsmith AFB, Oscoda | 2,153,000 |
| Total | 7,074,000 |

*Summary of military public works bill, fiscal year 1958, continental United States—Continued*

MINNESOTA

| | |
|---|---|
| Air Force: Duluth Municipal Airport, Duluth | $4,499,000 |

MISSISSIPPI

| | |
|---|---|
| Navy: Naval Auxiliary Air Station, Meridian | 13,387,000 |
| Air Force: | |
| Columbus AFB, Columbus | 2,320,000 |
| Greenville AFB, Greenville | 19,389,000 |
| Keesler AFB, Biloxi | 2,209,000 |
| Total | 37,305,000 |

MISSOURI

| | |
|---|---|
| Army: Fort Leonard Wood | 4,663,000 |
| Air Force: | |
| Aeronautical Chart and Information Center, St. Louis | 60,000 |
| Grandview AFB, Kansas City | 1,100,000 |
| Whiteman AFB, Knobnoster | 235,000 |
| Total | 6,058,000 |

MONTANA

| | |
|---|---|
| Air Force: | |
| Glasgow site | 3,232,000 |
| Malmstrom AFB, Great Falls | 3,518,000 |
| Total | 6,750,000 |

NEBRASKA

| | |
|---|---|
| Army: Sioux Ordnance Depot | 249,000 |
| Air Force: | |
| Lincoln AFB, Lincoln | 37,000 |
| Offutt AFB, Omaha | 7,631,000 |
| Total | 7,967,000 |

NEVADA

| | |
|---|---|
| Army: Lake Mead Base | 138,000 |
| Navy: Naval Auxiliary Air Station, Fallon | 4,199,000 |
| Air Force: | |
| Indian Spring Air Force Base | 206,000 |
| Nellis Air Force Base, Las Vegas | 436,000 |
| Stead Air Force Base, Reno | 1,945,000 |
| Total | 6,924,000 |

NEW HAMPSHIRE

| | |
|---|---|
| Army: Cold Regions Laborary | 2,496,000 |
| Air Force: Portsmouth Air Force Base, Portsmouth | 2,344,000 |
| Total | 4,840,000 |

NEW JERSEY

| | |
|---|---|
| Army: Camp Kilmer | 2,381,000 |
| Air Force: McGuire Air Force Base, Wrightstown | 595,000 |
| Total | 2,976,000 |

NEW MEXICO

| | |
|---|---|
| Army: | |
| Manzano Base | 50,000 |
| White Sands Proving Ground | 16,530,000 |
| Air Force: | |
| Clovis AFB, Clovis | 2,149,000 |
| Holloman AFB, Alamogordo | 11,869,000 |
| Walker AFB, Roswell | 9,676,000 |
| Kirtland AFB, Albuquerque | 2,276,000 |
| Total | 42,550,000 |

NEW YORK

| | |
|---|---|
| Army: | |
| Bellemore, Long Island | 1,201,000 |
| Brooklyn Army Base | 1,169,000 |
| Fort Totten | 200,000 |
| United States Military Academy | 1,666,000 |
| Navy: Naval Shipyard, Brooklyn | 1,452,000 |

*Summary of military public works bill, fiscal year 1958, continental United States*—Continued

NEW YORK

| | |
|---|---|
| Air Force: | |
| Griffiss AFB, Rome | $10,410,000 |
| Mitchel AFB, Hempstead | 963,000 |
| Niagara Falls Municipal Airport | 674,000 |
| Plattsburg AFB, Plattsburg | 231,000 |
| Stewart AFB, Newburgh | 694,000 |
| Suffolk County AFB, Westhampton | 956,000 |
| Total | 19,616,000 |

NORTH CAROLINA

| | |
|---|---|
| Army: Fort Bragg | 1,051,000 |
| Navy: | |
| Marine Corps Air Station, Cherry Point | 6,503,000 |
| Naval Seaplane Facility, Harvey Point | 5,728,000 |
| Marine Corps Air Facility, New River, Jacksonville | 39,000 |
| Marine Corps Base, Camp Lejeune | 2,372,000 |
| Air Force: Seymour Johnson AFB, Goldsboro | 9,991,000 |
| Total | 25,684,000 |

NORTH DAKOTA

| | |
|---|---|
| Air Force: | |
| Grand Forks AFB, Grand Forks | 5,079,000 |
| Minot AFB, Minot | 6,889,000 |
| Total | 11,968,000 |

OHIO

| | |
|---|---|
| Army: Cleveland Defense Area | 350,000 |
| Air Force: | |
| Lockbourne AFB, Columbus | 1,504,000 |
| Wright-Patterson AFB, Dayton | 1,777,000 |
| Youngstown Municipal Airport, Youngstown | 217,000 |
| Total | 3,848,000 |

OKLAHOMA

| | |
|---|---|
| Air Force: | |
| Altus AFB, Altus | 848,000 |
| Clinton-Sherman AFB, Clinton | 536,000 |
| Tinker AFB, Oklahoma City | 2,674,000 |
| Vance AFB, Enid | 1,977,000 |
| Total | 6,035,000 |

OREGON

| | |
|---|---|
| Air Force: | |
| Klamath Falls Municipal Airport, Klamath | 1,299,000 |
| Portland International Airport, Portland | 3,768,000 |
| Total | 5,067,000 |

PENNSYLVANIA

| | |
|---|---|
| Army: New Cumberland General Depot | 464,000 |
| Navy: | |
| Naval Air Development Center, Johnsville | 39,000 |
| Naval Ordnance Supply Office, Mechanicsburg | 155,000 |
| Aviation Supply Office, Philadelphia | 550,000 |
| Air Force: | |
| Olmstead AFB, Middletown | 1,673,000 |
| Marietta AF Station | 2,438,000 |
| Total | 5,319,000 |

*Summary of military public works bill, fiscal year 1958, continental United States*—Continued

RHODE ISLAND

| | |
|---|---|
| Navy: | |
| Naval Station, Newport | $2,729,000 |
| Naval Air Station, Quonset Point | 882,000 |
| Total | 3,611,000 |

SOUTH CAROLINA

| | |
|---|---|
| Army: | |
| Charleston Transportation Corps Depot | 306,000 |
| Navy: | |
| Marine Corps Auxiliary Air Station, Beaufort | 2,632,000 |
| Marine Corps Recruit Depot, Parris Island | 2,643,000 |
| Air Force: | |
| Charleston AFB, Charleston | 2,216,000 |
| Donaldson AFB, Greenville | 1,623,000 |
| Myrtle Beach Municipal Airport, Myrtle Beach | 1,204,000 |
| Shaw AFB, Sumter | 1,184,000 |
| Total | 11,808,000 |

SOUTH DAKOTA

| | |
|---|---|
| Air Force: | |
| Elsworth AFB, Rapid City | 1,976,000 |
| Rushmore AFS, Rapid City | 56,000 |
| Total | 2,032,000 |

TENNESSEE

| | |
|---|---|
| Army: | |
| Clarksville Base | 200,000 |
| Oak Ridge Defense Area | 449,000 |
| Air Force: | |
| McGhee-Tyson Airport, Knoxville | 189,000 |
| Mallory AFS, Memphis | 1,561,000 |
| Sewart AFB, Smyrna | 484,000 |
| Total | 3,183,000 |

TEXAS

| | |
|---|---|
| Army: | |
| Fort Bliss | 7,704,000 |
| Medina Base | 125,000 |
| Fort Hood | 2,362,000 |
| Killeen Base | 379,000 |
| Fort Worth General Depot | 95,000 |
| Fort Sam Houston | 675,000 |
| Navy: | |
| Naval Auxiliary Air Station, Chase Field | 566,000 |
| Naval Air Station, Corpus Christi | 140,000 |
| Ordnance Aerophysics Laboratory, Daingerfield | 2,649,000 |
| Naval Auxiliary Air Station, Kingsville | 160,000 |
| Air Force: | |
| Amarillo AFB, Amarillo | 2,872,000 |
| Bergstrom AFB, Austin | 1,487,000 |
| Biggs AFB, El Paso | 5,557,000 |
| Carswell AFB, Fort Worth | 2,249,000 |
| Dyess AFB, Abilene | 100,000 |
| Ellington AFB, Houston | 8,000 |
| Foster AFB, Victoria | 683,000 |
| Gray AFB, Kileen | 34,000 |
| Harlingen AFB, Harlingen | 262,000 |
| James Connally AFB, Waco | 191,000 |
| Kelly AFB, San Antonio | 899,000 |
| Laughlin AFB, Del Rio | 250,000 |
| Perrin AFB, Sherman | 460,000 |
| Randolph AFB, San Antonio | 2,858,000 |
| Reese AFB, Lubbock | 5,909,000 |
| Sheppard AFB, Wichita Falls | 4,442,000 |
| Webb AFB, Big Spring | 4,118,000 |
| Total | 47,234,000 |

UTAH

| | |
|---|---|
| Army: Dugway Proving Ground | 54,000 |
| Air Force: Hill AFB, Ogden | 1,911,000 |
| | 1,965,000 |

*Summary of military public works bill, fiscal year 1958, continental United States*—Continued

VERMONT

| | |
|---|---|
| Air Force: Ethan Allen AFB, Winooski | $723,000 |

VIRGINIA

| | |
|---|---|
| Army: | |
| Fort Belvoir | 1,654,000 |
| Fort Eustis | 562,000 |
| A. P. Hill Military Reservation | 153,000 |
| Fort Lee | 5,417,000 |
| Navy: | |
| Naval Air Station, Chincoteague | 2,818,000 |
| Naval Air Station, Norfolk | 39,000 |
| Naval Communication Station, Norfolk | 443,000 |
| Public Works Center, Norfolk | 3,244,000 |
| Naval Air Station, Oceana | 6,975,000 |
| Marine Corps Schools, Quantico | 1,923,000 |
| Air Force: Langley AFB, Hampton | 20,000 |
| Total | 23,248,000 |

WASHINGTON

| | |
|---|---|
| Army: | |
| Camp Hanford | 1,045,000 |
| Fort Lewis | 2,298,000 |
| Seattle Market Center | 40,000 |
| Navy: | |
| Naval Ammunition Depot, Bangor | 316,000 |
| Naval Shipyard, Bremerton | 25,438,000 |
| Naval Air Station, Whidbey Island | 9,365,000 |
| Air Force: | |
| Fairchild AFB, Spokane | 1,480,000 |
| Geiger Field, Spokane | 1,583,000 |
| Larson AFB, Moses Lake | 12,552,000 |
| McChord AFB, Tacoma | 632,000 |
| Total | 54,749,000 |

WEST VIRGINIA

| | |
|---|---|
| Navy: Naval Radio Facility, Sugar Grove | 6,600,000 |

WISCONSIN

| | |
|---|---|
| Air Force: | |
| Richard Bong AFB, Kansasville | 7,804,000 |
| Truax Field, Madison | 130,000 |
| Total | 7,934,000 |

Mr. VINSON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

## MISSING PERSONS ACT

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5807) to amend further and make permanent the Missing Persons Act, as amended, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after "departments" insert "exclusive of part time or intermittent employees or native labor casually hired on an hourly or per diem basis."

Page 4, lines 13 and 14, strike out "after an investigation a finding is made that."

Page 4, line 16, strike out "an active" and insert "a."

Page 5, line 6, strike out "imprisonment." " and insert "imprisonment.

"(c) No part of any amount paid on any claim filed pursuant to subsection (b) of this section in excess of 10 percent of the first $1,000 so paid on such claim, and 7 percent of the amount so paid over $1,000, shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $10,000 or imprisoned not more than 1 year, or both."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, I would like to know what is in this legislation.

Mr. BROOKS of Louisiana. May I say to the distinguished gentleman from Ohio that this is what is known as the Permanent Missing Persons Act. Previously we temporarily extended the Missing Persons Act. This bill was approved by the House and contained a provision for missing persons in the future and also a provision for the Philippine scouts. This bill went to the Senate and the Senate has made some minor changes. Perhaps the most important change is the one which they made adding subsection (c) to the bill. Subsection (c) limits the fees of attorneys that may handle cases to 10 percent up to $1,000 and above $1,000 the fee is limited to 7 percent. That is the most important amendment, perhaps, in the bill.

Mr. BROWN of Ohio. I thank the gentleman for his explanation of the bill. I reserved the right to object because I feel in these closing days of the Congress the Members of this House should at least be advised as to what amendments they are accepting or what conference reports are agreed to before they are called upon to vote. I withdraw my reservation of objection, Mr. Speaker.

Mr. BROOKS of Louisiana. The gentleman is always diligent.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

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## STADIUM IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the conference report on the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman is going to explain the changes made in this bill.

Mr. McMILLAN. Yes.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1183)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, having met, under full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

JOHN L. McMILLAN,
OREN HARRIS,
OLIN E. TEAGUE,
SID SIMPSON,
JOS. P. O'HARA,
*Managers on the Part of the House.*

ALAN BIBLE,
J. ALLEN FREAR, Jr.
J. GLENN BEALL,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The House bill requires the Armory Board to issue bonds to provide for payment of the cost of the stadium and the land upon which the stadium is located. This Senate amendment requires the Armory Board to issue bonds for payment of the cost of the stadium only. The House recedes.

Amendment No. 2: The House bill provides that the bonds to be issued by the Armory Board are to bear interest at a rate not more than that approved by the Secretary of the Treasury. This Senate amendment provides that the bonds shall bear interest at a rate of not more than 6 percent per annum. The House recedes.

Amendment No. 3: The House bill permitted the Armory Board to operate or contract for the operation of concessions for the sale of nonalcoholic beverages at the stadium. This Senate amendment strikes out the word "nonalcoholic." The House recedes.

JOHN L. McMILLAN,
OREN HARRIS,
OLIN E. TEAGUE,
SID SIMPSON,
JOS. P. O'HARA,
*Managers on the Part of the House.*

Mr. McMILLAN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the conferees on the part of the House and the Senate discussed these three amendments at length. We came to the conclusion that this bill, if enacted, would give the Housing and Home Finance Agency permission to grant some money to make plans, and study this proposed stadium. We thought at the proper time after the Armory Board came up with a plan as to the type of stadium to be built, if they decide to erect a stadium at all, then we could consider perfecting amendments at that time concerning what would be sold in the stadium, and items such as a number of Members have indicated an interest.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. McMILLAN. I yield to the gentleman.

Mr. TABER. Is it a fact that under this conference report the United States Government would be stuck with the cost of the land to the tune of about $5 million?

Mr. McMILLAN. It is my understanding that the United States Government already owns the land. This land was purchased some years ago for a memorial stadium. It is considered property of the National Park System and purchased for recreation purposes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. GROSS. But the Government owns this valuable land and under the terms of the bill would donate it to this stadium project; is that true?

Mr. McMILLAN. It was the opinion of the conferees that there should be some amendments to the bill after a study was made of the proposed stadium, as to whether the District of Columbia would pay for the land or the Armory Board or the Federal Government. We were of the opinion that a study of the project should be made before amending the bill or act.

Mr. GROSS. In other words, the amendment that was adopted by the House was lost in the conference. That was my amendment which provided that the stadium corporation should pay for the land on which the stadium would be erected. That was lost in the conference, is that correct?

Mr. McMILLAN. In the original bill we were supposed to purchase four additional acres at a cost of $1 million. That was knocked out by the Senate. We decided that since the Government already owned all the other land, we would not make any other provision or changes until it was actually decided to build a stadium.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman.

Mr. HARRIS. Is it not a fact that this property that is to be made available for this purpose was purchased for the purpose years ago, for recreational facilities, and so forth? This bill provides that this property shall be made available for that purpose and that at a certain time when the bonds have been repaid—not more than 50 years, but very likely much less than that—it shall be given to the District of Columbia, which is a part of the Federal Government. It is a Federal Government

project and for that reason it should be donated to the Federal Government. It would seem that property that is owned by the Federal Government for the development of its own properties should be made available for this purpose. The conferees thought they were thoroughly justified in that kind of a program.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. McMILLAN. I yield.

Mr. GROSS. I am not interested in this 50-year proposition, because I will be dead and gone then. I am interested in the taxpayers of this country, who are paying altogether too many of the bills around here in one way or another. I do not know of any reason why this corporation should not buy the land from the Government. There is no reason in the world why the Government should not take that money, and use it, for instance to build post offices that are very badly needed in some places.

Mr. HARRIS. Mr. Speaker, will the gentleman yield to me?

Mr. McMILLAN. I yield to the gentleman from Arkansas.

Mr. HARRIS. The Government is not putting any money in this.

Mr. GROSS. Are they getting anything out of it?

Mr. HARRIS. Yes; they are getting a stadium, a very fine facility which is going to be given to the Government.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. SEELY-BROWN. Can the gentleman advise us as to the interest that is going to be paid on these bonds?

Mr. McMILLAN. Not more than 6 percent.

Mr. SEELY-BROWN. Does the Government stand behind the bonds?

Mr. McMILLAN. No, sir.

Mr. SEELY-BROWN. Are the bonds tax exempt?

Mr. McMILLAN. Yes.

Mr. SEELY-BROWN. That is a very attractive buy, is it not?

Mr. McMILLAN. I suppose it would be attractive.

Mr. GROSS. If the gentleman will yield further, the interest rate can be anything up to 6 percent, is that correct?

Mr. McMILLAN. That is correct.

Mr. GROSS. That is another beautiful deal when tied to tax-free bonds.

Mr. HARRIS. It is a matter of fact that bonds for purposes of this kind all over the country are paying interest at the rate of 5, 5½, or 6 percent. Therefore this is no different from what you have in respect to any other State throughout the country, whether in California or my State or the gentleman's State.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Are all bonds that provide for the construction of stadiums such as this in other cities tax exempt?

Mr. HARRIS. If they are municipally owned or are part of the municipality they are tax exempt, or if they are State-owned they are tax exempt.



Mr. McMILLAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I dislike very much taking a position contrary to that of my distinguished chairman and the distinguished conferees on the part of the House who agreed to this conference report, but I must urge that this conference report be rejected.

This bill is an out and out authorization for the building of a $6-million stadium. It gives the Armory Board the full right and authority to do anything and everything it pleases, once the law is enacted, with reference to the construction and maintenance of this stadium.

The reason given for enacting it at this time is that such enactment will enable the Armory Board to get $35,000 from the Housing and Home Finance Agency to make a survey to determine whether or not this stadium will be feasible, both as to construction and operation. The Board needs that money for the survey and can get it nowhere else. To accomplish that, we should bring in a simple resolution authorizing the Board to make the survey. That would make the money available and we could get the survey. The Board could then tell us whether it is feasible and what we should do about it.

Once this bill becomes law, there is no regulating the Board's activities. There is $6 million involved here, all of which could be committed the day after the law becomes effective and the District government would be duty bound to back up the commitments.

In addition, as has already been pointed out, these bonds are tax exempt, with a maximum interest rate of 6 percent, and are redeemable at the price of $105 for every $100 bond. I heard the gentleman from Arkansas remark that bonds of this kind are being sold throughout the country at an interest rate of 5 to 5½ percent. Take the Wall Street Journal of today or yesterday, and I have both in my hand, and you will find that private bonds, not tax exempt, are yielding 4 to 4½ percent. United States Government obligations are yielding 4 percent maximum today, and they are not tax exempt.

I say to you in all fairness, this conference report ought to be rejected now.

The way to proceed is to get an authorization for a survey first, spend the $35,000 to get the survey, and then decide what we should do on the basis of that survey. I want a stadium in the District. I sincerely believe this is not the way to get it.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Can the gentleman cite any place in the United States that is more in need of a facility of this kind than our Nation's Capital?

Mr. MULTER. Yes. The city of New York needs not one but two stadiums, but we are refusing to build stadiums with municipal funds. Our municipal bonds in the city of New York are tax exempt and are selling to yield under 4 percent.

Mr. HARRIS. San Francisco is building a stadium to give to the New York Giants, too.

Mr. MULTER. Yes; they are. I am sure they are not doing it with tax-exempt bonds. I believe it will be done with private funds.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Iowa.

Mr. GROSS. Last year the House authorized $5 million for the building of a stadium at Cleveland, Ohio, but this year that was wiped out. There will be no stadium built at Cleveland, Ohio. Congress did not make an appropriation for it. I am glad they did not.

Mr. HARRIS. If the gentleman will yield, that money was to be provided out of the Treasury of the United States. This is not. This is a private operation and will cost the Government nothing for the construction of the stadium, yet it is a facility that is badly needed.

Mr. MULTER. It will cost nothing except the taxes that otherwise would be payable on the principal and the interest on these bonds, and that is substantial. Six percent on $6 million plus $5 on every $100 when redeemed is a lot of taxable revenue. If you are only in the 50-percent income tax bracket, 6 percent interest tax-exempt means you are getting a 12-percent return on these bonds. Where can you get that on guaranteed municipal or State bonds or on any bond that is issued by any private company anywhere in this country? Look at the Wall Street Journal, as I suggested to you before. Private bonds, fully taxable that are not quaranteed by municipalities, States or governments are yielding under 4½ percent. When there is a public offering of private bonds and the lowest bid is 5 percent interest, the company invariably withdraws the offering and postpones it until a future time when the money market may be easier and they can get a lower interest quotation on the bonds.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CELLER. Does the gentleman know of any issue at 6 percent which is tax exempt?

Mr. MULTER. I do not know of any tax-exempt issue in the last 20 years that has carried any such interest rate.

Mr. CELLER. Does the gentleman know the name of the broker or the brokerage house that is going to handle this issue?

Mr. MULTER. I do not believe there is any commitment. We are told they cannot get a commitment until they first spend $35,000 and bring back to the Armory Board a survey. The trouble is that nothing in the bill requires the survey to be submitted to this House in advance of the project being started. The Armory Board may proceed the minute the bill is enacted and make a commitment, if it so desires.

Mr. CELLER. Does not the gentleman think this is utterly unprecedented to issue bonds of this character guaranteed as they are bearing a 6-percent interest rate and tax exempt? Is that not unprecedented?

Mr. MULTER. It is to my knowledge. I know of no similar instance.

Mr. CELLER. And these bonds when issued are to be secured by a mortgage and a sinking fund.

Mr. MULTER. That is correct. The mortgage will cover both the land now owned by the Government and the stadium when completed. The revenues will go into a sinking fund to guarantee principal and interest.

The SPEAKER. The time of the gentleman from New York has expired.

The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. McMILLAN) there were—ayes 30, noes 59.

Mr. McMILLAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 135, nays 234, not voting 63, as follows:

[Roll No. 200]

YEAS—135

| | | |
|---|---|---|
| Abernethy | Forand | Norrell |
| Albert | Ford | Osmers |
| Allen, Calif. | Forrester | Passman |
| Anderson, Mont. | Friedel | Patterson |
| Arends | Fulton | Pilcher |
| Ashmore | Garmatz | Poage |
| Aspinall | Gary | Price |
| Ayres | Gavin | Rains |
| Bailey | Halleck | Reece, Tenn. |
| Bass, Tenn. | Hardy | Rhodes, Ariz. |
| Bennett, Fla. | Harris | Riley |
| Bennett, Mich. | Haskell | Rivers |
| Blitch | Hébert | Rogers, Fla. |
| Boggs | Hemphill | Rogers, Mass. |
| Bolling | Herlong | Rooney |
| Bonner | Hillings | Roosevelt |
| Boykin | Holifield | Rutherford |
| Brown, Ga. | Huddleston | Saylor |
| Broyhill | Hyde | Sieminski |
| Burdick | James | Sikes |
| Burleson | Jarman | Simpson, Ill. |
| Byrnes, Wis. | Karsten | Simpson, Pa. |
| Canfield | Kearns | Smith, Miss. |
| Carnahan | Kee | Smith, Va. |
| Carrigg | Kilday | Staggers |
| Cederberg | King | Steed |
| Clark | Kitchin | Sullivan |
| Coffin | Knox | Teague, Calif. |
| Cole | Landrum | Teague, Tex. |
| Cooley | Lanham | Tewes |
| Corbett | Lankford | Thomas |
| Davis, Ga. | Long | Thompson, N. J. |
| Dempsey | McMillan | Thompson, Tex. |
| Devereux | Mack, Ill. | Thornberry |
| Dorn, S. C. | Mahon | Trimble |
| Dowdy | Martin | Vinson |
| Durham | Matthews | Vorys |
| Edmondson | Meader | Wainwright |
| Elliott | Merrow | Walter |
| Engle | Metcalf | Whitten |
| Fallon | Miller, Md. | Wier |
| Fascell | Mills | Williams, Miss. |
| Fisher | Montoya | Withrow |
| Flood | Morano | Wright |
| Flynt | Morris | |
| | Nicholson | |

NAYS—234

| | | |
|---|---|---|
| Abbitt | Baldwin | Boyle |
| Adair | Barden | Breeding |
| Addonizio | Baring | Brooks, La. |
| Alexander | Barrett | Brooks, Tex. |
| Andersen, H. Carl | Bates | Broomfield |
| Andresen, August H. | Becker | Brown, Mo. |
| Andrews | Beckworth | Brown, Ohio |
| Ashley | Belcher | Budge |
| Auchincloss | Berry | Bush |
| Avery | Betts | Byrd |
| Baker | Blatnik | Byrne, Ill. |
| | Boland | Byrne, Pa. |
| | Bosch | Cannon |
| Celler | Horan | Radwan |
| Chamberlain | Hosmer | Ray |
| Chelf | Hull | Reed |
| Chenoweth | Ikard | Rees, Kans. |
| Chudoff | Jenkins | Reuss |
| Church | Jensen | Rhodes, Pa. |
| Clevenger | Johansen | Riehlman |
| Collier | Johnson | Roberts |
| Colmer | Jonas | Robeson, Va. |
| Cooper | Jones, Ala. | Rodino |
| Coudert | Jones, Mo. | Rogers, Colo. |
| Cramer | Judd | Rogers, Tex. |
| Cunningham, Iowa | Kean | Sadlak |
| | Keating | Santangelo |
| Cunningham, Nebr. | Keeney | St. George |
| | Kelley, Pa. | Saund |
| Curtin | Kelly, N. Y. | Schenck |
| Curtis, Mass. | Keogh | Scherer |
| Curtis, Mo. | Kilgore | Schwengel |
| Dague | Kirwan | Scott, Pa. |
| Davis, Tenn. | Kluczynski | Scrivner |
| Dawson, Utah | Knutson | Scudder |
| Delaney | Lane | Seely-Brown |
| Denton | Latham | Selden |
| Derounian | LeCompte | Shuford |
| Diggs | Lennon | Siler |
| Dingell | Lesinski | Sisk |
| Dixon | Lipscomb | Smith, Calif. |
| Dollinger | McCulloch | Smith, Kans. |
| Donohue | McDonough | Smith, Wis. |
| Dooley | McFall | Spence |
| Dorn, N. Y. | McGovern | Springer |
| Dwyer | McGregor | Stauffer |
| Eberharter | McIntire | Taber |
| Evins | McIntosh | Talle |
| Feighan | McVey | Taylor |
| Fino | Machrowicz | Teller |
| Fogarty | Mack, Wash. | Thompson, La. |
| Fountain | Marshall | Thomson, Wyo. |
| Frazier | May | Tollefson |
| Frelinghuysen | Michel | Tuck |
| Gathings | Miller, Nebr. | Ullman |
| Granahan | Minshall | Utt |
| Grant | Moore | Vanik |
| Gray | Morgan | Van Pelt |
| Green, Pa. | Moss | Van Zandt |
| Gregory | Moulder | Vursell |
| Griffin | Multer | Watts |
| Griffiths | Mumma | Weaver |
| Gross | Murray | Westland |
| Gubser | Natcher | Wharton |
| Hagen | Neal | Whitener |
| Hale | Nimtz | Widnall |
| Haley | O'Brien, Ill. | Wigglesworth |
| Harden | O'Hara, Ill. | Williams, N. Y. |
| Harrison, Nebr. | O'Konski | Willis |
| Harrison, Va. | Ostertag | Wilson, Calif. |
| Harvey | Patman | Wilson, Ind. |
| Healey | Pelly | Winstead |
| Henderson | Perkins | Wolverton |
| Heselton | Pfost | Yates |
| Hess | Philbin | Young |
| Hill | Poff | Younger |
| Hoeven | Polk | Zablocki |
| Holland | Porter | Zelenko |
| Holmes | Prouty | |
| Holt | Rabaut | |

NOT VOTING—63

| | | |
|---|---|---|
| Alger | Farbstein | Macdonald |
| Allen, Ill. | Fenton | Madden |
| Anfuso | George | Magnuson |
| Bass, N. H. | Gordon | Mailliard |
| Baumhart | Green, Oreg. | Mason |
| Beamer | Gwinn | Miller, Calif. |
| Bentley | Hays, Ark. | Miller, N. Y. |
| Bolton | Hays, Ohio | Morrison |
| Bow | Hiestand | Norblad |
| Bray | Hoffman | O'Brien, N. Y. |
| Brownson | Holtzman | O'Hara, Minn. |
| Buckley | Jackson | O'Neill |
| Chiperfield | Jennings | Pillion |
| Christopher | Kearney | Powell |
| Coad | Kilburn | Preston |
| Cretella | Krueger | Robsion, Ky. |
| Dawson, Ill. | Laird | Scott, N. C. |
| Dellay | Loser | Sheehan |
| Dennison | McCarthy | Shelley |
| Dies | McConnell | Sheppard |
| Doyle | McCormack | Udall |

So the conference report was rejected.

The Clerk announced the following pairs:

Mr. Udall with Mr. Fenton.
Mr. Hays of Arkansas with Mr. Dellay.
Mr. Morrison with Mr. Norblad.
Mr. Scott of North Carolina with Mr. Alger.
Mr. Shelley with Mr. Allen of Illinois.
Mr. Sheppard with Mr. Bass of New Hampshire.
Mr. Jennings with Mr. Bentley.
Mr. Dawson of Illinois with Mr. Krueger.
Mr. Gordon with Mr. Sheehan.
Mr. McCarthy with Mr. Hiestand.
Mr. O'Neill with Mr. Beamer.
Mr. Doyle with Mr. Kilburn.
Mr. Miller of California with Mr. Hoffman.
Mr. Coad with Mr. O'Hara of Minnesota.
Mr. Dies with Mr. Baumhart.
Mr. Madden with Mr. Cretella.
Mr. Magnuson with Mr. Bow.
Mr. Macdonald with Mrs. Bolton.
Mr. Preston with Mr. Miller of New York.
Mr. Hays of Ohio with Mr. Brownson.
Mr. Christopher with Mr. Mailliard.
Mr. Loser with Mr. Gwinn.
Mr. Anfuso with Mr. Robsion of Kentucky.
Mr. Buckley with Mr. Mason.
Mr. Powell with Mr. Kearney.
Mr. Farbstein with Mr. Dennison.
Mr. Holtzman with Mr. Chiperfield.
Mr. O'Brien of New York with Mr. Jackson.

Mr. JONAS, Mr. WHITENER, and Mr. JUDD changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

## IMPLEMENTING A TREATY AND AGREEMENT WITH THE REPUBLIC OF PANAMA

Mr. BONNER. Mr. Speaker, I call up the conference report on the bill (H. R. 6709) to implement a treaty and agreement with the Republic of Panama and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1196)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6709) To implement a treaty and agreement with the Republic of Panama and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—CONVEYANCE OF PROPERTY TO THE REPUBLIC OF PANAMA AND FISCAL ADJUSTMENTS BY PANAMA CANAL COMPANY

"SEC. 101. It is hereby declared to be the purpose of this title—

"(1) to authorize and direct the fulfillment of those provisions of the Treaty of Mutual Understanding and Cooperation between the United States of America and the Republic of Panama signed on January 25, 1955, and of the memorandum of understandings reached signed on the same date, which contemplate, subject to authorization by the Congress, the conveyance of various lands and improvements to the Republic of Panama, including, but not limited to, conveyance of the lands and improvements in, and simultaneous relinquishment of all right, power and authority in, the area known as Paitilla Point, and including the removal of the railway terminal operations of the Panama Canal Company from the city of

Panama and the conveyance of the lands and improvements known as Panama Railroad Yard in the city of Panama; and

"(2) to authorize and provide for the adjustments in the fiscal obligations of the Panama Canal Company necessitated by the aforesaid conveyances.

"SEC. 102. (a) In accordance with and subject to the provisions of article V of the Treaty of Mutual Understanding and Cooperation between the United States of America and the Republic of Panama signed on January 25, 1955, and item 2 of the memorandum of understandings reached signed on same date—

"(1) the Secretary of State is authorized and directed to convey to the Republic of Panama free of cost all the right, title, and interest held by the United States of America or its agencies in and to the land and improvements in the area known as Paitilla Point and in the areas designated in paragraphs 1, 2, and 3 of paragraph (a) of said item 2; and

"(2) the Panama Canal Company is authorized and directed to remove its operations and withdraw from the other lands and improvements designated in said item 2, and to convey to the Republic of Panama free of cost all the right, title, and interest held by the Panama Canal Company and the United States of America in and to said other lands and improvements.

"(b) The market value of the property of the Panama Canal Company conveyed under this directive or by operation of articles VI or VII of the treaty and the net capital loss, if any, as established by the Panama Canal Company and approved by the Director of the Bureau of the Budget, sustained in the disposal, relocation, or reutilization of any facility or other property of the Panama Canal Company rendered excess, wholly or in part, by operation of articles V or XII of the treaty or items 2, 6, 9, or 10 of the memorandum of understandings reached shall be treated as extraordinary expenditures and losses incurred through directives based on national policy and not related to the operations of the corporation, within the meaning of section 246 (d) of title 2 of the Canal Zone Code, as added by the Act of June 29, 1948 (ch. 706, 62 Stat. 1075). The market value of Canal Zone Government property conveyed under this directive shall be removed from the capital investment of the United States in the Canal Zone Government without charge to the costs of operation of that agency. There are hereby authorized to be appropriated such amounts as may be required for the necessary replacement of property or facilities of the Panama Canal Company or Canal Zone Governmnent conveyed or rendered excess as the result of the treaty or memorandum, such amounts to be charged to the Panama Canal Company or the Canal Zone Government, respectively.

And the Senate agree to the same.

HERBERT C. BONNER,
LEONOR K. SULLIVAN,
EDWARD A. GARMATZ,
THOR C. TOLLEFSON,
TIMOTHY P. SHEEHAN,
*Managers on the Part of the House.*

WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK J. LAUSCHE,
JOHN M. BUTLER,
NORRIS COTTON,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6709) to implement a treaty and agreement with the Republic of Panama and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the bill as passed by the House added a provision allocating to the Panama Canal Company the payment of an increase in the annuity paid by the United States to the Republic of Panama pursuant to the Treaty of January 25, 1955. It was agreed at the Conference that this matter of internal accounting as between the Treasury and the Panama Canal Company should more properly be the subject of a separate bill.

The Senate amendment to the House bill contained section numbers that it was believed should be retained.

HERBERT C. BONNER,
LEONOR K. SULLIVAN,
EDWARD A. GARMATZ,
THOR C. TOLLEFSON,
TIMOTHY P. SHEEHAN,
*Managers on the Part of the House.*

Mr. BONNER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

## ATOMIC ENERGY COMMISSION

Mr. DURHAM submitted the following conference report and statement on the bill (H. R. 8996) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 1204)

The committee of conference on the disagreeing votes of the two House on the amendments of the Senate to the bill (H. R. 8996) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same with an amendment: In lieu of the matter proposed to be inserted in the Senate amendment, insert the following:

"SEC. 101. Authorization: There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $222,230,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

"(a) Raw materials.—

"1. Project 58–a–1, offsite access roads.

"(b) Special nuclear materials.—

"1. Project 58–b–1, fabrication plant, $5,000,000.

"2. Project 58–b–2, mechanical production line, Hanford, Washington, $1,500,000.

"3. Project 58–b–3, metal treatment plant, Fernald, Ohio, $850,000.

"4. Project 58–b–4, improvements to production and supporting installations, Hanford, Washington, and Savannah River, South Carolina, $10,000,000.

"5. Project 58–b–5, additions to scrap plants, various sites, $1,500,000.

"6. Project 58–b–6, additions to gaseous diffusion plants, $6,600,000.

"7. Project 58–b–7, reduction in fire hazards—gaseous diffusion plants, Oak Ridge, Paducah, and Portsmouth, $12,000,000.

"8. Project 58–b–8, production reactor for special nuclear materials; development, design, and engineering only, $3,000,000. The Commission shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable after authorization by the Congress, of a large scale single or dual purpose reactor for the production of special nuclear materials. The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958.

"(c) Atomic weapons.—

"1. Project 58–c–1, weapons production and development plant, $10,000,000.

"2. Project 58–c–2, weapons special component plant, $6,000,000.

"(d) Atomic weapons.—

"1. Project 58–d–1, manufacturing plant expansion, Albuquerque, New Mexico, $3,325,000.

"2. Project 58–d–2, storage site modifications, $2,000,000.

"3. Project 58–d–3, high explosive development plant, Livermore, California, $2,100,000.

"4. Project 58–d–4, engineering and laboratory building, Los Alamos, New Mexico, $1,013,000.

"5. Project 58–d–5, ventilation system replacements, Los Alamos, New Mexico, $618,000.

"6. Project 58–d–6, reclamation foundry, shop, and warehouse, Sandia Base, New Mexico, $308,000.

"7. Project 58–d–7, reactor, area III, Sandia Base, New Mexico, $2,900,000.

"8. Project 58–d–8, base construction, Nevada test site, $350,000.

"9. Project 58–d–9, base construction, Eniwetok Proving Ground, $7,917,000.

"(e) Reactor development.—

"1. Project 58–e–1, power reactor development acceleration project, $11,500,000.

"2. Project 58–e–2, Puerto Rico power reactor.

"3. Project 58–e–3, fuels technology center, Argonne National Laboratory, Illinois, $10,000,000.

"4. Project 58–e–4, modifications and additions, aircraft nuclear propulsion ground test plant, area numbered 1, National Reactor Testing Station, Idaho, $8,000,000.

"5. Project 58–e–5, test installations for classified project, $9,000,000.

"6. Project 58–e–6, project Sherwood plant, $7,750,000.

"7. Project 58–e–7, waste calcination system, National Reactor Testing Station, Idaho, $4,000,000.

"8. Project 58–e–8, hot cells, $3,500,000.

"9. Project 58–e–9, high temperature test installation, Bettis plant, Pennsylvania, $3,000,000.

"10. Project 58–e–10, destroyer reactor development plant, $750,000.

"11. Project 58–e–11, sodium reactor experiment (SRE) modification, Santa Susana, California, $4,700,000.

"12. Project 58–e–12, liquid metal fuel reactor experiment (LMFRE), $17,500,000.

"13. Project 58–e–13, Argonne boiling reactor (ARBOR), National Reactor Testing Station, Idaho, $8,500,000.

"14. Project 58–e–14, natural uranium, graphite moderated, gas cooled, power reactor prototype development, design, and engineering only, $3,000,000. The Commission shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable after authorization by the Congress, of a large scale natural uranium power reactor prototype. The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958.

"15. Project 58–e–15, plutonium recycle experimental reactor designed for the production of 15,000 electrical kilowatt equivalent, $15,000,000.

"(f) Reactor development.—

"1. Project 58–f–1, waste storage tanks, National Reactor Testing Station, Idaho, $3,700,000.

"2. Project 58–f–2, hot pilot plant, $2,000,000.

"3. Project 58–f–3, land acquisition, National Reactor Testing Station, Idaho, $1,000,000.

"(g) Physical research.—

"1. Project 58–g–1, accelerator improvements, University of California Radiation Laboratory, California, $875,000.

"(h) Physical research.—

"1. Project 58–h–1, reactor improvements, Argonne National Laboratory, Illinois, $380,000.

"(i) Biology and medicine.—

"1. Project 58–i–1, mammalian radiation injury and recovery area, Oak Ridge National Laboratory, Tennessee, $475,000.

"(j) Training, education, and information.—

"1. Project 58–j–1, nuclear training project, Regional Nuclear Training Center, Puerto Rico, $2,500,000.

"(k) Community.—

"1. Project 58–k–1, schools, Los Alamos, New Mexico, $965,000.

"2. Project 58–k–2, housing modifications, Los Alamos, New Mexico, $1,000,000.

"3. Project 58–k–3, additional water well, Los Alamos, New Mexico, $138,000.

"(l) General plant projects—$26,016,000.

"SEC. 102. Limitations: (a) The Commission is authorized to start any project set forth in subsections 101 (b), 101 (c), 101 (e), 101 (g), and 101 (j) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

"(b) The Commission is authorized to start any project set forth in subsections 101 (d), 101 (f), 101 (h), 101 (i), and 101 (k) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

"(c) The Commission is authorized to start a project under subsection 101 (l) only if it is in accordance with the following:

"1. For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

"2. For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such a project shall be $100,000.

"3. The total cost of all projects undertaken under subsection 101 (l) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

"SEC. 103. Advance planning and design: There are hereby authorized to be appropriated funds for advance planning, construction design, and architectural services, in connection with projects which are not otherwise authorized by law, and the Atomic Energy Commission is authorized to use funds currently or otherwise available to it for such purposes.

"SEC. 104. Restoration or replacement: There are hereby authorized to be appropriated funds necessary to restore or to replace plants or facilities destroyed or otherwise seriously damaged, and the Atomic Energy Commission is authorized to use funds currently or otherwise available to it for such purposes.

"SEC. 105. Currently available funds: In addition to the sums authorized to be appropriated to the Atomic Energy Commission by this Act, there are hereby authorized to be appropriated to the Atomic Energy Commission to accomplish the purposes of this Act such sums of money as may be currently available to the Atomic Energy Commission.

"SEC. 106. Substitutions: Funds authorized to be appropriated or otherwise made available by this Act may be used to start any other new project for which an estimate was not included in this Act if it be a substitute for a project authorized in subsections 101 (b), 101 (c), or 101 (d) and the estimated cost thereof is within the limit of cost of the project for which substitution is to be made, and the Commission certifies that—

"(a) the project is essential to the common defense and security; and

"(b) the new project is required by changes in weapon characteristics or weapon logistic operations; and

"(c) it is unable to enter into a contract with any person, including a licensee, on terms satisfactory to the Commission to furnish from a privately owned plant or facility the product or services to be provided in the new project.

"SEC. 107. Increases in prior project authorizations: (a) Public Law 141, Eighty-fourth Congress, first session, is amended as follows:

"(1) By striking therefrom the figure '$14,850,000' for project 56–b–2, fast power breeder pilot facility (EBR–II), and substituting therefor the figure '$29,100,000'; and

"(2) By striking therefrom the figure '$4,015,000' for project 56–f–3, new Sigma Laboratory, Los Alamos, New Mexico, and substituting therefor the figure '$5,100,000'.

"(b) Public Law 506, Eighty-fourth Congress, second session, is amended as follows:

"(1) By striking therefrom the figure '$15,000,000' for project 57–d–1, high energy accelerator, and substituting therefor the figure '$27,000,000'; and

"(2) By striking therefrom the figure '$350,000' for project 57–h–5, cosmotron target area, Brookhaven National Laboratory, and substituting therefor the figure '$3,550,000'.

"SEC. 108. Project rescissions: (a) Public Law 141, Eighty-fourth Congress, first session, is amended by rescinding therefrom authorization for certain projects, except for funds heretofore obligated, as follows:

"Project 56–b–1, power reactor development acceleration project, $25,000,000;

"Project 56–d–1, metallex pilot facility, Oak Ridge National Laboratory, $1,000,000;

"Project 56–d–3, special reactor facilities equipment, Hanford, Washington, $5,600,000;

"Project 56–d–5, conversion of pilot plant and facility to production plant and facility, Fernald, Ohio, $600,000;

"Project 56–d–8, expansion of metal recovery facility, Oak Ridge National Laboratory, $370,000;

"Project 56–f–1, art construction project, fiscal year 1956 increment, $17,873,000;

"Project 56–f–2, expansion of weapons material fabrication plant and facility, $15,000,000;

"Project 56–g–2, reactor training school, Argonne National Laboratory, $712,000;

"Project 56–g–3, chemistry cave for radioactive materials, Argonne National Laboratory, $448,000; and

"Project 56–g–7, research reactors for the development of peacetime uses of atomic energy under Agreements for Cooperation, $5,000,000.

"(b) Public Law 506, Eighty-fourth Congress, second session, is amended by rescinding therefrom authorization for certain projects, except for funds heretofore obligated, as follows:

"Project 57–a–1, additional feed materials plant, $22,200,000;

"Project 57–a–8, chemical processing facility, St. Louis, Missouri, $1,600,000;

"Project 57–a–9, barrier plant automation, Oak Ridge, Tennessee, $1,400,000;

"Project 57–a–10, reactor temperature test installation, Hanford, Washington, $900,000;

"Project 57–a–11, improvements to reactor cooling water, effluent system, Hanford, Washington, $550,000;

"Project 57–a–12, fuel element heat-treating plant, Fernald, Ohio, $500,000;

"Project 57–c–10, amended reactor development project, $15,000,000;

"Project 57–f–6, manufacturing support plant, Kansas City, Missouri, $444,000; and

"Project 57–f–8, mechanical shop additions, Livermore, California, $300,000.

"SEC. 109. Expenses for move to new principal office: (a) The Commission is authorized to use its funds for the following purposes in order to facilitate retention and relocation of Commission headquarters employees in the course of and following establishment of a new principal office outside the District of Columbia, and without limitation on the Commission's authority under existing law, as follows:

"(1) Allowance and payment for travel and transportation authorized by section 1 of the Administrative Expenses Act of 1946, as amended, in connection with the relocation of residence occurring after July 29, 1955, prior to the effective date of the employee's change of official station: *Provided, however,* That each employee who received payments under the Administrative Expenses Act of 1946, as amended, prior to his change of official station shall be obligated to reimburse the amont thereof to the Government as a debt due the United States if he separates from Commission employ, other than for reasons beyond his control or otherwise acceptable to the Commission, prior to the effective date of the employee's change of official station.

"(2) Until the move to the new principal office is effected, providing or arranging for commuting transportation to present Commisison offices in Washington, District of Columbia, for employees, including those of other agencies who are assigned to full time duty at Commission headquarters, recruited from, or who have relocated their residences in, the area of the new headquarters, to the extent necessary and at such charge as to assure an adequate work force for the new principal office where this purpose cannot be achieved by ordinary transportation.

"(3) Following the move to the new principal office, providing or arranging for commuting transportation for Commission employees and employees of other agencies who are assigned to full time duty at Commission headquarters to and from the new headquarters site to the extent necessary and at such charge as to assure an adequate work force where this purpose cannot be achieved by ordinary transportation.

"(4) Funds in an amount not to exceed $75,000 are authorized for purposes of subsections (2) and (3).

"(b) Other departments and agencies of Government are authorized, without limitation upon their authority under existing law, to use funds available to them to make allowances and payments to their civilian officers and employees who are assigned to full time duty at Commission headquarters prior to the time of the move to the new principal office, such allowances and payments to be in accordance with the provisions of subsection a. (1) of this section.

"SEC. 110. Prototype power reactor facilities: (a) The Commission shall proceed with the design engineering, and construction under contract, as soon as practicable, of the prototype power reactor facilities authorized by section 101 for project 58–e–14 and project 58–e–15 at installations operated by or on behalf of the Commission and the electric energy generated shall be used by the Commission in connection with the operation of such installations.

"(b) In the conduct of the work under this section the Commission is authorized to obtain the participation of private, coopera-

tive, or public power organizations to the fullest extent consistent with Commission direction of the project, ownership of the reactor, and utilization of the electric energy generated.

"(c) Each prototype power reactor facility constructed under this section shall be operated by, or under contract with, the Commission for such period of time as the Commission determines to be advisable for research and development purposes and for such additional periods as the Commission may determine to be necessary for national defense purposes and for the purposes of subsection (a) of this section. Upon the expiration of the prototype reactor operations as determined by the Commission in accordance with this subsection, the Commission shall dismantle the reactor and its appurtenances.

"SEC. 111. Cooperative power reactor demonstration program: (a) There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (2) of the Atomic Energy Act of 1954, as amended, the sum of $129,915,000 for use in a program not to exceed $149,915,000, subject to the following conditions:

"(1) Arrangements for projects sponsored under the Second Round of the Commission's power reactor demonstration programs by cooperatives and publicly owned agencies under which the reactor is financed in major part by the Commission and is to be owned by the Federal Government shall be carried on by direct contract between the Commission and the equipment manufacturer or engineering organization with respect to the development, design, and construction of the reactor and related facilities, and by direct contract between the Commission and the cooperative or publicly owned organization with respect to the provision of a site and conventional turbogenerating facilities, the operation of the entire plant including training of personnel, the sale by the Commission of steam from the reactor complex to the cooperative or publicly owned organization, and other relevant matters. Sale of steam by the Commission under contract with the cooperative or publicly owned organization shall be at rates based upon the present cost of, or the projected cost of, comparable steam from a plant using conventional fuels at such locations. Projects covered under this subsection shall be operated under contract with the Commission for such period of time as the Commission determines to be advisable for research and development purposes but in no event to exceed 10 years. Upon the expiration of such period the Commission shall offer the reactor and its appurtenances for sale to the cooperative or publicly owned agency at a price to reflect appropriate depreciation but not to include construction costs assignable to research and development. In the event the cooperative or publicly owned agency elects not to purchase the reactor and its appurtenances, the Commission shall dismantle them.

"(2) Funds in the amount of $1,500,000 may be expended for research and development in Commission laboratories to advance the technology of the fast breeder reactor concept.

"(3) The date for approving proposals under the third round of the power demonstration reactor program shall be no later than December 31, 1958, and no funds authorized for the third round shall be expended on projects approved under the first or second rounds of such program or on other nuclear power projects already under construction.

"(b) Before the Commission enters into any arrangement (including contract, agreement, and loan) or amendment thereto, the basis of which has not been included in the program justification data previously submitted to the Joint Committee on Atomic Energy in support of authorization legislation approved in accordance with the provisions of section 261 a. (2) of the Atomic Energy Act of 1954, as amended, and which involves appropriations authorized by subsection (a) of this section, the basis for the arrangement or amendment thereto which the Commission proposes to execute (including the name of the proposed contractor or party with whom the arrangement is to be made, a general description of the proposed reactor, the estimated amount of the assistance to be provided under section 261 a. (2), the estimated cost to be incurred by the contractor or other party, and the general features of the proposed arrangement or amendment) shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee after having received the basis for a proposed arrangement, or amendment thereto, may by resolution in writing waive the conditions of or all or any portion of such forty-five-day period: *Provided further,* That such arrangement or amendment shall be entered into in accordance with the program justification data described above and the basis for the arrangement or amendment submitted as provided herein: *And provided further,* That no basis for a particular arrangement or amendment thereto need be resubmitted to the Joint Committee for the sole reason that the estimated amount of assistance provided for therein exceeds the estimated amount of assistance previously submitted to the Joint Committee by not more than 15 per centum.

"SEC. 201. Section 161 e. of the Atomic Energy Act of 1954, as amended, is amended by adding after the words 'adjusted terms which' in the proviso thereof, the following: '(at the time of the initial grant of any privilege grant, lease, or permit, or renewal thereof, or in order to avoid inequities or undue hardship prior to the sale by the United States of property affected by such grant)'.

"SEC. 202. Section 35 of the Atomic Energy Community Act of 1955, as amended, is amended by adding thereto:

"'c. The appraised value of the Government's interest in commercial property shall, in the cases where renegotiation of the lease is requested by the lessee under the provisions of section 161 e. of the Atomic Energy Act of 1954, as amended, be based upon the renegotiated lease if any is agreed on. Where such renegotiations are requested, the sales proceedings shall not be initiated until the completion of the renegotiation.'

"SEC. 203. The Atomic Energy Commission, the Federal Housing Administration, and the Housing and Home Finance Agency shall report to the Joint Committee by January 31, 1958, with respect to the renegotiations, reappraisals, and sales proceedings authorized under sections 201 and 202 of this Act.

"SEC. 204. Section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding the following new subsection:

"'s. Under such regulations and for such periods and at such prices the Commission may prescribe, the Commission may sell or contract to sell to purchasers within Commission-owned communities or in the immediate vicinity of the Commission community, as the case may be, any of the following utilities and related services, if it is determined that they are not available from another local source and that the sale is in the interest of the national defense or in the public interest:

"'(1) Electric power.

"'(2) Steam.

"'(3) Compressed air.

"'(4) Water.

"'(5) Sewage and garbage disposal.

"'(6) Natural, manufactured, or mixed gas.

"'(7) Ice.

"'(8) Mechanical refrigeration.

"'(9) Telephone service.

"'Proceeds of sales under this subsection shall be credited to the appropriation currently available for the supply of that utility or service. To meet local needs the Commission may make minor expansions and extensions of any distributing system or facility within or in the immediate vicinity of a Commission-owned community through which a utility or service is furnished under this subsection.'"

And the Senate agree to the same.

CARL T. DURHAM,
CHET HOLIFIELD,
MELVIN PRICE,
STERLING COLE,
JAMES E. VAN ZANDT,
*Managers on the Part of the House.*

CLINTON P. ANDERSON,
RICHARD B. RUSSELL,
JOHN O. PASTORE,
ALBERT GORE,
HENRY M. JACKSON,
BOURKE B. HICKENLOOPER,
WILLIAM F. KNOWLAND,
JOHN W. BRICKER,
HENRY DWORSHAK,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8996) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate bill. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

SECTION 101—PROJECT 58–E–14 AND PROJECT 58–E–15

The House, when it considered H. R. 8996 as reported out by the Joint Committee on Atomic Energy, deleted the following 2 projects from line 9 through line 15 on page 5 of H. R. 8996:

"14. Project 58–e–14, natural uranium, graphite moderated, gas cooled, power reactor prototype, designed for the production of approximately 40,000 electrical kilowatts, $40,000,000.

"15. Project 58–e–15, plutonium recycle experimental reactor designed for the production of 15,000 electrical kilowatt equivalent, $15,000,000."

The Senate retained both projects in the bill. The conference substitute retains project 58–e–15, but modifies project 58–e–14 to read as follows:

"Project 58–e–14, natural uranium, graphite moderated, gas cooled power reactor prototype; development, design, and engineering only, $3,000,000. The Commission shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable after authorization by the Congress of a large scale natural uranium power reactor prototype. The Commission shall submit to the Joint Committee on Atomic Energy a report on its design for this project, including cost estimates and schedule of construction, not later than April 1, 1958."

The conference substitute, therefore, provides for development, design, and engineering only rather than construction, on project 58-e-14, with the requirement that the Commission shall report to the Joint Committee on its design not later than April 1, 1958. Project 58-e-14, in the substitute approved by the conferees, therefore, follows the same approach as in project 58-b-8 of the bill.

Because of the reduction from $40 million to $3 million in the amount authorized for project 58-e-14, the total amount authorized in section 101 of the bill was accordingly reduced by the conferees from $259,230,000 to $222,230,000.

SECTION 110—PROTOTYPE POWER REACTOR FACILITIES

The House bill eliminates section 110. The Senate bill retained section 110 in its entirety, as reported out by the Joint Committee, applicable to both project 58-e-14 and project 58-e-15. Because of the conference committee action in reducing project 58-e-14 from construction authorization to design study authorization, section 110 was modified to be made applicable only to project 58-e-15.

SECTION 111—COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM

The House bill authorized $132,621,000 with the proviso that not more than $1,500,000 is authorized for the Power Reactor Development Company project during fiscal year 1958, and eliminated the provision as to program total. It also eliminated the three subsections in section 111 a. of the bill as reported out by the Joint Committee. The Senate bill authorized the sum of $129,915,000 for use in a program not to exceed $149,915,000 subject to the three conditions as reported out by the Joint Committee.

The conference substitute retains the language of the Senate bill with modifications to subsection 111 a. (1) and 111 a. (2). Subsection 111 a. (1) is modified by providing that it shall apply to arrangements sponsored under the second round of the Commission's power demonstration reactor program by cooperatives and publicly owned agencies under which the reactor is financed in major part by the Commission and is to be owned by the Federal Government. The conference committee also added three sentences at the end of subsection 111 a. (1) which read as follows:

"Projects covered under this subsection shall be operated under contract with the Commission for such period of time as the Commission determines to be advisable for research and development purposes but in no event to exceed ten years. Upon the expiration of such period the Commission shall offer the reactor and its appurtenances for sale to the cooperative or publicly owned agency at a price to reflect appropriate depreciation but not to include construction costs assignable to research and development. In the event the cooperative or publicly owned agency elects not to purchase the reactor and its appurtenances, the Commission shall dismantle them."

In subsection 111 a. (2) the conference committee deleted the words "additional general" from the language in the Senate bill. It was understood that the funds authorized in this subsection might be used for research and development in Commission facilities by the Commission as it deems desirable to advance the technology of the fast breeder reactor concept.

The conference committee adopted subsection 111 a. (3) as contained in the Senate bill.

The Senate added sections 201, 202, 203, and 204 to the bill relating to community problems on which there was no disagreement. The House conferees agreed that these four sections might be included in the bill.

CARL T. DURHAM,
CHET HOLIFIELD,
MELVIN PRICE,
STERLING COLE,
JAMES E. VAN ZANDT,
*Managers on the Part of the House.*

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill H. R. 8996.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, and I shall not object, there are no printed copies of the conference report available. Can the gentleman from North Carolina assure me that he will explain the conference report?

Mr. DURHAM. I assure the gentleman I will do the best I can.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

Mr. DURHAM. Mr. Speaker, this is the general authorization bill for the Atomic Energy Commission.

The House a few weeks ago passed the measure, as you recall, and the House struck out from the committee bill reported to the House an amount of about $55 million. The bill passed the House with $204,230,000. The Senate put back the $55 million. The conference report now is reduced to a total of $222,230,000. In the conference we struck from the Senate-passed bill the amount of $37 million.

This authorization carries items for weapons production as well as the general running of the plants and the laboratories thoughout the country. For research and development, the items that were in disagreement, the House put in for plutonium-production reactors study, $3 million. That remains in the conference report to the House. Also the House bill had an item in for $15 million for a recycling reactor. A recycling reactor study has been made and we have spent about $2 million in research funds at Hanford. The committee feels that this is a very important item because of the fact that if we can ever get to where we have peaceful uses for these materials and do not need them for weapons, we desire and hope to use them for energy purposes for the benefit of the American people and for plutonium, which I believe, from the best reports of the scientists of the country, qualified on this subject, can be accomplished.

Another item in the House bill was for a gas-cooled natural-uranium reactor. The item was in the committee bill at $40 million. That was stricken out on the floor of the House. The conference report reduced it to a study similar to the one on the plutonium reactor, and placed in the bill $3 million for a study on this reactor to report back to the committee. It does not authorize the full-scale reactor which will have to be authorized by the Congress before a full-scale size can be built.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. MEADER. As the gentleman knows, the Power Reactor Development Co. fast-breeder reactor project is located near Monroe, Mich., in my Congressional District. The gentleman will recall that an amendment offered by the gentleman from New York [Mr. COLE] on the floor of the House specifically earmarked $1,500,000 for research on that fast-breeder reactor. I have been shown the language in the conference report and the amendment that was agreed to by the conferees. I would like to read one sentence from the conference report and then ask the gentleman's opinion:

It was understood that the funds authorized in this subsection might be used for research and development in Commission facilities by the Commission, as it deems desirable to advance the technology of the fast-breeder reactor concept.

Under that language and the wording of the bill, as agreed to by the conferees, would the gentleman construe the language to mean that the Atomic Energy Commission can, if it so desires, spend up to $1,500,000 on the fast-breeder reactor at Monroe, Mich.?

Mr. DURHAM. I think it is in general agreement that the gentleman's statement is correct and it can be used for that purpose.

Mr. MEADER. I thank the gentleman.

This report comes to the House signed by all of the House conferees and I believe if the House will agree to the report, we can and will continue to lead the world in the development of atomic energy.

Mr. DURHAM. Mr. Speaker, I yield 15 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE. Mr. Speaker, I doubt if it ever happens that the conferees report back to their respective bodies indicating complete happiness and jubilation over the outcome of the work of the conference. However, in this instance, I think it can be said that the conferees went into the conference representing completely divergent viewpoints, but did succeed in adjusting their differences and are now in process of reporting back to the House and the other body, adjustments which meet many of the objections of those who were critical, and at the same time gratify some of the wishes of those who were in support of the proposed program.

As the gentleman from North Carolina has indicated, there were four principal items in dispute. One was with respect to the provision directing the Commission to immediately inaugurate

the construction of a natural uranium, graphite, gas-cooled reactor at a cost of $40 million. That was stricken out by the House, although it was retained by the Senate. In conference we have authorized and directed the Commission to spend up to $3 million to engage in engineering designs and studies with respect to looking toward the eventual construction of that type of reactor, subject to the condition that actual construction of the reactor will not occur until after specific authorization by the Congress for that purpose.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. HALLECK. Do I understand from what the gentleman has just said that the $3 million made available is for the purpose of carrying on engineering studies as to the practicability of this type of reactor, and that there is no express or implied commitment, as far as the Congress is concerned, regarding the matter of construction at some future date?

Mr. COLE. On the contrary, and negating the idea that there is any slight inference that the Congress is obligated to construct the reactor, the wording of the language which the conferees have inserted in the authorization bill specifically says that the construction will not begin until after authorization by the Congress. Perhaps I had better read it to make certain that it is understood. It reads as follows:

> The Commission shall proceed with sufficient design work, together with appropriate engineering and development work necessary for the Commission to begin construction, as soon as practicable after authorization by the Congress.

So it is perfectly clear that the intent of the conferees and the words of their recommendation indicate that before any actual construction is made the Congress must authorize it.

Mr. HALLECK. In other words, would it be fair to say that in the event further study should indicate the feasibility of such design, it would yet be within the province of the Congress to determine whether construction should be undertaken by the Commission as a matter of public enterprise, or whether it should be undertaken otherwise as a matter of private enterprise?

Mr. COLE. The gentleman is entirely correct.

The second item in dispute was with respect to a different type of reactor, that is called a plutonium recycle reactor, which everybody acknowledges is a concept of highly desirable effects, and should be pursued. It is a question of whether doing it this year or next year. The House eliminated it for a variety of reasons principally one of economy. The Senate retained it. The conferees have agreed to retain it so that the Commission is authorized and directed to proceed with this relatively small experimental prototype of reactor which is identified as a plutonium recycle reactor.

The third item in dispute, of some considerable interest and magnitude, was with respect to these reactor projects which were sponsored by the electric cooperatives. Under the present arrangement which the Commission is making with the cooperatives, the Commission makes a contract with the cooperative, the cooperative makes a contract with the reactor builder or manufacturer and the cooperative operates the reactor after it has been constructed. The cost of the reactor comes out of the Atomic Energy Commission. As it passed the Senate, the Commission was required to make a contract with the manufacturer, to supervise the construction of the reactor, and then to contract with the cooperative for the operation of the reactor for an indefinite period of time, charging the cooperative a price for the steam comparable to the conventional cost of steam from coal or oil. An indefinite term for that operation was the basis of the opposition in the House to that program.

Mr. WIER. Mr. Speaker, will the gentleman yield for a question?

Mr. COLE. I yield.

Mr. WIER. What is the difference now between the conference report the gentleman is recommending today and the bill as it passed the House with regard to these cooperatives? I see several differences of opinion expressed in our Minneapolis papers between management and the other interested parties regarding the House bill versus the Senate bill.

Mr. COLE. The recommendation of the conferences is that the cooperative program, the program in which electric cooperatives are engaged with the exception of the Consumers Electric Power Company of Nebraska, will use small reactors. There are four projects here in what is known as the second round of the Commission's reactor demonstration program. Those reactors are located in Minnesota, Michigan, Ohio, and Alaska. The recommendation of the conferees is that with those reactors which will be built with Government funds be owned by the Government the contracting for construction and the supervision of the construction contract will be under the commission.

After the reactor has been constructed, the commission makes a contract with the cooperative to operate the reactor. The cooperative is charged a price for the steam measured in terms of comparable cost for steam from coal or oil.

But there is this further provision which is of great importance, and that is that after the reactor has been operated for a sufficient length of time to prove up whatever the Commission needs to know by way of demonstration by this particular type of reactor or research and development; when that time has been reached, but in no event beyond 10 years, then the Commission is required to offer the reactor for sale to the cooperative at a depreciated price on the cost of the reactor not including the cost of the research assigned to the reactor. If the cooperative does not want to buy the reactor at that price, then the Commission is directed to dismantle it.

So we will accomplish the objective of exploring the possibility of this small type of reactor—and all these cooperatives will use the small reactors—but as soon as those lessons have been learned by the Commission it is required to discontinue its activities and it can no longer be subject to the charge of being in competition with private enterprise or being in the electric-power business.

Mr. WIER. I thank the gentleman.

Mr. COLE. The fourth item of controversy was with respect to the PRDC reactor known as the fast-group reactor about which some question of safety has been raised.

The Commission asked $1,500,000 to continue research in its own laboratories in connection with the PRDC type. The conferees were hesitant to incorporate in a statute any language which could be construed as an approval by the Congress of this particular type of reactor because of the unresolved questions regarding safety. So we did write into the authorization words as follows:

> Funds in the amount of $1,500,000 may be expended for research and development in the Commission's laboratories to advance the technology of the fast pressure reactor—

And so forth. That makes it perfectly clear that there is an authorization for the Commission to spend $1,500,000 in its own laboratories for research in connection with the fast-pressure type. If the Commission determines that its studies shall be in connection with the PRDC contract the Commission could within its authority spend the fund for that purpose.

That, I think, Mr. Speaker, explains the items in dispute and I think it is a reasonable adjustment of our differences.

I urge the adoption of the conference report.

Mr. DURHAM. Mr. Speaker, I yield 5 minutes to the gentleman who has been studying and handling this question from the beginning in the committee, the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, the chairman of the committee and the ranking minority member thereof have explained the differences in the bill. I would like to comment for a few minutes on this natural uranium section as it now exists. It was a great disappointment to me that the $40 million was not agreed to in the conference as I feel it is very important, in view of some new studies we have received of the Calder Hall type of reactor in England and other projected new types that we should follow up in our technology as quickly as possible. But in a conference where there is a difference between the two bodies it cannot of necessity be one-way and a compromise agreement must be entered into by both Houses in good faith. So I accept the $3 million study of the natural uranium graphite moderated gas cooled prototype reactor as a study which will be made in good faith by the Commission. They naturally will have to look at the different types of the natural uranium reactors and they are obligated by the language to bring a report back to us by April 1, 1958. Then

if it seems wise for the Congress to authorize the building of a prototype reactor in order that we may learn the technology and be able to be in a position to compete with England, the House will have an opportunity to do just that.

There has been some discussion in regard to the PRDC matter. The language of the bill, as amended, authorizes funds in the amount of $1,500,000,000 to be expended for research and development in Commission laboratories to advance the technology of the fast breeder reactor concept.

As the gentleman from New York [Mr. COLE] said, there was a hesitancy on the part of the majority of the Atomic Energy Commission to pin down this authorized fund directly to the PRDC contract which is now under litigation and the language of the report of the House and the report of the other body, particularly the report of the other body, explains in detail that this is not Congressional approval of the PRDC contract.

However, it also goes further and explains that this amount of money can be used in the fast breeder reactor technology in the Commission's laboratories and all the techniques and developments that are made with this additional money, as well as the forty-some-odd-million dollars which is already included in the authorization and in the forthcoming appropriation bill, will also be available to the PRDC, and, in fact, to all industry in general. I insert at this point the language of the committee report which shows clearly the legislative intent of the Congress:

With respect to the PRDC project, it is also already under contract. The contract, however, provides that AEC obligations are subject to the availability of funds. Funds for preconstruction research and development for fiscal 1958 and thereafter for PRDC, which will be expended in AEC laboratories, have not been obligated. The total amount requested for authorization is $4,206,000, and $244,000 was obligated by AEC in fiscal year 1957. The sum of $1,500,000 was requested in the budget for obligation in 1958, and the remainder for fiscal 1959 and 1960.

The committee does not approve the requested authorization for preconstruction research and development work and waiver of fuel use charges in connection with the reactor project of the Power Reactor Development Co., since legal proceedings before the AEC to determine the probable safety of the proposed reactor are still pending.

The committee's attention has been called to sworn testimony given in May and June 1957 by the chairman and other members of the AEC Advisory Committee on Reactor Safeguards that there is insufficient information available at this time to give assurance that the PRDC reactor can be operated at the Laguna Beach site without public hazard.

However, the committee has voted to make available to the AEC an additional sum of $1,500,000 for research and development in the art of the fast breeder reactor generally, anticipating that this special sum will be expended by AEC in its own laboratories on research and development to gain experience and information.

So, as one who worked for 2 months on this bill, I am not fully satisfied with it. I am satisfied with some parts of it. But I think it is as good a bill as we can work out with the compromise that was necessary and I am going to vote for the bill in good faith and hope all my friends will do likewise.

Mr. DURHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to and a motion to reconsider was laid on the table.

## DISPOSAL OF FEDERALLY OWNED PROPERTY AT OBSOLESCENT CANALIZED WATERWAYS

Mr. BLATNIK. Mr. Speaker, I call up the conference report on the bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1181)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 2 of the Act approved August 6, 1956, entitled 'An Act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes', Public Law 996, Eighty-fourth Congress, second session, is hereby amended by adding the following: '*And provided further*, That in lieu of preparing dam numbered 3 on the Little Kanawha River, West Virginia, for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam, but not to exceed $112,500, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of said structure.' "

And the House agree to the same.

JOHN A. BLATNIK,
GEORGE H. FALLON,
CLIFFORD DAVIS,
*Managers on the Part of the House.*

DENNIS CHAVEZ,
ROBT. S. KERR,
ALBERT GORE,
EDWARD MARTIN,
CHAPMAN REVERCOMB,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to S. 1520 authorized the expenditure of Federal funds, not to exceed $50,000, to reconstruct lock and dam No. 3 on the Little Kanawha River, W. Va., in lieu of preparing the structure for abandonment, with local interests to assume operation and maintenance of the structure after its restoration. The conference substitute is identical with the House amendment, with the exception that the amount of Federal funds authorized to be expended is increased from $50,000 to $112,500.

JOHN A. BLATNIK,
GEORGE H. FALLON,
CLIFFORD DAVIS,
*Managers on the Part of the House.*

Mr. BLATNIK. Mr. Speaker, I yield myself such time as I may require.

Briefly, Mr. Speaker, this bill, S. 1520, amends Public Law 996 of the 84th Congress. It authorizes an expenditure of funds not to exceed $112,500 to reconstruct lock and dam No. 3 on the Little Kanawha River, West Virginia, in lieu of preparing the structure for abandonment, with local interests to assume operation and maintenance of the structure after its restoration.

Briefly, Public Law 996 provides that the Government turn over any part or all of the navigation works that have been abandoned and declared of no further use to the Government. In this particular case the local community of Elizabeth, the county seat of Wirt County, has been attempting for several years to have the Federal Government restore for abandonment this particular site which the community uses primarily as a source of water.

During the summer of 1956 this dam No. 3 just below Elizabeth breached near one bank and did considerable damage. Even greater damage was done upstream where the water levels and the water tables fell down so severely that the farmers had to drill new wells in order to get a source of water. Here we have a community that for almost half a century, for 50 years, was getting its water from this area. The Federal Government, finding no more use for navigation on this river declared its intention to abandon the locks. It provides for no maintenance or repair outside of custodial service. With the dam being breached last year, this is a serious problem for the local people.

Mr. Speaker, the principle of turning this lock over to the municipality was agreed upon and established by Congress through Public Law 996. However, the amount of money required to restore the breached dam, dam No. 3, is the point in dispute. The Bureau of the Budget recommended an amount of $20,000 which would be that required only to clear out the bed of the dam and have a free flow of the river. The Army Corps of Engineers recommended $50,000 to be used in cooperation with the local contribution of up to $100,000 to restore the dam. The other body authorized an expenditure of $150,000. The House authorized only $50,000. In conference the conferees between the House and the

other body then reached a compromise at a figure of $112,500.

So, Mr. Speaker, while these benefits are primarily local for the continued source of supply which these people in the area have had for over half a century, the committee felt and the conferees felt that the benefits would accrue to that area and the conferees felt that the cost to restore the dam was not excessive, and the House conferees on the majority side agreed to $112,500.

It was the opinion of the conferees that this legislation would be in the public interest and its adoption is recommended.

Mr. Speaker, I yield 10 minutes to the gentleman from Ohio, Mr. McGREGOR.

Mr. McGREGOR. Mr. Speaker, I yield to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, the Republican conferees on this bill, the gentleman from California [Mr. SCUDDER] and I, did not sign the conference report. Our reason for not signing the conference report is that we believe this constitutes a wasteful and extravagant expenditure of Federal funds and is contrary to the recommendations of all the agencies of the Government which have investigated this matter.

Briefly, the history of the project is this. More than 80 years ago the Federal Government constructed a navigation project on the Little Kanawha River. The project consisted of locks and dams. It has fallen into disuse. The locks have disintegrated. The dam is in a dilapidated condition. Under a public law enacted by the 84th Congress the engineers were instructed to abandon this dam site. The engineers have made a survey and say that the cost of taking out the dam and restoring the river to its original condition would be $20,000.

The Bureau of the Budget has recommended that $20,000 be provided for the people of the village of Elizabeth to be used in the restoration of the dam. The Army engineers have recommended $50,000 as the total amount of Government obligation for taking away the dam and taking care of any damages that might result. So we have one Government agency recommending $20,000 and another Government agency recommending a maximum of $50,000.

Then in the conference report we say that we should give them, not $20,000 or $50,000 but that we should give to the village of Elizabeth, with a present population of 1,200, the sum of $112,000 or 6 times what the budget recommends and 2½ times what the Army engineers recommend, in order to rehabilitate this dam.

The dam has no navigation in it any longer. There is no use for navigation, according to the Army engineers. There is no flood control project authorized in the district. The purpose of the village of Elizabeth, population 1,200, in rehabilitating this dam is to create a recreational facility in an artificial lake to be made by the rebuilding of this dam, and also to firm up the water supply which is obtained from artesian wells.

The Congress of the United States and the Federal Government have never had a policy of providing artificial lakes for communities. There are 10,000 little villages in America with a population of about 1,200 that would like to have an artificial lake, provided somebody would build it for them, without any expense to their community.

The only argument I have heard advanced in our committee or in the conference as to why the Federal Government should give to the village of Elizabeth $112,000 instead of the $20,000 or $50,000 recommended is that we have been squandering a lot of money overseas and now we ought to go ahead and provide some extravagant projects here in the United States.

It is the opinion of the minority conferees that this bill should be recommitted, that we should not exceed the recommendations of the Army engineers, which is $50,000.

Mr. Speaker, that is my statement concerning this matter. I hope the House will sustain the minority conferees and insist that the amount appropriated shall not exceed the highest amount recommended either by the Bureau of the Budget or the Army engineers.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Connecticut.

Mr. MORANO. Is the gentleman going to make a motion to recommit with instructions to bring back a conference report with the $50,000?

Mr. MACK of Washington. That will be submitted.

Mr. McGREGOR. Mr. Speaker, if the gentleman will yield, I wonder if the gentleman, who was a member of the conferees, would explain a subject that is going to be brought up, I am sure, by the gentleman from West Virginia, that the Federal Government owes for a fish hatchery that is supposed to have been destroyed.

Mr. MACK of Washington. The fish hatchery was damaged some time ago. The Congress last year provided $20,000 toward the restoration of the fish hatchery. The fish hatchery is not on this lake that is involved in this legislation. We are talking here about a dam at lock 3. The fish hatchery is located on an entirely different lock.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from West Virginia.

Mr. BAILEY. The Congress never has appropriated the $20,000 and the Army engineers never approached the West Virginia Conservation Commission about taking over the responsibility.

Mr. MACK of Washington. The gentleman is correct. It was an authorization bill. The Congress did pass an authorization bill recommending that $20,000 be appropriated for the restoration of a fish hatchery that is not located on this particular lock at all but is located upon another lock. The engineers at Huntington informed me that the building of this dam by the village of Elizabeth will have no effect whatever on the fish hatchery situation.

Mr. McGREGOR. Further, in connection with the gentleman's statement, I should like to read this:

> Public Law 996 provides for the reimbursement of $20,000 to the State of West Virginia for damages to a fish hatchery near Palestine incurred by the failure of the Government to keep lock and dam No. 4 in proper repair.

Mr. MACK of Washington. That is correct.

Mr. McGREGOR. I think the gentleman made the statement that lock No. 4 is not involved in this legislation.

Mr. MACK of Washington. So I am informed by the engineers at Huntington. Claims have been made by some that the Federal Government did rebuild a dam for the benefit of the Viscose Company of America and that we rebuilt the dam and then turned the lake behind it over to the Viscose Co. I had the committee yesterday contact the engineers at Huntington, and the engineers said that not one single dollar of Federal funds had been provided for the repair or rehabilitation of that dam, but that the Viscose Co. had provided all the money for the repair of that structure and that the Viscose Co. had guaranteed to maintain the dam.

Mr. BLATNIK. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, the bill before us is not of very great consequence when we consider spending Federal money. We just finished a bill today running into the hundreds of millions of dollars. Now we have here a bill involving $150,000, and some feel that that is just pin money.

When I was a young man I was told to save my pennies and the dollars would take care of themselves. I always felt that was good advice. I feel that we should approach legislation in a sane manner and endeavor to save money wherever it is possible.

The House Committee on Public Works gave full and considered attention to the hearings on this proposal. I believe if you would read the hearings and the report, you would find that there is little or no justification for the expenditure of $112,500 on this project.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Ohio.

Mr. McGREGOR. Is this statement not correct, that we are not only asking this House today to agree to the minority report but we are asking them to confirm what was done a few days ago by the full Committee on Public Works, that recommended the $50,000. The bill came on the floor and I think without a dissenting voice or vote it was passed by this body at the $50,000. So we are asking the House to reiterate what was done a few days ago.

Mr. SCUDDER. That is right.

We had a thorough hearing on this bill. The Bureau of the Budget recommended $20,000 to be expended for placing this river back into a safe condition. The engineers also said that it would take $150,000 to repair the dam and set it up in perfect shape. But, there was no obligation on the part of

the Federal Government to do other than to make the river safe for the waterflow. Members of the House, we have hundreds of rivers in this country that at one time were navigable. They have filled in by erosion. Is it going to be the policy of this Congress to go back and restore all the eroded waterways that exist throughout the entire country? I think our committee was fair. I think the engineers were fair because they said rather than taking the recommendation of the Bureau of the Budget, which was $20,000, and would be all that the Government was obligated to spend for abandonment of the project. The engineers in order to help the local entities agreed to and recommended $50,000. Our committee, after considering it thoroughly, adopted the $50,000 monetary amount to take care of the situation. The House passed that bill. When we went to conference with the other body the conference voted to increase the amount. I do not see why this body should be more liberal than we were when we passed this bill. The conference recommended $112,500 which is $62,500 in excess of the amount that the House passed.

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. SCUDDER. I yield.

Mr. BLATNIK. The gentleman referred to $50,000 as recommended by the Corps of Engineers. Is it not true that that $50,000 in itself will not do anything and that that will only be a part of the $150,000 which is required to restore the dam and bring the water levels back up to the condition where the local people can use them?

Mr. SCUDDER. That is correct, but the engineers did not feel there was any liability on the part of the Government to do that. It was only a matter of compromising to get out of the situation. The Bureau of the Budget recommended $20,000, and their recommendation was made to help local interests doing a water-conservation job.

Mr. BLATNIK. But will the gentleman then explain why, when the Bureau of the Budget recommends $20,000 as being sufficient merely to tear down the remaining wreck and the old lock and to clear out the channel, so that they will have a straight and free flow of water, will the gentleman explain why, when $20,000 is recommended by the Bureau as sufficient to take care of the situation, the Army Corps of Engineers then comes in and recognizes some obligation on the part of the Federal Government by recommending we increase that to $50,000?

Mr. SCUDDER. I think it is more of a good will gesture, just like our conference committee raised it to $112,500. The engineers felt that they should wash their hands of it and maybe that this was the best way to get it off their hands, and they were willing to recommend that $50,000 be placed in the bill to assist the local communities, the State and local government, in repairing the project to their liking—as the Federal Government has no further use as to navigation.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield to me so that I may read some testimony from the hearings?

Mr. SCUDDER. Yes; I know the hearings cover it very closely.

Mr. McGREGOR. I would like to incorporate in the RECORD the testimony of Mr. Heller of the Army engineers before the Committee of Public Works on this legislation:

Mr. HELLER. The Department of the Army has no objection to the bill if it is amended to limit the cost of Federal participation to $50,000.

Mr. SCUDDER. Fifty thousand dollars?

Mr. HELLER. Yes, sir.

Mr. McGREGOR. And the Bureau of the Budget wants $20,000.

Mr. HELLER. That is correct.

Mr. McGREGOR. How much would it cost if this were not involved? How much would it cost the Federal Government to take out the debris, and so forth, that might be considered necessary?

Mr. HELLER. We estimate about $20,000 to do the minimum work to take out the section of the old dam.

Mr. McGREGOR. Then, in other words, the Bureau of the Budget is willing to go along and pay what would be required by the Federal Government just to clear it up. They are willing to allow $20,000 to do it in conjunction with the local people.

Mr. HELLER. That is correct. Instead of spending $20,000 to tear it down we spend $20,000 to help build it up.

Mr. McGREGOR. And the Army engineers are adding $30,000 more to that?

Mr. HELLER. That is correct.

Mr. McGREGOR. For good will, or what have you?

Mr. HELLER. Yes, sir.

That, Mr. Speaker, is the testimony of representatives of our Government when they appeared before our committee.

Mr. SCUDDER. That is correct. I just want to give you one more reference regarding this bill. The bill carries this language on page 1, line 4: "This is an act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes."

Now, Members of the House, you are not only putting up this money but you are making provision for a gift of 25 acres of Federal land to the State or city or whatever entity takes over this project.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SCUDDER. I yield.

Mr. CRAMER. Is it not true that the only Federal obligation existing in the whole matter is under Public Law 996?

Mr. SCUDDER. That is correct.

Mr. CRAMER. Which provides for the disposal of Federally owned property at obsolescent canalized waterways?

Mr. SCUDDER. That is correct.

Mr. CRAMER. And that $20,000 should be made available?

Mr. SCUDDER. Yes.

Mr. CRAMER. The Army engineers recommended $50,000, so that there would be some assistance to the local communities. The House passed that. Then the Senate made it $150,000, which is the total cost of the total project, which is a new proposal and it has not been previously before the Congress. Then in conference they put in $112,500, which is $65,000 more than can be justified. Is that not correct?

Mr. SCUDDER. That is correct. The only Federal obligation is $20,000. The Senate did pass a bill providing for $150,000, and the compromise is between the House bill of $50,000 and $150,000 as passed by the Senate. I feel that this type of legislation is setting a very bad precedent, and many claims could be brought against the Federal Government asking for improvements in projects that have long since been useless and inoperative. In fact, as I said before, there are hundreds of rivers in our country which were at one time navigable. If the Federal Government can wipe out this obligation by putting them back in their original state, I think their obligation has been met. But we have been ultraliberal in our program to give to the area to be benefited $50,000 as contained in the original bill.

I hope that the motion to recommit and report back a bill for $50,000 will be carried.

The SPEAKER. The time of the gentleman from California [Mr. SCUDDER] has expired.

Mr. BLATNIK. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I am very much surprised at the position of the gentlemen on the left side of the aisle who have discussed this proposal. The gentleman from California, my good friend Mr. SCUDDER, referred to it as a charity proposition. I wonder what he thought I had in mind during the last 11 years when I voted for a half billion dollars for flood-control improvements in the State of California. It was not charity.

Mr. SCUDDER. It was not charity.

Mr. BAILEY. I would like to say the same thing for the distinguished gentleman from Washington [Mr. MACK]. I voted for improvements on the Columbia River and the Coulee Dam. Yet they talk now about a charity proposition.

Mr. MACK of Washington. Every project on the Columbia River was recommended by the Army engineers and the Bureau of the Budget. In no place has the Congress given them more money than recommended by the Bureau of the Budget.

Mr. BAILEY. We are talking about the Government taking care of its just responsibility. I want to pay my respects also to the gentleman from Ohio [Mr. McGREGOR]. S. 1520 was sponsored by Senator REVERCOMB, a Republican Member of the Senate from the State of West Virginia. This particular project is in a Republican county. Your Congressman is just acting as a Boy Scout in the hope of doing a good turn for some people in Wirt County, but the Army engineers have that included.

I want the opportunity of making good, so I am supporting the Senator's position.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I think I will not yield.

Mr. McGREGOR. The gentleman used my name; I think he should yield.

Mr. BAILEY. The gentleman has 10 minutes in which to discuss the matter.

I like for people at least to be consistent. The situation is this: In 1874 a private corporation built five locks on the Little Kanawha River in the State of West Virginia. It is a small river intersecting the Ohio River at Parkersburg, W. Va. It was operated as a private concern until around 1905, at which time Congress appropriated funds to purchase it and Army Engineers took over its operation. They continued to operate it as a navigation project until the close of World War II. I think about 1947 was the last active participation. It was neglected by the Army engineers over the years right following World War II until 1954. In 1954 a break occurred in the lock which diverted the flow of the Little Kanawha River considerably.

Right there is the time when the Army engineers' responsibility began. They totally ignored doing anything about this situation in 1954 when this break in the locks occurred. It is their business and it was their business to keep those locks in repair, or at least it was their business to take action at the end of World War II when they ceased to use it as a navigation facility. It was their business then to try to get rid of the responsibility. But they waited until 1955, 2 years ago, and Public Law 996 was the result of it. But their responsibility began at that time.

They have continued to neglect it despite Public Law 996 passed by the 84th Congress. They are still neglecting it because they have not done anything to comply with the provisions of Public Law 996. They never even asked for an appropriation of the $20,000 which was carried in Public Law 996.

So the responsibility of the Federal Government is well established. They failed to take care of this situation.

Let me explain to the members of the committee the situation affecting the State fish hatchery. It is true that the fish hatchery is not on the water impounded by lock No. 3; it is lock No. 4; but the Army engineers allowed lock No. 4 to wash out completely. There was damage to the State fish hatchery and they submitted to me an estimated cost of building a retaining wall. That estimated cost was turned over to the committee by former Congressman Burnside when we were considering Public Law 996. It was in the amount of $94,000.

On two separate occasions I have visited the scene of this particular lock. I have inspected the fish hatchery and the damage that has been done there. I have consulted with property owners whose property has been damaged. This land is particularly susceptible to caving banks. It is mostly sand. When the current of the stream is changed and it hits a bank of the river, there is undermining. If it were possible to do so, I could take the members of the committee and show you 50 or 60 acres of land that have fallen into the riverbed. This is fine bottom land, and it has been lost forever due to change in the course of the river.

The people there are not responsible for this situation. Those property owners are not responsible. I want to say to the Members of the House that unless this legislation is approved and this committee report is agreed to, the Government will face damage suits involving $4 million or $5 million filed by 8 or 10 property owners, the State Conservation Commission of the State of West Virginia, and other people who have been adversely affected by this situation just because it was not taken care of at the time it should have been by the Army engineers.

Mr. Speaker, at this time I wish to yield to the distinguished gentleman from West Virginia's Fourth District who at one time was a Member of Congress when this particular county was a part of his district. The gentleman is thoroughly familiar with the situation and I am going to ask him to make a statement.

Mr. NEAL. I thank the gentleman. It is rather surprising to me that some Representatives of other States of the Union who have proverbially participated in the great benefits of public works in their own areas now come before the House today and object to an appropriation as small as this in an area of a State that has been neglected not only in the way of public works but it has been the little stepchild ever since we have had support prices on grains and anything else of that nature. It has had to bear its proportion of the cost without in any way participating in the benefits.

The State of West Virginia is entitled to a proportionate amount of public funds in whatever way it may be spent, provided there is a useful purpose. I consider this proposition a very useful purpose.

While it is not in my district, it just borders on my District. The little Kanawha Basin from the headwaters to the point where it empties into the Ohio River is one of a series of mountains and lowlands. The floodwaters run off very rapidly. The floods they have down there do a great deal of destruction. Where this little stream flows into the Little Kanawha Valley is an area of the State of West Virginia where droughts are frequent, where the rains are heavy and where the runoff is heavy. For the protection of those people who have farms along the river it is very important that they have some storage of flood waters some place.

It is probably 10 to 12 miles from the point of this proposed dam down to the mouth of the river at Parkersburg. As has been said before, the dam at the mouth of the river is now being maintained by private interests—the Viscose Co. Navigation is no longer engaged in.

As a matter of flood protection this is not such a great problem because it is only 10 to 15 miles from the dam to the mouth of the river, but as a matter of water storage for these farmers in this valley who have to dig deep for their water and who during the dry season are almost without water at all, this would be a wonderful protection.

When the Department of Agriculture goes all over the country and enables headwater areas to build dams for the preservation and conservation of water, that is one thing. Here we have the Public Works Committee representing the Army engineers proposing to have a project built on a non-navigable stream that serves the very same purpose as these headwater dams and construction works do for the preservation of the water system.

To my mind, this is not asking too much. I have visited this location personally and I know the damage that has been done up and down this valley by reason of these heavy floods and by the diversion of the stream and by reason of a portion of it having fallen in, depositing material on the other side. To my mind, the amount of money that is necessary to do this job is not too much. It is not overestimated, when you accept the committee's recommendation of $112,500.

May I say to the gentleman from West Virginia [Mr. BAILEY] I sincerely hope that the Members of this House will see his side of the proposition and sustain the committee.

Mr. FALLON. Mr. Speaker, if the gentleman will yield, I believe, Doctor, you will recall that several years ago a committee, of which you and I were members, went on a trip to the great Northwest and inspected some public-works projects. We looked over projects that cost, some of them, $300 million and $400 million. Is it not ironic for you to come in here and ask this House for $112,500 in the face of what we have seen all over this country in public-works programs?

Mr. NEAL. As I said in the beginning, it seems unusual and rather surprising that representatives from States who have asked so much and received such a large share of public funds for various improvements that are not any more deserving than the one we present today should oppose this. I feel they are just a little inconsistent, even though they are members of my own party.

Mr. BAILEY. I thank the distinguished gentleman from the Fourth West Virginia District. He knows the situation and he had given you the facts.

Mr. Speaker, there is another item of responsibility that would attach to the Army engineers. This little county seat town of Elizabeth, of some 1,200 or 1,500 population, has drilled some water wells along the riverbank from which they get their water supply. When this dam was breached and the impounded waters receded and disappeared, their water wells dried up, and they are going to have to redrill them much deeper in order to maintain their municipal water supply. So I again point out that through the neglect of the Army engineers not handling this property and not taking care of it when the first break came, great sections of it have washed away since then until practically the entire dam has to be rebuilt and the locks sealed off. So, there is a definite Government responsibility, and that is all I am asking for at this time. And, I am certainly objecting to anyone referring to it as charity when again I want to say to you that I have voted for hundreds of millions of dollars—yes, even billions of dollars—for reclamation projects and for flood control projects in the districts of the gentlemen who are today raising the question about the difference between

this project and those they were interested in.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Ohio.

Mr. SCHERER. I believe the gentleman stated that a great deal of damage has resulted from the neglect of the Army engineers in the maintenance of this dam and lock. Did I understand correctly?

Mr. BAILEY. I inferred as much, yes, and I am correct.

Mr. SCHERER. Then the gentleman said that the Government was facing a series of damage suits totaling possibly $5 million or $6 million.

Mr. BAILEY. I say that individuals have already consulted attorneys, and I know the State conservation commission is getting ready to file a suit against the Government.

Mr. SCHERER. What assurance do we have that if we pass this legislation no suits will be brought?

Mr. BAILEY. This bill provides that the responsibility for the maintenance of it rests with the people, and I can assure you there will be no suits filed if this lock is repaired.

Mr. SCHERER. In spite of the fact that this damage of $5 million or $6 million has already been sustained, you can assure us that if we pass this legislation the Government will not be facing those suits?

Mr. BAILEY. There will not be any suits filed by the State conservation commission. I could not speak for the individuals, but I think they will assume the same attitude. We want the lock repaired. We need it, and we are not interested in bringing suit. We are entitled to it. I hope it will be the pleasure of the House to support the findings of the conference committeee.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman.

Mr. O'HARA of Illinois. Mr. Speaker, am I to understand that the people of West Virginia and all of its officials believe that this is absolutely necessary for the good of West Virginia?

Mr. BAILEY. Yes, sir.

Mr. O'HARA of Illinois. Is it not a fact that West Virginia has received practically nothing from the Federal Government in the way of public works, at least to compare with that received by other States?

Mr. BAILEY. That is true. For the benefit of the gentleman, may I remind him that the last military construction bill carried one item for West Virginia. That was the first installation that West Virginia has received in 2 or 3 bills of that kind. It was the only State of the Union that had not received a military installation.

Mr. O'HARA of Illinois. Mr. Speaker, I can say to the gentleman from West Virginia that West Virginia being in this situation and facing this need and having received so little from the Federal Government, it will have the support of our Democratic colleagues from Illinois.

Mr. BAILEY. I thank the gentleman.

Mr. BLATNIK. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. McGREGOR].

Mr. McGREGOR. Mr. Speaker, I want to assure the distinguished gentleman who just left the well [Mr. BAILEY] that we have all the respect in the world for him as we do for the distinguished gentleman from West Virginia, Dr. NEAL, who has done such a grand job for his State. We have nothing whatsoever against these gentlemen nor against the State of West Virginia, nor against the distinguished Republican Senator from West Virginia to whom the gentleman from West Virginia [Mr. BAILEY] referred.

This is the proposition with which we are faced. We are not accusing the people of West Virginia of asking for a handout, but we say that the people of the other 47 States should not be taxed for something that is not necessary.

On August 5 the gentlemen from West Virginia [Mr. BAILEY and Mr. NEAL] voted for this bill at $50,000. The bill had been approved by the Committee on Public Works. The Members who are now handling the bill voted $50,000. It goes to the other body and they decide to make some kind of an arrangement and it comes back to us at $112,500. Of course, I would not say that the conferees representing the House did not try to put into effect the will of the House. I am sure they did. But is it not a little unusual, when we have passed a bill by a unanimous vote, carrying $50,000, to have it come back at $112,500?

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. BLATNIK. The fact is, as the gentleman knows, that most of the members of the Committee on Public Works were in favor either of the full $150,000 or $100,000. It was suggested in the committee that the Bureau of the Budget had recommended only $20,000, that being all that was required to remove the remaining obstruction and leave the stream free. But all of us, including the Members on the gentleman's side of the aisle felt that there was equity in the proposal, and they also felt that appropriating merely $20,000 as suggested by the Bureau of the Budget would not be sufficient. They felt that there was a problem and that the figure should be $100,000. But we agreed on a compromise. We came to a figure of $50,000. So I would like to ask this question. I am sure we all act in the same spirit. The gentleman felt that there was equity at least in the proposal to appropriate $20,000 as recommended by the Bureau of the Budget. But the Members on that side were willing to increase it 2½ times, to $50,000, feeling perhaps that that would be adequate. We felt that $50,000 would not do anything unless there were a contribution by local people of $100,000. So I would ask the gentleman, Was there not some justice, equity, and courtesy about the problem of this small community that desired water? Was not that the reason you on that side yourselves went for the $50,000?

Mr. McGREGOR. Absolutely. I read into the RECORD a few minutes ago the statement of the Army engineers in which we conceded that we would give $30,000, a token of good will. This is really $20,000 more than needed.

May I say to my distinguished friend from Minnesota, not giving away the secrets of our committee in executive session, I hope he will tell this assembly who made the motion to strike $150,000 and put in $50,000, in our committee. It is a part of the record.

We have nothing against anyone, but if we are going to double and triple the recommendations of the Army engineers, the Bureau of the Budget, the Committee on Public Works by unanimous vote, and the House of Representatives by unanimous vote, where in the world are we going? I repeat, it passed the House for $50,000. It passed our committee for $50,000. The two gentlemen from West Virginia who are now asking $112,500 voted for it at $50,000. Now they come back and want $112,500.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. SCHERER. Is it not a fact that although when a few of us, not a majority, but a few of us on the committee, felt that $20,000 was the maximum amount which should be voted, we compromised on $50,000?

Mr. McGREGOR. The gentleman is right. Actually, there are many Members here on the floor who have just as good projects as this, but we have held them down to the recommendations of the Army engineers. Yet here is one you are going to double, triple, or quadruple. Why? Because we like the distinguished gentlemen from West Virginia? Sure we like them, but we like the taxpayers, too. We cannot continue this philosophy of spending where it is not necessary.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas.

Mr. AVERY. I have listened to this debate since it has been on the floor this afternoon. I have no particular prejudice or feeling about this bill, about giving this amount of money to certain interests in the State of West Virginia. However, I cannot quite reconcile my mind to the fact that the Committee on Public Works can be so very generous on a project like this, yet when certain public-works projects are authorized they can be so very, very conservative when it comes to considering the persons to be displaced by a reservoir project.

I have a situation in my district where a whole town will be displaced. A farmer in good financial shape can hire four lawyers to take care of his interests, but what about a woman with a little $1,300 house who cannot afford to hire a lawyer, and thus is pushed aside? How about a businessman who is compensated $1,500 for the building in which he is doing business, but his business interests are pushed entirely out in the cold? Does the gentleman from Ohio think a policy like that is consistent

with the bill we have before us this afternoon?

Mr. McGREGOR. I want to be consistent, of course, and we recognize the very situation the gentleman has described. It certainly is not consistent to treat one group as the gentleman has described and give this group in West Virginia more money then they need. That is the reason we are trying to get consistency in our committe. I see no reason in the world why we should grant $112,500 for this project. There will be a motion to recommit made with instructions to cut the amount back to $50,000, the amount that was in the bill when it was passed by the House by unanimous vote on August 5 and the same amount that the bill carried when it was voted out of our Public Works Committee.

Mr. BLATNIK. Mr. Speaker, on behalf of the House conferees of the majority, I do urge the adoption of this conference report.

Mr. Speaker, there being no further requests for time, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MACK of Washington. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. MACK of Washington. Yes, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MACK of Washington moves to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to insist on the House amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Chair being in doubt, the Committee divided and there were—ayes 56, noes 86.

Mr. McGREGOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 137, nays 232, not voting 63, as follows:

[Roll No. 201]

YEAS—137

| | | |
|---|---|---|
| Abbitt | Carrigg | Dawson, Utah |
| Allen, Calif. | Chamberlain | Derounian |
| Arends | Chiperfield | Devereux |
| Auchincloss | Church | Dixon |
| Avery | Clevenger | Dooley |
| Ayers | Cole | Dorn, N. Y. |
| Baker | Collier | Dwyer |
| Baldwin | Coudert | Fino |
| Bates | Cramer | Ford |
| Becker | Cunningham, Iowa | Frelinghuysen |
| Berry | Cunningham, Nebr. | Griffin |
| Bolton | Curtin | Gross |
| Bosch | Curtis, Mass. | Gubser |
| Broomfield | Curtis, Mo. | Gwinn |
| Budge | Dague | Hale |
| Byrne, Ill. | Davis, Ga. | Halleck |
| Byrnes, Wis. | Davis, Tenn. | Harden |
| Canfield | Delany | Harrison, Nebr. |
| Harvey | Merrow | Scudder |
| Haskell | Michel | Simpson, Ill. |
| Heselton | Miller, Md. | Simpson, Pa. |
| Hill | Miller, Nebr. | Smith, Calif. |
| Hillings | Miller, N. Y. | Smith, Wis. |
| Hoeven | Minshall | Springer |
| Holmes | Morano | Stauffer |
| Horan | Mumma | Taber |
| Hosmer | Nicholson | Talle |
| James | Nimtz | Teague, Calif. |
| Jensen | O'Konski | Tewes |
| Jonas | Osmers | Tuck |
| Judd | Ostertag | Utt |
| Kean | Pelly | Van Pelt |
| Keating | Poff | Vorys |
| Latham | Prouty | Vursell |
| LeCompte | Radwan | Wainwright |
| Lipscomb | Ray | Weaver |
| McCulloch | Reece, Tenn. | Westland |
| McDonough | Reed | Wharton |
| McGregor | Rees, Kans. | Widnall |
| McIntire | Riehlman | Wigglesworth |
| McIntosh | Rogers, Mass. | Williams, N. Y. |
| McVey | Sadlak | Wilson, Calif. |
| Mack, Wash. | St. George | Wilson, Ind. |
| Marshall | Schenck | Withrow |
| Martin | Scherer | Younger |
| May | Schwengel | |
| Meader | Scott, Pa. | |

NAYS—232

| | | |
|---|---|---|
| Abernethy | Fascell | Montoya |
| Adair | Feighan | Moore |
| Addonizio | Fisher | Morgan |
| Albert | Flood | Morris |
| Alexander | Flynt | Moss |
| Andersen, H. Carl | Fogarty | Moulder |
| Anderson, Mont. | Forand | Multer |
| Andresen, August H. | Forrester | Murray |
| Andrews | Fountain | Natcher |
| Ashley | Frazier | Neal |
| Ashmore | Friedel | Norrell |
| Aspinall | Fulton | O'Brien, Ill. |
| Bailey | Garmatz | O'Hara, Ill. |
| Barden | Gary | Passman |
| Baring | Gathings | Patman |
| Barrett | Gavin | Patterson |
| Bass, Tenn. | Granahan | Perkins |
| Beckworth | Grant | Pfost |
| Bennett, Fla. | Gray | Philbin |
| Bennett, Mich. | Green, Pa. | Pilcher |
| Betts | Gregory | Poage |
| Blatnik | Griffiths | Polk |
| Blitch | Hagen | Porter |
| Boggs | Haley | Price |
| Boland | Hardy | Rabaut |
| Bolling | Harris | Rains |
| Bonner | Harrison, Va. | Reuss |
| Bow | Hays, Ark. | Rhodes, Ariz. |
| Boykin | Healey | Rhodes, Pa. |
| Boyle | Hébert | Riley |
| Brooks, La. | Hemphill | Rivers |
| Brooks, Tex. | Henderson | Roberts |
| Brown, Ga. | Herlong | Robeson, Va. |
| Brown, Mo. | Hess | Rodino |
| Brown, Ohio | Holifield | Rogers, Colo. |
| Broyhill | Holland | Rogers, Fla. |
| Burdick | Holt | Rogers, Tex. |
| Burleson | Huddleston | Rooney |
| Bush | Hull | Roosevelt |
| Byrd | Hyde | Rutherford |
| Byrne, Pa. | Ikard | Santangelo |
| Cannon | Jarman | Saund |
| Carnahan | Jenkins | Saylor |
| Cederberg | Johansen | Scrivner |
| Celler | Johnson | Seely-Brown |
| Chelf | Jones, Ala. | Selden |
| Chenoweth | Jones, Mo. | Sheppard |
| Christopher | Karsten | Shuford |
| Chudoff | Kee | Sieminski |
| Clark | Keeney | Sikes |
| Coffin | Kelley, Pa. | Siler |
| Colmer | Kelly, N. Y. | Sisk |
| Cooley | Keogh | Smith, Kans. |
| Cooper | Kilday | Smith, Miss. |
| Corbett | Kilgore | Smith, Va. |
| Davis, Tenn. | King | Spence |
| Delany | Kitchen | Staggers |
| Dempsey | Knox | Steed |
| Denton | Knutson | Sullivan |
| Dingell | Landrum | Taylor |
| Dollinger | Lane | Teague, Tex. |
| Donohue | Lanham | Teller |
| Dorn, S. C. | Lankford | Thomas |
| Dowdy | Lennon | Thompson, N. J. |
| Durham | Lesinski | Thompson, Tex. |
| Eberharter | Long | Thomson, Wyo. |
| Edmondson | McFall | Thornberry |
| Elliott | McGovern | Tollefson |
| Engle | McMillan | Trimble |
| Evins | Machrowicz | Ullman |
| Fallon | Mack, Ill. | Vanik |
| Farbstein | Mahon | Van Zandt |
| | Matthews | Walter |
| | Metcalf | Watts |
| | Mills | Whitener |
| Whitten | Wolverton | Zablocki |
| Wier | Wright | Zelenko |
| Willis | Yates | |
| Winstead | Young | |

NOT VOTING—63

| | | |
|---|---|---|
| Alger | George | Madden |
| Allen, Ill. | Gordon | Magnuson |
| Anfuso | Green, Oreg. | Mailliard |
| Bass, N. H. | Hays, Ohio | Mason |
| Baumhart | Hiestand | Miller, Calif. |
| Beamer | Hoffman | Morrison |
| Belcher | Holtzman | Norblad |
| Bentley | Jackson | O'Brien, N. Y. |
| Bray | Jennings | O'Hara, Minn. |
| Breeding | Kearney | O'Neill |
| Brownson | Kearns | Pillion |
| Buckley | Kilburn | Powell |
| Coad | Kirwan | Preston |
| Cretella | Kluczynski | Robsion, Ky. |
| Dawson, Ill. | Krueger | Scott, N. C. |
| Dellay | Laird | Sheehan |
| Dennison | Loser | Shelley |
| Dies | McCarthy | Thompson, La. |
| Diggs | McConnell | Udall |
| Doyle | McCormack | Vinson |
| Fenton | Macdonald | Williams, Miss. |

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Dellay for, with Mr. McCormack against.

Mr. Bass of New Hampshire for, with Mr. Udall against.

Mr. Bentley for, with Mr. Jennings against.

Mr. Dennison for, with Mr. Gordon against.

Mr. Krueger for, with Mr. Dawson of Illinois against.

Mr. Baumhart for, with Mr. Hays of Ohio against.

Mr. Beamer for, with Mr. Holtzman against.

Mr. Bray for, with Mr. Anfuso against.

Mr. Brownson for, with Mr. Buckley against.

Mr. Robsion of Kentucky for, with Mr. Scott of North Carolina against.

Mr. Sheehan for, with Mr. Shelley against.

Mr. Jackson for, with Mr. Thompson of Louisiana against.

Mr. Kearney for, with Mr. McCarthy against.

Mr. Cretella for, with Mr. O'Neill against.

Mr. Mailliard for, with Mr. Morrison against.

Mr. Mason for, with Mr. Miller of California against.

Mr. Hiestand for, with Mr. Doyle against.

Until further notice:

Mr. Madden with Mr. Allen of Illinois.

Mr. Kluczynski with Mr. Alger.

Mr. Kirwan with Mr. Belcher.

Mr. O'Brien of New York with Mr. Fenton.

Mr. Vinson with Mr. McConnell.

Mr. Williams of Mississippi with Mr. Norblad.

Mr. Breeding with Mr. O'Hara of Minnesota.

Mr. Coad with Mr. O'Konski.

Mr. Dies with Mr. Pillion.

Mr. Diggs with Mr. Kearns.

Mr. Loser with Mr. Kilburn.

Mr. Magnuson with Mr. George.

Mrs. Green of Oregon with Mr. Laird.

Mr. Macdonald with Mr. Hoffman.

Mrs. SULLIVAN and Mr. WOLVERTON changed their vote from "yea" to "nay."

Mr. ABBITT and Mr. DAGUE changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

## GOVERNMENT GUARANTY OF PRIVATE LOANS TO AIR CARRIERS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HARRIS, MACK of Illinois, ROGERS of Texas, FLYNT, WOLVERTON, SPRINGER, and SCHENCK.

## LINCOLN SESQUICENTENNIAL COMMISSION

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution, House Joint Resolution 351.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas the year 1959 marks the 150th anniversary of the birth of Abraham Lincoln on February 12, 1809; and

Whereas Abraham Lincoln served as the 16th President of the United States; and

Whereas his life and ideals played an important part in the history of the United States during a critical period of its history; and

Whereas his spoken and written words and his philosophy of government have continued to have influence in our Government and in our daily way of life; and

Whereas the United States observed with appropriate ceremonies the 100th anniversary of the birth of Abraham Lincoln in 1909; and

Whereas the interest in, and respect for, Abraham Lincoln is demonstrated by over 1,850,000 people from all parts of the Nation visiting the Lincoln Memorial in Washington, D. C., during the year 1956, making it the most visited memorial in the world; and

Whereas it is appropriate that his ideals and accomplishments be reemphasized and be given wider public knowledge on the occasion of the 150th anniversary of his birth; and

Whereas it is incumbent upon us as a nation to provide for the proper observance of the birth of this great man who has continued to be a force in our history: Therefore be it

*Resolved, etc.*, That (a) in order to provide for appropriate and nationwide observances and the coordination of ceremonies, there is hereby established a commission to be known as the Lincoln Sesquicentennial Commission, hereafter in this act referred to as the "Commission", which shall be composed of 28 members, as follows:

(1) The President of the United States, President of the Senate, and Speaker of the House of Representatives, who shall be ex officio members of the Commission;

(2) Six Members of the Senate to be appointed by the President of the Senate;

(3) Six Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(4) Twelve members to be appointed by the President of the United States; and

(5) One member from the Department of the Interior who shall be the Director of the National Park Service or his representative.

(b) The Director of the National Park Service shall call the first meeting for the purpose of electing a chairman. The Commission, at its discretion, may appoint honorary members, and may establish an advisory council to assist it in its work.

(c) Appointments provided for in this section, with the exception of honorary members, shall be made within 90 days from the date of enactment of this resolution. Vacancies shall be filled in the same manner as the original appointments were made.

SEC. 2. It shall be the duty of the Commission to prepare an overall program to include specific plans for commemorating the 150th anniversary of the birth of Abraham Lincoln. In preparing its plans and programs, the Commission shall give due consideration to any similar and related plans advanced by State, civic, patriotic, hereditary, and historical bodies, and may designate special committees with representation from the above-mentioned bodies to plan and conduct specific ceremonies. The Commission may give suitable recognition such as the award of medals and certificates or by other appropriate means to persons and organizations for outstanding accomplishments in preserving the writings and ideals of Abraham Lincoln, or historical locations connected with his life.

SEC. 3. The President of the United States is authorized and requested to issue proclamations inviting the people of the United States to participate in and observe the centennial anniversaries of the nationally significant historic events, the commemorations of which are provided for herein.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with State, civic, patriotic, hereditary, and historical groups and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution.

(b) The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, expend in furtherance of this resolution funds donated or funds received in pursuance of contracts hereunder, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution.

(c) The National Park Service is designated to provide all general administrative services.

SEC. 5. (a) The Commission may employ, without regard to civil service laws or the Classification Act of 1949, an executive director and such employees as may be necessary to carry out its functions.

(b) Expenditures of the Commission shall be paid by the National Park Service as general administrative agent, which shall keep complete records of such expenditures and shall account also for all funds received by the Commission.

(c) A report shall be submitted to the Congress, presenting the preliminary plans of the Commission not later than March 1, 1958, in order that further enabling legislation may be enacted. A final report shall be made to the Congress no later than March 1, 1960, upon which date the Commission shall terminate.

(d) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park System or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

SEC. 6. (a) The members of the Commission shall serve without compensation, but shall be furnished transportation and be reimbursed at not to exceed $20 per diem, in lieu of subsistence, while engaged in the discharge of their duties provided for in this resolution.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" with the meaning of the act of April 27, 1916 (5 U. S. C. 101).

SEC. 7. Notwithstanding section 2 of the act of July 31, 1894 (28 Stat. 205), as amended (5 U. S. C. 62), or section 6 of the act of May 10, 1916 (39 Stat. 120), as amended (5 U. S. C. 58, 59), the Chairman of the Commission may appoint to, and employ in, any civilian office or position in the Commission, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service. The retired status, office, rank, and grade of retired commissioned officers or retired warrant officers, so appointed or employed and, except as provided in section 212 of the act of June 30, 1932 (47 Stat. 406), as amended (5 U. S. C. 59a), any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Commission or the receipt of the pay thereof.

SEC. 8. There are hereby authorized to be appropriated such funds as may be necessary to carry out the provisions of this resolution, including an appropriation of not to exceed $40,000 to prepare the preliminary report and plans of the Commission described in section 5 (c).

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 4, line 11, strike out "centennial anniversaries" and insert "anniversary."

Page 4, line 13, strike out "events," and insert "event."

Page 4, line 13, strike out "commemorations" and insert "commemoration."

Page 4, line 14, strike out "are" and insert "is."

Page 4, line 20, after the period, insert the following paragraph:

"All books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials relating to Abraham Lincoln and donated to the Commission may be deposited for permanent preservation in a National, State, or local library or museum or be otherwise disposed of by the Commission in consultation with the Librarian of Congress or the Secretary of the Smithsonian Institution."

The committee amendments were agreed to.

Mr. NIMTZ. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NIMTZ: On page 4, line 11, strike out "obseve" and insert "observe."

On page 7, line 22, strike out "$40,000" and insert "$10,000."

The amendment was agreed to.

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, I rise in support of the resolution as amended. On June 11, 1957, I introduced a similar resolution to establish an Abraham Lincoln Sesquicentennial Commission. Similar resolutions were also introduced by the gentleman from Illinois [Mr. ALLEN], the gentleman from Pennsylvania [Mr. SCOTT], and the gentleman from Iowa [Mr. SCHWENGEL].

On Wednesday, July 31, 1957, in the House caucus room, I testified before Subcommittee No. 4 of the House Judiciary Committee. At that time I stated that I had no pride of authorship and that any of the bills would be satisfactory. I urged the committee to take immediate action as little time remained to prepare for the appropriate observance of this historic occasion. During my testimony several members of the subcommittee objected to my resolution on the basis that the $10,000 authorized to be appropriated was not sufficient. While I felt that this amount was entirely sufficient, I certainly did not object to the authorization of a larger amount. It is my understanding that on the basis of this testimony the subcommittee reported the resolution introduced by my colleague, the gentleman from Indiana [Mr. NIMTZ]. Therefore, Mr. Speaker, I wish to support this legislation with an amendment to reduce the amount to $10,000, as provided in my resolution, House Joint Resolution 357, which I introduced on June 11. Since the provisions of this legislation are now almost identical to my resolution, I strongly urge the passage of this legislation during this session of Congress.

Mr. Speaker, Abraham Lincoln served in Congress just 100 years before I was first elected. The district I represent is known as the Land of Lincoln, and it includes Oak Ridge Cemetery where Lincoln was buried. It is a historic area and includes Lincoln's home as well as many other Lincoln shrines. Therefore, Mr. Speaker, I am vitally interested in the passage of this legislation.

The people of Springfield, Ill., are extremely anxious to have this resolution adopted so that appropriate ceremonies can be held throughout the country on the 150th anniversary of the birth of Abraham Lincoln. This occasion will have international significance, and it is entirely possible this sesquicentennial will be celebrated throughout the world.

Springfield, Ill., is the place where Abraham Lincoln spent all of his adult life until he was elected President of the United States. Springfield was home to Lincoln, and it is my hope that this resolution will be adopted so that the Abraham Lincoln Sesquicentennial Commission can arrange appropriate ceremonies in Springfield, Ill., and elsewhere throughout the world.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 2229) entitled "An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. SMATHERS, Mr. BIBLE, Mr. SCHOEPPEL, and Mr. PAYNE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1866. An act to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8996) entitled "An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes."

## WEAKENING THE RECIPROCAL TRADE-AGREEMENTS PROGRAM

Mr. KARSTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KARSTEN. Mr. Speaker, it is not often that a Member of the House takes the floor to urge the defeat of a bill he has introduced; yet that is my purpose today.

Every bill is important in one way or another to the Member who sponsors it. No matter how little or insignificant the bill, it is always a pleasant experience to have the House approve it. A few days ago, the House approved one of my bills, H. R. 6894, to reduce the tariff on mica. This is an insulating material which is used in the manufacture of many electrical products. Foreign manufacturers of electronic devices are not required to pay tariff on mica. The enactment of my bill was designed to aid American industry.

I am grateful to the House for approving this bill, but the legislation has been drastically changed by the other body. A major amendment was adopted to include the imposition of a sliding-scale import tax on lead and zinc. This is a broad departure from the reciprocal trade-agreements program. It completely bypasses existing authority given the President under the present trade-agreements legislation.

The Committee on Ways and Means, of which I am a member, recently held hearings on the lead and zinc amendment. From the testimony presented, it is apparent that the lead and zinc mining industry in the United States is in a distressed condition. The Under Secretary of the Interior, Hatfield Chilson, declared that a "world oversupply" of lead and zinc made it necessary for the administration to recommend legislation to Congress which would apply an excise tax on imports of the two minerals. It was contended that large imports of foreign ore had resulted in the closing of many American mines. At the same hearing it was pointed out that the President has authority under the trade-agreements legislation to grant relief to the lead and zinc mining industry without legislative action. It was also pointed out that the legislative proposal is almost identical with the recommendations the Tariff Commission made to the President under the lead and zinc escape-clause proceeding in 1954. The President stated among other things that the proposed relief did not meet the needs of these industries. Evidence the committee received indicated that the situation today in the lead and zinc mining industries is similar to what it was at the time of the Tariff Commission investigation and the President's rejection of their findings.

To further complicate the problem, the Department of the Interior is making grants in the form of loans to private lead and zinc interests. The purpose of these grants is to help finance exploration and to locate more lead and zinc mines. If there is actually a world oversupply, and if it is also true that many American mines are closing, it is difficult to understand why the Department of the Interior is engaging upon a program which is designed to add to the world oversupply of these metals.

The lead and zinc mining industry is a most important one. Both are strategic minerals and I should like to see American mines continue to operate. But, I do not believe this legislation is the method by which it should be accomplished. There are a great many other industries seeking similar tariff relief, such as textiles, hardwood, plywood, flatware, stainless steel, and many others. There are numerous bills before the Committee on Ways and Means which would provide relief from import competition. To pass this legislation would undermine the authority of the President under trade-agreements legislation. The passage of one would serve as a precedent and we might ultimately find Congress acting on hundreds of indiivdual items.

Since the passage of the Reciprocal Trade Agreements Act, there has been consistent efforts over the years to go back to the old system of the Smoot-Hayley Tariff. The Reciprocal Trade Agreements Act has stood up fairly well. It has been weakened from time to time but these attacks have not resulted in serious damage to American trade throughout the world. The passage of a bill containing provisions such as this one, however, would be a signal to the world that the free trade we have talked

about for the last 20 years is only a myth and that we are really isolationists after all. I believe the enactment of this legislation would have most serious repercussions and irreparably damage our trade policy. The passage of this bill would be followed by others seeking to impose tariff walls around the United States under the guise of protecting American labor and industry.

I believe in the reciprocal trade agreements program. When it was passed, I recall the advocates of high tariffs predicted it would utterly destroy the economy of the United States. Instead, after 20 years' experience, our economy has today reached the highest point in our history. Instead of losing industry and destroying jobs, our trade policies have had just the opposite effect.

The bill H. R. 6894 is important to me. But I would prefer to see it defeated than let the measure become a wedge which might eventually destroyed the reciprocal trade agreements program. While it is not easy to do, I urge my colleagues who were so generous to support my original bill to join me in opposing it when the legislation returns to the House with the lead and zinc rider attached to it.

## UNITED STATES AIR FORCE

Mr. BYRNE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BYRNE of Illinois. Mr. Speaker, I would like permission to extend my remarks in the RECORD in connection with the 50th anniversary of the United States Air Force. I also want to insert a resolution adopted by Aviation Post No. 651 of the American Legion, Department of Illinois. Aviation Post No. 651 of Chicago is a fine post dedicated to keeping our American Air Force the greatest in the world.

None of us doubt today that the United States Air Force has become the first line of our defense. Becoming the greatest air power in the world has not been without supreme sacrifice on the part of men who had the vision and faith to recognize the potential of American air power. These men had the courage and impetus to meet the "wild blue yonder" and to look at it as a friend and ally who would year by year and day by day prove its worthiness of the trust they placed in it.

The ascendency of American air power and the courage of our pilots is another example of what is possible under the American free enterprise system. Without these we would not have gotten off the ground.

I hereby salute the United States Air Force for their past and present contribution to the world.

I commend the commander of Aviation Post No. 651, Lew W. Cleminson, adjutant, Willard J. Einspar, and all the members for this patriotic resolution.

RESOLUTION OF AVIATION POST NO. 651, THE AMERICAN LEGION, DEPARTMENT OF ILLINOIS

Whereas, the United States Air Force is celebrating its 50th anniversary and has become the first line of our defense in the protection of freedom and democracy, not only for America but for the entire civilized world and humanity; and

Whereas the past 50 years have brought us from the age of the "Jennie" to the giant supersonic jet bombers capable of miraculous performances and of being able to deliver nuclear and hydrogen weapons, as well as guided missiles, with pinpoint accuracy and precision, and with devastating results when and where needed; that our Air Force has completely annihilated time and space; and

Whereas the original Air Force was duly created on August 1, 1907, having previously thereto been an insignificant part or adjunct of the Signal Corps of the United States Army; that the official 14-word sentence creating the Air Force was as follows: "An aeronautical division of this office is hereby established to take effect this date"; that thereafter, each branch of our armed services organized its own air force until, at long last, the Air Force, as a separate and distinct unit attained the proportions it now enjoys, namely, the most important and indispensable arm for our security and protection; and

Whereas today Gen. Nathan F. Twining, Chief of our Air Force, is now the Chairman of the Joint Chiefs of Staff, with full and complete charge over all of our Armed Forces; and

Whereas this recognition of our Air Force was not attained without personal sacrifices and heroic efforts against overwhelming obstacles, and stubborn resistance of the top military and naval leaders, who refused to face reality, and accept air power and its great potential for peace as well as war; that time has proven the value of air power whose worth, daring exploits and phenomenal accomplishments, have kept the world free from aggression and tyranny, against the enemies who would subjugate and reduce us to abject slavery, and it is our most sincere and frevent hope that we shall never be compelled to use either nuclear or hydrogen weapons at any time in the future; and

Whereas the late General "Billy" Mitchell was sacrificed on the altar of truth for his uncompromising stand in espousing proper recognition of air power, and because of the intolerance and short-sightedness of the high military generals; that at this celebrated court-martial it was proven that General "Billy" Mitchell had pleaded with the generals and War Department to purchase a bombsight for $10,000, so as to develop precision bombing and that the War Department promptly rejected the request as exorbitant and unrealistic, and today our present automatic bombsights cost upward of a quarter million dollars each, but while General Mitchell failed at that time, he nevertheless kept up his fight and as a result of his tenacity and fighting heart, we were the first Nation in the world to develop instrument flying and perfect and use automatic gunsights; and

Whereas Aviation Post No. 651, the American Legion, Department of Illinois, is composed of veteran fliers of the First and Second World Wars, as well as the Korean conflict, many having been singularly honored by a grateful Nation, and men preeminent for their respective attainments in many fields akin to airpower, pioneers of aviation from the founding of the first airmail service, which resulted in the first scheduled flights, along our own air routes, which subsequently resulted in the creation of our present airlines, and the development of the entire aircraft industry as we know them today; that Aviation Post has given our present great airlines vice presidents and many of their most important executives, technicians, experts, and pilots; that the youngest general of our Air Force in World War II is our own Maj. Gen. John P. Henebry; among others are Gen. Ray W. Ireland, vice president, United Air Lines; Gen. Whitney Lafeton, Gen. Wilson E. Newhall, and other distinguished generals, as well as judges, noted lawyers, business executives, many Reserve officers of the Air Force, etc.; that we furnished the first Civil Secretary of Aviation, William P. MacCracken, Jr., under Herbert Hoover; the late and lamented Maj. Rudolf (Shorty) Schroeder, who first established the record in conquering the stratosphere, the late David F. Behnecke, who became the president of the very powerful Air Line Pilots Association, International, which is the most dynamic force and influence for the safety and welfare of the traveling public, whose staff of research experts in engineering and aerodynamics are constantly employing their genius in the continued study and development of safety devices under their capable President Clarence N. Sayen, and his efficient and very capable corps of scientists, so that air travel today has exceeded all other modes of transportation, both here and abroad; that the greatest percentage of pilots in commercial flying are Air Force trained, and the same is true of the greatest number of its top executives of all civilian airlines. Thus our Nation's youth is benefiting materially and financially as a result of our wonderful Air Force program; and

Whereas Aviation Post through its officers and special committees are constantly on the alert, in the public interest, and have voiced their protests against unjust discrimination, disloyalty, injustice, and oppression.

Therefore it is with a sense of deep pride, gratitude, and humility that we extend our congratulations, felicitations, and best wishes for the continued success of our Air Force on this 50th anniversary, to our beloved President Dwight D. Eisenhower, and to Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff; and be it further

*Resolved*, That a copy of this resolution be forwarded to President Dwight D. Eisenhower, Gen. Nathan F. Twining; Gov. William G. Stratton, of Illinois, who has always manifested a deep and abiding faith and confidence in our Air Force, and in the members of Aviation Post, by his constant interest in appointing from among its members men now holding positions of confidence and trust in the various posts dealing with aviation in our State; Gov. Joe Foss, of South Dakota, that peerless, outstanding hero flier of World War II, who has always proven his great interest in Aviation Post and in all matters pertaining to airpower; Mayor Richard J. Daley, of Chicago, whose interest in aviation and in Aviation Post has been proven on many occasions by his appointments from among our membership to positions of confidence and trust, executives of our airfields and airposts, men preeminently qualified to efficiently handle these very important assignments; to the Members of the Congress of the United States from Illinois whose cooperation we have sought and whose wholehearted support we have always received; and to Clarence N. Sayen, and his very important organization, the Air Line Pilots Association International, whose valuable research programs and constant vigilance in the field of aerodynamics has resulted in highly efficient, capable, and conscientious pilots, whose membership in his organization is a guaranty to the general public of the highest degree of safety all over the world, and which is ample proof that our wonderful land of free enterprise makes it possible to merge all of our efforts, scientific and technical knowledge, inventive genius, financial

resources, and industrial competence in every field of endeavor, for the common good of civilization, so that from this vast reservoir we have given the world the greatest airpower known to man.

Dated at Chicago, Ill., this 1st day of August, A. D. 1957.

LEW W. CLEMINSON,
*Commander, Aviation Post No. 651, the American Legion, Department of Illinois.*

Attest:

WILLARD J. EINSPAR,
*Adjutant.*

## DANGER TO PUBLIC HEALTH BY AUTOMOBILE EXHAUST GASES

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, each of us, at times, has had the experience of having to drive our car in heavy traffic close behind the car, bus, or truck in front of us. Each of these motor vehicles is powered by some type of an internal combustion engine which, of course, must exhaust the gases resulting from the combustion. The odor of the exhaust of the vehicle in front of us has frequently been most unpleasant and at time nearly nauseating even to the point of making us feel ill. Some attempt to lessen this effect has been made by requiring some vehicles to point their exhaust pipes upwards instead of directly to the rear. This perhaps helps some, but these exhaust gases being heavier than air settle. Some engineers expressed the opinion that exhaust gases are dissipated more rapidly when the exhaust pipe is pointed downward because of increased air turbulence closer to the road surfaces.

According to some information I have been able to assemble there are some 60 million motor vehicles of all kinds using the highways and streets throughout our Nation each day and this number is being increased at the present net rate of more than 3 million annually. The problems of air pollution resulting from these exhaust gases will become constantly more difficult to handle unless some very necessary and important steps are taken very soon. The problem now is bad enough in the wide open spaces throughout the countryside, but it is much worse in the closely built-up urban areas where tall buildings line the streets. Thus these streets, which are literally chasms, become filled with the exhaust gas poured into them by thousands of vehicles with little chance of these gases being replaced by fresh air. The problem is being constantly worsened by the transition from the electric streetcars which are rapidly becoming, for many reasons, a thing of the past, to buses powered by internal combustion engines.

The danger to the public health from breathing air polluted by these exhaust gases, Mr. Speaker, has not yet been fully appraised, but there is a growing appreciation of the dangers and many studies are being made. Recently I saw some figures which estimated that 7 percent of the gasoline we put into the tanks of our cars comes out of the exhaust pipe unburned to taint the air we breathe. In this connection it was estimated that 2,000 tons of such impurities are hoisted every day into the air of large metropolitan cities.

Most of us, Mr. Speaker, who know something about the methods used to tune up the engine of our car have seen the mechanic use an exhaust gas analyzer to determine the degree of combustion being obtained. The degree of good combustion depends upon a number of factors including the kind and quality of the fuel itself, the adjustment and quality of the ignition system, the proper adjustment and efficiency of the carburetion system, and the general mechanical condition of the engine itself. All of this equipment must be very well engineered in the first place and our automotive engineers have done a great job. All of this equipment must be properly maintained and even the best engineered equipment can be made ineffective by the use of a cheaper or unsuited fuel. Also much depends upon the driver. Not long ago, Mr. Speaker, I was in the engineering laboratory of one of our leading automobile manufacturers. They were running some tests and analyzing exhaust gases on recording type instruments. It was conclusively shown that considerable amounts of unburned fuel was exhausted upon acceleration and deceleration of the engine. I asked the engineer to accelerate and decelerate the engine quickly several times, similar to the habit of some drivers as they are waiting for a traffic light change. He did so and the amount of unburned gasoline exhausted was a most vivid demonstration of air pollution showing conclusively what such a bad practice can and will do.

It has been pointed out by many scientific authorities in a number of research projects the unburned hydrocarbons can and do cause cancer and other illnesses. Much work is being done on this question by some of our most outstanding scientific research authorities throughout the Nation and startling results are being obtained.

With this thought in mind, Mr. Speaker, I have today proposed legislation to instruct the Surgeon General of the Public Health Service to determine, prescribe, and publish in the Federal Register within 6 months after the enactment of this legislation, standards as to the amount of unburned hydrocarbons which is safe, from the standpoint of human health—with particular reference to the carcinogenic nature of unburned hydrocarbons—for a motor vehicle to discharge into the atmosphere. My bill provides further, Mr. Speaker, that no one may use any motor vehicle in commerce which exceeds these standards prescribed by the Surgeon General. My bill also provides for the proper enforcement of these standards as determined by the Surgeon General beginning 1 year after these standards are published in the Federal Register. These provisions, Mr. Speaker, I believe will give everyone ample time in which to comply. Almost every owner and operator of a motor vehicle is interested in obtaining the best performance possible out of his car or truck, in the selfish interest of his own operating costs. Many are also deeply concerned and very properly so in the matter of the conservation of fuel for future generations. All of us, Mr. Speaker, have a very understandable and deeply personal interest to assure the highest degree of purity possible in the air we breathe so that we may live. This fact alone, Mr. Speaker, is one of almost overpowering interest to every man, woman, and child.

It is my earnest hope, Mr. Speaker, that the committee to which this legislation is referred will consider this subject important enough to conduct some hearings during the time Congress is in adjournment so that this proposal may be considered early in the next session of the Congress.

## IN SUPPORT OF THE ESTABLISHMENT OF A LINCOLN SESQUICENTENNIAL COMMISSION

Mr. DENTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DENTON. Mr. Speaker, I rise in support of House Joint Resolution 351, to establish a Lincoln Sesquicentennial Commission. Abraham Lincoln is one of the most typical of Americans, and it is certainly apropos that this Commission be established to plan an appropriate observance of the 150th anniversary of his birth.

Abraham Lincoln was, to use his own words, born in "the most humble walks of life" in a log cabin in Hardin County, Ky. In 1816 when he was 7, his family crossed the Ohio River into southern Indiana, following a newly blazed trail to their new home in Spencer County, in the district I have the honor to represent. There Lincoln spent most of his youth, and it was not until he was 21 that the family moved once again in the year 1830, to Macon County, Ill.

The formative period of Lincoln's life was, therefore, spent in Indiana. Life in this frontier area was hard. The family was poor, and the country but little developed. The first winter Lincoln and his family lived in a mere shelter of poles, brush, and leaves enclosed on three sides. When Lincoln's father got around to building a cabin, it had no floor.

In 1818, Lincoln's mother, Nancy Hanks Lincoln died, unaware of the great destiny which awaited her son. The State of Indiana has established a State park where his mother is buried, in the midst of the rugged and beautiful country where Lincoln lived as a young man.

It is reported that Lincoln once said, "The Lord prefers common-looking people. That is the reason He makes so many of them." Much has been made of the fact that Lincoln was by origin a common sort of man. It is the nature of our system, that uncommon men such

as Lincoln can rise above their surroundings and put the superior talents and superior ability with which they are endowed to use.

Life on the American frontier, it has been said, was an important formative influence in the development of our way of life. Where all find themselves in a condition of equality, where all face common difficulties, there, it is argued, a truly democratic spirit will prevail.

It is certain that Lincoln never lost the common touch acquired on the Indiana frontier. His formal education was meager. In Indiana he attended log schools, to which he had to walk long distances, for several years. In all, it is estimated, however, his attendance at school did not exceed 1 full year. His education was largely a matter of intellectual interest and application. His reading was largely in a few classics and in the miscellany of books which found its way to backwoods Indiana—the Bible, of course, Robinson Crusoe, Pilgrim's Progress, Aesop's Fables, Weem's Life of Washington, and a few others. His home might have been a rude frontier cabin—yet he did not lack contact with the great cultural traditions which have so strongly influenced the development of Western society and our own civilization.

The nearby Ohio River strongly attracted Lincoln. He operated a ferry over Anderson River at its mouth in Perry County, Ind., which county is also in the Eighth District. He also earned an occasional dollar by rowing passengers from the Indiana shore to passing steamers on the Ohio River. In 1828 he journeyed from Indiana down the Mississippi River into New Orleans. An early ambition was to become a steamboatman, but instead he stayed at home and worked on the family farm.

If life on the frontier was in many ways an ennobling force, it was also for those who lived on it, as did Abraham Lincoln and his family, a time of great trial and challenge. The poverty and physical hardships of the frontier are often forgotten. It is well to remember that a man's greatness is measured not only in his accomplishments, but also in the moral and intellectual distance he has come. Lincoln's achievement was all the greater when we consider the great obstacles he overcame in achieving his place as one of the great leaders in our history and in the history of the world.

I am glad to speak in support of the establishment of a Lincoln Sesquicentennial Commission, which would do honor to this great man who spent the formative years of his life in the State of Indiana and in the Eighth District, which I represent.

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## ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

Mr. NIMTZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. NIMTZ. Mr. Speaker, House Joint Resolution 351 provides for a 28-member Commission to prepare plans for the observance in 1959 of the 150th anniversary of the birth of Abraham Lincoln. The Commission will be composed of the President of the United States, the Vice President, the Speaker of the House, 6 Members of the Senate to be named by the Vice President, 6 Members of the House to be named by the Speaker, 12 members to be named by the President, and a representative of the National Park Service.

This resolution provides for the issuance of appropriate proclamations by the President and for other authorizations necessary for the celebration. The Commission would prepare an overall program to include specific plans for commemorating the 150th anniversary of the birth of Abraham Lincoln; and in preparing these plans, the Commission would give due consideration to any similar and related plans advanced by State, civic, patriotic, hereditary, and historical bodies.

Undoubtedly, this Commission will receive many articles and items pertaining to or about Abraham Lincoln. In order to provide for the deposit of these items of interest in the most appropriate depository upon the close of the Commission's work, the resolution very appropriately provides that all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to Abraham Lincoln and donated to the Commission may be deposited for permanent preservation in a National, State, or local library or museum or be otherwise disposed of by the Commission in consultation with the Librarian of Congress or the Secretary of the Smithsonian Institution.

I have long been interested in the life of the Great Emancipator, who spent his formative years in Indiana. Among the Lincoln scholars who appeared before the subcommittee of the House Committee on the Judiciary when this resolution was being considered, was Dr. R. Gerald McMurtry, who is now director of the Lincoln National Life Foundation of Fort Wayne, Ind. I know it would be of interest to all Members to have the opportunity to read the testimony of this great scholar concerning the proposed observance of the sesquicentennial anniversary of Lincoln's birth, as provided for in this resolution. Dr. McMurtry's testimony follows:

I am the director of the Lincoln National Life Foundation, an historical research center of Lincoln information located in Fort Wayne, Ind., and sponsored by the Lincoln National Life Insurance Co., with some 200,000 separately catalogued items of Lincolniana. The foundation has assembled the largest amount of material ever gathered about one historical character.

Prior to my association with the Lincoln National Life Insurance Co., I was the director of the department of Lincolniana at Lincoln Memorial University at Harrogate, Tenn., and for more than 25 years I have devoted my full time to a study of the life, and the historical incidents, surrounding the career of Abraham Lincoln.

In your deliberations on the resolutions, including H. J. Res. 351, proposing a celebration of the 150th anniversary of Mr. Lincoln's birth, it should be remembered that he is generally acknowledged as the greatest character of the 19th century, that his fame is worldwide, that he is the most revered universal character which the world has produced since the beginning of the Christian Era. H. G. Wells has named him with Jesus, Buddha, Asoka, Aristotle, and Roger Bacon as among the greatest names in history and Lord Shaw has placed Lincoln among such immortal lawyers as Papinianus, Grotius, Duncan-Forbes, and Lord Mansfield.

John Hay once said that Lincoln is "the precious heirloom of the Republic" and the story of his life is a vast and inspiring topic:

1. A new book, brochure, pamphlet or folder, concerning some phase of his life comes from the press, on the average, every 7 days and more books have been published on Lincoln than on any other historical character.

2. Biographies of his life and career appear in over 40 languages and dialects.

3. Lincoln is the theme of more sheet music (500 pieces approximately) than has been published about any other historical character. This music is not popular today but it contains certain elements of time and place which may one day be incorporated into a great Lincoln symphony.

4. More heroic bronze statues have been cast, by great sculptors, depicting Lincoln than of any other historical character that has ever lived.

5. Perhaps the most significant aspect of Lincoln's enduring fame is that the people of his own generation recognized him as one of the world's great men—and this has never occurred before or since in world history, except with Christ.

This is the calibre of man whom we wish to honor in 1959.

The Nation needs Lincoln. To adequately commemorate his life and deeds we need to reiterate the logic of his thinking, to study anew his concept of government, to better understand the motivating spirit of his character and to emulate his simplicity, faith, foresight, honesty, and justice.

To adequately honor Abraham Lincoln in the sesquicentennial year of 1959, we should pattern our celebration after the great centennials of the past, namely the 1876 anniversary of our Nation or the 1932 bicentennial of George Washington's birth.

One of the most significant accomplishments of the Washington Bicentennial Commission was the issuance by the Post Office Department of a series of commemorative postage stamps ranging in denominations from one-half cent to 10 cents inclusive, 12 stamps in all. These stamps depicted Washington as a young man and then through various periods of life until he reached old age.

A similar study could be designed depicting Lincoln as a youth, as a soldier in the Black Hawk war, as a State legislator, as a Congressman; as a debator with Stephen A. Douglas, as a party candidate, a presidential nominee, a President-elect, a Commander in Chief, an emancipator, Gettysburg orator and martyr.

Lincoln literature, with the ever recurring traditions and fanciful folklore deleted, should be widely circulated in 1959. Lincoln essay contests should be sponsored and Lincoln oratorical contests should be conducted. Lincoln speeches, for those who do not have the research facilities, should be distributed. The publication of Lincoln books and pamphlets should be encouraged. Newspaper editors should be prevailed upon to write Lincoln editorials and cartoonists should be so stimulated with this patriotic fervor that they will draw Lincoln cartoons.

Perhaps the Treasury Department might consider the minting of a Lincoln sesquicentennial half-dollar. Likely a new Lincoln coin could be introduced into our coinage. The Lincoln penny might be studied for a new design in 1959.

With the stimulus provided by a National Lincoln Sesquicentennial Commission there is a probability that a new Lincoln play could be produced on Broadway. A new Lincoln motion picture might earn its way in 1959. Lincoln plays and Lincoln motion pictures run in 20-year cycles. The Lincoln sesquicentennial year might well mark the revival of Lincoln drama.

Nineteen hundred and fifty-nine could also become a target date for the unveiling of new Lincoln statues (several of which are now being sculptured), the dedication of hitherto neglected Lincoln historic sites, and the unveiling of Lincoln portraits of a 20th-century concept.

Then, too, radio network broadcasts and television spectaculars could well feature the life of Lincoln, in 1959. Modern musicians might be inspired to write great classical Lincoln music during the sesquicentennial year.

Next year, 1958, will mark the anniversary of the seven great debates between Lincoln and Douglas. Already plans are underway to celebrate the debate centennials.

In the 1960's this Nation will stage the centennial of the Civil War. We predict that this will be one of the most exciting and spectacular centennials ever staged in any age or in any country.

The Lincoln National Life Foundation pledges its facilities to help make 1959 a great festival of patriotism, with its hub revolving around the 16th President. Lincoln did not believe that man is motivated primarily by economic self-interest and American business has often acted altruistically. Perhaps the foundation's monthly historical publication Lincoln Lore which is sent gratis to approximately 7,000 students, collectors, public libraries, and historical societies can serve as a medium of information to alert the people of America to review again during the sesquicentennial year of 1959 the life, career, and immortality of the 16th President. Certainly such an interest manifested by our citizens will serve as one more bulwark in the protection of our democratic institutions.

It is our sincere wish that appropriate legislation will be enacted for the establishment of a National Lincoln Sesquicentennial Commission, with ample funds to carry out its many worthwhile objectives.

Lincoln's own words, in a message to Congress, November 1, 1862, perhaps will best point up our Nation's need for a great revival of the principles expounded by Lincoln: "We cannot escape history. We * * * will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trail through which we pass will light us down in honor or dishonor to the latest generation. We shall nobly save or meaningly lose the last best hope of earth."

A national commission is especially needed to coordinate State efforts to celebrate the sesquicentennial year of 1959.

Indiana will very soon establish a State commission and Kentucky and Illinois will likely immediately follow suit.

Perhaps a dozen States in the Midwest will want to have some part in this sesquicentennial celebration. However, this will not rule out a like interest in the States of the North, the South, and the East.

The people are interested. Someone has said that you cannot tell where the people leave off and Abraham Lincoln begins.

This effort to honor the 16th President will prove to be a spontaneous movement. All this can be brought about with State initiative and national coordination.

## LEAVE OF ABSENCE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that I may be granted leave of absence on account of official business after August 23.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## A DANGEROUS TAX PROPOSAL

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in our time, the word "subversive" has been very much overworked. Yet, this is the word that must be applied to a tax proposal which was placed before this body during the current session of Congress and which will undoubtedly be pushed for action when Congress reconvenes. I want to take time to put the facts before this body before adjournment, so that the membership may be informed of what this proposal really means, and may thus be prepared for the pressure which people are being induced to put on their Congressmen when we return to our home districts.

I refer to the proposal contained in H. R. 6452 and H. R. 9119, which are identical measures.

There has already been placed in the CONGRESSIONAL RECORD samples of the attention this tax cutting plan is getting in the public press as a result of the energetic promotion it is receiving. Instances have been brought to my attention of handbills being distributed among workers in some of the factories of the country, to persuade these people to support this proposal, which is directly contrary to their interests. I am persuaded that it is very important that the membership of this body be informed about this proposal as soon as possible.

We ought to know that it is intended to cut taxes by a large amount of money, nearly $15 billion per year. While giving a small tax cut to the low-income families who really need it, it would give huge tax cuts to the biggest taxpayers. It would tighten a vise around the Federal Government, so that even though our population increases, and the need for services for business and the public increases, we will have no resources with which to meet these needs. It will force Congress to turn to increased sales taxes, which as everyone knows, burden the poorest families of the country most grievously, if we are to meet the needs of our growing and expanding country.

Yet this proposal, which would reduce income tax collections by $10.6 billion and corporation profits tax collections by $4.2 billion is being peddled to the American people as a plan which would not reduce Government revenues. The advertising that goes with this plan does not trouble to explain to the American people how you can reduce taxes by $15 billion without cutting Government revenues by $15 billion below what they would have been if the tax cut had not been made.

What the proponents of these bills really mean is that the growth in national income will keep revenues as high as they would have been if the growth had not taken place. We are not told, however, how we are to keep up with the demands that this higher national income will make, out of a purse that is limited to the size that went along with the lower national income. The proponents of this plan have discovered that one can save money by keeping a 6-foot tall, growing boy in the pants he wore when he was 5 feet 6 inches tall. This is hardly a great discovery, and the American people ought to be told that this is the kind of scheme on which this plan is based. I am sure that the people would see through it as something that will not work in Federal financing any more than it would work in family financing.

They ought to be told clearly, too, that this bill, which is being advertised as everyman's tax bill is in this respect, too, not as good as its advertising.

This bill would give the worker who pays taxes on $2,000 income per year a tax cut of $1.92 per week. Many workers would get even less.

The taxpayer who pays taxes on $50,000-per-year income would receive a tax cut of nearly $192 per week.

Usually there are about 200 taxpayers in the income group of a million dollars per year and more. The average income per taxpayer in this income bracket is about $2 million per year. Under H. R. 6452, these taxpayers would receive a tax cut of $18,498 per week.

I submit that the partnership which makes this everyman's tax bill, but which gives the $2,000 taxpayer $1.92 per week, while giving the $2 million taxpayer $18,498 per week is a very uneven one. I believe strongly that if this fact were made clear to the American people, at least some of the support for which the proponents are working would become very difficult to obtain.

It may be a minor point, but on one handbill which supports H. R. 6452, the amount lost to the Federal Government through this $10.6 billion cut for individuals and the $4.2 billion tax cut for corporations is not even mentioned.

These facts may reveal no more than that the proponents of this plan have not been completely candid. They may show that whoever is writing the advertising for the plan is not being completely honest with those who are being asked to support it. Why, then, did I use a word as strong as "subversive" in describing this proposal?

I used that word because these bills would tear the props from under the American system of progressive taxation on the Federal level, the only place where it now exists.

Our State and local governments, which are driven to depend more and more on property and sales taxes for the major part of their revenue, already place a much greater strain on the incomes of low-income families than on incomes of upper-income families. It is generally and widely known that our State and local tax systems are regressive in this respect.

Our Federal tax system avoids that pitfall. It helps to offset in some measure the unequal burden that the State and local systems place on the smaller taxpayers. It does this through taxing on the basis of ability to pay, and for this reason taxes big incomes at a higher rate than it taxes small incomes.

This progressive aspect of our tax system has helped to build our economy. It is widely regarded by economists as one of the devices that helps to stabilize our economic system and protect us against a downward spiral if income and buying power begin to fall. It has helped to protect the living standards of our lower income families; it has thus helped to provide mass buying power, on which our mass production economy depends.

It is this feature of our economic system that those who support proposals like this one are out to destroy.

These bills would wipe out a great part of the progression in the Federal income tax structure. Many of those who support this proposal are interested in destroying all of it. If we ever permit ourselves to swallow what these bills propose, we had better prepare ourselves for the next step, for the complete elimination of progression from the Federal income tax. And the next step in the subversion of our progressive tax structure will be easier than the present one, for the propaganda work to prepare the way will already have been done.

We will discover that we cannot really get along with the revenue that this proposal will take from us while telling people that there will be no revenue loss. Then, we will be forced to begin putting through the proposals for a national sales tax that have been laid before Congressional committees before this. We will be ready to add a national sales tax to the heavy and growing burden of State and local sales taxes that our people already carry. Thus the subversion of our Federal, progressive tax structure will be complete.

I intend to come back to this body with additional facts about this proposal and about similar proposals which may be put before the American people, surrounded by pleasing words and euphemistic descriptions. For now, I am glad to have had the chance to alert this membership and the American people to what this proposal really means, and where the hook is that goes along with the bait that is being offered. I believe that we will do well to prepare ourselves for the trips to our own home districts with the facts about proposals of this kind, so that we can lay them before our people. We have a responsibility to prepare them to answer the soft pleas of those who believe that they stand to gain by what to the people as a whole would be a calamity.

## FOREIGN POLICY

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. WITHROW] is recognized for 25 minutes.

Mr. WITHROW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a cablegram.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WITHROW. Mr. Speaker, I shall be brief in my observations, and perhaps pointed. I do not expect to yield until after I have finished because I have been some time in getting the floor and I would like to complete my remarks within the time I have.

Because of our desires to economize, we voted a 25-percent reduction in the mutual security appropriations. We did this, I am sure, because we want to save our constituents every hard-earned tax dollar we can spare. The President of the United States has been very critical of our actions.

I think one fact stands out in the final decision of the House. We voted a $5 million increase for Guatemala because one man died. Because our friend, President Castillo Armas was assassinated, the House voted not the earlier recommendation of $5 million for this ally; we voted 10 million American dollars. I assume we voted this to strengthen Guatemala's new government against communism in the Western Hemisphere. Actually, it is almost as much our defense as theirs. We may be strengthening the anticommunism program, but not too much so. We call the program mutual security because it is a very quick way of saying we are together against the common enemy, international communism.

It seems to me, Mr. Speaker, that the only courage we have today is the American dollar. The withholding tax from Mr. and Mrs. American's salary or wage check is our most used, and most expensive, weapon against communism. Mutual security and the military budgets account for half of the national budget, and if ever we reduce the Federal budget it must come from the places where it is most free and available. I am not advocating war. On the contrary, I am advocating we act like the world power and the Nation which we are.

That is partially why, Mr. Speaker, I am so aggravated by this welter of misinformation and junk which has been cluttering up the House proceedings in the CONGRESSIONAL RECORD at various times. It is why I am sometimes embarrassed by the administration. It is why the people of Wisconsin, and the United States, strongly resent our foreign aid. More particularly, it is why there is a frequently expressed lack of confidence in the State Department.

Just a few words today from the President, the Secretary of State, or even the Secretary of Defense actually, would bring an end to the mysterious and ridiculous attack on the Dominican Republic. If the Pennsylvania Avenue authorities are willing to let anyone in Congress proceed without knowledge, perhaps they must share in the destruction of United States respect abroad which is bound to be the result. Yet, nothing is heard—nothing openly, publicly, or easily understood. Why, I do not know, except secrecy seems preferable to an informed America, an informed Congress, and a more true idea abroad. It is the same atmosphere of silence, of suggested resistance, and suspected motives, which produced the challenge of my good friend, the late Senator Joseph McCarthy, of Wisconsin. McCarthyism never quite reached the real hard core of communism, but he certainly evaporated the pink fringes here in the United States, and he forced a more open and firm foreign policy we could all know and understand.

I have no quarrel with the beliefs and the efforts of any Member of the Congress on behalf of his home State or their peoples. If he did otherwise, he would probably be a poor servant. The natural resource development of the west coast has had the same interest on my part which has been given in Wisconsin. I can easily understand the expenditures of taxes for projects which will improve our wealth, and for services which are wanted by the American people. That is one of the major reasons we are here.

Dr. Reinhold Niebuhr, perhaps the greatest theologian outside of the Roman Church in the United States today, finds America in her foreign aid sometimes like the Communists. The Communists believe they have the answer to human living and freedom and they want to thrust it upon everyone. To a similar degree, he finds Americans want to impose our governmental forms upon everyone else in the world, and we want them to be grateful to us for it. I am not anxious to vote millions of dollars for any crusade. I am not so anxious to bring life, liberty, and the pursuit of happiness to those abroad that I would encourage them to arise and die by the thousands as they did in Hungary while I stood safely aside and tossed a couple of dollar bills in their direction. I might also observe that I do not carry a pistol around the Congress as evidence of my crusade and willingness to work for my constituents. For 17 years I have represented the Third District of Wisconsin. I have worked for the legislation most desired, and I have tried to be saving in my personal life as well as in my public duties. All this time I have not found it necessary to stage any shows.

Supposing, Mr. Speaker, we were to encourage change in every country in the Western Hemisphere as has been suggested. It cost us $5 million for one friend. Think of the millions and billions we might vote out of the Treasury to get a 20th century crusade going against so-called dictators. The Third District of Wisconsin wants economy, we want friends in the world, and we want to oppose Communists and befriend and ally ourselves with those who oppose communism. We are unwilling to spend Treasury funds to deal with Red China. I saw a United Press dispatch August 9 from Oregon in which a freshman member of the House Committee on Post Office and Civil Service was quoted as favoring trading with Red China because it would be a boon to Oregon's economy. Just who does the House think we fought a war with in Korea?

Is it not Red China which today holds 450 American servicemen—not a Girard among them, not a flying soldier of fortune among them—just who holds 450 American servicemen today and who after 80 separate conferences refuses to

even admit these boys are there. My colleague, the Congressman from Milwaukee, is the expert on this phase. Just who, through trade, can get the only things she wants—materials. I do not think Red China is worried about respectability or recognition. She needs trade. Give her trade and all else which naturally follow. I just hope we do not reach the day when American business and industry can sell out any avowed American foreign policy on communism. If John Foster Dulles never did another thing, he at least keeps a firm unswerving policy on this score.

I am unwilling to deal with Communists for the sake of a sectional economy. The security of the United States overrides the purely sectional interests of us all. The need for a firm policy on communism, and on the anti-Communists is such as to overpower any trickle in economy.

I am not willing to condone any encouragements for revolt in the Latin Americas where communism is at its lowest ebb as an aid to the legislative efforts of any Member of the House for his district, and I do not think the taxpayers are for this program or that the administration is for any such effort. I think Latin America ought to know it.

It has been repeatedly said that we buy our friends in the world and they hate us for it. Such is a major objection of Wisconsin voters. I think if they ever knew the facts, and not the hogwash, they might favor it more. We could have more international friends, and more support here at home, for our State Department, if instead of pocketbook courage we said what we mean, and mean just what we say. We could save the taxpayers money by being resolute and clear.

I think most of us here know we make friends in our communities at home through a few words of praise, of encouragement, and support at the appropriate times. This way we earn real friends, loyal friends, upon whom we can depend in circumstances of our own. It does not cost one penny. The diplomats of the United States must be armed with not only unusual abilities, but sureness and boldness, rather than authority to negotiate a tariff reduction or recommend a loan from the American taxpayers. This is not diplomacy. Partly it is our fault, I am sure.

For the second time the Communists have won control of the Government of British Guiana. It is no fluke. It is the second time for the same candidates. Why? Because the British foreign policy seems only slightly different and slightly softer than ours. The British have lost the Empire piece by piece—just so do we seem to lose the fight on communism. The British had trouble making up their minds on the political state of affairs in the colonies, and so this wavering policy brought destruction.

I know the cold cash viewpoint is entirely wrong. There are many things wrong.

Suppose, for example, one of the Canadian Provinces was opposed to the United States Government for some reason. Suppose that Province invited a careless political speaker from France or Norway or anywhere to come there and make a government sponsored speech aimed at the United States Government. I can picture the reaction here, in the Congress, in the press, and in the United States. We would be up in arms, because we would view the thing from an entirely different light than in Canada or in the mind of the speaker. So is the Dominican Legislature alarmed. Let me read a cablegram I received when I suggested a study of communism in Latin America by the Committee on Foreign Affairs. It is an interesting cablegram, and it started me thinking about this problem in the light of the remarks I make here today:

[Translation (Spanish)]

CIUDAD TRUJILLO,
DOMINICAN GOVERNMENT,
*August 10, 1957.*

HON. GARDNER R. WITHROW,
*House of Representatives,*
*Washington D. C.:*

Have read with vivid satisfaction the references made by the international [news] agencies relative to the impressive speech made by you in the House of Representatives of your great country about the danger which the revolutionary action of communism is posing for the security of the American Continent. By warmly congratulating you upon your memorable intervention [gesture] in the interest of hemispheric security I consider it my duty to inform you that in contrast to your noble position the Governor of Puerto Rico, Mr. Luis Muñoz Marín, has dedicated himself to favoring the agents of international communism who are trying to establish pro-Soviet regimes in the Caribbean [region] and that the FBI for its part has adopted a policy which tends to favor the leaders of that revolutionary action such as Icolas Silfa [Nicolás Silfa?] and others supporting the same ideology while molesting and persecuting, in return, all persons connected with the Dominican Government, such as has happened in the case of Mr. Braulio Mendez, who was questioned nine times in the last few days because of presumed connections with the Dominican Government. These facts are worthy of being taken into account because they prove that international communism works actively [effectively] in Latin America and has the support of many influential persons who have the duty, because of the offices they hold, to oppose that vast conspiracy against the security of the continent and against the traditional ways of life of the American Nations.

CARLOS SACHEZ Y SANCHEZ,
*President of the House of Deputies.*

I had made no effort to participate in the controversy over the Dominican Republic. I have listened, and I thought some of the speakers who advocated antagonistic viewpoints were wrong. On Sunday I heard a radio broadcast on the program called Monitor in which the broadcaster said:

There are now 35,000 card carrying Communists in Rio de Janeiro, Brazil, and 3,000 in the all important naval base at Natal and Recife, Brazil.

We sometimes present a curious picture to the world. You and I know that is a part of democracy. However, there is nothing in the world like our Constitution, and our liberty, and not everyone understands it as easily as we do. Here is another picture we sometimes present:

We can vote for Tito because he is a Communist and maybe we want to win him over, to neutralize him, or perhaps someday we can use the Yugoslavian nation in a military sense against communism. We can trade with Red China because it may do a little to help some businesses. But we also knock the anti-Communist allies like Franco or the Trujillos because they are not representative of our ideas of democracy. If this cold war is purely one of whether Russia or the United States is to impose her concepts of government and human relations upon the rest of the world I am sadly mistaken and we are certainly not going to convert any enemies into friends in this world. I was under the distinct impression mutual security, and American ideals, are aimed at letting non-Communist countries exist as they are or as they want to be—free only from the Communists. Free from Communists, because communism is the one big enemy of American democracy and the American people.

It is not a clear picture outside the United States, you can be sure. The gentleman can easily satisfy himself on the facts in the Caribbean if he can untangle himself from the Latin influence in the Library of Congress and those records long enough to telephone the Joint Chiefs of Staff, and providing, of course, they trust him sufficiently with facts to give them to him. The Pentagon not only holds the facts on our natural security but the real importance of our allies. I state here, and I am confident the Joint Chiefs of Staff will support, the fact that the Dominican Republic is vital to us. Let me leave it there, except to add that the President knows this, and that is why he follows the course he takes. Tito means far, far less to America, Red China means much, much less to us, than do the Trujillos of the Caribbean and the Francos of Spain. They are against communism whether some of the Members believe it or not, and because they are stable in this regard, they are important keys in our own defense. They are against communism and so is Wisconsin.

About democracy and dictators. Monarchs and absolute power is in the majority far and away in the governments of the world today. I wouldn't know just what democracy would mean elsewhere. The Jews are notoriously democratic people, a people with a long record of fighting oppression. Yet the Jewish refugees are enthusiastic about the Dominican Republic in which they settled, and they have praised the governments of most of the Latin American and South American countries where they have settled. As I said, I would not know what the ideas of democracy might be in other countries than my own.

I wonder if the gentleman from Oregon would accept the word and opinion and verdict of the Archbishop of the Catholic Church in the Dominican Republic on the state of the people on that island?

The question in my mind is whether or not we want to know the truth, whether or not we rely upon the Library of Congress, the political shenanigans of New York State and her minorities, or the vitriolic feelings of political exiles.

I am satisfied the Department of Defense knows what it is doing and what it needs and we can rely upon that judgment. I think we can rely upon the word of the Archbishop on the state of affairs in the Dominican Republic. I have written His Excellency a note of inquiry. I wonder if the gentleman from Oregon will face the facts, face the church, and face the best good of the United States, rather than simply face expediencies, face mistakes in judgment and all other errors which plague all of us in our freshman term in the Congress.

Rather than abuse and hearsay, the CONGRESSIONAL RECORD ought to contain a pat on the back now and then to those who do oppose communism. Let us be appreciative for a change rather than to expect the appreciation in others. Give them credit, give them encouragement, give them a firm and clear policy that we mean. Our rewards will be a new respect, a new vigor, and some new successes against communism. It will cost us many less billions of dollars, which our taxpayers want, and cost us much less in world opinion and leadership, which is what we most lose and what we most need today to win the battle for little people everywhere who stand afraid of communism. They have good reason to be afraid. I most certainly am.

## REPUBLICAN MEETING

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, because the Republicans are going to have a very delightful and, I am sure, harmonious meeting, and I do not want to miss a minute of it, I ask to vacate my time until tomorrow.

## ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until tomorrow noon the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NICHOLSON (at the request of Mr. MARTIN), indefinitely, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SMITH of Wisconsin, for 15 minutes, on tomorrow.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. KARSTEN and to include a letter to the President.

Mr. COLMER and to include a speech by Mr. WHITENER.

Mr. COFFIN.

Mr. VAN ZANDT and to include extraneous matter.

Mr. OSTERTAG.

Mr. SMITH of Wisconsin and to include extraneous matter.

Mr. REED and to include extraneous matter.

Mr. RAINS.

Mr. WILSON of California.

Mr. MULTER (at the request of Mr. ROOSEVELT) and to include extraneous matter.

Mrs. GRANAHAN and to include extraneous matter.

Mr. HOLIFIELD and to include extraneous matter.

## ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee has examined and found truly enrolled a bill and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

## ADJOURNMENT

Mr. JONES of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 32 minutes p. m.), the House adjourned until tomorrow, Wednesday, August 21, 1957, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1148. A letter from the Governor, Canal Zone Government, transmitting a report of claims paid by the Canal Zone Government for the period June 1, 1956, to June 30, 1957, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

1149. A letter from the executive director, United States Olympic Association, Inc.; transmitting a report covering the financial operations of the United States Olympic Committee as well as those of the United States Olympic Association covering the period as of December 31, 1956, pursuant to an act of Congress known as Public Law 805; to the Committee on the Judiciary.

1150. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a watershed work plan for the upper Bayou Nezpique watershed, Louisiana, pursuant to section 5 of the Watershed Protection and Flood Prevention Act (68 Stat. 667) as amended by the act of August 7, 1956 (70 Stat. 1088), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

1151. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a watershed work plan for the Alamo Arroyo watershed, Texas, pursuant to section 5 of the Watershed Protection and Flood Prevention Act (68 Stat. 667) as amended by the act of August 7, 1956 (70 Stat. 1088), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

1152. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a watershed work plan for the Diablo Arroyo watershed, Texas, pursuant to section 5 of the Watershed Protection and Flood Prevention Act (68 Stat. 667) as amended by the act of August 7, 1956 (70 Stat. 1088), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DURHAM: Committee of conference. H. R. 8992. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes (Rept. No. 1200). Ordered to be printed.

Mr. MURRAY: Committee on Post Office and Civil Service. S. 1411. An act to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security; with amendment (Rept. No. 1201). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 969. An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor; with amendment (Rept. No. 1202). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 9285. A bill to amend the charter of St. Thomas' Literary Society; without amendment (Rept. No. 1203). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee of conference. H. R. 8996. A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 1204). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H. R. 5124. A bill to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes; with amendment (Rept. No. 1205). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8928. A bill to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou sit-

uated near said city"; without amendment (Rept. No. 1206). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference, H. R. 9131. A bill making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 1207). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRAY:

H. R. 9366. A bill to provide for a scientific study and research program for the purpose of developing increased and additional industrial uses of agricultural products so as to reduce surpluses of such products and to increase the income of farmers, and for other purposes; to the Committee on Agriculture.

By Mr. McGOVERN:

H. R. 9367. A bill to prohibit Government agencies from acquiring or using the National Grange headquarters site without specific Congressional approval, to provide for renovation of the old State Department Building, and for other purposes; to the Committee on Public Works.

By Mr. SCHENCK:

H. R. 9368. A bill to prohibit the use in commerce of any motor vehicle which discharges unburned hydrocarbons in an amount which is found by the Surgeon General of the Public Health Service to be dangerous to human health; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas (by request):

H. R. 9369. A bill to authorize refunds by the Veterans' Administration of amounts collected from former servicemen by the Government pursuant to guarantee of life insurance premiums under the original Soldiers' and Sailors' Civil Relief Act of 1940; to the Committee on Veterans' Affairs.

By Mr. CELLER:

H. R. 9370. A bill to permit illustrations and films of United States and foreign obligations and securities under circumstances, and for other purposes; to the Committee on the Judiciary.

H. R. 9371. A bill to provide for the relief of certain members and former members of the Army and the Air Force, and for other purposes; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 9372. A bill to amend Public Law 854 of the 84th Congress; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. R. 9373. A bill to establish a free guide service for the United States Capitol Building; to the Committee on House Administration.

By Mr. WESTLAND:

H. R. 9374. A bill to amend the act of August 24, 1935 (40 U. S. C., sec. 270a (a)), so as to bring additional persons within the protection of payment bonds required of contractors under such act, and to permit an increase to be made in the sum of the payment bonds required of contractors under such act; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H. Res. 402. Resolution to authorize the Committee on Education and Labor to conduct an investigation and study of public library services in metropolitan areas; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FRELINGHUYSEN:

H. R. 9375. A bill for the relief of Strattis Sarantellis; to the Committee on the Judiciary.

By Mr. GAVIN:

H. R. 9376. A bill for the relief of Francesco Villanti Seneca; to the Committee on the Judiciary.

By Mr. HIESTAND:

H. R. 9377. A bill for the relief of Rose A. Fadel-Idriss; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 9378. A bill to authorize the sale of a certain number of merchant-type vessels to Naviera Andes Peruana, with offices in Edificio Cofico, Avenida Abancay No. 235, Lima, Peru, for the coastwise trade of South America or for certain other services not competitive with United States-flag ships; to the Committee on Merchant Marine and Fisheries.

# EXTENSIONS OF REMARKS

## The Jaycee Safe Driving Program

EXTENSION OF REMARKS
OF
**HON. HAROLD C. OSTERTAG**
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 20, 1957*

Mr. OSTERTAG. Mr. Speaker, I am sure the Members of this body are familiar with and applaud the efforts of the United States Junior Chamber of Commerce to encourage safe and responsible automobile driving on the part of our teen-agers and to report the progress being made. These efforts are made effective through the Jaycee chapters and members in the several States. The written examinations and road tests provided for afford an opportunity for all teen-agers to demonstrate to their community that they are interested in increasing their knowledge of traffic laws and improving their driving ability, and that actually they are doing so.

Now in its sixth year as a national junior chamber of commerce safety program, the Teen-Age Road-E-O has gained steadily in teen-age participation. The demonstrated value of this type of traffic safety programing has attracted the support of teen-agers themselves, their parents, educators, traffic authorities, and community leaders. Each year, State and National organizations, all interested in traffic safety, contribute time, abilities, and money to make every Teen-Age Road-E-O a success. Businesses, law enforcement officials, driving instructors, and insurance personnel cooperate with the Jaycees in staging the local, State, and National Teen-Age Road-E-O programs.

On June 30, last, I had the privilege and pleasure of attending the New York State Teen-Age Road-E-O held in Batavia, N. Y., in my Congressional District. Upon this occasion the Batavia Jaycee Chapter, under the chairmanship of Mr. E. A. Thornton, Jr., of Batavia, was host to the participants. Some seventy-odd teen-agers from all parts of the State were there to sit for the written examination and participate in the driving tests. I was deeply impressed and encouraged by what I saw there. There is much to hope for from the enthusiasm and determination of those young people and the results of their performances.

I am proud to report at this time that the United States Junior Chamber of Commerce has honored the State of New York for conducting the outstanding Teen-Age Road-E-O in the Nation. The welcome and gratifying decision to do so was made upon the basis of the overall excellence of the Batavia event, the splendid percentage of participation of Jaycee Chapters in the State, the effective promotion program used, and the size and scope of the awards banquet.

A handsome trophy was presented to the State by the national Jaycee organization. Its executive board made the presentation to Past New York State Jaycee President F. Joseph Leone at a luncheon meeting in Tulsa, Okla., on July 26. The inscription upon it read: "United States Junior Chamber of Commerce Outstanding Safe Driving Teen-Age Road-E-O 1956–57—New York—State President F. Joseph Leone, State Chairman E. A. Thornton, Jr." This is the first time that such an award has been made and we of New York State are justly proud of this outstanding record of achievement.

## Warning From the Past

EXTENSION OF REMARKS
OF
**HON. DANIEL A. REED**
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 20, 1957*

Mr. REED. Mr. Speaker, as we watch the trend of the times it is interesting to take note of the warning from the past. Aristotle, the Greek philosopher, speaking some 2,300 years ago, said:

> The insolence of demogogs is generally the cause of ruin in democracies. First, they calumniate the wealthy, and rouse them against the government, thus causing opposite parties to unite against a common danger. Next, they produce the same result by stirring up the populace and creating a sense of insecurity. Nearly all the tyrants of old began with being demagogs. In well-balanced commonwealths, besides strict observance of established laws, it is especially necessary to keep close watch upon little matters. For a great change in the laws may creep on gradually, just as a small expense often incurred ruins a large fortune. Next, let men be on their guard against those who flatter and mislead the multitude; their actions prove what sort of men they are.

Of the tyrant, spies and informers are the principal instruments. War is his favorite occupation, for the sake of engrossing the attention of the people, and making himself necessary to them as their leader. An unbridled democracy is exactly similiar to a tyranny. Its objects and instruments are the worst, and both are equally served by the tamest of mankind. It is always anxious to lord it as a sovereign; it therefore has its flatterers in the shape of demagogs. Ancient customs must be done away with; ancient ties, civil and sacred, must be broken; everything must be changed according to new and false theories; and the result is an assimilation of democratic to tyrannical government, in its habits and modes of action.—*Aristotle.*

## A Bill Extending the Effective Date for Regulations Governing the Operation of Small Passenger Vessels

EXTENSION OF REMARKS
OF
### HON. FRANK M. COFFIN
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. COFFIN. Mr. Speaker, yesterday the House did a very sensible thing in passing H. R. 7494, which extends time for working out reasonable regulations for the passenger-boat owners of the Nation. This is not a frivolous move, nor is it a delaying tactic. This is an effort to arrive at a sensible and realistic set of regulations for the field of small passenger boat operation, covering multitudes of small operators, working in every conceivable set of climatic and geographic environments.

We do not want to delay, longer than necessary, the promulgation of these regulations. We do want to be absolutely sure that the overwhelming majority of conscientious passenger-boat owners will not be penalized and driven to the wall by regulations which incur great expense without necessarily adding appreciably to the safety factor in the vessels which they operate.

There is, at the present time, a great divergence of opinion between the Coast Guard and boatowners on the reasonableness and practicability of the tentative regulations. The Coast Guard has made two revisions in the proposed regulations, indicating the problems which the agency itself recognizes.

Patterns of regulation can more easily be imposed on big units than on small ones. The five biggest steel companies form a unit easier to handle than the 5,000 smallest machine shops. The giant steamship lines are, for all their vastness, a more manageable subject matter for safety rules than the numberless flotillas of small passenger craft plying their way along the coasts of this Nation.

Boatowners have indicated their willingness to sit down with the Coast Guard and work out sound regulations which will insure, as far as is possible, safe operation of small passenger vessels.

The 6-month delay proposed in this bill is not as much as we would have liked, but it does give us time to work out this problem in a sensible fashion. I know some of the men who captain small passenger vessels along the Maine coast. They are expert sailors and they have great pride in the safety record they have compiled. They deserve the opportunity to work with the Coast Guard, contributing their invaluable experience to the drafting of the final version of these regulations.

I hope that the Coast Guard will use this added time in the spirit in which the House has granted it.

## Free World Divided in Its Resistance to Communism—There Is No Common Front Against It

EXTENSION OF REMARKS
OF
### HON. LAWRENCE H. SMITH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. SMITH of Wisconsin. Mr. Speaker, until the Free World can unite on basic principles in its opposition to communism, the cold war will continue for many years. It must present a common front against the common enemy.

This fact is obvious when it is recalled that the free nations as members of the United Nations have been unable to agree on a statement that would suggest the proper structure of human dignity.

The eighth session of the Commission on Human Rights which lasted for 9 weeks was the longest ever held and one of the longest held by any committee or commission of the United Nations. Yet all that the Commission was able to complete of its agenda was 3 or 4 items out of a total of 20.

The objective of the Commission was to work out an international bill of rights which now appears to have been strictly illusory. It did not take the Commission long to discover that there was a deep division between East and West on basic concepts but it was rather surprising to find that even the free nations were unable to agree on a basic statement of principle.

This became quite apparent when an effort was made to include an article on the right to own property. Mr. Speaker, this is basic so far as free men are concerned and article 17 of the Universal Declaration proclaimed this right but that is as far as it has gone to date.

At one time, the French delegation made a proposal which seemed reasonable but so many objections were raised, particularly in regard to expropriation and compensation for property, that finally the Commission tired of the apparent hopelessness of the situation and decided to adjourn debate on it.

Mr. Speaker, it has been well said that the concept of property and its ownership is at the heart of the great ideological conflict of the present day between communism and the Free World. It was not only the Communists who ridiculed this concept of private property and expropriation but a goodly proportion of the non-Communist world had itself succumbed to these doubts.

An obvious deduction that can be made in light of this position by the non-Communist world is that it has been frightened and terrified by the philosophy of communism.

Mr. Speaker, it is incredible that in these economic matters which reflect much more than economic divergencies, the Free World, or the West, is so divided among itself as to be incapable of presenting a common front against communism.

Mr. Speaker, we have and are spending billions of dollars in a cold war on the theory that it will stop communism. Our taxpayers' dollars have been freely advanced not only for military and economic support to counter Communist aggression but our dollars have been given to nations we call free who today seem unwilling to oppose the basic concepts of communism.

How much longer will the people of the United States continue to support other nations until all agree on a common front against the tyranny of the Kremlin?

## St. Stephen's Day in Hungary

EXTENSION OF REMARKS
OF
### HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. MULTER. Mr. Speaker, 950 years ago a king ascended the throne of Hungary; a king who by his Christian character and benign rule gained the title of "Apostolic King"; a king who was the founder of the Hungarian state as it has existed down through succeeding centuries. In commemoration of the saint who was the first King of Hungary, Hungarians will celebrate on August 20, as best they can, St. Stephen's Day.

To remember their national founder today must bring mixed feelings to the hearts of the Hungarian people. On the one hand, it must arouse a feeling of pride in the history of the Hungarian nation, a history brightly studded with achievements in the arts, in the sciences, and above all, in the struggle for human and national freedom. On the other hand, it must bring a feeling of tragedy and sorrow as they consider their nation, ground under the heel of the oppressor, betrayed and dishonored by the ruthless tyranny of Soviet communism.

Every American who cherishes deeply within him the belief in human rights and fundamental freedoms, the belief in the sovereign right of self-government, would have joined in some way, if he could have, in the recent gallant fight of the Hungarian people for the restoration of their freedom. The cruel exigencies of modern power politics and of modern warfare, made such a course impossible. A liberation which precipitated a world war would be a liberation of desolation, a silent freedom of the grave. What can be done now, however, is to keep aroused the world public opinion which has so

sternly condemned the Soviet Union in the United Nations. What can be done now is to keep open the doors of sympathy and relief and rehabilitation and resettlement of those valiant freedom fighters who would have given their all for the redemption of their homeland. What can be done now, is for individual Americans to help in what way they can, those warriors of the cause of Hungarian freedom who have had to seek refuge in our own land. What can be done now is to keep alive the hope that some day, in the not too far distant future, St. Stephen's Day will again be celebrated in freedom, in joy, and in thanksgiving.

## Charles E. Lofgren, National Secretary, Fleet Reserve Association

EXTENSION OF REMARKS
OF
### HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. WILSON of California. Mr. Speaker, since 1922 the enlisted men of the United States Navy have had a determined champion representing them in Washington in the person of Charles E. Lofgren, who is retiring this year as national secretary of the Fleet Reserve Association.

Charlie Lofgren has testified on behalf of all pay legislation affecting the Navy for the past 35 years. He has been an articulate spokesman for the enlisted personnel of the armed services, and his well-deserved retirement is bound to leave a void that will be difficult to fill.

As evidence of the high regard and sincere esteem with which he is held by many fellow members of the House Committee on Armed Services, under unanimous consent, I include as a portion of my remarks copies of letters addressed to Mr. Lofgren by members of this committee and other members with whom he has worked for many years.

I know I speak for the entire membership of the Armed Services Committee when I personally wish Charlie Lofgren many more years of happy yet productive life.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
*Washington, D. C., August 15, 1957.*
Mr. CHARLES LOFGREN,
*National Secretary, Fleet Reserve Association, Washington, D. C.*

MY DEAR MR. LOFGREN: I have learned, with deep regret, that you are about to retire as National Secretary of the Fleet Reserve Association.

I cannot believe it possible that your retirement from this splendid organization will mean the termination of your long and distinguished association with the Fleet Reserve. Therefore, I will assume that I may in the future think of you and the Fleet Reserve Association as one and the same.

I want to take this opportunity to tell you that in my opinion you have not only ably represented the Fleet Reserve and the Fleet Marine Corps Reserve, but also many millions of other men who have served in our Armed Forces. In your many appearances before the Committee on Armed Services you have always stood for sound principles in legislation affecting pay, retirement, promotion, and other matters of vital concern to service personnel.

You have established an enviable record as an able advocate and a stanch representative of a distinguished naval organization. I wish you well for everything in the future and sincerely hope that your good advice will continue to be available for many, many years to come.

Very sincerely,

CARL VINSON,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
*Washington, D. C., August 19, 1957.*
Mr. CHARLES LOFGREN,
*National Secretary, Fleet Reserve Association, Washington, D. C.*

MY DEAR MR. LOFGREN: It has come to my attention that you are about to retire from the Fleet Reserve Association.

It will be difficult for me to think of the Fleet Reserve Association without your presence before the Committee on Armed Services to express the views of your association on legislation affecting the personnel of our armed services.

In the many years that you have appeared as a witness my respect for your ability and your reasonableness has grown.

I can assure you that the Navy Department, the Fleet Reserve Association, the Committee on Armed Services, and in many ways, all of the enlisted personnel of our armed services, will be conscious of your absence.

I sincerely hope that the years ahead hold many pleasant things in store for you and that your sound counsel will continue to be available to all who have learned to hold it in such high regard.

Sincerely,

PAUL J. KILDAY,
*Member of Congress.*

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., August 16, 1957.*
Mr. CHARLES LOFGREN,
*National Secretary, Fleet Reserve Association, Washington, D. C.*

DEAR FRIEND: Word just reached me that you are soon to retire as national secretary of the association.

I would like to take this opportunity to express my sincere appreciation of your many instances of cooperation with me personally; and, of course, your help and cooperation with the Armed Services Committee, of which I am a member. I hope we may still see you around from time to time.

You have made a distinguished record representing this worthy organization and I wish you continued success and high achievements.

With kind personal regards,

Cordially,

CLYDE DOYLE,
*Member of Congress.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
*Washington, D. C., August 16, 1957.*
Mr. CHARLES LOFGREN,
*National Secretary, Fleet Reserve Association, Washington, D. C.*

MY DEAR MR. LOFGREN: On the occasion of your pending retirement as national secretary of the Fleet Reserve Association, I wish to take this opportunity to express to you the admiration I have for you personally and the Fleet Reserve Association.

I have observed your conduct before the Committee on Armed Services on many occasions. I have always found you to be a man of high integrity, extremely well informed, and invariably guided by sound principles in all of your testimony.

I think it is sufficient for me to say that on every occasion when you appeared before the committee your stature rose even higher. May I wish you every success in the future and also express the hope that your sound counsel and advice will always be available to the Fleet Reserve Association, the United States Navy, and the House Armed Services Committee.

Sincerely,

LESLIE C. ARENDS.

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., August 21, 1957.*
Commander CHARLES LOFGREN,
*National Secretary, Fleet Reserve Association, Washington, D. C.*

DEAR COMMANDER LOFGREN: I want to join with your thousands of friends in wishing you well in your retirement and expressing my personal gratitude for the magnificent job you have consistently done for naval personnel, whether active or retired.

We will all miss working with you, but know that, despite your retirement, you will ever be behind all those working for the common cause.

Most sincerely,

CRAIG HOSMER,
*Member of Congress, 18th District, California.*

## Minority Views of Mr. Holifield and Mr. Porter on the Amended Bill, S. 1411

EXTENSION OF REMARKS
OF
### HON. CHET HOLIFIELD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. HOLIFIELD. Mr. Speaker, the Post Office and Civil Service Committee of the House has reported out an amended form of S. 1411.

At the present time it is impossible to predict whether the bill will be considered in this session. But in the event that it is scheduled for consideration, I fear the opportunity to debate the bill will be limited.

I, therefore, under unanimous consent heretofore granted, will have printed the minority report for the benefit of advance information to the Members. The brief report is appended hereto.

MINORITY VIEWS ON S. 1411

INTRODUCTION

The Supreme Court in *Cole* v. *Young* (76 S. Ct. 861 (1956)) declared that the intent of Congress in passing Public Law 733 (64 Stat. 476), was to define national security, to comprehend only those activities of the Government that are directly concerned with the protection of the Nation from internal subversion or foreign aggression, and not those which contribute to the strength of the Nation only through the impact on general welfare.

Accordingly, the Court held that President Eisenhower acted without statutory authority when he issued his Executive Order No. 10450 imposing the standard that a Federal employee's employment must be clearly consistent with the interest of national security to Federal employees occupying positions not affecting national security.

The committee's amendment to S. 1411 is designed to overrule the Cole case by defining

national security to mean that all Government activities involve the national safety and security, including the protection of the United States from internal subversion or foreign aggression.

COMMITTEE REVISION OF SENATE BILL

As S. 1411 passed the Senate and came to the committee it was a noncontroversial measure to clarify suspension provisions in existing law. The majority in our committee has added to this simple proposal a highly controversial basic change in the substance of our laws governing personnel security. We suggest that S. 1411 should be shorn of these new and unrelated provisions; otherwise the Senate will reject the rewritten bill on which no hearings have been held in the Senate, and the salutary Senate bill will be lost.

Despite the clear implications in the arguments of those who would have the House adopt S. 1411 as reported by our committee, the present state of the law does not require the Government to retain in its employment or to hire disloyal persons. On the contrary, the Government not only has the authority to bar Communists and those who would overthrow our Government from its rolls, but is under the positive duty to do so. The Hatch Act of 1939 and the Internal Security Act of 1950 are a positive bar to the employment of such persons.

The provisions the committee has added to this bill are an attempt to legislate a national security interest into every Government position. This is an attempt to create a security interest where none exists. This is an attempt to reverse the Supreme Court without rhyme or reason; it is spite legislation.

The proposal was first presented to the committee as section 3 of Mr. WALTER's bill, H. R. 981, and would have extended the Federal personnel security program to all positions affecting the national welfare as well as the national safety. The bill as reported drops the national welfare criterion. Which employees are meant to be included by the phrase national safety? Which employees are meant to be excluded by deletion of the phrase national welfare? How many years of senseless litigation will be required to answer these questions?

The proponents of S. 1411 suggest that all Government employees should be put back under the often-criticized, loose-security program, which fathered the disgraceful numbers game of a few years ago. Many sincere advocates of a strong security system have vigorously criticized the application of the security program to all positions in Government as the weakest link in our national security. In its monumental study, the Federal loyalty-security program, the association of the bar of the city of New York had this to say:

"In evaluating the personnel security system the committee has been guided by the need to protect national security and at the same time to adhere to the American tradition of individual liberty. Other security measures must also be taken into account, such as existing statutes which bar Communists from all Government positions. With these considerations in mind the committee has found weaknesses in four aspects of the program:

"1. There is a lack of coordination and supervision of the various personnel security programs.

"2. The scope of the personnel security programs is too broad in that positions are covered which have no substantial relationship to national security.

"3. The standards and criteria do not sufficiently recognize the variety of elements to be considered, including the positive contribution which an employee may make to national security, and they do not readily permit a commonsense judgment on the whole record.

"4. The security procedures fail in various ways to protect as they could the interests of the Government and of employees."

PROPOSAL WILL NOT AID NATIONAL SECURITY

As a result of the Supreme Court decision in the Cole case, the Federal personnel security program has been limited to security-sensitive positions. In this limited area improvements can be worked out to provide security for the Government and fair procedure for the Government employee. Improvement of the existing program rather than its extension should be of first concern to the Congress. To reextend the present inadequate and unfair program will make improvement all the more difficult.

The bill, far from strengthening our national security, will actually weaken it. If the intelligence agencies of our Government concentrate on sensitive positions, they can do their job well; if they have to investigate millions of persons in nonsecurity positions, they can only do their job superficially. As has been well said, "If we watch our toothbrushes and diamond rings with equal care, we will lose less toothbrushes but far more diamond rings."

In the summer of 1956 our committee and the Congress were told by the proponents of the pending measure that immediate legislation to overcome the Supreme Court's decision in *Cole* v. *Young* was essential if the Government were to protect itself from disloyal persons. The Congress in its wisdom did not succumb to these urgent appeals, and there has been no evidence presented that as a result of *Cole* v. *Young* one disloyal person has been kept on the Federal payroll. Here again, in the closing days of a session of Congress, we are urged that immediate action is necessary to protect the integrity of the Government. Such hasty action is no more necessary now than it was last summer.

NO CASE HAS BEEN MADE FOR S. 1411

No one has made a case for the reextension of the security program to all Federal jobs. In testimony before our committee the only witnesses who supported the pending legislation were a few members of the Wright Commission on Government Security. The Chairman of the Civil Service Commission was called, and stated that the Civil Service Commission has not taken a position on the pending legislation. Eight representatives of Government employees' unions, including a representative of the parent labor body, the AFL–CIO, appeared, and all eight of them opposed enactment of the pending legislation. These sincere and conscientious officials are concerned with the Nation's security. They know that Communist imperialism is a real threat to freedom. They have fought the Communists in the trade-union movement and know the tactics the Communists employ. And they urged the committee and the Congress not to weaken our security and undermine our civil service by adopting this proposal to extend the security program to non-security-sensitive Federal jobs.

We reject, categorically, the assertion made in the hearings by the principal proponent of the pending bill when he appeared as a witness, that "Now, this," [the decision in *Cole* v. *Young*] "of course, adds an additional burden and excepts from the operation of the law disloyal people unless they are in a sensitive position." We also reject the contention of this same witness that a janitor, who has access to the confidential files of the head of an agency or the stenographer that takes the notes of conferences involving national security have been excluded from the Federal personnel-security program by the decision in *Cole* v. *Young*. The decision does no more than prevent the Government from treating nonsensitive jobs as though they were security positions; any positions reasonably classified as sensitive positions, including this janitor and this stenographer, are within the security program under the Cole case.

We note that there has been no urgent appeal for the pending legislation from the administration. On the contrary, following the Supreme Court decision in *Cole* v. *Young*, Assistant Attorney General George C. Doub told the Criminal Law Section of the American Bar Association last August, in Dallas, that the administration was preparing a new Executive order limiting the Federal employee security program to sensitive positions.

THIS IS NOT STOPGAP LEGISLATION

The proponents of this bill demand its enactment as stopgap legislation. But it stops nothing, and fills no gaps. The Cole decision is almost 15 months old; there has been no showing of any harmful effects to our national security during this 15-month period that should now be stopped. There is no gap in our national security to be filled; the bill provides for security screening in a nonsecurity area where it is unnecessary and unwarranted.

We urge that the pending proposal be rejected and that the committee face up to the task of making a thorough study of how the present restricted program can be improved. In the meantime, we suggest that there is no need for alarm for the Nation's security. As the Association of the Bar of the City of New York stated in the report referred to above:

"Restriction of the personnel security program would leave unaffected the laws which bar all Federal employment to Communists or persons who belong to an organization which advocates the overthrow of our constitutional Government by unlawful means. The Internal Security Act of 1950 bars from all Federal employment any present member of a Communist-action, Communist-front, or Communist-infiltrated organization. Members of Communist-action organizations are forbidden employment in any defense facility. The general suitability requirements of the Civil Service Commission would also continue to apply to the classified service in Federal employment."

CONCLUSION

The bill establishes each of the 65 agency heads as a court with power to fire and, be there no mistake, to brand permanently in the eyes of his community—any employee on unspecified and unproven charges of disloyalty. The appeal to the Civil Service Commission would be of small value because the records submitted would be prepared solely by the agency head who is both accuser and judge in the first instance.

Any agency head who wished to restaff his organization could unrestrainedly dismiss any and all his subordinates. While we do not expect such extreme action by an agency head, it is possible and we fear the granting of such power to any man.

The cost to the Government of extending FBI loyalty clearance to all of its employees regardless of job classification could be required by agency heads in the discharge of their new responsibility. If this occurs the cost could well run into millions as well as requiring FBI personnel to be assigned to routine and relatively unimportant new and extended responsibilities. Each FBI loyalty investigation costs on an average of over $500 each.

The undersigned yield to no one in their desire to protect the national safety and security. The closing days of the session of Congress do not permit adequate hearings and calm consideration of this most important problem. The Congress might be well advised to study carefully the report of President Eisenhower's Wright Commission, whose recommendations are being passed over without due evaluation by those who support this stopgap bill.

CHET HOLIFIELD.
CHARLES O. PORTER.

## Lt. Gen. Thomas W. Herren

EXTENSION OF REMARKS
OF
**HON. ALBERT RAINS**
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. RAINS. Mr. Speaker, on July 31, 1957, a distinguished son of Alabama and a faithful servant of the United States, Lt. Gen. Thomas W. Herren, retired from the Army after serving more than 40 years.

General Herren marked his long years of service with the outstanding qualities of integrity, intelligence, and fortitude. He is a credit to the traditions of faithful national service and sacrifice which have been characterized by military service.

He was born in Dadeville, Ala., August 9, 1895, and was graduated from the University of Alabama in 1917. He immediately entered the Army and received a commission as second lieutenant after completing the officer's training course. Shortly afterwards, he decided his lifelong career by accepting a commission in the Regular Army.

General Herren served in France during World War I, and returned to the United States to serve as a distinguished horseman in the old cavalry units. He was well known in and out of the Army as an expert polo player and a champion horseman.

During World War II, he took three regiments of his division, the 70th Infantry, into Marseille and moved the force, named Task Force Herren, to the west bank of the Rhine River where defensive positions were set up. The task force played an important part in halting the last-ditch German offensive effort of late 1944. When the remainder of the division arrived in France, Task Force Herren was dissolved, but General Herren continued to demonstrate his leadership and skill as a valued subordinate.

After the war, General Herren held important assignments in Korea, and as the Chief of Army Special Services where he did much to improve the Army's splendid intramural athletics activities. He was well known to many of us while he served as commander of the Military District of Washington.

In 1952, General Herren returned to Korea, where he served as chief of civil affairs, and later as the commander of the Korean Communications Zone.

General Herren's enormous capacities for leadership and administration typified his service in the Korean war. He was the engineer for the pattern of prisoner exchanges which repatriated gallant American fighting men. He met the demands, often urgent, for critical military supplies on the front lines, and he skillfully helped to maintain the democratic Government of Korea on a firm footing. His work was often behind the scenes, and rarely made the headlines, but it was the sustaining lifeblood of the action in Korea.

Subsequently, General Herren took command of the vast Northern Area Command of Germany at a time that the democratic Republic was truly beginning to assume its position among the leading nations of the world. Through his skillful, tactful, and understanding direction, lasting bonds were cemented between the American and German peoples. In the short span of 8 years, one of Germany's fiercest fighters had become one of its stanchest friends.

In December 1954, General Herren took command of the First United States Army, where he directed the Army units in New York, New Jersey, and New England. In this populous area of the United States, General Herren became a valued counselor, benefactor, and rescuer.

During the disastrous hurricanes and New England floods of 1955, General Herren directed the skillful and humanitarian efforts of his troops to avert tragedy which might well have followed had he not acted quickly and decisively. In the flight for freedom of the Hungarian patriots, it was General Herren who personally directed the opening and Army operation of the Hungarian Refugee Center at Camp Kilmer. He threw excuses and delays out the window and prepared the Kilmer center in a few days for the tremendous influx of grateful Hungarians who have come to be a world symbol in defiance of the evil forces of communism.

In his capacity as senior member for the Army to the Mililtary Staff Committee of the United Nations, General Herren won the respect and admiration of that august body. He strengthened relations among the various armed services in his area, and he was counted as a valuable friend by his New York City neighbors. His life is reflection of the highest standards of service to his country.

The citizens of the United States together with their elected servants give their sincere thanks to Lt. Gen. Thomas W. Herren for his faithful and effective service, and all wish him every happiness in his retirement.

## Speech of Hon. Basil L. Whitener

EXTENSION OF REMARKS
OF
**HON. WILLIAM M. COLMER**
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, August 20, 1957*

Mr. COLMER. Mr. Speaker, on last evening our distinguished colleague, Congressman BASIL L. WHITENER, the Representative of the 11th North Carolina Congressional District, delivered a splendid address before the Shelby Junior Chamber of Commerce at Hotel Charles in Shelby, N. C.

In view of the sound and basic philosophy embodied in that speech and because of my very high regard for Congressman WHITENER, I desire to see it made a part of the permanent RECORD of this Congress. Mr. Speaker, I am firmly convinced that unless the trend toward centralism in this country is reversed, this splendid young Republic with its great institutions is bound to come to an end. If this tragedy to the world is to be prevented, our people must awaken to the dangers ahead and rededicate themselves to the Jeffersonian principles upon which the Democratic Party and the country were founded.

Congressman WHITENER's able address is as follows:

President Heath, members of the Shelby Junior Chamber of Commerce, and distinguished guests, I am most appreciative of the very generous introduction by my longtime friend, Dave Gillespie. While Dave has only been in Shelby a short time, I am certain that you have already observed in him those traits of character and that sense of public service which resulted in his being selected by the Gastonia Junior Chamber of Commerce as Young Man of the Year a short time ago. His service as managing editor of your great daily newspaper, the Shelby Star, will, I am sure, be of great value to his paper and to the community which it serves.

It is always a privilege for me to speak to Jaycees. The most enjoyable period of my life was that period in which I was permitted to take a somewhat active role in the affairs of the local, State, and national organizations of which you are a part.

As a matter of fact, I have always had a deep sense of pride in the role that I was able to play in the formation of your organization here in Shelby. I remember so well our first meeting at the Cleveland Hotel and the enthusiasm for civic work which was evidenced by the young men of Shelby who at that time founded this organization which has meant so much to your city and county. Through the years that have followed this zeal for civic service has not lessened as is shown by the splendid record of service which you are continuing to build from day to day.

Your membership and activity in the various projects of this organization directly and indirectly touch every phase of community life. This broader value of your service is a noble thing. But there is another and more personal value resulting from your pursuit of the high ideals of the Junior Chamber of Commerce.

This other important value arises out of the personal development which the individual Jaycee experiences through his diligence in community service. No other organization in the Nation affords young men a greater opportunity of self-expression, equality of participation, and opportunity for accomplishment than does the Junior Chamber of Commerce.

We are told in the book of Joel that: "Your old men shall dream dreams, your young men shall see visions." These visions of the young men of hundreds of communities throughout the Nation are being given reality through the programs and projects which you and your colleagues conceive and promote. Tonight I would like to call to your attention another area of public service in which you as an individual and as a member of this great organization may find an opportunity for further service. This field of service is not limited by city, county, or State lines but embraces the entire area of the American Continent. And, by reason of the influence which our great Nation has in the affairs of the world we might even say that this area of opportunity is as large as the world itself.

I speak of the opportunity to assist in the preservation of the fundamental principles upon which this Nation has built its foundation of greatness.

The psalmist has said: "The lines are fallen unto me in pleasant places; yea, I have a goodly heritage."

The heritage of all Americans is known and understood by even the casual student of history. I, therefore, shall not undertake to remind you of the many lines that have fallen about us in pleasant places. Rather, I prefer to discuss with you in a brief way

some of the assaults which are being made upon this heritage of ours.

While my service in the Congress has been of short duration, it has been sufficient to convince me that in no similar period of our history has this country strayed further from the sound philosophy and principles of good government upon which this Republic was founded than it has during our lifetime. As a Member of Congress I have witnessed some further assaults which have been made on the very foundation stone of our society, the Bill of Rights.

It has been my constant aim when I was called upon to cast a vote to record myself as one who believes that the time has come when the chipping away at the bedrock of our society shall be stopped.

I am sure that you, as young civic leaders, are greatly alarmed over the ever-increasing tendency toward consolidation of power in the Federal Government at the expense of the States and freedom of our citizens. The great Thomas Jefferson issued a warning to the people of this country when he said: "It is not by the consolidation or concentration of powers that good government is effected. Were not this great country already divided into States, that division must be made, that each might do for itself what concerns itself directly, and what it can do much better than distant authority."

In order to prevent this consolidation of power our forebears adopted the 10th amendment of the Constitution which provides that: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

For more than a century that mandate was scrupulously honored. On those rare occasions, when the Congress in its zeal invaded the domain of the States, the Supreme Court firmly pulled it back. The Court at that time was a great bulwark in the preservation of constitutional Government.

How changed the situation today. Apparently the States no longer have any rights which the Federal Government is bound to respect. The Congress cannot evade its partial responsibility for this development. It has passed laws, expressed in vague general terms, empowering the Federal agencies to regulate vast areas of our economy. Immediately these agencies set up all the trappings of bureaucracy. They issue directives, regulations, and interpretations, which, as time goes on, bear less and less resemblance to the act passed by Congress.

But the evil presented by the executive and legislative branches has been minor in comparison with the destructive influence during the past two decades of the nine black-robed gentlemen who occupy the marble palace across the plaza from the Nation's Capitol.

You may search the Constitution, but you will find nothing about preemption in it.

The Supreme Court, however, with ever-increasing frequency is applying that doctrine to whittle down the jurisdiction of the State courts. In doing this the argument is advanced that the Court is carrying out the intent of Congress. Whatever its purpose, this assault upon time-honored constitutional principles has as its net effect the further centralization of power in the Federal Government.

Some of the outstanding examples of this are found in recent decisions which I will mention briefly.

(a) The Steve Nelson case in which the Court held that under this so-called doctrine of preemption the antisedition law of the State of Pennsylvania was void. This means that the antisedition laws of every State in the Union were stricken down with a stroke of the pen and that there is no authority except in the Federal Government to legislate against such sedition.

(b) The Slochower case in which the Court denied the right of the city of New York to terminate employment of a schoolteacher who had invoked the fifth amendment in a Congressional committee investigation concerning his past membership in the Communist Party.

(c) The Girard College case in which the Court said that Steven Girard had no right to provide in his will, over a hundred years ago, that his money was to be used for the establishment of a college for the education of white orphan boys. The flimsy reason given was that the board which operated the college is an agency of the State of Pennsylvania.

(d) The Konigsberg case and its companion case in which the Court held that a State had no right to deprive an applicant of his law license where it was shown that the applicant was a Communist. The rather remarkable idea was expressed by the nine black robes that membership in the Communist Party did not necessarily reflect upon the moral character of the person applying for admission to the bar.

These are just a few of the ill-advised departures from the goodly heritage which our generation has received from those who went ahead of us. One great newspaper has commented that in its recent decisions the Supreme Court had continued its studied campaign to obliterate the States of the American Union. This is not a partisan political matter. It is as fundamental to the members of my party as it is to the members of the Republican Party. It presents a problem which is on the minds of laymen and lawyers alike. Legislators are constantly wrestling with the problem of determining what legislative steps, if any, can be taken to curb the assault upon constitutional principles now being carried on by these men who have tenure in office for the duration of their natural lives.

I mention to you the fact that young men have visions. To be sure, young Thomas Jefferson had more vision than many of his fellows when he wrote: "There is no danger I apprehend so much, as the consolidation of our Government by the noiseless and, therefore, alarming instrumentality of the Supreme Court."

Jefferson's basic philosophy and vision was set out in the oft-quoted statement: "That government is best that governs least."

In 1798 Jefferson was the author of the famous Kentucky Resolution, which spelled out the kind of nation that he hoped to see, when it said: "The several States composing the United States of America, are not united on the principle of unlimited submission to their general Government, but * * * by compact under the style and title of a Constitution for the United States and of amendments thereto, they constituted a general Government for special purposes, delegated to that Government certain definite powers, reserving each State to itself, the residuary mass of right to their own self-government."

Jefferson's principal antagonist, Alexander Hamilton, ably presented his plea for complete sovereignty in the general Government, but this principle was not engrafted into the basic constitutional concepts of our Nation.

Can anyone fail to see that there is now a trend away from the Jeffersonian theory of government, and toward the Hamiltonian concept?

Those who profess to be great liberals seem to me to have turned their backs upon that great liberal, Thomas Jefferson, and to have embraced the theories which in Jefferson's day and time were known as conservatism or federalism.

I believe that the people in the South have consistently clung to the Jeffersonian idea of liberalism. To me a liberal is one who believes that the individual should be as free as possible of restrictions upon the exercise of his daily pursuits, whether of a social or business nature. How then can one say that the further expansion of Federal domination over State, local, and county government and the very lives of the individual within the various local communities constitutes liberalism?

As the young business and professional leaders of this Nation, the members of the Junior Chamber of Commerce have a great opportunity and responsibility in this battle for survival of our established system of government. You can do much to direct the people of your community and the Nation from the present path now being trod and restoring to the people all of our cherished, God-given institutions of freedom and liberty which were wrested from the tyrannies and oppressions of the past.

In the Acts of the Apostles the chief captain was quoted as saying to Paul: "With a great sum obtained I this freedom." And Paul said: "But I was freeborn."

Yes, my friends, you and I, as Paul, were freeborn. But if we are to remain free it may be necessary that we pay a great sum to maintain and preserve our freedom.

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## Address by Congresswoman Kathryn E. Granahan, of Pennsylvania, at Annual Session, Imperial Court, Daughters of Isis

EXTENSION OF REMARKS

OF

## HON. KATHRYN E. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 20, 1957*

Mrs. GRANAHAN. Mr. Speaker, on last Sunday it was my privilege and pleasure to address the opening meeting of the 43d annual session of the Imperial Court, Daughters of Isis, as this group began an outstanding convention in my city of Philadelphia.

A number of the Members have inquired of me about the speech I made at that affair and indicated that there was some interest in my remarks among the membership of the House. I am flattered to think that is so. In any event, and in view of the inquiries, I am including the text of my talk under unanimous consent in the CONGRESSIONAL RECORD, as follows:

To the imperial commandress and to all the members of the Daughters of Isis, I bring you greetings from Philadelphia—and a warm welcome to each and every one of you. We are pleased and delighted to have this wonderful group meeting in our convention hall. I bid you welcome on behalf of everyone in this great city.

Believe me when I say that I am deeply flattered—and that is the only word for it—to be invited to address this great gathering. The letter which came to me from my fellow Philadelphian, your imperial publicist, Mrs. Louise Stewart Jones, was so complimentary that the moment I received it I immediately accepted and said I would come.

Congresswomen are not immune from flattery, and a comparatively new Member of Congress such as I am is still at the stage of being a little surprised to be singled out for attention.

But it was not just the nice invitation, addressed in such flattering terms by Mrs. Jones, which convinced me I should quickly accept the invitation. It was, rather, some

of the information which I received about this organization, and the work you do, which convinced me I wanted to come and speak to you and meet with you and join you in this affair honoring your imperial commandress.

The world is full of a lot of things, and everyone is so busy that frequently we neglect to stop and look at the things of real value all around us. Each day we have problems in the operation of our households, or problems on the job of one sort or another, or problems in finding the right shoes to go with the new dress or hat, or problems in paying off debts or buying a car or a million and one other things. The day ends and we are exhausted and we wonder where all of our efforts have gone—and what we have accomplished.

As individuals, I am sure all of us have had that experience from time to time. There are never enough hours in the day, never enough days in the week, for us to be able to do the things we plan for and intend to do. We just never seem to have enough energy to carry out our good intentions.

But through your organization, I note that you have found the time and found the energy and found the leadership and found the will to do many fine things as a group. And for that I salute you and congratulate you.

You seek, through this organization, to achieve as your goals the virtues ascribed to the goddess from whom your organization's name is derived—the ability to change evil to good, to change sorrow to joy, to change poverty to plenty, to change ignorance to shining light.

You could have no greater goals, no finer goals.

And I will say this, too: If we are, in fact, to carry out the theme of your convention—Building for Tomorrow's World—then not only your organization, but all Americans must endeavor to change evil to good, to change sorrow to joy, to change poverty to plenty, and to change ignorance to shining light.

And the people in every land must join us in that endeavor.

We have in our power—in our country—the ability, just by a push of a button, to turn darkness to daylight, and life to death just by pushing a button, or throwing a switch. And in other countries—for instance, in the Soviet Union science has reached a similar pinnacle—it can also accomplish the same miracle of brightening the sky with a brilliance which outdoes the brillance of the sun—at the same time plunging mankind to destruction.

That is a great scientific accomplishment—there is no doubt about it. Scientists have used their God-given brains and reasoning power to unlock the secrets of nature, to give them the power of destroying whole nations, whole continents, and, in fact, the whole human race, and everything which lives or breathes on this earth.

"Give us time," the scientists might well be saying to us, "and we will figure out how to blow up not only a continent but the entire earth, the moon and the nearer planets, and perhaps the entire universe."

That is one way that mankind can be said to be building for tomorrow's world. But it is building to a sorry goal if all effort goes toward mass destruction.

Who builds for a better world of tomorrow?

Who organizes the brains of man to seek the end of suffering, the elimination of cancer, the destruction of poverty, the opening of new opportunities for every person—for every man, woman, and child on this earth?

Well, for one, I think this group the Daughters of Isis, is building in the right direction. You may or may not have in your membership the genius the world needs who will find the solution to cancer. But that does not deter you from doing your part. There is a role for everyone in the fight on cancer, and you are making your contribution by the funds you provide in the fight.

Jonas Salk developed the polio vaccine, and we honor him for it. But one man alone cannot eliminate polio. Everyone must help. You are helping, and I know will continue your efforts to see to it that every child and eventually every adult in the vulnerable age groups is vaccinated against polio.

These are just some of the things you do in behalf of a better tomorrow through the activities of this organization. You have proved how an organization set up primarily for social fellowship can be utilized also for great good for your fellow citizens.

To me, that is the reason for life, and the reason for organizations of people, and yes, even for governments.

The test of our worthiness on earth is what we do for each other—not what we can grab for ourselves. We learn that in our churches, and we learn it in the closeness of our families as we grow from childhood, and we learn it in our schools—or we should.

But how often we forget. And how easy it often is to forget.

In our country, and even in Washington, there are frequently voices raised to appeal not to the greatness in men, but to the weaknesses in the character of human beings. The process of government is sometimes used not to help but to harm—to harm the great majority of the population in order to grant special privilege or special treatment to a few.

It is a great tribute to the essential goodness and rightness of the American form of government that these raids on the public interest are getting harder and harder to accomplish, but that does not prevent many groups and individuals from making the attempt nevertheless.

I think there is a greater alertness these days on the part of the newspapers, joined by radio and television, in trying to keep the people informed on these self-seeking and self-serving efforts, but nevertheless, I know it is hard—it is extremely hard—for the average citizen to keep up with each new development. Even for those of us in the Congress, it is difficult to keep track of each step and each development on the major legislative issues which arise in one House or another, and are shuttled back and forth in committee, on the House or Senate floor, in conference committees, and so on.

I know you are interested in the subject matter of the civil-rights bill which has so dramatically dominated the Washington scene these past few months, and yet I will tell you right now, as one who is intensely interested in that bill and who is deeply concerned about the attempts which have been made to water it down or kill it, that no one can yet really tell you what is going to happen on it.

Those of us who are sincerely concerned and want a good bill are deeply anxious. We have argued among ourselves hour after hour in the cloakroom of the House and in the Chamber and in our offices over the best policy to follow at this point.

We want a bill which is meaningful and which will do some real good. We do not want to kill off the possibility of having any progress at all by insisting on the unobtainable perfect bill. On the other hand, I do not want to settle for the milktoast bill which passed the Senate. Is there a real possibility of compromise—or is this issue once again going to be shaped and decided and determined by those who want no effective civil-rights legislation?

I just don't know at this moment. I wish I could bring you a final and decisive word on this. All I can do is assert to you my own sincere conviction that we must not surrender to those who would deny qualified Americans the full rights of citizenship, including—and especially—the full rights of voting in our elections.

It is not my intention to be political at this fine gathering, because I know that you have in your membership the same diversity of political views as one would find in any large gathering of Americans. But I must speak what is in my heart in connection with this great issue which we have been debating in the Congress.

And this fact strikes me and worries me deeply: Why was the Attorney General of the United States, the man who drafted the civil-rights bill, not on hand to defend it and fight for it and explain any unclear features of it when the fight was hot and heavy in the Senate?

Why did he pick that particular time to go to London to make a political speech attacking former President Harry Truman's administration?

It seems to me—and I make no apology for this statement—that if Mr. Truman were in the White House during this bitter struggle he would not have allowed his Attorney General to be off somewhere abroad making political speeches attacking the Hoover administration, but would have insisted on his chief lawyer being right on hand every moment of the debate to fight for his handiwork, and to go down the line for the principles of civil rights and decency.

And that's where the present Attorney General should have been.

If he could not have explained his bill better than he did to the President, so that the President would feel he knew what was in the legislation he was recommending, the Attorney General could at least have been on hand to explain it to critical Senators who were intent on tearing it to shreds.

If this bill had in it some of the things the President admitted he feared might be in it, then what sort of relationship is there between the President and the Attorney General? Was the Attorney General guilty of deliberately misleading the President about this bill?

If so, then I would say the Attorney General should either be asked by the President to resign or should be impeached. That is a strong statement to make, and I do not make it without a great deal of thought. The developments over this civil-rights bill have been little short of scandalous—the way the President supported it and then backed away from it and expressed doubts about it and allowed its enemies to use his own doubts to help shred the bill. If the President was misled, or not properly informed on this legislation, the fault lies in his Attorney General—an official who could not even be bothered to be on hand in Washington when the bill was under its most damaging fire.

If we are going to build for a better tomorrow—and if we are to try to enlist all of the other nations of the world to join us in the hard tasks which must be accomplished if we are to achieve a better world—then we, in this country, at least, have got to stop fooling each other. We have to stop trying to trick each other for possible political advantage or other purposes. We have got to stop misleading each other—or trying to mislead each other.

Facts are sometimes elusive. We must search for them. We must think about their meaning, their significance. We must seek out the divine guidance we need to understand the facts.

It is a hard and difficult process, but in a democracy it is a process which must take place among all citizens. We must be encouraged and stimulated to think our problems out together.

But we cannot think out the issues if we are being deliberately mislead or unlead. In that connection, our President must show real leadership and understanding not

just of the overall aims or objectives but of the day-to-day details of achieving those goals.

He must work terribly hard at the job if the job is to be done. He cannot assign this responsibility to underlings. Under the Constitution it is his job, and under our way of doing things, he alone can execute its responsibilities.

Now I hope what I have said is not taken to be partisan, for I do not mean it that way at all. We must look at these problems objectively. Neither party is ever completely right on any issue. Neither party is ever completely wrong on any issue. We must weigh the facts in each case.

On the question of human rights or human dignity the protection of the individual from violence or discrimination or persecution based on un-American concepts of race or creed or color the question is not partisan in that both political parties have in their membership high officials who oppose civil-rights legislation. Largely, this is a sectional issue. Republicans and Democrats alike from the South joined to try to kill this legislation. This is often lost sight of, in view of the fact that the South is so often regarded as a one-party area. But there are Republican Congressmen from the South and they were just as vehemently against civil-rights legislation as Democratic Congressmen from the South. So we cannot win this battle by ascribing partisan political praise or blame.

But win it we must.

The Supreme Court and the lower Federal courts have led the way in recent years, in contrast to the experience of only 20 years or so ago when the Supreme Court was standing squarely in the way of progress. Now it leads the way.

And to me the most remarkable and encouraging and heartwarming feature of this great advance in human decency, as represented by the Supreme Court, is that the southerners on that Court were in agreement with the northerners on the need, for instance, of integration of the schools—on the unconstitutionality of segregation in the schools—the most significant single forward step in civil rights, I believe, since the report of the Truman Commission on civil rights of 10 years ago.

This means to me that the fight for civil rights in the South is certain to be won. Politicians who play the theme song of divisiveness and segregation and hate are going to learn that this issue has gradually lost its appeal to thinking people. They are going to find that it is poor politics, and is no longer the sure-fire road to votes and election.

I look forward confidently to that day. It will be part of the better world of tomorrow which you and I and all of us here today look to and pray for and are going to work for. And that is the kind of work which brings joy in the doing. Thank you, and have a wonderful time in Philadelphia.

## Wiley Salutes Aviation Industry—Urges Approval of More Funds for Research

EXTENSION OF REMARKS
OF
### HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
*Tuesday, August 20, 1957*

Mr. WILEY. Mr. President, as we know, yesterday was National Aviation Day. All of us, of course, are deeply aware that our country is safer, stronger, and greatly advanced because of the great contributions of the aeronautical industry to our development and progress.

In its brief lifetime, aviation has changed the complexion of communication, commerce, warfare, and generally, world affairs.

Behind this conquest of the air, of course, are the brains, brawn, foresight, imagination, and sweat of millions of men. Lest we forget, there are also the graves of those who risked their necks in experimenting and testing.

During the years, aviation has been confronted with a multitude of challenges—from the problem of just getting off the ground to development of supersonic jets, launching of space satellites, and other advancements that, only yesterday, were the subject of science fiction.

Now our task is to increase our efforts for ever greater air progress, including resolving its problems and supporting programs to meet our air needs of the future.

BUDGET CUTBACKS "TRIM THE WINGS" OF AVIATION

Regrettably, some budget cutbacks are, in effect, "trimming the wings" of the aviation industry.

The Air Force is stretching out or canceling a great many contracts.

Civil aviation, too, feels that its expansion programs as well as its ability to provide adequate services to our people, is being too greatly restricted.

Frankly, I do not believe we can afford to jeopardize air progress by wielding the economy knife recklessly.

As we know, progress in any field is based on a sound research program.

Today on the Senate Calendar is a bill, H. R. 3377, which would authorize the acquisition of new land and the construction of additional facilities for aeronautical research. It would include testing and experimentations of nuclear propulsion, rocket research, pilotless aircraft, and other phases of aeronautical progress. The authorized cost is not to exceed $45 million for these purposes.

I should like to point out that none of the projects in this particular bill are in my State. However, I am happy to note that the University of Wisconsin in 1956 participated in other research projects sponsored by the National Advisory Committee for Aeronautics.

I believe that this modest step—the passage of H. R. 3377—in advancing aeronautical research, is definitely necessary.

Consequently, I urge that the bill be favorably considered when it is reached on the calendar today.

In addition, I request unanimous consent to have printed in the CONGRESSIONAL RECORD a brief statement saluting Aviation Day, and briefly pointing up the challenges facing our aeronautical industry.

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

STATEMENT BY SENATOR WILEY

Now that yesterday's dreams of air travel have become today's realities, we must dedicate ourselves to ever-increased progress in this industry which has contributed so much to our growth and progress as a Nation. In this young industry of aviation the question of "Can man fly?" has been displaced by the queries: "How fast can he fly?" and "How safely can he fly?"

Too, we are faced with fulfilling the needs and requirements of the dual role aviation plays in our country: that of maintaining strong, effective air power to protect us; and, that of further developing aviation for commerce, travel, and other peaceful pursuits.

As we know, the Air Force celebrates its 50th anniversary this year. Again and again, this flying fighting arm of our service has spearheaded progress in aviation.

Our civilian industry, too, has been a fine record of notable breakthroughs toward ever-greater progress in harnessing the airways for the benefit of our people.

WISCONSIN'S FINE RECORD OF AIR DEVELOPMENT

As we look forward to additional achievements in aviation, we must also prepare to resolve its problems.

These problems exist in varying degrees, across the Nation.

In Wisconsin, our officials and citizens are making valiant efforts to fully bring the benefits of this air age to our people. They are grappling with the jobs of expanding facilities, improving navigation aids for local and interstate commerce, establishing new routes linking us with the South, Southwest, and Far West, and others.

I am proud to point out that this work is going forward at a good pace. For example, the following facts illustrate the scope of our program as regards airports, aircraft, pilots, and airways:

Airports: As of January 1, 1957, there were a total of 182 civil airports in the State of Wisconsin. Of this number, 80 were public-use airports and 102 were classified as limited.

Aircraft: As of January 1, 1957, there were a total of 1,338 civil aircraft registered in the State of Wisconsin. These include: general aviation multiengine, 85; postwar, 5; and 5-place single engine, 418; all other, 835.

Pilots: As of January 1, 1956 (latest available figure) there were 14,409 pilots registered in the State of Wisconsin. Of this number there were: Student, 1,575; private, 8,615; commercial, 4,103; air transport rating, 108; and others, 8.

Airways: As of May 30, 1957, there were a total of 2,392 miles of airways in the State of Wisconsin. Of this total, 568 miles were on low-frequency airways, 1,129 miles were very high frequency airways, and 695 miles were very high frequency alternate airways.

I am proud to point out also that in Wisconsin there have been many outstanding men who have contributed to the advancement of aviation.

To name a few, I include Gen. Billy Mitchell, Gen. Nathan Twining, Gen. Hoyt Vandenberg, Adm. Mark Mischer, Maj. Richard I. Bong, Gen. Lester Maitland, and others.

To this notable group, I am now happy to add the name of Jim Durfee, present Chairman of the Civil Aeronautics Board, who is making a fine contribution in this field.

PROBLEMS CONFRONTING THIS VITAL INDUSTRY

On the national scope, we need a stepped-up program for the future if we are to get maximum benefit from the potential of our air age—the jet age. The requirements of such a program include expanded air facilities; improved navigational aids; greater air safety; a fair competitive climate for economically healthy airlines; a sound rate system to enable them to meet their financial burdens; strong United States-flag carriers servicing routes to the four corners of the world; a wider program for cross-continent travel; trunklines to provide service to fast-developing areas of the Nation; and adequate local service; expanded use of aeronautical advancements for such important segments as agriculture, commerce, industry, etc.; an appropriate assumption of responsibilities for aeronautical development at Federal,

State, and local levels; highway improvement to and from airports, so as to relieve congestion.

These are only a few of the challenges confronting us.

I could mention the military and dozens of other problems. The problems of jet noise, of airways used exclusively by the military.

I am happy that our people are displaying foresight, ingenuity, and commonsense in tackling these and other problems.

I should like also to pay tribute to Wisconsin's Aeronautics Commission, and to its counterparts across the Nation, as well as other officials who are making an outstanding contribution in this field.

Their unrelenting efforts to meet and resolve our problems are, indeed, an example of the best way we can commemorate Aviation Day.

## Senator Knowland's Interview on the Meet the Press Program

EXTENSION OF REMARKS
OF
## HON. WILLIAM F. KNOWLAND
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
*Tuesday, August 20, 1957*

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of the program Meet the Press on which I appeared last Sunday evening.

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

MEET THE PRESS

(Produced by Lawrence E. Spivak, Sunday, August 18, 1957; moderator, Ned Brooks; guest, Senator William F. Knowland, Republican, of California; panel, May Craig (Portland (Maine) Press Herald), Lyle Wilson (United Press), Bill Thies (International News Service), and Lawrence E. Spivak)

The ANNOUNCER. Our guest, ladies and gentlemen, is Senator WILLIAM F. KNOWLAND, Republican, from California, whose announcement early in January that he would not run again for the Senate has kept interest high in his future political plans.

Now, Meet the Press, the prizewinning program produced by Lawrence E. Spivak.

Ready for this spontaneous, unrehearsed conference are four of America's top reporters. Their questions, please remember, do not necessarily reflect their point of view. It is their way of getting a story for you.

Here is the moderator of Meet the Press, Mr. Ned Brooks.

Mr. BROOKS. And welcome once again to Meet the Press.

Our guest is the Republican leader of the Senate, Senator WILLIAM KNOWLAND, of California. As Congress comes closer to adjournment, important decisions are still to be made. One major issue is the administration's foreign program. The House of Representatives has reduced the appropriation asked by President Eisenhower by more than $800 million. Senator KNOWLAND was called to the White House on Friday to discuss the restoration of at least a substantial part of that reduction. He also was in the forefront of the battle to reach a compromise on the administration's civil-rights bill.

On the political front, Senator KNOWLAND's plans for the future have been the subject of much speculation. Early this year he announced he will not be a candidate for reelection in 1958. Since then he has been talked of prominently as a candidate for Governor of California next year and for President in 1960. When Congress adjourns he plans to make an extensive speaking tour of his home State.

Senator KNOWLAND has been the Republican leader of the Senate since 1953. He is a member of three important committees, Foreign Relations, Appropriations, and Atomic Energy.

And now seated around the press table ready to interview Senator KNOWLAND are Lyle Wilson of the United Press, May Craig of the Portland (Maine) Press Herald, William Thies of International News Service, and Lawrence E. Spivak, our regular member of the Meet the Press panel.

Now, Senator KNOWLAND, if you are ready, we will start the questions with Mr. Spivak.

Mr. SPIVAK. Senator, you were one of the first to call for a cut in the foreign-aid program. Do you approve of the cuts made by the House or do you think, as the President does, that they have gone too far for our security?

Senator KNOWLAND. I think the House cuts go far too deeply for our national defense interests and our foreign policy. I believe that the Senate amount will be less than the authorization bill, but more than the House appropriation.

Actually, even with the authorization bill, if you will total the amount, will be over $1 billion less than the President first recommended in January.

Mr. SPIVAK. Senator, after your talks with the President, what do you consider the minimum foreign-aid money that we need?

Senator KNOWLAND. I think something in the neighborhood of $3 billion can be justified in the assistance to those Nations where we have a deep obligation, with mutual defense pacts, for instance Korea. We are supporting some 20 divisions—helping to support some 20 divisions there. I think it would be generally looked upon as a catastrophe if the Communists should be able to destroy seven divisions. Yet a 30-percent cut in the defense support and the military support for Korea would be indicated by the action taken by the House and I think that is far too deep a cut in our own national interests or the interests of the Free World.

Mr. SPIVAK. Senator, there is one question I would like to ask you about the House of Representatives' most recent cut: Do you think that our House of Representatives is conducting itself as a responsible body when it votes a bill authorizing a foreign aid expenditure of $3.3 billion and then cuts that authorization when it comes to appropriating the money, to $2.5 billion, in round figures?

Senator KNOWLAND. Yes, I think the House is conducting itself—I certainly wouldn't be critical of the House action. That is part of our constitutional system. We have to get an adjustment between the House and the Senate point of view and I think there is room for an honest difference of opinion. They happen to have one viewpoint, the Senate may have another.

Mr. SPIVAK. Now, that is not what I am getting at, Senator. The House itself passed a bill for $3.1 billion and then in conference agreed to a bill roughly of $3.3 billion but now when it comes to appropriating the money for the bill that it itself accepted, it cuts it to $2.5 billion. Now, is that responsible government?

Senator KNOWLAND. Yes; I think it is responsible government, Mr. Spivak. It happens to be the viewpoint of a majority of the Members of the House. That is representative government. We don't have to agree with that action and term it irresponsible. I don't believe that is the proper term to use.

Mr. SPIVAK. No; but why did they pass a bill for $3.3 billion?

Senator KNOWLAND. That is not unusual for an authorization bill to be higher than an appropriation bill. I think that the House perhaps in the back of its mind may have thought that the Senate was going to adjust the amount upward. That has been done before. In the final analysis, however, I think that the House cut is too deep in our own national interest because it will most heavily fall upon the Republic of Korea where they are facing some very heavy Communist forces north of the 38th parallel; it would drastically cut the defense forces in the Republic of China, on Formosa; it would cut them in southeast Asia, in Pakistan and in Turkey and all of these countries have been very stout allies of ours.

Mr. THIES. Well, Senator, as the Republican leader of the Senate, do you fight for restoration of the full $800 million eliminated by the House or will you tend to compromise the $3 billion figure?

Senator KNOWLAND. No; I do not believe that it is feasible to restore the entire amount of the authorization bill, but I do believe that the House reduction is deeper than it should have been and I shall certainly do what I can to have the Senate adjust those figures in the neighborhood of $3 billion.

That, as I pointed out before, will be a reduction of about $1,400,000,000 under the January recommendations of the President.

Mr. THIES. This week the President warned pretty bluntly that if he didn't get adequate foreign aid appropriations he would call Congress back into a special session. Now, what is your understanding of what he means by adequate?

Senator KNOWLAND. I didn't quite interpret his press conference statement in the way that you did. I think what he said was that if there were not adequate appropriations and if the world conditions warranted, where he felt that the national interests of our country were adversely affected, he would then consider calling Congress into special session and I think that would be the obligation of any President, Democrat or Republican, if he felt our vital national interests were adversely affected or if world conditions should indicate a further Communist encroachment.

Mr. THIES. In other words, if there is no worsening of the international situation he would not go that far?

Senator KNOWLAND. I am inclined to believe that would be the case because we will be back here in January. I think the second part of his alternative is the one that would be controlling if the international situation should warrant.

Mr. THIES. Did he have Syria in mind this week when he spoke of possible changes in the international situation?

Senator KNOWLAND. Syria is one of the critical problems in a very difficult area of the world and we never know when there may be some outbreak in the Middle East, in the Far East, or in Europe that would completely change the international situation. The developments in Syria certainly indicate that the situation in the Middle East is still tense.

Mrs. CRAIG. Senator, it is definite you will not run for the Senate in 1958?

Senator KNOWLAND. Yes; I made that position clear on January 7 and I have not changed it. I am not going to be a candidate for reelection to the Senate.

Mrs. CRAIG. Will you retain the Senate leadership while you are in the Senate?

Senator KNOWLAND. I have no present intentions of resigning from the Senate leadership.

Mrs. CRAIG. Will you tell us whether or not you are going to run for Governor of California?

Senator KNOWLAND. No; not at this time. When I make that decision I expect to inform the people of California, in the State of California.

Mrs. CRAIG. If you remain as leader, how would you get time to campaign for governor?

Senator KNOWLAND. We will cross that bridge when we come to it, Mrs. Craig.

Mrs. CRAIG. Did you read the story in the Washington Star, the interview with Mrs. Knowland, in which she said that she believed you would run, but you were not committed?

Senator KNOWLAND. I read the interview and that was her opinion.

Mrs. CRAIG. Do you agree with her?

Senator KNOWLAND. I would say I have never attempted to censor my wife's views or her letters.

Mrs. CRAIG. Well, Senator, you are scheduled for something like 45 speeches in September in California. Now, if you are not going to run for reelection, what are you going to make speeches about?

Senator KNOWLAND. Oh, Mrs. Craig, for 12 years I have gone back to California and made reports to the people of my State and I am doing that this year. I may discuss some other problems with them as well, but I am still reporting on conditions in Washington and elsewhere in the world.

Mrs. CRAIG. Do you have any agreement, tacit or otherwise, with Vice President NIXON that he will support you for governor if you decide to run for governor?

Senator KNOWLAND. No; I have no agreement with the Vice President whatsoever.

Mr. WILSON. Senator, may I take you to perhaps an easier area, back to foreign relations? When President Eisenhower proposed aerial inspection at the summit conference, it is my recollection that you were something less than enthusiastic. Now the aerial inspection idea seems to be basic in the present disarmament discussion. Do you think now that that proposal or the policy is useful, desirable, or mistaken?

Senator KNOWLAND. When the original proposal was made, Mr. Wilson, it is true that I was less than enthusiastic until we had some of the details develop. For instance, on the first announcement I could personally not picture a situation where Soviet planes would be allowed to fly over the United States and maybe fly over six times and on the seventh time come over containing atomic or other weapons and I wanted to be sure how we were to be safeguarded in that regard. I think that has been satisfactorily explained that either the planes, if they were Soviet planes, would have to land at an American airport, we will say in Alaska or elsewhere, be searched, take on an American observer before they could proceed, or American planes would be furnished to Soviet observers and they would make the trip in that way, so we would be safeguarded against maybe on the sixth or seventh trip, having a sting in the tail of the plane, so to speak.

The next thing was, personally I could not accept the idea that we would merely inspect the frozen wastes of Siberia while they were inspecting all of the United States including my own State of California, and the United States west of the Mississippi River. I thought this was trading 1 horse for 1 rabbit and that did not appeal to me. But that is not the proposal. If they are only willing to allow arctic areas to be inspected, I now understand our position that we will only allow arctic areas in Alaska and northern Canada to be inspected.

If they will allow all of their country to be inspected, we would then consider allowing all of our country to be inspected but I think it is a more equitable arrangement than some of the Soviet proposals that have heretofore been made.

Mr. WILSON. Would you be prepared to defend it in the Senate?

Senator KNOWLAND. I would be prepared, with the necessary safeguards.

Mr. WILSON. May I take you to another area now: Assuming that you are familiar with the McClellan hearing, the Senate hearing on rackets and labor, organized labor has accumulated a great deal of money and a great deal of political power. Do you think that the political and money power of organized labor should be held as strictly accountable before the law as are the powers exercised or that could be exercised by corporations, with their vast supplies of money?

Senator KNOWLAND. I certainly do. I believe that always in a business, in labor or in Government, with power must go responsibility. I believe that it is very dangerous to have power without having the equal responsibility to go with it and I think that the leaders of organized labor have the same responsibility to their membership and to the public to adequately and honestly account for their funds and to safeguard them as our great insurance companies or business organizations have. And I think that a great many of the leaders of the organization, including Mr. Meany, feel that way about it.

Mr. WILSON. Corporate money and political power is strictly accountable to law passed by the Congress.

Now, if you feel that way about labor money and political power, do you plan any legislation to bring it about?

Senator KNOWLAND. I am not sure that that is necessarily the field of Federal legislation. I think that the States have a great responsibility to be sure that trust funds are adequately safeguarded and I don't think that the States should fall down on their responsibility in giving this protection to the general public and to the union membership and pass the buck entirely to the Federal Government.

Now, it may be in those organizations which are interstate in character and where one State could not get to the problem, that the Federal Government would be amply justified in passing some legislation.

Mr. WILSON. Do you think the big unions are interstate?

Senator KNOWLAND. Yes.

Mr. WILSON. Would you propose legislation in California if you were governor?

Senator KNOWLAND. Wherever legislation would be necessary to protect the rank and file of the union membership and the general public, I would believe that a governor would have a responsibility to recommend legislation.

Mr. SPIVAK. Senator, where do you stand on the controversial right-to-work laws? I believe they have been under consideration in California. Do you believe that the State has a responsibility to pass such laws?

Senator KNOWLAND. I think that that is primarily a State problem. I think undoubtedly that the right to work is a civil right of the highest character and that the person's ability to earn a livelihood is one of the highest civil rights next to voting that a person could have and I think he ought to be assured that he has a right to earn a living.

Mr. SPIVAK. You are satisfied then with section 14 (b) of the Taft-Hartley Act which now gives the States the right to pass such laws. You wouldn't want an amendment for a national act of that kind?

Senator KNOWLAND. No; I would oppose any attempt on the part of Federal legislation to take away from the States the right to enact such legislation if in their judgment they felt it was wise to do so.

Mr. SPIVAK. As I understand it you are for State legislation. Are you for a State law of that kind, though?

Senator KNOWLAND. On that Mr. Spivak, I don't know. It would depend on what the type of the State law might be. I personally believe that, as I say, the right to work is one of the greatest rights next to the right to vote and worship your God according to your conscience, that an American citizen can have and I don't think it should be infringed upon by any group or organization.

Mr. SPIVAK. Senator, most of us have found it rather difficult to make head or tail of the disarmament discussions that are going on in London between Governor Stassen for the West, and the Soviet. Do you think that Governor Stassen has made any progress of importance in these discussions?

Senator KNOWLAND. I am not certain at this time whether we have made any real progress in this regard. I think we may have made some negative progress in the sense that we have found that the Soviet Union is just as determined to have their way, or have no agreement and to that extent I suppose you can say there is some progress in knowing that the Soviet Union hasn't changed its position. But I see up to this point no indication that a satisfactory and sound agreement will be entered into.

Mr. SPIVAK. Do you see any point in the continuing of these discussions?

Senator KNOWLAND. I think that we should always search for ways of finding methods of limiting armaments and preserving international law and order and there may come a time—maybe not with this crowd that is controlling the Kremlin, but at some future time—when we can reach such an agreement and I don't think we should ever abandon the possibility that some such agreement may be arrived at.

Mr. THIES. Senator, conceding your natural reluctance to make what you may think is a premature announcement about the governorship of California, many Republicans, including Gov. Goodwin Knight, have said that a fight between you and the Governor for that seat in the primary would split the party wide open in California and possibly throw the election to the Democrats. What is your view on that?

Senator KNOWLAND. I don't agree with that point of view. I happen to believe in the direct primary system. I think the people of my State who have for now, for some 50 years almost, had the direct primary—40 years—feel that they are entitled to have a voice in the selection of their candidates for State office and for the legislature.

Mr. THIES. Senator, I remember a conference that you had with Vice President NIXON aboard his airplane in 1953 in which you and he got together and issued a joint statement endorsing then Lieutenant Governor Knight for the governorship. I assume at that time it was to avoid a fight. Was that correct, and how does that compare with this situation?

Senator KNOWLAND. Not necessarily, because I don't think you can always draw a parallel between conditions one year and in a subsequent year. I think conditions change and if the people of California have a choice of candidates I certainly think they are competent to make a choice.

Mrs. CRAIG. Senator, going back to foreign aid, you said in a speech last May "I do not favor taxing the American people to support Communist economic or political systems abroad."

Senator KNOWLAND. I don't favor it now.

Mrs. CRAIG. Yes.

Well, now, in this bill which will come up to you soon for money, are you for money for Yugoslavia and Tito?

Senator KNOWLAND. Personally I am not.

Mrs. CRAIG. How are you going to get it out? Will you get it out? Will you try?

Senator KNOWLAND. I don't know whether we can get it out, but I have made representations to the administration then and I expect to make them in the future. I certainly think that it is unsound to give military aid to Tito. I did then; I do now.

Mrs. CRAIG. Well, how do you feel then perhaps about selling food to Poland and the other satellites? You did say, I believe, that you thought anything that would make

people happy in a Communist country only strengthened the Communist system.

Senator KNOWLAND. I have always drawn a line, I believe, Mrs. Craig, if you will examine the text of speeches and statements I have made, between feeding hungry people and supporting the general economic system of Communist powers.

Now under the leadership of Mr. Hoover after World War I in the twenties when there was a great famine in the Soviet Union itself, the American people showed their desire as humanitarians to prevent innocent people from starving to death due to the incompetence of their Government. And I would believe that we could help hungry people in the world without strengthening their economic system.

I do not favor a building up of Communist nations by the support of their economic systems.

Mrs. CRAIG. Do you think that there should be a special session and do you think the President's eventual suggestion of such a thing was resented at the Capitol?

Senator KNOWLAND. Personally, I do not see the necessity of a special session, at this time. If world conditions warranted it, I would think any President of the United States would call Congress into special session.

Mrs. CRAIG. But not for more foreign aid?

Senator KNOWLAND. Not necessarily unless that, in turn, had a direct implication with the international situation, which then might be confronting the Nation.

Mr. BROOKS. Senator, before we close, I think we ought to have a word about the civil-rights bill and the conference between the House and the Senate. How do you account for the fact that so many Republicans voted to weaken the civil-rights bill?

Senator KNOWLAND. Not so many of them did vote to weaken it. As a matter of fact, the predominant vote of the Senate Republicans was against weakening the bill. But some did and those together with the large majority of the Democrats who voted to weaken it, was a sufficient majority to enable them to make the change.

Mr. BROOKS. Mr. Wilson——

Mr. WILSON. I wanted to go back to that matter of economic aid. You would oppose economic aid to a Communist state. Would you oppose it to a Socialist state?

Senator KNOWLAND. No; I think that there is a difference between those countries which are under Soviet occupation and a neutral state which is not under Soviet occupation. Personally, however, I think that insofar as we can, we should gradually get out of the business of government to government, even loans, to say nothing of grants, and encourage private enterprise making investment in foreign countries. And, of course, they are not apt to make investments in countries which are threatening to socialize the economy.

Mr. WILSON. The reason I inquire is that the movement toward socialism in Europe, for example, has been precipitous since the war and it is perfectly likely that in the course of time, the United States will be a little island of private enterprise in a Socialist world. It would make it very difficult for the United States to trade and engage in foreign trade under those circumstances.

Senator KNOWLAND. Of course, one of the great differences, however, has been that Germany which has had the greatest advance in all of Western Europe, has turned directly to private enterprise and away from socialism and I think that is what has given them their economic superiority.

Mr. SPIVAK. Senator, are you willing to settle for the Senate bill on civil rights?

Senator KNOWLAND. No; I am not willing to settle for the Senate bill as finally passed. I believe it will be amended. I hope that it will be sufficiently amended to make it fully effective.

Mr. SPIVAK. You are going to fight for a better bill then; are you?

Senator KNOWLAND. Yes; I would expect that we will get a better bill than the one finally passed in the Senate.

Mr. THIES. Do you think this will end the long battle for civil-rights legislation for the foreseeable future, Senator?

Senator KNOWLAND. No; I think not, but I think we will get some experience under this and the Commission will be able to make a study of just how much progress we can make under this bill.

Mrs. CRAIG. How are you going to get out of the civil-rights bill that section which would fine or put in jail a reporter who revealed anything in a secret session of that Commission?

Senator KNOWLAND. That could be done by a separate bill or they can concur and amend in the House and I think they can get it out.

Mr. BROOKS. I am sorry, I am going to have to interrupt. Our time is up.

Thank you, Senator KNOWLAND, for being with us.

## Tyrone, Pa., Celebrates the 100th Anniversary of Its Incorporation as a Borough

EXTENSION OF REMARKS

OF

### HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 20, 1957*

Mr. VAN ZANDT. Mr. Speaker, as a fitting climax to months of careful and patient planning, the Borough of Tyrone, Pa., in my Congressional District, opened its centennial program, August 11, heralding the beginning of a fun-packed week of community celebration in commemorating the epochal event.

Situated in northern Blair County, for a century Tyrone has been known as the gateway to the picturesque Bald Eagle Valley regarded as one of the scenic splendors in the great Keystone State.

Tyrone which is a thriving community of patriotic and God-fearing people takes pardonable pride in its colorful history which was reenacted in a stirring pageant titled "Proud Heritage" which told the captivating story of the history of Tyrone with a cast of over 400 local residents performing on a 300-foot outdoor stage.

During the centennial celebration, it was my privilege to have the honor of crowning, as queen of the centennial, "Miss Tyrone" in the person of Miss Hope Snyder. In addition, I had the pleasure of bestowing the crown of "Little Queen" of the centennial on 5-year old Debbie Markel, daughter of Mr. and Mrs. William L. Markel.

One of the highlights of the centennial celebration was the participation by the famed Tyrone Gardner Guards in each performance of the pageant Proud Heritage. This famous drum and bugle corps has gained national recognition and since 1950 has won 145 first-place awards, including first prize in President Eisenhower's inaugural parade in Washington, D. C., last January. Recently the Gardner Guards appeared on Ed Sullivan's TV show, Toast of the Town, and has recently received an invitation to appear on Fred Waring's program. Incidentally, Fred Waring is a native son of Tyrone and all through the years of his successful ascent in the musical world has always found time to take an active interest in his old hometown, lending his support in a material manner in support of any programs designed to make Tyrone an ideal community in which to live.

The week-long centennial program opened in an appropriate manner in a spiritual vein on Sunday evening, August 11, with a community vesper service which included clergymen of all religious faiths.

During the period Monday, August 12, through Saturday, August 19, the weekly program consisted of Youth Day, Civic-Industrial Day, Rural-Suburban Day, Firemen's Day, and Veterans' Day. Each evening during the week there was a gigantic display of fireworks with the Saturday program consisting of an antique auto parade, a muzzle-loaders shooting match at Sportsmen's Lodge, and, as a finale, a musical festival featuring Lanny Ross, Elizabeth Doubleday, Buddy Williams and his Golden Echo Music, and the Winged Victory Chorus.

The various parades held during the centennial period elicited enthusiastic approval from the overflowing throngs that gathered along the route of march. With the Kiddies' Day parade on Monday and the martial atmosphere of the fine Veterans' Day and firemen's parades, coupled with the dazzling beauty of nearly twoscore of business and industrial floats in the civic and industrial parade, centennial visitors were treated to parades that were second to none for beauty and interest. The colorful and unique floats in the civic and industrial parade portrayed in a novel and effective manner Tyrone's progress during the past century. Almost every phase of American life was depicted due to the ingenuity and artistic talents of those who designed the many brilliant floats.

During the entire week, general chairman of the centennial, Emmanuel E. Rodgers, who is also burgess of Tyrone, and his many associates on the various committees were the recipients of warm praise for the well-planned and entertaining programs that daily delighted the thousands of centennial visitors and residents of Tyrone.

One aspect of the Tyrone centennial that sounded a nostalgic note was the outdoor horse show at Horseman's Field. For many years the famous Sheridan troop of cavalry soldiers was known far and wide in the military circles of the State and Nation. The gleaming spectacle of over 100 expertly groomed horses on exhibition was a vivid reminder of the part horses played in the early history of Tyrone. Their important role is revealed by an article from the pen of William Robert Fuoss, Tyrone, Pa., which appeared in the August 9, 1957, centennial edition of the Tyrone (Pa.) Daily Herald. Mr. Fuoss, who is known throughout Pennsylvania as an orator and writer of no mean ability, is an expert on horses having been interested in them since early boyhood.

In addition to Mr. Fuoss' article, which I am inserting at the conclusion of my remarks, there is also appended an article from the August 9, 1957, centennial edition of the Tyrone (Pa.) Herald which gives an interesting account of the incorporation of Tyrone as a borough, July 27, 1857.

In concluding this salute to the borough of Tyrone, I wish to congratulate the centennial committee for its untiring efforts which culminated in a successful celebration of the 100th birthday of Tyrone borough.

At the same time I warmly commend the businessmen and industrial leaders of Tyrone, and all the residents of that thriving community, for their civic-minded and cooperative efforts in making the centennial celebration an outstanding success.

It is my sincere wish that the progress enjoyed by the borough of Tyrone during the 100 years of its existence will be continued in even greater measure. This is certain to be experienced because the theme of the 1957 centennial pageant, Proud Heritage, will provide a stimulating influence and prove an incentive to Tyrone residents to face the future with unbounded faith in God in meeting the challenge of everyday living in this atomic age.

[From the Tyrone (Pa.) Daily Herald of August 9, 1957]

TYRONE INCORPORATED AS A BOROUGH ON JULY 27, 1857—SITE OF TYRONE LAID OUT IN 1850, THE SAME YEAR FIRST HOUSE BUILT

Tyrone City, so called in its earliest day by its original proprietors, was one of the comparatively new towns in the central part of the State.

It was originally laid out by Lyon, Schorb & Co. an old and much-respected iron firm, that carried on extensive ironworks in different parts of the State.

John T. Mathias, a venerable and highly respected citizen of the town at that time, in 1850, assisted in planning the streets and laying out the lots. He was then the superintendent of what was known as the Tyrone forges.

Jacob Burley built the first house and moved into it in November 1850, and Rev. John D. Stewart and Mr. Burley started business together in the building first then completed, adjoining the city hotel.

In 1852, the Central Hotel was erected by Joshua Burley, and in 1853, Edwin L. Study, Pius Sneeringer and Samuel Berlin, on their way to the Far West from Adams County, were induced to interrupt their journey and look at the new town. They were so favorably impressed that they purchased lots and ever afterward identified themselves with the growth and prosperity of Tyrone.

Mr. Study died some years later, in 1879, after being widely and favorably known over the entire State as an active and honorable businessman. He was president of the Blair County Banking Co. at the time of his death.

Mr. Berlin commenced in the drug business, and Mr. Sneeringer started in general merchandising and retired in the late 1870's.

In 1852, the first schoolhouse and the Methodist Episcopal Church were added to the many new buildings previously erected, and in the following year the Presbyterian and United Brethren churches were built.

The railroad facilities of Tyrone were second to no town of like population in the State, and the early completion of the Tyrone & Lewisburg Railroad (soon to be affected) made Tyrone in reality a railroad center and a point which was sought after by persons whose inclinations and means would lead them into the manufacturing business.

In 1853, the Bellefonte plank road was completed, and in 1856 the Tyrone & Clearfield Railroad was commenced by David J. Pruner, but owing to some difficulties the road was in an incomplete condition until 1860, when the Pennsylvania Railroad took charge of it and soon laid the rails over what is said to be the steepest grade in the State, and Clearfield County poured its coal and lumber into the already flourishing borough.

In 1862, the Bald Eagle Valley Railroad superseded the old plank road, and a new division of the Pennsylvania Railroad was organized, with Samuel G. Black as superintendent and D. D. Wood, a well-known railroadman, as trainmaster. From this time the town grew rapidly.

The Pennsylvania Railroad, as early as 1863, established shops for repairs in Tyrone, which, for a number of years, were under the management of Andrew Vauclain, Sr., of Altoona. He was succeeded by William H. Jackson, Altoona. Mr. Jackson was succeeded by William H. Carothers, who had also held the office of chief director of the Good Will Fire Company of Altoona in its early history.

There were large boiler and machine shops in successful operation, under the management of W. H. Pawling; two large planing mills, owned by Samuel McCamannt & Co.; and Boyer, Guyer & Co.; a large steam tannery, owned and conducted by D. P. Ray; extensive limestone works and quarries of A. S. Morris, sawmill and shingle mill; large steam flouring mill in town and others close by; new process steelworks in the vicinity, as well as the extensive Tyrone forges, conducted by S. C. Stewart, proprietor, who was long identified with the prosperity of Tyrone, doing all that could be done to further its interests and especially in urging the completion of the Tyrone & Lewisburg Railroad. The manufacture of illuminating gas, by the Tyrone Gas & Water Co., was considered as one of the growing industries of 1880.

A large paper mill was erected in the northern end of the town in 1880 by Morrison, Bare and Cass in which about 80 persons were employed. With a front of 120 feet on Main Street, the building extended back 190 feet. The rear wing on a parallel with the front, was 70 feet, making the walls on three sides 380 feet. Other buildings were also erected in the immediate vicinity of the plant. The interior of the main building was filled with improved and finely adjusted machinery.

About 1866, William M. Lloyd opened the first bank in the town, and was shortly after succeeded by the Tyrone bank, with Caleb Guyer as its cashier. For a long time previously, Mr. Guyer had acted as railroad agent, and in that capacity acquired an extensive acquaintance. Both banks did a large business. In 1876 the Blair County Banking Co. was organized, and it also became one of the fixed institutions of Tyrone. Edwin L. Study became its first president and Gen. Robert A. McCoy of the famed Pennsylvania Reserves and private secretary of Governor Curtin, was made cashier.

In 1835, 11 years before the establishment of Blair County, David Robinson; J. G. Fleck, of Sinking Valley; Allen McGlathery, E. B. Tipton, Robert Biddle, of Altoona; O. P. Haggerth, of Logan Township, and Thomas Skith, of Scotch Valley, were seven of the 60 men who formed a military organization called the Union cavalry company.

The company was organized in Pleasant Valley and Martin Bell, of Elizabeth Furnace, uncle of Martin Bell, Hollidaysburg attorney, was made captain. James Hutchinson, of Altoona, was made first lieutenant and Joseph Irvin, of Hollidaysburg, second lieutenant.

Other members of the Union cavalry company included: B. F. Bell, James Hutchison, Oliver P. Haggerty, J. G. Fleck, John Hamilton, Smith Hamilton, Allen McGlathery, David Henshey, Samuel Noble, who was born in the old log house that formerly marked the site of Altoona; Thomas Smith, E. P. Tipton, Robert Biddle, Elias B. McClellan, Stephen Johnson, Thomas Trout, O. P. Trout, Joseph Irvin, Elias Moore, James Hopkins, A. K. Bell.

The Sheridan troop was organized July 15, 1871, with C. S. W. Jones, captain, and J. C. Akers, first lieutenant. Jones was elected captain in 1876.

Up to the 8th day of July 1880, Tyrone met with no serious reverses. About 3 o'clock on the morning of that day, a fire broke out in the livery stable attached to the City Hotel. The stable was burned to the ground. Its contents, including horses, a number of buggies, carriages, wagons, etc., were also destroyed. The third story of the Central Hotel, as well as a two-story frame dwelling, occupied by the Blair Banking Co., clothing firm of Meminger and Stewart and by Dr. J. M. Gemmil as an office, disappeared with the flames; also a frame two-story house with a one-story frame addition owned by James T. Owens, and occupied by W. B. Stewart as a shoe store and dwelling, and by Mrs. S. G. Black as a notions and stationery store.

The next victim of the fire was a two-story frame building owned by John A. Crawford and brother, of Sinking Valley, and occupied by John W. Thomas as a dwelling and by Smith & Gray groceries. From this point the flames leaped across an alley and attacked a large brick building owned by the heirs of Wesley Nowlin, and occupied by Templeton, Crawford & Co. as a dry-goods store, the roof and upper story of which were partially destroyed.

A large frame warehouse in the rear of the store and a frame dwelling house in the same locality also belonging to the Nowlin estate, met a similar fate. A frame dwelling house, owned by F. W. Fisk Conrad, was next consumed. A dwelling house adjoining, owned by Mrs. Rebecca Waler, was totally destroyed.

The Herald Building next to the City Hotel on Main Street, the first floor of which was occupied by D. B. Wilson, was a book and stationery store, the second floor of the Herald printing office, and the third floor by the Grand Army of the Republic, were partially destroyed, the first story remaining.

Next to the Herald Building, a two-story brick house, owned by Patrick Flynn, the first floor of which was occupied by the Tyrone Banking Co., and the second floor as offices of D. T. Caldwell and John A. Mathias, as well as a two-story frame hall adjoining the bank building, also owned by Mr. Flynn, yielded to the flames. The latter building was occupied on the first floor by the post office; P. Sneeringer & Sons, tobacco dealers, and George H. Garner, dealer in drugs; second floor, Democrat Printing Office.

Next destroyed was a frame building, owned and occupied by Van Valsah and Wilson as a dry goods and grocery store; also John Schullin's three-story brick building, occupied by him as a dwelling and merchant tailoring establishment; two-story frame building used by I. P. Walton as a dwelling and jewelry store.

An inconsiderable portion of personal property (goods, furniture, etc.) were saved, and in the absence of insurance the loss fell heavily upon many. The insurance, altogether amounted to about $100,000. The value of property destroyed was in the neighborhood of $150,000.

In response to a telegram transmitted by J. D. Hicks of Tyrone to Chief Engineer Rose of Altoona, about an hour after the fire broke out, the latter gentleman, with the Vigilant Steam Fire company, hastened to the scene of the conflagration.

Fires and floods, however, never dimmed the spirit of the businessmen and people of

Tyrone. After every disaster the people worked together for reconstruction to make a bigger and better community.

There have been disasters which are not recorded in this account, but they are still within the memory of many persons residing in the community. Only the early vicissitudes of the community are recorded here.

Tyrone was incorporated as a borough on July 27, 1857, and on August 11, 1857, the community began to function as a borough and the first meeting of the Tyrone Borough Council was held. Jonathan H. Burley was the first burgess of Tyrone and through the succeeding years the borough has had men of competence and integrity as head of the municipal government.

Men with true community spirit directed the municipal affairs of the community. Those who have served as burgess are: Jonathan H. Burley, William Davidson, James Crowther, J. M. Harper, W. O. Myers, I. P. Walton, Samuel Berlin, James Bell, S. W. Barr, G. W. Ramsay, J. M. Calderwood, Thomas W. Graffius, Robert G. McLanahan, D. P. Ray, C. S. W. Jones, Rowan Clarke, James McCann, C. W. Bowles, J. W. Thomas, S. B. Templeton, Richard Beaston, J. K. Ray, J. W. Howe, James S. Gillam, Jacob A. Hoffman, E. J. Pruner, A. M. LaPorte, John H. Grazier, James I. Ginter, John S. Ginter, Raymond A. Hagerman, and Emanuel E. Rodgers, the present burgess.

Tyrone's first big step toward municipal ownership of public utilities came on February 5, 1932, when the water properties of the Tyrone Gas & Water Co. were purchased at a cost of $400,000. Since then great improvements have been made to the watersheds, reservoirs, and to Reservoir Park, which was first made available to the public by the late Adie A. Stevens, the park being known as Stevens Park until the name was changed, after being acquired by the borough.

The present municipal building at the corner of Logan Avenue and 11th Street houses all municipal offices, including the police department storage rooms, tax collector, borough auditor, water department offices, office of the burgess, and the council room on the second floor.

At present extensive improvements and extensions are being made to the sewage system of the borough, first erecting a large sewage-disposal plant on the old Stine foundry property just east of the borough.

The present borough council and burgess are: Emanuel E. Rodgers, burgess; J. Lynne Ferner, council president; J. Scott Hommer, borough secretary and secretary for the water department; Miss Charlotte Faust, assistant secretary of the water department; Benjamin C. Jones, solicitor; Edgar A. Guyer, borough treasurer; Joseph A. Dickson, tax collector; James W. Hutchinson, chief of police; John W. Keefer, chief of the fire department and building inspector.

Members of the borough council are: First ward, James R. Black, John B. Jones; second ward, P. J. Meiklejohn and Bernard J. Oberly; third ward, Charles H. Cassady and Gilbert W. Kessler; fourth ward, John F. Dickson and Harry R. Gates; fifth ward, Edwin H. Woodring, Jr., and Sheldon Sellers; sixth ward, J. Lynne Ferner and Guy W. Hess; seventh ward, Robert H. Wilson and John T. Fitzpatrick.

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[From the Tyrone (Pa.) Daily Herald of August 9, 1957]

HORSES HAD IMPORTANT ROLE IN BUILDING OF COMMUNITY

(By William Robert Fuoss)

Anybody who loves an outdoor horse show won't want to miss the big centennial celebration exhibition of Wednesday, August 14 at Horesman's field, Athletic park. This is the show extraordinary—the first and best of its kind ever staged at the field. It begins at 1 p. m.

No prettier, more dramatic spectacle is imaginable than the sight of one hundred silken-coated, brilliant-eyed and splendidly groomed show horses making the grand entry to spirited music, into an outdoor ring where, for 3 full hours, these horses and their riders will give a classical portrayal of Tyrone's century of progress.

Each set of ears will be at alert and velvety-soft necks will be arched as never before and long-flowing tails will be carried with a dash of extra pride for, consciously or otherwise, these beautiful creatures will know that they are putting on a show in Tyrone's honor. Even their glossy legs will glisten under the power of their great strength—these specially-trained animals that will come from far and near.

In ancient times these honors—such as Tyroners will see for nothing August 14—were reserved for the greats of earth, kings and potentates, the rulers of empires. Only those of noble birth then dared own a horse. Many a crown fell from a kingly head for the want of a horse—the means of safety and security. No king or queen was crowned without the horse being at the coronation.

In this age of the mechanical, even the dawning of atomic power and wonders, few take time out to ponder what made this Nation great and strong and free. Three factors entered into the picture, the arduous labors of pioneering men, the advent of the steam engine and the domestication of the horse. It has been said "the railways brought civilization together and the horse kept it together." The horse tilled the soil, hauled the grains to the grist mills where they were translated into food for the table of men, even brought the timbers from stern mountains so they could be transformed into lumbers for man's home, his church, his school, his mill, plant and factory.

In a century of peace and prosperity—1857–1957—men do well to think of the part three factors played in our today's peace and progress. These things will be faithfully told, in simple and understandable language, at the big show of August 14. Long hours have gone into the drills, the preparation, and the planning. There will be a variety in this show—the kind you will like.

Life then was stern—100 years ago. The hours spent on farm and in factory were long, the pay miserably meager. Evolution, like education, is slow and gradual and so, too, is progress and prosperity. The early man, the steam locomotive and the faithful horse were the trailblazers, forerunners of the glories of today. "Our Proud Heritage," factually speaking, dares not overlook these three factors—to do so amounts to a perversion of history. There will be a wholesome entertainment for all August 14. Plenty of food and plenty of souvenirs, too.

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## Letter to the President by the Chairman of the House Committee on Ways and Means

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EXTENSION OF REMARKS

OF

## HON. FRANK M. KARSTEN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 20, 1957*

Mr. KARSTEN. Mr. Speaker, under leave to extend my remarks, I include the following letter addressed to the President by the chairman of the Committee on Ways and Means regarding pending proposals for the enactment of a sliding scale import excise tax on lead and zinc:

AUGUST 16, 1957.

The PRESIDENT,
*The White House.*

MY DEAR MR. PRESIDENT: I am writing to you in connection with the proposal of the Honorable Fred A. Seaton, Secretary of the Interior, on behalf of the administration, for the enactment of sliding-scale import excise taxes on lead and zinc.

Although the communication from Secretary Seaton on this subject was not received by the Committee on Ways and Means until June 19, 1957, at a time when the session was far advanced and the committee was diligently following an agenda previously determined by it, due to the importance of the subject and due to conditions in the lead and zinc industry as depicted by the communication of the Secretary, the committee broke into its agenda and conducted hearings on August 1 and 2, 1957.

I have now had time to carefully review and study the testimony which was presented to the committee at the public hearing on this important subject. It is my sincere conviction that you already have authority, previously delegated to you by the Congress in the trade agreements legislation, to afford relief to domestic industries from import competition in appropriate cases. The testimony of your representatives at the public hearings, in conjunction with the written recommendation of the Secretary of the Interior, indicates that the lead and zinc industries properly constitute such a case in the opinion of the administration. The testimony further shows that your present authority is adequate to afford the relief which you have recommended to the Congress.

As you will recall, one of the principal purposes of the so-called escape clause provision (section 7 of the Trade Agreements Extension Act of 1951) and the national security amendment (section 7 of the Trade Agreements Extension Act of 1955) was to afford you an avenue under which you can provide relief from import competition to domestic industries according to the procedures and standards set forth therein. As may further be recalled, the committees of the Congress and the Congress in past years have devoted much time, thought, and attention to providing you with these powers so that our domestic industries can be afforded protection in appropriate cases and so that the national interest can be served by presidential action without resort to further legislation.

It is clear that in this instance you have not made recourse to existing administrative procedures which are available to provide relief to these industries. In addition, you have not advised the Congress that your existing authority under the escape clause and the national security amendment is inadequate in these matters generally, although a subcommittee of the Committee on Ways and Means last fall specifically called upon the administration for any recommenations which it might have for modifying or strengthening these provisions of existing legislation.

The testimony presented to the Committee on Ways and Means during the course of the public hearings on August 1 and 2, 1957, indicated that the proposal for a sliding-scale import excise tax on lead and zinc is almost identical in major respects with the recommendations of the Tariff Commission made to you under the lead and zinc escape clause proceeding in 1954. You rejected this recommendation, stating among other things, that the proposed relief did not meet the needs of these industries. The testimony of your representatives further indicated that the situation today in the lead and zinc industries is substantially the same as it was at the time of the

escape clause investigation by the Tariff Commission and your rejection of the unanimous finding of the Tariff Commission.

The testimony at the public hearings also clearly showed that the proposal which the Secretary of the Interior now recommends on behalf of the administration is almost identical in effect to a proposal that was before the Committee on Ways and Means in 1953 and on which a strongly adverse report was submitted by the State Department. The State Department set forth 10 reasons why this proposal was inadvisable and contrary to the national interest. This report was made a part of the recent public hearings.

The proposal which the administration has now recommended would not become effective, in event of its enactment, until January 1, 1958. Yet, under the national security amendment any relief found appropriate could be put into effect by you almost immediately. Also, under the escape clause I see no reason why you cannot direct the Tariff Commission to report to you within a stated time as to measures which it may deem appropriate for relief of these industries, and I see no reason why you could not have done so on June 19, the date of the proposal, or even earlier for that matter. It is clear from the testimony presented to our committee, aside from the merits of the proposal, that relief can be afforded by you much more speedily than would be the case even with enactment of the proposal.

As you of course know, I have been a strong and consistent supporter of the reciprocal trade agreements program since the inception of the program in 1934. I have consistently supported and worked for proposals which you have made to continue our foreign-trade policies, including, for example, your proposal during the last Congress and in this Congress for approval by the Congress for membership in OTC.

You have gone on record strongly supporting the reciprocal trade agreements program. At your request the Congress has provided three extensions of your authority during your administration. An important consideration of the Congress in providing these extensions was the fact that should trade agreements concessions result in such import competition that domestic industries are injured or are threatened with injury you would have the authority where it is in the national interest to relieve domestic industries of such injury.

I cannot refrain from expressing to you my very great concern as to the impact of a proposal such as the one which your administration has made concerning lead and zinc on the whole structure of the trade-agreements program. In stating this, I do not intend to imply that the lead and zinc industries may not need relief. My concern is due to the fact that this proposal would completely bypass existing authority given you in present trade-agreements legislation. You are asking the Congress to do that which you already have ample authority to do. The authority which you have is not selective, but broad and general, and applies to any and all industries which are injured or threatened with injury as a result of trade-agreements concessions. I am sure you are aware of the fact that there are many other industries that are asking for relief from import competition. Among these are textiles, velveteen and ginghams, tuna fish, hardwood-plywood, stainless steel flatware, fluorspar, natural gas, petroleum, and many others. There are numerous bills now pending before the Committee on Ways and Means which would provide relief from import competition on the above specified items and many additional ones. I am confident that you would not want to see the Congress bypass and undermine your present authority under trade-agreements legislation by acting on individual items.

I sincerely urge you to personally review the situation in the lead and zinc industries and the proposal submitted to the Congress. Upon such a review, I am sure you will be convinced as I am that you do have ample authority to provide such relief as you deem necessary in the national interest to the lead and zinc industries. I am also confident that you will agree that to bypass the existing provisions of our trade-agreements law will undermine the trade-agreements program.

I can only observe in closing that there is considerable sentiments that in the absence of your exercising such authority as you may have for an expansion of our foreign trade and the protection of domestic industries, the Congress will be forced to study again the delegation of authority made to you under the trade-agreements legislation. This is an eventuality which neither you nor I would contemplate with equanimity.

The other 14 Democratic members of the Committee on Ways and Means concur with me in this letter.

Very cordially yours,

JERE COOPER,
*Chairman, Committee on Ways and Means.*

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# SENATE

## WEDNESDAY, AUGUST 21, 1957

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

O Thou who art from everlasting to everlasting, while granting Thy grace for the tasks of this day, give us, we pray Thee, an elevated vision, that we may see hours and days in the perspective of the long years. May we toil in these fields of time in the sense of the eternal, with the constant realization that a lifetime here is but a second in the eternal plan of the God of the ages, to whom a thousand years are but as yesterday when it is past. Undiscouraged and undismayed by the imperfections of mankind barely emerging from the nursery of his destiny, teach us Thy patience, as we labor on in the hope that sends a shining ray far down the future's broadening way. In the dear Redeemer's name, we ask it. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, August 20, 1957, was approved, and its reading was dispensed with.

### MESSAGES FROM THE PRESIDENT

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

### EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 351) to establish a Lincoln Sesquicentennial Commission, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 319. An act to provide for the conveyance to the State of Maine of certain lands located in such State;

S. 364. An act for the relief of the village of Wauneta, Nebr.;

S. 534. An act to amend section 702 of the Merchant Marine Act, 1936, in order to authorize the construction, reconditioning, or remodeling of vessels under the provisions of such section in shipyards in the continental United States;

S. 538. An act to amend Public Law 298, 84th Congress, relating to the Corregidor-Bataan Memorial Commission, and for other purposes;

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners;

S. 620. An act to transfer ownership to Allegany County, Md., of a bridge loaned to such county by the Bureau of Public Roads;

S. 919. An act to provide that certain employees in the postal field service assigned to road duty, and rural carriers, shall receive the benefit of holidays created by Executive order, memorandum, or other administrative action by the President;

S. 1113. An act to provide for the conveyance of certain lands of the United States to the city of Gloucester, Mass.;

S. 1417. An act relating to the affairs of the Osage Tribe of Indians in Oklahoma;

S. 1556. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a contract relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes;

S. 1631. An act to amend certain sections of title 13 of the United States Code, entitled "Census";

S. 1747. An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products;

S. 1799. An act to facilitate the payment of Government checks, and for other purposes;

S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky, for public park purposes; and

S. 1971. An act to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act.

### HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 351) to establish a Lincoln Sesquicentennial