We know that we must never yield our place of leadership to the Communists. To do that would be to seal the fate of freedom, peace, and our democratic way of life. So, we must always ask ourselves this question: How much shall we pay to defend our liberty, our Constitution, our God-given rights? I, for one, would not attempt to place a dollar value on those basic elements of our way of life.

This does not mean that we must go blindly ahead without challenging proposed expenditures. The administration and the Republican Members of Congress realize that every expenditure must be carefully weighed and considered. A conscientious effort will be made to reduce the present budget by an amount which will not place our national security in jeopardy.

At the same time, the administration and the Congress are working to implement the second Hoover Commission report, which will allow us to trim expenditures and save taxpayers' money. The executive branch of our Government has already accepted wholly, or in part, 313 of the 479 recommendations made by the Commission. This represents 65.3 percent of the entire report. The 84th Congress enacted 39 public laws, House resolutions, and Senate resolutions which implement 55, or approximately one-third, of the 167 legislative recommendations that the Commission made.

I point these facts out to demonstrate that behind the scenes, there is much activity designed to increase efficiency in government and which will effect an economy. This will appear in future budget requests.

But, remember, when we discuss the large budget requested by the President, we must view that budget in the light of our present-day economy and our growth as a nation.

Now, I would like to discuss the handling of our foreign policy under the Republicans during the past 4 years. President Eisenhower and Secretary of State Dulles assumed a situation in 1953 which was not bright. There was the Korean war, the crisis in Indochina, and rumblings in almost every part of the world.

The Korean hostilities were ended shortly after the President assumed office. We witnessed a release of tension in Indochina and saw the Red Chinese pull back from their threat of war against Formosa.

The United States truly assumed leadership of the free world under the guiding hand of the President and the Secretary of State. The Russians were placed off balance. No longer was the United States holding back and waiting to see what Russia would do next. The United States became the first to act and placed the Communist world on the defensive. This was accomplished through our leadership in the United Nations, at the Geneva Conference, with the establishment of SEATO and by the strengthening of NATO.

Modern Republicanism again recognized the need for concerted action and met the challenge. The most recent test in the Middle East was met with the same degree of patience and understanding. The job is not finished, but we are not at war, and Russia has not gained domination of that important area of the world.

We have now considered major examples of how the Republican Party is meeting the needs of the people and the responsibility of shaping policy—both domestic and foreign.

Through the past 4 years, we have seen our people advance in all aspects of everyday life. There has been no appeal in this philosophy to special-interest groups. There has been no use of the divide-and-conquer technique of former years. There has been no emotional attempt to pit labor against management, banker against farmer, small against large. Ours has been an appeal for unity—unity for a very real program of progress with benefit to all and discrimination for none. The Republican Party today is a party of heart, mind, and conscience. The heart has been demonstrated by the humanitarian approach to our people's problems. The mind has guided our financial and economic destiny. The conscience has been the balance wheel which recognizes that the Federal Government shall share responsibility with the States and not dominate and discourage local initiative.

This is the type of philosophy which challenges the imagination of adults and young people alike. You are present today to participate in the work of Modern Republicanism. As we look ahead, petty differences must be eliminated so that we may pass on to future generations the heritage of a nation which, today, stands as a bulwark of hope, inspiration, and friendship to the entire world.

[From the St. Paul Pioneer Press of April 17, 1957]

MODERN REPUBLICANISM JUDGED BY ITS RESULTS

Senator EDWARD J. THYE adopted an effective and convincing way of explaining "Modern Republicanism" in his talk before the Ramsey County Young Republican League.

Rather than emphasizing words and theories, he presented concrete examples of what has been done and what is proposed by the Eisenhower administration and Republicans in Congress.

The administration supports Federal aid for school construction, but only in areas where the need is proved and where local taxpayers are willing to match Federal funds. In contrast, the free-spending policy of the Democrats calls for Federal appropriations "without regard to need or the willingness to match Federal funds."

In civil rights, the Eisenhower administration actually brought about desegregation in Washington, which had persisted under Democratic administrations despite many promises. The Republican civil-rights program now before Congress would get at the root of discrimination in the South by assuring minority groups the right to vote and thus make their influence directly effective in local politics.

Commonsense partnership between public and private agencies and companies in development of power and water resources is part of Modern Republicanism. Establishment of the new Department of Health, Education, and Welfare is an indication of the party's concern for human values and individual happiness and well-being.

In discussing the Eisenhower budget, Senator THYE pointed out that the $71.8-billion program for 1958 represents only about 19 percent of the anticipated national income. The 1953 budget was nearly 25 percent of national income, and in the war years the budgets took more than 50 percent of income. Of the total 1958 budget, 60 percent is required by defense and security measures to prevent war and protect the Nation. The foreign policy of the administration likewise has reduced the danger of another world war and has put Russia on the defensive.

Senator THYE has given an excellent summing up of the record of "Modern Republicanism." Its results are the best proof of its soundness.

SENATE

THURSDAY, APRIL 18, 1957

(Legislative day of Wednesday, April 17, 1957)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Wm. Kenneth Lyons, minister, Anacostia Methodist Church, Washington, D. C., offered the following prayer:

Almighty and most merciful God, our Heavenly Father, we come into Thy presence this hour in grateful testimony of Thy goodness. Surely our hearts are singing Thy praises, for so great is the kindness of Thy providence and so great are the manifestations of Thy love, through Jesus Christ, that our hearts say, "Surely goodness and mercy shall follow us all the days of our lives."

We realize that even from everlasting to everlasting, Thou art God. So teach us to number our days that we may apply our hearts unto wisdom.

O God, beneath whose guiding hand our fathers crossed the sea, unto Thy merciful providence and in the spirit of our Pilgrim forefathers, we commend this Nation, beseeching Thee to bless all who govern, and all who aspire to lead, that they may ever seek to lead the people in Thy fear and to Thy praise. We bless Thee for the institutions of a free country, and we would not shrink from the disciplines that accompany liberty. Grant that we may be willing to pay the price of a national life that shall increasingly trace out the mind of the Lord of lords and King of kings. Remove from our minds all narrowness and prejudice, all indifference and self-seeking, that in the power of a holy passion for the right and the true, we may fearlessly dedicate ourselves to Thy honor and glory.

May the blessing of Almighty God, the Father, and of His son, Jesus Christ, our Lord, and of the Holy Spirit, descend and remain forever upon this body, and upon all those who labor, speak, and dwell herein, and upon us all. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Wednesday, April 17, 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.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 6871) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1958, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S. J. Res. 70) requesting the President to proclaim the week April 28 to May 4, 1957, inclusive, as National Mental Health Week, and it was signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H. R. 6871) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1958, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ADDITIONAL APPROPRIATIONS, 1957

The Senate resumed the consideration of the joint resolution (H. J. Res. 312), making additional appropriations for the fiscal year 1957.

Mr. MANSFIELD. Mr. President, the Senator from Nevada [Mr. MALONE] has the floor, under the agreement previously entered into.

Mr. MALONE. Mr. President, I shall be glad to yield to Senators who may wish to make insertions in the RECORD, transact other routine business, or ask questions, provided that I do not thereby lose the floor.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF FEDERAL CIVIL DEFENSE ADMINISTRATION

A letter from the Administrator, Federal Civil Defense Administration, Battle Creek, Mich., transmitting, pursuant to law, a report of that Administration, for the fiscal year 1956 (with an accompanying report); to the Committee on Armed Services.

RELIEF OF SURGEONS GENERAL OF ARMY AND NAVY OF CERTAIN RESPONSIBILITIES

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Kansas, relating to land procurement practices of the Corps of Army Engineers in the Tuttle Creek dam area of northeastern Kansas; to the Committee on Public Works.

(See the above resolution printed in full when presented by Mr. CARLSON on April 16, 1957, p. 5723, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of New York; to the Committee on the Judiciary:

"Resolution 64

"Concurrent resolution creating a joint legislative committee to cooperate with the Federal Commission in honoring the memory of Theodore Roosevelt and celebrating the centennial anniversary of his birthday and making an appropriation for its expenses

"Whereas the Congress of the United States has created the Theodore Roosevelt centennial commission of 15 members, including President Eisenhower, Vice President NIXON and 4 Members of Congress from New York State; and

"Whereas Theodore Roosevelt was born in New York State, grew up in New York State and served as a member of the New York Assembly and as Governor of New York before going on to become President of the United States, and

"Whereas the year 1958 is the centennial anniversary of the birth of the great 'Rough Rider,' and

"Whereas the State of New York is justly proud of her citizen who acquitted himself so well in war and peace, and

"Whereas it is fitting and proper that the State of New York should cooperate with the commission created by Congress in the celebration of the centennial anniversary of Theodore Roosevelt's birthday: Now, therefore, be it

"Resolved (if the senate concur), That it is the sense of the legislature that the State of New York should cooperate and lend assistance to the successful celebration of the centennial anniversary of Theodore Roosevelt's birthday; and be it further

"Resolved (if the senate concur), That a joint legislative committee be and it is hereby created to serve until December 31, 1958, to be known as the Joint Legislative Committee for the Theodore Roosevelt Centennial. Such committee shall consist of three members of the senate, to be appointed by the temporary president of the senate, three members of the assembly to be appointed by the speaker of the assembly. Any vacancy in the membership of the committee shall be filled by the officer authorized to make the original appointment. Such committee shall, at such time or times as may be appropriate: (a) attend, on behalf of the State of New York, at appropriate ceremonies or other occasions of the centennial celebration; (b) formally convey at such ceremonies and occasions the greetings and felicitations of the State of New York; and (c) extend suitable greetings and courtesies to Representatives from the Congress of the United States and other persons who may participate in or attend the centennial celebration. Such committee is empowered otherwise to act on behalf of the State in the observance of the Roosevelt centennial. Such committee may request and shall receive from all public officers, departments, and agencies of the State and its political subdivisions such cooperation and assistance as may be necessary or appropriate to carry out the purpose of this resolution; and be it further

"Resolved (if the senate concur), That the sum of $10,000, or so much thereof as may be necessary is hereby appropriated from the contingent fund of the legislature for the necessary expenditures of such committee, payable on the audit and warrant of the comptroller on vouchers certified and approved by the chairman of the committee in the manner provided by law, and be it further

"Resolved (if the senate concur), That copies of this resolution be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of Congress duly elected from the State of New York.

"By order of the assembly,

"AUSLEY B. BORKOWSKI, *Clerk.*

"In senate March 30, 1957. Concurred in without amendment.

"By order of the senate.

"WILLIAM S. KING, *Secretary.*"

Two joint resolutions of the legislature of the State of Colorado; to the Committee on Finance:

"House Joint Memorial 1

"Memorializing the Congress of the United States to amend the Internal Revenue Code to allow the oil shale industry the same depletion allowance as that given the oil and gas industry

"Whereas it is becoming apparent that the United States must eventually turn more and more to synthetic sources to supplement its petroleum resources, and for this reason the promotion and development of new domestic sources of fuel oils, including the mining and production of oil shale, is essential; and

"Whereas the depletion allowance now allowed on the mining of oil shale is 5 percent as compared with a 27½ percent depletion allowance given the oil and gas industry; and

"Whereas the oil shale industry, in the exploration and promotion of oil shale deposits and in the mining of oil shale, should be given the same economical assistance as is given the oil and gas industry, in order to expand the oil shale industry and create a competitive market between the two industries: Now, therefore, be it

"Resolved by the House of Representatives of the 41st General Assembly of the State of Colorado (the Senate concurring herein), That it respectively memorializes the Congress of the United States to amend the Internal Revenue Act so as to provide that the depletion allowance allowed on the mining of oil shale be raised from 5 percent to 27½ percent of the value of the oil produced from oil shale mined; and be it further

"Resolved, That a copy of this memorial be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"LEE MATTIES,
"Chief Clerk of the House of Representatives.
"FRANK L. HAYS,
"President of the Senate.
"MILDRED H. CRESSWELL,
"Secretary of the Senate."

"House Joint Memorial 4

"Memorializing the Congress of the United States and urging the repeal of that section of the Federal laws governing old age assistance, to enable the recipients of awards to accept partial employment and to retain the remuneration received therefrom without penalty or reduction of old age assistance payments

"Whereas the people of Colorado, having adopted a constitutional amendment by the will of the majority as expressed by the vote of the people on November 6, 1956; and

"Whereas said amendment, in part, provides for a means of adapting Colorado statutes to such modifications as may be desirable, in conformity with alterations of Federal laws relating to old age assistance; and

"Whereas there have been expressed strong sentiments favoring the affirmation of the rights of all citizens to engage in work of their choice; and

"Whereas it is a well established fact that the therapy of work, and the psychological benefits derived therefrom are of great value to our aged; and

"Whereas such employment would not materially alter the average income of our elder citizens who are recipients of old age assistance: Now, therefore, be it

"Resolved by the House of Representatives of the 41st General Assembly of the State of Colorado (the Senate concurring herein), That the general assembly hereby petitions the Members of the Congress of the United States to consider such modification of existing old age assistance laws as would enable recipients to accept employment and retain the compensation derived therefrom up to the statutory limit of Federal income tax exemption, establish savings, make contributions to charities, and other similar morale building forces of participation in their community life without loss of, or deductions from their awards; and be it further

"Resolved, That copies of this memorial be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and Members of Congress from the State of Colorado.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"LEE MATTIES,
"Chief Clerk of the House of Representatives.
"FRANK L. HAYS,
"President of the Senate.
"MILDRED H. CRESSWELL,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 6

"Whereas the State of Colorado is now entering its seventh year of uninterrupted drought; and

"Whereas this drought has caused serious depletion of surface stream flow with the result that farmers, industrial concerns, municipalities, and individual domestic users have had to resort to the drilling of numerous new wells and the deepening of existing wells in attempts to make up their deficiencies in water supplies; and

"Whereas this increased use of wells has resulted in a critical lowering of the water table in many areas, and has given rise to increasingly complicated problems with respect to the apportioning and regulating of the diminishing ground water supplies; and

"Whereas existing information on ground water supplies and the effects of withdrawals therefrom is inadequate: Now, therefore, be it

"Resolved by the House of Representatives of the 41st General Assembly of the State of Colorado (the Senate concurring herein), That the 41st general assembly is prepared to appropriate any reasonable amounts of money that may be needed to supplement that already appropriated to match any amounts made available by the Federal Government, through the office of the United States Geological Survey, for a comprehensive statewide survey of ground water supplies within the State; and be it further

"Resolved, That copies of this memorial be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States, to each of the United States Senators and Representatives from Colorado, to the Commissioner of the United States Bureau of Reclamation and to the headquarters of the United States Geological Survey in Washington, D. C.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"LEE MATTIES,
"Chief Clerk of the House of Representatives.
"FRANK L. HAYS,
"President of the Senate.
"MILDRED H. CRESSWELL,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Rhode Island; to the Committee on Interior and Insular Affairs:

"Resolution memorializing the Congress of the United States to grant statehood to the Territories of Alaska and Hawaii

Whereas for well over a century the people of Alaska and Hawaii have shown their capacity to govern themselves; and

"Whereas the people of the Territories of Alaska and Hawaii have consistently and willingly observed and performed all of the duties of other citizens of the United States; and

"Whereas the people of the Territories of Alaska and Hawaii have contributed considerable sums of money toward the support of the Federal Government; and

"Whereas in all of our Nation's ways since annexation the people of Alaska and Hawaii have served honorably and well in our Nation's Armed Forces; and

"Whereas to allow these modern communities of loyal Americans to continue to share the burdens and responsibilities of citizenship without the right to fully govern themselves in the manner of our States, without both voice and vote on the floors of Congress, and without vote for the President of the United States, is to continue to violate the sacred democratic principles which guided our great country's fight for independence over a century and a half ago; and

"Whereas the platforms of both political parties presently pledge and have advocated for a number of years, immediate statehood for Alaska and Hawaii; and

"Whereas the Territories of Alaska and Hawaii have been exhaustively investigated by committees and Members of the Congress to the end that the Congressional record on Alaskan and Hawaiian statehood takes up over 5,000 pages and 2 million words spread over 30 Government publications; and

"Whereas both of the Houses of the Congress of the United States have during recent sessions considered and favorably acted upon bills to grant Alaskan and Hawaiian statehood; and

"Whereas both Houses of the Congress of the United States are once again considering legislation which would grant statehood to Alaska and Hawaii: Now, therefore, be it

"Resolved by the General Assembly of the State of Rhode Island and Providence Plantations, That the President and the Congress of the United States be respectfully urged to grant statehood to Alaska and Hawaii during the current session of Congress; and be it further

"Resolved, That duly authenticated copies of this resolution be transmitted by the secretary of state to the President of the United States of America, to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, to the chairmen of the respective committees of the Congress which are considering statehood for Alaska and Hawaii, to the Representatives and Senators in the Congress of the United States from the State of Rhode Island and to the Delegates to Congress from Alaska and Hawaii."

A resolution adopted by the board of governors of the American Bakers Association, Chicago, Ill., relating to the curtailment of Federal expenditures; to the Committee on Appropriations.

PROPOSED INVESTIGATION OF AMATEUR ATHLETIC UNION OF AMERICA—CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. CARLSON. Mr. President, on several occasions during the 84th Congress, I called to the attention of the Senate the unfair and unjust action taken by the Amateur Athletic Union of America in regard to Wes Santee, one of the fine, outstanding athletes of the Nation.

It had been my hope, and that of many other citizens, that Wes Santee would be privileged to compete in and represent the United States in the mile run at the Olympics. The action taken by the American Athletic Union prevented that.

Now that the Olympic meet is over, that problem does not face us; but I still contend that Wes Santee was given shabby treatment by an organization which continues to operate under antiquated rules and regulations.

The Kansas Legislature, which has just adjourned, took official action in this regard by adopting House Concurrent Resolution No. 13, urging that the American Athletic Union be investigated and that specific findings be made to expose the entire truth with regard to the organization in this particular case.

From the resolution adopted by the Kansas Legislature, I read the following:

We strongly urge Congress to take a positive stand against any sort of tyranny in amateur athletics and if the investigation warrants, to enact legislation that will restore integrity to amateur athletics so that the American people may be justly proud of its amateur athletes.

Mr. President, I ask unanimous consent that the concurrent resolution be printed at this point in the RECORD, and referred to the appropriate committee.

There being no objection, the concurrent resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 13

A concurrent resolution memorializing the Congress of the United States to investigate the Amateur Athletic Union of America and to take the proper action on the findings resulting from such investigation.

Whereas there is an overwhelming public demand that the alleged actions of the Amateur Athletic Union be investigated and specific findings be made to expose the entire truth with regard to this organization; and

Whereas prominent coaches have commented on and criticized the alleged injustices that have befallen some of our finest athletes and which are exemplified by the Wes Santee case; and

Whereas leading sportswriters over the entire United States have expressed shock and amazement at many of the actions of this same Amateur Athletic Union; and

Whereas investigations have already revealed that the United States Olympic Association and the Amateur Athletic Union have for all practical purposes an interlocking board of directors; and

Whereas the Junior Chamber of Commerce has seen fit to "vigorously condemn the Amateur Athletic Union as un-American to the extent to which it has applied its rules by whim and caprice instead of in a uniform manner to all, and (to) further censure the Amateur Athletic Union for so bungling its internal disciplinary problems as to make the amateur athletic picture appear confused, inconsistent and dishonest in the eyes of the world"; and

Whereas the American Legion, department of Kansas, has condemned and censured "the Amateur Athletic Union for being undemocratic, for being backward, for its obstinate refusal to enforce the poor rules it has in a fair and impartial manner, for its vengeful crucifixion of a brilliant American runner * * * "; and

Whereas there is a question as to whether there is any actual need for the Amateur Athletic Union; and

Whereas we strongly urge Congress to take a positive stand against any sort of tyranny in amateur athletics and if the investigation warrants, to enact legislation that will restore integrity to amateur athletics so that the American people may be justly proud of its amateur athletes: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That we respectfully urge and request the Congress of the United States to investigate the Amateur Athletic Union of America and to take proper action based on its findings; and Be it further

Resolved, That the Secretary of State be directed to transmit a copy of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the Congress of the United States, and each member of the Kansas delegation in the United States House of Representatives and the United States Senate and to the respective houses of the legislatures of the several States of the United States.

I hereby certify that the above concurrent resolution originated in the House and was adopted by that body March 26, 1957.

JESS TAYLOR,
Speaker of the House.
G. E. ANDERSON,
Chief Clerk of the House.

Adopted by the Senate April 3, 1957.

JOSEPH W. HENKLE, Jr.,
President of the Senate.
RALPH E. BARKER,
Assistant Secretary of State.

(The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Kansas, identical with the foregoing, which was referred to the Committee on the Judiciary.)

JOINT RESOLUTION OF ILLINOIS LEGISLATURE

Mr. DOUGLAS. Mr. President, I am very glad that the 70th General Assembly of the State of Illinois has recently reaffirmed its support of the basic constitutional principles of equal protection of the laws, our fundamental governmental theory that the Supreme Court is the highest tribunal for the interpretation of those laws, and more specifically the decision of that Court in the historic school cases. It is good to have this formal reminder from the legislature of the State which I am honored to represent in this body that nullification, by whatever name it may be called, is inimical to the Constitution and our Federal system. I therefore ask unanimous consent that Senate Joint Resolution 6 of the 70th General Assembly of the State of Illinois adopted by the senate on March 5, 1957, and concurred in by the house of representatives on March 28, 1957, be printed in the RECORD.

There being no objection, the joint resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 6

Whereas the United States Supreme Court and various Federal courts have been subjected to severe criticism as a result of the decisions and decrees in the school segregation and related cases which declare that segregation and discrimination because of race, color, religion, or national origin in public schools and facilities violate the principles of the Constitution of the United States; and

Whereas these decisions and decrees of the United States Supreme Court and various Federal courts have been condemned as a usurpation of and encroachment on the reserved powers of the States by the Supreme Court and Central Government of the United States; and

Whereas the decisions and decrees of the United States Supreme Court and various Federal courts are being condemned, disregarded, and evaded both directly and indirectly by State legislation, procrastination in complying with said decisions and decrees, coercion and intimidation, all under the theory that any State has a right to interpose its sovereignty in opposition to an exercise of power by the Federal Government which that State determines has not been granted by the several States to the Federal Government; and

Whereas all the States of the United States are bound by the Constitution and laws of the United States, including judicial interpretation of said Constitution and laws, until later changed through constitutional processes; and

Whereas the Constitution of the United States provides the manner in which said Constitution and laws of the United States are to be enacted, amended, or repealed; and

Whereas the Constitution of the United States does not permit any State to act in total disregard of any Federal law, court decision, or decree when the State has through an assumption of unconstitutional powers declared that any said law, decree, or decision is unconstitutional; and

Whereas to permit each State to decide of itself by which provision of the United States Constitution, law, judicial decree, or decision it shall be bound would eventually result in the destruction of the Federal system of government: Be it therefore

Resolved by the Senate of the 70th General Assembly of the State of Illinois (the House of Representatives concurring herein), That the United States of America is founded upon the principle that everyone is entitled to equal privileges, opportunities, rights, duties and immunities regardless of race, color, religion or national origin, and any public facility which segregates or discriminates against any person because of race, color, religion or national origin is contrary to said principle; and be it further

Resolved, That segregation and discrimination because of race, color, religion or national origin in public schools and facilities is prohibited by the Constitution of the United States, and no State has the right to maintain at its own expense racially separate public schools or facilities; and be it further

Resolved, That this 70th general assembly go on record as approving and supporting the decision of the United States Supreme Court in the school segregation cases; and be it further

Resolved, That the Supreme Court of the United States is the final arbiter on questions of constitutionality, and any disagreement or dissatisfaction this State may have with any decision or decree of said Court should be resolved through the processes provided by the Constitution and laws of the United States; and be it further

Resolved, That the theory of interposition, whereby the authority of the Government of the United States is disregarded when any State decides it shall interpose its sovereignty in disobedience to that authority, is hereby condemned as a dangerous threat to the Constitution and Federal system of government of the United States; and be it also.

Resolved, That a copy of this resolution be sent by the secretary of state to the President of the United States, to each of the Houses of Congress, to Illinois' Representatives and Senators in Congress, to the governor and legislature of each of the other States, and to the Supreme Court of the United States.

Adopted by the senate March 5, 1957.

JOHN WM. CHAPMAN,
President of the Senate.
EDWARD E. FERNANDES,
Secretary of the Senate.

Concurred in by the house of representatives March 28, 1957.

WARREN L. WOOD,
Speaker of House of Representatives.
FRED W. RUEGG,
Clerk of House of Representatives.

THREE HUNDRED AND FIFTIETH ANNIVERSARY OF SETTLEMENT AT JAMESTOWN, VA.—RESOLUTION OF TEXAS STATE SENATE

Mr. ROBERTSON. Mr. President, my home county of Rockbridge takes great pride in the fact that it was the birthplace of Sam Houston who contributed so much to the independence of the Lone Star State. And all citizens of Virginia take pride in the fact that one of the largest, one of the richest and certainly the most rapidly developing city of the South is named for that Virginia soldier and statesman.

Throughout its period of independence from Mexico as an independent Republic, throughout its period as the largest State in the Union, the ties between Virginia and Texas have been very close. All Virginians, therefore, will be deeply appreciative of the resolution adopted by the State Senate of Texas last week in connection with Virginia's current celebration of the 350th anniversary of the English settlement at Jamestown.

Mr. President, I ask unanimous consent that Senate Resolution 338 of the Texas Senate be printed in the RECORD.

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

Senate Resolution 338

Whereas 350 years ago 3 small sailing vessels—the *Susan Constant* (100 tons), the

Godspeed (40 tons), and the *Discovery* (20 tons)—carrying 104 souls, sailed from London late in December 1606, in the midst of winter storms which had delayed their departure for many weeks, and which appear, in retrospect, to have portended the hardships and sufferings endured and to be endured in the years ahead by their passengers, and approached the bright and beckoning shores of Virginia, clad in the verdure of springtime; and

Whereas among the company was the intrepid Capt. John Smith, who by his courage, ability, and industry saved the brave band of colonists from complete annihilation from famine and Indian depredations and thereby carved his name high on the scroll of everlasting fame; and

Whereas on May 13, 1607, the 3 sailing vessels landed at a small island in the James River, some 32 miles from its mouth, where the settlement of Jamestown was established, to be followed by years of privation, starvation and death, but which remained as the capital of the Virginia colony for 92 years; and

Whereas this first permanent settlement of Englishmen on the North American continent demonstrated the vitality and virility of the people of the England of that day and age, who, despite the awesome hardships of an untamed wilderness and the enmity of the Indians under the leadership of the great chief, Powhatan, who rightly feared the advent of the colonists, chose rather to suffer affliction in the quest of freedom than to remain in their native land the subjects of tyrannical royalty; and

Whereas the romantic legend of Pocahontas, the young Indian princess, daughter of Chief Powhatan, in saving the life of Capt. John Smith, doubtless assuring the survival of the Jamestown settlement, is a source of pride and is appreciated by the young and the old who are so fortunate as to be familiar with the rich and stirring history of our country; and

Whereas the settlement at Jamestown developed and grew into one of the great Colonies of the Original Thirteen and, following a few years of somewhat disorganized leadership, instituted representative government and adopted free competitive enterprise in America in 1619, thus becoming well-deserving of its sobriquet Old Dominion and subsequently to be known as the Mother of Presidents by reason of having furnished eight of her distinguished sons to the Nation: and

Whereas the names of the famous men of Virginia are legion, and included the peerless Father of Our Country, General Washington, Thomas Jefferson, Patrick Henry, Lighthorse Harry Lee, Matthew F. Maury, Thomas J. (Stonewall) Jackson, and the immortal Robert E. Lee, whose varied abilities represent the versatility and integrity of the true Virginian; and

Whereas in 1699 the capital of the struggling colony was moved from Jamestown to nearby Williamsburg, to serve as the capital until 1780, which latter city has been so magnificently restored by the philanthropy of Mr. and Mrs. John D. Rockefeller, Jr., and which will cooperate and participate in the Jamestown festival; and

Whereas in this richly historical region is situated Yorktown, the scene of the last and decisive battle of the American Revolution, which will observe with appropriate ceremonies the 176th anniversary of the taking of Lord Cornwallis at "past 2 o'clock" in the morning, followed by his surrender to General Washington and Count Rochambeau October 19, 1781, and which community likewise will join in the celebration of the Jamestown settlement; and

Whereas the settlement at Jamestown, assuring an English foothold on the North American Continent, together with the flowering and radiance of colonial life in Williamsburg and the beginning of our Nation's history at Yorktown, are events of unparelleled importance to Western civilization and deserve, yea, demand the cooperation and respect of freedom-loving people throughout the world; and

Whereas no citizens of this great country can more fully appreciate the hardships and achievements of the colonists of Virginia than Texans, be they native born or adopted sons and daughters for, as are Virginians of the Old Dominion, Texans are proud of the heritage of the Lone Star State and well may they be, for hers, likewise, has been, indeed, a glorious history, a land of romance, a land of legend, and a land of song, replete with the heroic sacrifices of soldier, priest, and citizen, all accomplished with a glory and patriotism unexcelled by any people and with whom we proudly share the immortal Gen. Sam Houston: Now, therefore, be it

Resolved by the senate of the 55th Legislature of the State of Texas, That the admiration of the members of this body for the glorious and inspiring heritages, together with the energies of the present and the ambitions of the future of our great sister Commonwealth of Virginia be, and the same is hereby, expressed; and be it further

Resolved, That the gratitude we share and the best wishes we hold for the success of the Jamestown Festival, joined by her sister communities of Williamsburg and Yorktown, in reenacting the scenes of yesteryear and in portraying to Americans the great contributions made by the Founding Fathers of Virginia toward the establishment and achievements of our great land be extended to all those aiding in the gigantic undertaking involved in their presentations; and be it further

Resolved, That copies of this resolution, under the seal of the senate of Texas, be forwarded to His Excellency Hon. Thomas B. Stanley, Governor of the Commonwealth of Virginia; Hon. Conrad Wirth, Director, National Park Service; Hon. Harry F. Byrd and Hon. A. Willis Robertson, United States Senators from Virginia; the president of the Association for the Preservation of Virginia Antiquities; the superintendent of the Colonial National Historical Park; the chairman of the Jamestown Festival; the president of the senate; the speaker of the house of delegates of the Virginia Assembly; Mr. and Mrs. John D. Rockefeller, Jr.; the respective mayors of the participating cities; and the festival reservations bureau.

BEN RAMSEY,
President of the Senate.

I hereby certify that the above resolution was adopted by the senate on April 9, 1957.

CHARLES SCHNABEL,
Secretary of the Senate.

RESOLUTIONS OF CENTRAL COOPERATIVES, INC., SUPERIOR, WIS.

Mr. WILEY. Mr. President, I received today from Donald Lehtinen, director, Central Cooperatives, Inc., of Superior, Wis., a series of resolutions which were adopted at the 40th annual meeting of this organization.

In attendance were delegates representing more than 100,000 local members of cooperatives in Wisconsin, Michigan, Minnesota, and the Dakotas.

The resolutions were the result of discussions held in prior years and in grassroots reviews, and reflect the sentiments of local members up to the leadership of the organizations.

They bear upon such important issues as improvement of the Duluth-Superior Harbor, action on the Federal high dam at Hells Canyon—a proposal which I personally cosponsor—unremitting efforts in the cause of world peace through American partnership with the free world, and, similarly, a ceaseless effort on behalf of sound parity protection for American agriculture, particularly the modest income farm.

I believe these resolutions will be of interest to my colleagues, and I ask unanimous consent that they be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Public Works:

"RESOLUTION 2, TWIN PORTS WATER HIGHWAY

"Many resolutions urging the passage of bills to construct the St. Lawrence Seaway have been enacted at previous meetings of Central Cooperatives, Inc.

"The seaway is now under construction, and will result in our Twin Ports of Duluth and Superior becoming important seaports in the heartland of our North American Continent.

"To be assured of having adequate facilities for loading and unloading oceangoing vessels in the Twin Ports, we urge deepening of the channel to the Duluth-Superior Harbor in the immediate future, and we highly commend the formation of port authorities in the two cities."

To the Committee on Interior and Insular Affairs:

"RESOLUTION 4, HELLS CANYON DAM

"This 40th annual meeting of Central Cooperatives, Inc., representing 100,000 cooperative families in the States of Michigan, Minnesota, Wisconsin, North Dakota, and South Dakota strongly urges the construction of the proposed Federal high dam on Snake River. Such a high dam would not only control floods on the Snake River and enable use of the water for irrigation, but would also provide cheap power which is so vital in developing and exploiting western phosphate deposits.

"We also urge that the power generated by the high dam be transmitted by REA lines, so that the energy generated would be available to all users of electricity at rates prescribed by the REA. We are convinced that future generations of Americans will find the Hells Canyon high dam a wise investment for the security and welfare of our Nation. We ask Senators and the Congressmen from the States of Michigan, Minnesota, Wisconsin, North Dakota, and South Dakota to do all in their power to affect the intent of this resolution."

To the Committee on Foreign Relations:

"RESOLUTION 7, WORLD PEACE

"Whereas this 40th annual meeting of Central Cooperatives, Inc., specially commemorates 40 years of peaceful progress and mutual self help in the area it serves; and

"Whereas cooperative members the world over are in deep need of peace for their very existence, because the use of the modern weapons of war such as atomic and hydrogen bombs could bring about the annihilation of all mankind: Therefore be it

"*Resolved,* That this convention appeals to the powers of the world to confine their differences to the councils of the United Nations, use every avenue possible for peaceful solution of world problems, and use nuclear power for the benefit of mankind instead of its destruction."

To the Committee on Agriculture and Forestry:

"RESOLUTION 8, THE NATIONAL FARM PROBLEM

"Whereas Central Cooperatives, Inc., serves 100,000 families in the States of Michigan, Minnesota, Wisconsin, and South and North Dakota, where agriculture is a major source of the economy; and

"Whereas the present alarming national trend continues toward wholesale elimination of small farms by the cost price squeeze; and

"Whereas this trend can and must be stopped by constructive Federal legislation: Be it therefore

"*Resolved*, That this 40th annual meeting of the Central Cooperatives, Inc., reiterates its stand of the past annual meetings, urging our Representatives in Congress to sponsor and support Federal legislation that will give protection to the farm units in the $15,000 gross income group and under, which group represents 70 percent of our farms and contributes so greatly to our economy."

CIVIL RIGHTS—RESOLUTION OF NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. TALMADGE. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD a resolution on civil rights, adopted by the National Society of the Daughters of the American Revolution at its 66th Continental Congress, held this week in Washington.

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

CIVIL RIGHTS

Whereas the right of trial by jury, as guaranteed by the Constitution, is a basic civil right necessary for the protection of the individual from the tyranny of government; and

Whereas the gravest peril exists today to the civil liberties of all the citizens of the United States of America as evidenced by the increasing tendency of the Federal Government to encroach upon and absorb functions properly belonging to the several States, and to exert the powers so usurped by means either of administrative rulings by commissions and other governmental agencies, or by judicial action based on the substitution of injunction and contempt of court procedures for the normal constitutional processes of trial by jury: Be it

Resolved, That the National Society, Daughters of the American Revolution, recommends that the Congress of the United States reject all pending civil rights legislation and recognize the rights of the States to protect all citizens as provided in the Bill of Rights of the Constitution of the United States of America.

RESOLUTION OF LINCOLN COUNTY POMONA GRANGE NO. 10, HARLAN, OREG.

Mr. MORSE. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Lincoln County Pomona Grange No. 10, of Harlan, Oreg. This is a youth resolution, and relates to the child-labor laws.

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

YOUTH RESOLUTION

Whereas our present child-labor laws prohibit the employment of youth until the age of 18, except in special cases; and

Whereas youth between the ages of 14 and 18 who seek employment would like something worth while to do; and

Whereas this group of youth are our major problem as far as juvenile troubles are concerned; and

Whereas the program formerly carried on known as the CCC (Civilian Conservation Corps) did many worthwhile things, such as forest camps, parks, lodges, trails, etc., that would not have been done without such a program: Therefore,

We recommend that this Pomona Grange go on record as favoring the establishment of a similar worthwhile program to give our youth employment and worthwhile activity that would be beneficial to the general welfare, thus helping with our juvenile problem: Therefore be it

Resolved by Lincoln Pomona Grange No. 10, Lincoln County, Oreg., in regular session assembled at Lincoln Grange No. 395, on this 9th day of March, 1957, That we recommend to the Congress of the United States that a program similar to the Civilian Conservation Corps be established to give our youth employment and worthwhile activity that would be beneficial to the general welfare; be it further

Resolved, That a copy of this resolution be mailed to Oregon State Grange; to Andrew Naterlin, State senator from Lincoln County; to Thomas R. McClellan, State representative from Lincoln County; and to the five members of Oregon's congressional delegation.

LINCOLN COUNTY POMONA GRANGE NO. 10.
NEAL MAN, *Master*.
LEONA G. DODSON, *Secretary*.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MONRONEY, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1474. A bill to amend section 401 (e) of the Civil Aeronautics Act, as amended (Rept. No. 251).

BILLS INTRODUCED

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

By Mr. PASTORE:

S. 1918. A bill to amend Public Law 31, 84th Congress, 1st session, to increase the authorization for appropriation to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office; to the Joint Committee on Atomic Energy.

By Mr. BUSH:

S. 1919. A bill for the relief of Antonio Mirabelli; to the Committee on the Judiciary.

By Mr. MARTIN of Iowa:

S. 1920. A bill for the relief of Don I. Mitchell; to the Committee on the Judiciary.

By Mr. BEALL:

S. 1921. A bill for the relief of Maria Goldet; to the Committee on the Judiciary.

By Mr. HILL (for himself, Mr. KENNEDY, Mr. NEELY, Mr. HUMPHREY, and Mr. SMATHERS):

S. 1922. A bill to authorize a 5-year program of grants for construction of medical and dental educational and research facilities, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. FULBRIGHT:

S. 1923. A bill to amend section 2 of the act of June 28, 1879, providing for the appointment of a "Mississippi River Commission" for the improvement of said river from the Head of the Passes near its mouth to its headwaters; to the Committee on Public Works.

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

By Mr. STENNIS:

S. 1924. A bill to establish the level of price support for the 1958 and subsequent crops of upland cotton, and for other purposes; to the Committee on Agriculture and Forestry.

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

AMENDMENT OF ACT PROVIDING FOR APPOINTMENT OF MISSISSIPPI RIVER COMMISSION

Mr. FULBRIGHT. Mr. President, the Mississippi River Commission presently consists of 7 members, 3 of whom are selected from the Corps of Engineers of the Army; 1 from the Coast and Geodetic Survey; and 3 from civil life, 2 of whom shall be engineers.

I introduce, for appropriate reference, a bill which would amend section 2 of the act of June 28, 1879, the act which created the Commission. This amendment would increase the membership of the Mississippi River Commission from 7 to 9 Commissioners; and would provide that 4 Commissioners be selected from the Corps of Engineers of the Army; 1 from the Coast and Geodetic Survey, and 4 from civil life, only 1 of whom shall be a civil engineer. The bill provides further that any Commissioner appointed from civil life shall at the time of appointment be a resident of the State of Missouri, Illinois, Kentucky, Tennessee, Arkansas, Mississippi, or Louisiana. It further provides that no more than one such Commissioner from civil life from any one State shall serve on the Commission at any given time, and in addition provides that any succeeding appointee shall be a resident of the State having the longest period of time without representation on the Commission.

Mr. President, I think this bill will remedy an inequity which has existed for many years, by providing that the States bordering the Mississippi River, which by reason of this fact have the greatest interest in the membership of the Commission, shall be accorded representation on the Commission.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1923) to amend section 2 of the act of June 28, 1879, providing for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to its headwaters, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on Public Works.

PRICE SUPPORT FOR 1958 AND SUBSEQUENT CROPS OF UPLAND COTTON

Mr. STENNIS. Mr. President, all of us have been greatly concerned over the declining farm prices and the increased cost of the items the farmer buys. On many fronts, our national economy is prosperous. Personal income is at an all-time peak; the take-home pay and the buying power of factory workers are at an alltime high. By contrast, net farm income has been reduced by 32 percent in the last 10 years. During the

same period, farm prices have gone down 15 percent, and farm costs have gone up 19 percent. The index of prices paid by farmers in January 1957 set a new all-time high of 292. Few farmers can make ends meet under these conditions.

In the case of cotton, we have placed too much emphasis on parity percentage, without regard to income. We have reached the point where controlled allotments have reduced acreage to such an extent that a 90 percent of parity support-price, or a higher one, has lost its meaning in terms of income. In the case of Mississippi, our acreage has been reduced from 2,671,000 acres, in 1953, to an allotment of 1,644,000 acres, in 1957. This represents a reduction of over 40 percent. Thus, a price support of about 150 percent of parity would be required, to give an income equivalent to that of 1953, assuming the same yield and price. The announcement recently made by the Secretary of Agriculture to support cotton at only 77 percent of parity is without justification. This action is not within the true spirit of the law, and will result in additional hardships and inequities.

While our cotton farmers have made great sacrifices in controlling their acreage almost to a breaking point, foreign countries have greatly expanded their annual production to within a few million bales of total foreign demand. Exports during the 1953–55 period were only about 44 percent of exports during the 1920's, even though foreign consumption of cotton had increased more than 60 percent. The world demand for textiles is steadily growing, but the increased demand is being met mainly by foreign cotton and by manmade fibers, rather than by United States cotton.

Mr. President, a long-range cotton program is a necessity in attaining some measure of stability and confidence in the program in the years to come. It is essential that farmers have a fixed foundation on which to build and plan their future farm operations. Some degree of certainty is necessary for the smalltown bankers, merchants, cotton ginners, and the local economy in general, as they plan for the future. We have come to the crossroads, in terms of a more realistic policy for cotton. We must have a major adjustment in our cotton laws, with the objective of establishing a program which will give more cotton acreage, will increase income, and will lend stability to our cotton economy. One of the most shocking effects of acreage cuts and price decline has been the sharp reduction in rural and farm population. The impact of these forces has literally forced many of our small and family-sized farmers off their land.

A recent survey made by the division of sociology and rural life, of Mississippi State College, indicates that only two counties in Mississippi have gained in population since 1950 and that some counties have suffered a loss ranging as high as 29 percent. Since 1950 over one-half of the counties in Mississippi have lost from 1 to 10 percent of their population; one-fourth of the counties have lost from 10 to 15 percent of their population; and one-fourth of the counties have lost from 15 to 29 percent of their population. Most of the loss in Mississippi has been in rural areas and is causing serious impacts on the local economy. If figures were available for other cotton-producing States, I believe the pattern of population loss would be found to be similar.

Looking to the next 2 years, it now appears that it is possible that we may be freed of acreage controls by 1959. However, another huge surplus will certainly follow, if corrective measures are not taken. It is not logical, nor is it sound business, to cut acreage to the bare minimum 1 year, and to permit uncontrolled production the next year. This wide fluctuation in acreage and price will continue to create unnecessary hardships on farmers, ginners, warehousemen, and the cotton industry in general. Our cotton economy cannot absorb the shock of these wide variations. The minimum national allotment for 1958 should be increased to at least 20 to 21 million acres, and an entirely new approach to the problem devised.

We have debated the 90-percent support price formula and the sliding-scale formula for cotton. I am firmly convinced that neither method offers an effective and sound long-range solution for the cotton problem. I believe that we must treat each commodity separately and distinctly, and must formulate for each basic crop a program designed for it, and one which will objectively meet the problems of that crop and will provide adequate safeguards to protect farm income.

We cannot expect a material increase in domestic consumption of cotton until competition is actually met in such a way as to restore confidence to the mills which buy the cotton. Most essential and basic is a program which will increase cotton acreage to such an extent that farmers will have at least a fighting chance to improve income.

The present so-called sliding-scale support program does not provide a remedy for cotton. This plan cuts price and acreage at the same time, creates grave uncertainties, and fails completely in meeting competition. In the final analysis, it means that our farmers are forced to take a heavy cut in acreage, as well as income, without any hope for relief in terms of increased markets.

The competitive export program included in the Agricultural Adjustment Act in 1956 clearly illustrates what can be accomplished through meeting competition. It now appears that over 7.3 million bales will be exported under this program during the current season, as compared to a total cotton export of only 2 million bales for the preceding season. This is certainly encouraging, but the fact still remains that we are not meeting domestic competition. Each day we see synthetics and paper making deeper inroads into the existing markets. Cotton's share of the domestic market has dropped from 81 percent of the total fiber market to 66 percent, as of today. On the other hand, there is a reasonable possibility of expanding our domestic market to 14 or 15 million bales annually, and expanding our exports each year to 6 or 8 million bales, under a program designed to meet competition. This would permit an acreage allotment of 28 million to 30 million acres. If we fail to meet this opportunity, and if our surpluses push us back to a 10-million-bale marketing quota, our national allotment will then be near 12.5 million acres. This would be about 28 percent below the 1957 allotment. Neither our farmers nor the cotton industry can absorb the shock of such a reduction.

Adverse economic conditions facing the farmer, increased cost of production, minimum wage laws, tariff protection for industry, and other governmental aids for business, make it impossible for our cotton farmers to bear the cost of a program which would change cotton parity to a level which would permit cotton to compete for new markets. All mechanical equipment that a farmer uses, including tractors, plows, trucks, and other items, is manufactured by labor that is paid from $1.50 to $3.50 an hour. A Federal law requires that every person connected directly or indirectly with the manufacture of this equipment, including the man who sweeps the factory floor, shall receive not less than $1 an hour for his labor. This same conditions and laws apply to every truck, to every plow, and to every other piece of equipment the farmer buys. Thus, he is faced with an artificial level of prices forced up by law. At $1 an hour for the work actually performed, the cost to the cotton farmer of producing a pound of cotton would be 48 cents for the labor alone. The present market price for cotton is 34 cents per pound. This comparison shows the burden of the farmer, in contrast with the benefits enjoyed by the consumer.

In addition to the protection which labor has, there are other tariffs which apply directly and indirectly to shore up the price of virtually every manufactured product the farmer buys. Our government gives substantial aid to business and industry; subsidizes shipbuilding, navigation; gives favorable tax amortizations and other subsidies. The result of all these activities and agencies is higher prices. The farmer did not create these conditions. He cannot change them. He must pay these prices or lose his farm. There must be some kind of government program to at least partly offset these artificial government policies which directly benefit other segments of our economy.

Mr. President, farming is also a way of life for a great many families and landowners, and is not primarily a business concern. Therefore, any cotton program is unsound if it does not give special consideration to the small, family-size farmer. This group of farmers, especially the small ones, has been neglected by this administration and by previous administrations; and corrective measures must be taken in our agricultural laws, to give them more adequate consideration.

There are several possible approaches to formulating a more constructive program for cotton which would better serve agriculture and meet the foregoing problems.

For some time I have thought the soundest approach was in providing for an allotment of acreage sufficient to grow enough cotton to meet domestic needs,

with a special price support to cover this production. Under this plan, cotton for the world market would be grown on additional acreage, with or without a specific allotment, depending on existing conditions as to the amount of surplus cotton on hand. Because it included these sound, basic features, last year I spoke in favor of and supported the Russell amendment to the 1956 agriculture bill.

With the passing of time, the necessity for a new approach to the problem becomes clearer and clearer. In considering and working on this problem over a period of many months, I have prepared a bill, and I present it to the Senate for consideration. Mr. President, I introduce, for appropriate reference, a bill which has the following as its main features, all directed to meeting the pressing problems confronting the American cotton farmer:

First. Provision is made for a national acreage allotment equal to the acres required to supply estimated domestic consumption, plus estimated production for exports, which for 1958 would be approximately 20 to 21 million acres. This acreage would be allotted to the States, counties, and farms on the basis of the present formula, with a domestic allotment and an export allotment for each farm. A price support of 95 percent of parity would be given on cotton produced under the domestic allotment, and a price support of 75 percent of parity on that produced under the export allotment. A Government loan would be available at 75 percent of parity, and cotton producers would receive an adjustment payment on the domestic allotment equal to the difference between 75 percent and 95 percent of parity.

Second. The bill further provides that the farmers shall vote whether they prefer to operate under the present flexible support system or under this combination domestic export allotment plan.

Third. The bill provides that any unused part of the soil bank funds for 1958 shall be used to meet a portion of the cost of this domestic export allotment plan.

Fourth. Special consideration is also given to our small farmers with an allotment of five acres or less by providing a support price of 95 percent of parity for all cotton produced on such acreage.

The estimated cost of this program to the Federal Government for the first 2 years will be less than one-half of the cost of the present program.

Mr. President, I believe the foregoing program is a sound approach toward meeting the primary problems of giving better protection for farm income, restoring stability and confidence to the cotton economy, and objectively meeting competition. Certainly, we do not have an adequate program now. This critical problem should be fully studied by the Committees on Agriculture in both the House and Senate, as well as by all interested parties with the purpose of developing a sound, long-range cotton program. I hope this bill and the points I have raised here will stimulate constructive thinking on this highly important subject. I believe these major considerations will prove to be the foundation for sound, constructive legislation on the subject.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. THURMOND in the chair). The bill will be received and appropriately referred, and, without objection, the bill will be printed in the RECORD.

The bill (S. 1924) to establish the level of price support for the 1958 and subsequent crops of upland cotton, and for other purposes, introduced by Mr. STENNIS, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That, subject to the provisions of section 2 of this Act, beginning with the 1958 crop production adjustment and price support programs for upland cotton shall be carried out by the Secretary of Agriculture in accordance with provisions of the Agricultural Adjustment Act of 1938, as amended, the Agricultural Act of 1949, as amended, and the Soil Bank Act except that—

(1) The national marketing quota shall be a number of bales equal to the estimated domestic consumption plus exports of cotton for the marketing year beginning in the calendar year in which such quota is proclaimed. The percentage of the national marketing quota for domestic consumption shall be determined by dividing the total of such estimates of domestic consumption and exports into the estimate of domestic consumption, and the percentage of the national marketing quota for exports shall be determined by dividing the total of such estimates of domestic consumption and exports into the estimate of exports. The percentages so determined shall be referred to herein as the "domestic percentage" and the "export percentage";

(2) The domestic percentage and the export percentage shall be applied to each farm acreage allotment established pursuant to section 344 of the Agricultural Adjustment Act of 1938, as amended, to obtain the farm domestic allotment and the farm export allotment;

(3) The level of price support to cooperators for any crop of upland cotton for which producers have not disapproved marketing quotas shall be 75 percent of the parity price for upland cotton as of June 1 of the calendar year in which such crop is produced;

(4) The Secretary shall make equalization payments to cooperators on the farm normal yield multiplied by the farm domestic allotment (or, in the case of a farm having a farm cotton acreage allotment of five acres or less, by the farm cotton acreage allotment). Such payments shall be at a rate equal to the amount by which 95 percent of the parity price for upland cotton as of June 1 of the calendar year in which the crop is produced exceeds (A) the average farm market price for upland cotton for the first three months of the marketing year, or (B) 75 percent of such parity price, whichever is larger; and

(5) Funds available for cotton payments under the Soil Bank Act which are not required for such payments shall be used to make the equalization payments provided for in this section, and, insofar as such funds are insufficient for such equalization payments, the Secretary is authorized to use funds of the Commodity Credit Corporation for making equalization payments.

SEC. 2. The foregoing provisions of this Act shall become effective only if a majority of those voting in a referendum, which shall be held by the Secretary not later than December 15, 1957, of farmers engaged in the production of the 1957 crop of cotton, vote to approve the program set forth in such provisions.

SEC. 3. Section 303 of the Agricultural Act of 1956 is amended by changing the first sentence of subsection (e) to read as follows: "The amendments made by this section shall be effective with respect to the 1957 and succeeding crops."

SEC. 4. Section 377 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 377. In any case in which, during any year for which acreage planted to such commodity on any farm is less than the acreage allotment for such farm, the entire acreage allotment for such farm shall be considered for purposes of future State, county, and farm acreage allotments to have been planted to such commodity in such year, but only if the owner or operator of such farm notifies the county committee prior to the thirtieth day following the beginning of the marketing year for such commodity of his desire to preserve such allotment. This section shall not be applicable in any case in which the amount of the commodity required to be stored to postpone or avoid payment of penalty has been reduced because the allotment was not fully planted. Nothing herein shall be construed to permit the allotment to any other farm of the acreage with respect to which notice is given under this section."

AMENDMENT OF PUBLIC-ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, on April 4, 1957, the Senator from Minnesota [Mr. HUMPHREY], for himself and the Senator from Rhode Island [Mr. PASTORE], introduced the bill (S. 1793) to amend the public-assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds. The bill remained on the desk until the close of business on April 15, and several additional cosponsors added their names. The name of the junior Senator from Oregon [Mr. NEUBERGER] should have been added to the list of cosponsors, but was inadvertently omitted.

The Senator from Minnesota [Mr. HUMPHREY] is absent today on official business, but as the sponsor of S. 1793, he has asked me to make the cosponsorship of this bill by the Senator from Oregon [Mr. NEUBERGER] a matter of record. At such time as the bill is reprinted, the name of the Senator from Oregon should appear as an additional cosponsor.

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

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT, RELATING TO THE PROHIBITION OF CHEMICAL ADDITIVES IN FOOD—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of April 16, 1957, the name of Mr. SPARKMAN was added as an additional cosponsor of the bill (S. 1895) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of chemical additives which have not been adequately

tested to establish their safety, introduced by Mr. HILL (for himself and Mr. SMITH of New Jersey) on April 16, 1957.

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

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

By Mr. MANSFIELD:

Address delivered by him before the Executives Club on Friday, April 12, 1957.

ANNOUNCEMENT OF FURTHER HEARINGS BY SUBCOMMITTEE ON RAILROAD RETIREMENT

Mr. MORSE. Mr. President, for the information of the Senate, I wish to announce the resumption of hearings on May 1 by the Subcommittee on Railroad Retirement. Three days of hearings have been held on S. 360, S. 945, and S. 1313. Since the recess of hearings, two additional bills have been introduced, S. 1630 and S. 1651.

As chairman of the subcommittee I announce hearings on May 1, 2, 3, and 6 to complete the testimony on all of these bills by the carriers, the Railway Labor Executives Association and the Railroad Retirement Board.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Francis Everett Van Alstine, of Iowa, to be United States attorney for the northern district of Iowa for a term of 4 years. He is now serving in this office under an appointment which expires May 21, 1957.

Roy L. Stephenson, of Iowa, to be United States attorney for the southern district of Iowa for a term of 4 years. He is now serving in this office under an appointment which expires May 21, 1957.

John F. Raper, Jr., of Wyoming, to be United States attorney for the district of Wyoming for a term of 4 years. He is now serving in this office under an appointment which expired April 16, 1957.

Roland A. Walter, of Iowa, to be United States marshal for the southern district of Iowa for a term of 4 years. He is now serving in this office under an appointment which expires May 21, 1957.

On behalf of the Committee on the Judiciary notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, April 26, 1957, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

AMENDMENT OF ROBINSON-PATMAN ACT, RELATING TO EQUALITY OF OPPORTUNITY

Mr. DIRKSEN. Mr. President, on Friday, April 12, I received unanimous consent to have inserted in the CONGRESSIONAL RECORD a list of persons and organizations who were opposed to S. 11, a bill to amend the Robinson-Patman Act. More than 56 such persons and organizations were listed in opposition; 18 persons and organizations were listed in favor of S. 11.

The list of persons and organizations against S. 11 continues to grow—indicating a far greater interest in S. 11 this year than was shown in 1956. I ask unanimous consent that a list of organizations and persons who have indicated their opposition to S. 11 be printed at this point in the RECORD.

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

PERSONS AND ORGANIZATIONS WHO HAVE SUBMITTED A MEMORANDUM IN OPPOSITION TO S. 11

Illinois Bar Association, Manufacturers Chemist Association (Henry Fowler), Bernard L. Majewski, American Bakers Association, the Empire State Petroleum Association, William Simon, Ohio Petroleum Marketers Association, A. G. Stone, M. C. Junkin Corp., of Charleston, W. Va., Drug-Chemical and Allied Trades Section of New York, Milton Handler, professor of law, Columbia University, American Hard Rubber Co., Formed Steel Tube Institute, National Retail Lumber Dealers Association, Alabama State Chamber of Commerce, National Beet Growers Federation, the American Mining Congress, National-American Wholesale Lumber Association, Earl J. Hurd, attorney, Albert E. Scherm, United States Rubber Co., the Universal Clay Products Co.

Clayton Mark & Co., Evanston, Ill.; Hill Transformer Co., Inc., California; Henrite Products Corp., Ohio; R. B. Lautner, West Virginia; E. J. Carter, New York; T. D. Higgins, Jr., Ohio; Gardner Board and Carton Co., Ohio; Berkshire Papers, Inc., Chicago; John D. Conner, Monsate Chemical Company for Chicago, Ill., and St. Louis, Mo.; International Minerals & Chemical Corp.; Otis H. Ellis, attorney; Barrett Division, Allied Chemical; Bestwall Certain-teed Sales Corp.; Blue Diamond Corp.; Cardiff Gypsum Co.; Celotex Corp.; Connecticut Adamant Plaster Co.; Fibreboard Paper Products Corp.; Samuel H. French & Co.; Grand Rapids Plaster Co.; Kaiser Gypsum Co.; National Gypsum Co.; The Ruberoid Co.; Union Gypsum Co.; United States Gypsum Co.; R. Barraclough, Petrolia, Pa.; M. L. Courington, Jr., Park Forest, Ill.; J. J. Nowicki, C. Reiss Coal Co.; A. H. Eustis, Boston, Mass.; V. A. Romito, General Chemical Division, Marcus Hook, Pa.; Donald MacLean, California & Hawaiian Sugar Refining Corp.; Frank L. King, Washington, D. C.; T. C. Fogarty, Continental Can Co., Inc., New York; M. D. Griffith, New York Board of Trade, Inc.; Thomas Jefferson Miley, Commerce & Industry Association, New York; M. A. Varela, Chicago; S. B. Taylor, Parker Appliance Co., Cleveland, Ohio; R. G. Jeter, B. F. Goodrich Co., Akron, Ohio; Edward E. Bohnsack, Independent Oil Co., Davison, Mich..; Hal Barich, Seamless Rubber Co., New Haven, Conn.; F. M. Morton, Chester, N. J.; John T. Huels, Fairfield, Ala.; George W. Geyer, Geyer Lumber & Coal Co., Chambersburg, Pa.; Townsend M. Gunn, Metals & Controls Corp., Attleboro, Mass.; O. A. Amidon, Fair Lawn, N. J.; A. Hanchett, New York; J. A. Morse, Barrett Division, Toledo, Ohio; G. L. Walter, Baton Rouge, La.; Herbert Levy, Lone Star Bag Bagging Co., Houston, Tex.; John C. Esher, Staten Island, N. Y.; Harry B. Hilts, Empire State Petroleum Association, New York.

J. J. Porter, Pompton Plains, N. J.; W. H. Brumfield, Syracuse, N. Y.; Clark J. A. Hazelwood, McGraw Electric Co., Milwaukee; J. E. Shand, Upper Montclair, N. J.; James Manacke, Ranco, Inc., Columbus, Ohio; C. P. Hackett, Syracuse, N. Y.; David M. Gooder, Illinois State Bar Association; J. F. Daly, National Aniline Division, New York; John D. Wallace, Morristown, Tenn.; L. I. Adams, San Francisco; O. A. Kitto, Fayetteville, N. Y.; Robert Roberts, Toledo, Ohio; Stanton N. Labare, Barrett Division, Norwood, N. Y.; Charles F. Lewis, Volunteer Portland Cement Co., Knoxville, Tenn.; Karl R. Zimmer, Zimmer Paper Products, Indianapolis; N. H. Rudeen, Minneapolis, Minn.; Charles H. Jones, Milton, Mass.; G. W. Matthews, Elm Grove, Wis.; Raymond W. Hess, Buffalo, N. Y.; F. J. O'Connell, Garden City, N. Y.; A. C. Hobbie, Pittsburgh Plate Glass Co., Moorestown, N. J.; Clarence B. Hausmann, New York; R. Largent, Camillus, N. Y.; Ernest E. Duque, Los Angeles; O. H. Schwanger, Elizabethtown, Pa.; Borden S. Chronister, Hopewell, Va.; Harry S. Fuguson, South Orange, N. J.; A. J. White, Kingsport Oil Co., Kingsport, Tenn.; L. S. Clark, Twin City Hardwood Lumber, St. Paul, Minn.; C. S. Parke, The Harshaw Chemical Co., Cleveland; James N. Grove, Detroit, Mich.

SCHOOL CONSTRUCTION

Mr. MARTIN of Pennsylvania. Mr. President, at this time there is much discussion relative to the financing of schools, particularly school buildings. I ask unanimous consent to have printed in the body of the RECORD a very able discussion of this subject which appeared in an editorial entitled "Will We Trade In Our Old Schools?" The editorial was published in the Washington (Pa.) Observer.

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

WILL WE TRADE IN OUR OLD SCHOOLS?

Perhaps we're going to start trading in our old schools the way we do automobiles.

Schools being built in this State under the State Public School Building Authority plan are financed for 40 years, on a rental system which brings a deed at the end of that time.

But a lot of school buildings which approach that age are now considered obsolete, unless they are remodeled and modernized.

Are we going to be asked by State educational authorities to build new schools before the "obsolete" ones are paid for? If so, will the local districts which are "renting" these buildings get credit for their rental investment, or will it remain in the books of the authority?

Or, if "obsolete" but unpaid-for buildings must be modernized, will the "renting" district have to pay for the work, or will the Public School Building Authority do it? It's pretty certain that this question will be answered by the State rather than by the districts concerned.

Will present methods of financing new schools lead to the kind of financing done by those motorists who never really own their cars? It would seem so.

It would go a little farther, it would seem. For the financing Public School Building Authority and the State Council of Education would be the agencies which would determine when new schools must be built or the old ones modernized.

It still looks a bit as though the old method of financing new schools—through local banks and home agencies—might be more advantageous in the end.

But that wouldn't suit the politician who thrives on State control of institutions. It would be a blow to bureaucrats.

Perhaps in a lot of instances, however, necessary new buildings cannot be financed at home. But it's nevertheless true that financing through the State is the best of all ways to yield to the State a large part of

what school control the people and the local boards have left.

It's equally true that for every bit of authority taken away from the home folk and given to State or Federal Government another bit of freedom passes from the people into the hands of the politicians and bureaucrats. It's time for the people to ask themselves, "Do we want this to happen?"

We must have schools. We must have good schools and good teachers if we are going to keep our freedoms. But will good education retain our freedom for us if the very instruments through which that freedom is given are monopolized by those who would centralize our school system and controls? We think not.

SPECIFICATIONS FOR THE CONSTRUCTION OF GRAND CANYON DAM

Mr. KUCHEL. Mr. President, in southern California approximately 7 million persons depend to a very great extent for a supply of water from the Colorado River. They also depend to a very marked degree on the development of electricity at Hoover Dam, through which the waters of the Colorado River flow, for the power necessary to carry on their economy.

A short time ago the Secretary of the Interior announced his specifications for the construction of Glen Canyon Dam, which was authorized by the Congress at the last session. The persons whose responsibility it is to care for the rights of the people of California to their rightful share of the Colorado River have raised serious questions to the manner in which those specifications are worded. They fear severe damage to the interests of the people of my State.

I wish to say to my distinguished friend, the very able senior Senator from Arizona [Mr. HAYDEN], that representatives of the people of Arizona likewise have registered objection to the specifications for the construction of Glen Canyon Dam, as those specifications have been announced by the Department of the Interior.

I have written to the Secretary of the Interior a letter in which I have asked him to hold hearings on the questions which have been raised, to consult with California, and lower basin representatives to allay the apprehensions which have arisen, and to demonstrate in advance that when Glen Canyon Dam is constructed, it will be constructed completely in a fashion which will do no damage to the rights of the people who live in the lower Colorado River Basin. It would be my sincere hope that a composition of views might be readily and speedily obtained.

I ask unanimous consent that a copy of my letter to the Secretary of the Interior be printed at this point in the RECORD, as a part of my remarks.

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

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
April 16, 1957.

The Honorable FRED A. SEATON,
Secretary of the Interior,
Washington, D. C.

MY DEAR MR. SECRETARY: You are fully aware, I know, of the urgent concern of water and power users in California that construction and operation of Glen Canyon Dam and powerplant might adversely affect their supplies of water and power derived from the Colorado River. It has been gratifying to me to note Commissioner Dexheimer's press release of April 10, 1957, stating that the requirements and rights of lower-basin interests will be respected in the construction of the Glen Canyon unit.

Without in any way disparaging the reassurances expressed by officials of your Department, nevertheless, it seems to me that the extreme gravity of the matters involved warrants more direct treatment of the protests made by our California water representatives. I need not detail to you how vital to California people is the uninterrupted flow of water and power from the Colorado River. Nor is it necessary to recall the many binding safeguards provided in law and compact which are designed to protect established rights under the "law of the river" and the contracts with the United States, including the most recent one explicitly provided by the Colorado Storage Project Act, which authorizes construction of the Glen Canyon unit.

Specific exception has been taken by California interests to certain elements in the specifications for construction of Glen Canyon Dam. It has been asserted that construction pursuant to those specifications could result in severe curtailment of water and power supplies that are assured to California by laws and contracts. Such curtailment would be unlawful. It would cause grievous injury to 7 million people living in southern California and would wreak disastrous damage to the agriculture and industry of the State.

A question has been raised about certain aspects of the structure design as they may bear on its safety, stability, or effectiveness.

Of course, I do not attempt to evaluate the technical engineering questions that may be involved in this problem. This is for engineers to resolve. It is, however, of immediate concern to me as a member of the United States Senate from California, that your Department should not start construction of a tremendous dam while the interests most vitally and most immediately affected have any reasonable basis for fearing great potential damage therefrom. In addition to my primary concern for the potential damage to people and property in California, I am mindful that any revisions of plans necessary by reason of the validity of these considerations should be made prior to award of the construction contract. One reason for this is that, were such revisions delayed until after award of the contract, the United States might be liable for substantial increases in construction costs.

All these reasons are persuasive to me that your Department should promptly seek composition of the views of the interests affected—and I refer specifically, but not exclusively, to the California interests. It is possible that such a composition of views might be effected readily. That is my sincere hope. In any event, I believe that such composition of views should be effected prior to any contractual commitment that might obligate the United States with respect to construction of the dam and powerplant pursuant to the specifications to which objection has been taken. I have great confidence that you will agree with me in this view.

To this end, I respectfully urge that you withhold the award of the construction contract pending resolution of the objections of Arizona and California to the designs and specifications. It would be my hope that this would not extend unduly the time normally required for contractual procedures leading to award of a contract of this magnitude. However, the possible adverse consequences of the present specifications are so great that the time afforded to such composition of views should be adequate for the possibly complex technical consideration that may be required.

My recommendation in this regard is that you provide for two stages of consultation with affected lower basin interests. One stage should be at the secretarial level for departmental determination of the policy foundation relative to administrative actions in construction and operation of the Glen Canyon unit, the most important of which would be assurance that progress of the work would at all times be consonant with proper protection to established rights of the lower basin.

A second stage of consultation should be at the technical level. This could be accomplished by collaboration by the engineering representatives of the lower basin interests with your chief engineer, members of his staff, and the board of consultants that I understand you are providing.

I am informed that the Colorado River Board of California is in a position to represent California interests in this matter. They will exert every energy to bring to rapid conclusion a satisfactory composition of views to the end that construction schedules may not be disrupted.

I am very hopeful that the recommendations I have urged will be followed, as I feel they offer a prompt and equitable method to resolve the issues I have presented.

May I hear from you?

Sincerely yours,

THOMAS H. KUCHEL,
United States Senator.

Mr. HAYDEN. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. HAYDEN. The situation referred to by the Senator from California was brought to my attention by certain citizens of Arizona. I am satisfied—after talking with the Commissioner of Reclamation—that the matter can be adjusted; and that the release of the waters at the dam will be under the control of the Director of Reclamation, and he will act in accordance with the laws which relate to the river.

Mr. KUCHEL. Mr. President, the specific questions raised by officials from California are serious ones. I believe the Interior Department should, in the public interest, arrange suitable conferences, both policywise and of a technical or engineering nature, so that, with respect to the construction of Glen Canyon Dam, present apprehensions may be removed, and an unassailable solution can be amicably arrived at.

Mr. HAYDEN. That will depend on the assurances we receive. If we receive the proper assurances, it will not be necessary to hold a meeting. If we do not receive the proper assurances, a meeting may become necessary.

Mr. KUCHEL. I thank the Senator from Arizona.

RETIREMENT OF COL. SCOTT P. HART AS MONTANA HIGHWAY ENGINEER

Mr. MANSFIELD. Mr. President, one of Montana's truly devoted civil servants in State government, Col. Scott P. Hart, has resigned from his post as State highway engineer. This announcement was received with regret, because the people of Montana will miss his valuable services.

I have known Scott Hart for a number of years, and he has been most cooperative as chief engineer for the Montana State Highway Commission, under both Democratic and Republican State administrations. He is noted for his efficiency and ability to get work done despite the political atmosphere which hangs over the State capitol.

Scott is quoted as saying that he has been around a long time and that he wants to turn the workload over to younger men. However, I certainly hope that retirement will not mean the last of his contributions to the Treasure State, as Montanans will need his advice and counsel in the years to come.

I ask unanimous consent that an editorial prepared by J. R. Larcombe and published in the Phillips County News be printed in the RECORD at the conclusion of my remarks.

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

SCOTT HART RETIRING AS HIGHWAY ENGINEER

(J. R. Larcombe in Phillips County News)

The many friends of Col. Scott P. Hart will regret that he finds it necessary to resign his post as chief highway engineer but they will also wish him well as he enjoys the pleasures of retirement. As Hart says himself, he has been around a long time and if he wishes younger men to carry the load now, that is his privilege.

Scott Hart is northeast Montana "property" inasmuch as he really got his Montana highway start at Poplar and Wolf Point as Roosevelt County surveyor. He became State "property" in 1923, though, and since then has given Montana loyal and efficient service in every post handed to him. He is rather unique in that despite long residence in the supercharged political atmosphere of the State capital he has never been involved in any of the bickering and infighting which more than once has disturbed the highway commission. He figured his job was to work; let others do the feudin' and fussin'.

Colonel Hart told this writer last winter that he and Mrs. Hart would keep their home at Helena when retirement time came. A pretty good place to live, Scott allowed, so why move? Knowing Scott as we do, we imagine he'll get along all right at whatever form of "puttering" he elects as his major hobby, so we join his other friends in wishing him well and thanking him for his unselfish services to Montana.

INVESTIGATION OF THE FINANCIAL CONDITION OF THE UNITED STATES

Mr. STENNIS. Mr. President, I should like to commend the membership of the Senate Committee on Finance for the unanimous action taken at the meeting on April 12 in adopting the resolution providing for a study and an investigation of the financial condition of the United States.

I feel that such an inquiry is long overdue. The subjects specifically mentioned in the resolution indicate that the approach will be broad and comprehensive: First, the revenues, bonded indebtedness, and interest rates on all public obligations including contingent liabilities; second, policies and procedures employed in the management of the public debt and the effect thereof upon credit, interest rates, and the Nation's economy and welfare; and third, factors which influence the availability and distribution of credit and the interest rates thereon as they may apply to public and private debt.

The subject matter is of major national importance.

For several reasons, I feel that a Congressional investigation is the logical approach to this probiem. First, any indicated corrective legislation must originate in the Congress. Second, the competent professional staff has proved to be a flexible nucleus capable of expansion to meet the needs of special investigations such as this. The expense and administrative details of building up and closing down a temporary agency are avoided when a permanent standing committee's staff and facilities are utilized. Third, the membership of the cognizant Congressional committee has, through experience, a high degree of familiarity with the subject matter under study and investigation.

I am confident that the Finance Committee, under the able chairmanship of the distinguished senior Senator from Virginia [Mr. BYRD] will do an excellent job of developing the whole picture of the Nation's economy.

Membership of that committee includes a fine cross section of Members of the Senate whose experience and background have well qualified them for such an undertaking, and I feel that the job will be done promptly, thoroughly, and efficiently, to the great benefit of us all.

TWO-WAY CULTURAL EXCHANGES

Mr. WILEY. Mr. President, more than two dozen members of the diplomatic corps in Washington, D. C., have kindly responded to an inquiry which I had submitted to them on two-way cultural exchanges with the United States.

I am glad to report splendid responses from ambassadors whom I had contacted.

The sum total of these responses is rather lengthy. But since the replies represent the views of so many individual nations, and are so exceedingly constructive, I believe that the space necessary to reprint them will prove more than worth while.

The texts are carried in their entirety, with the exception of minor introductory omissions.

I ask unanimous consent, therefore, that the ambassadors' replies to my inquiry be printed at this point in the body of the RECORD, preceded by a further descriptive statement on my part.

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

STATEMENT BY SENATOR WILEY

MORE THAN TWO DOZEN AMBASSADORS RESPOND TO SENATOR WILEY'S INQUIRIES ON TWO-WAY CULTURAL EXCHANGES

How can we improve and strengthen our relations with the free world?

I am sure that this basic question has occurred at various times to every single Member of this Chamber.

MANY TYPES OF INTERNATIONAL EXCHANGE

The answer is, of course, through economic, political, spiritual, cultural, and other ties.

Each of these friendly links—each of these people-to-people and government-to-government ties—plays an important role.

We and our friends cannot slight economic contacts, or political or spiritual or cultural or constructive relations in almost any other field of endeavor.

The world has been shrunken. We are next door neighbors to all mankind in every sense of the term.

In recent weeks, I have been doing what I could to help cement ties among the nations of the world especially along cultural lines. So, too, in past times, I have, of course, done everything I could to promote constructive relationships in other fields.

MY RECENT TWOFOLD QUESTION TO EMBASSIES

As will be recalled, in the March 18 CONGRESSIONAL RECORD, on page 3806, I reported that I was sending to members of the diplomatic corps here in Washington a letter of inquiry.

I asked the ambassadors a twofold question:

(a) How do you feel about the significance of improved cultural relations between our two peoples? And

(b) What do you think might be specifically done further alone this line?

And I indicated that I would, with their kind permission, quote from their responses in further public remarks.

SPLENDID REPLIES FROM AMBASSADORS

I am delighted to say that the ambassadors' responses were not only uniformly excellent, but were exceedingly constructive.

I have received acknowledgments by telephone, letter, and in person from virtually all of the members of the corps whom I was asked to contact within a limited period of time and with my limited facilities.

Additional ambassadorial replies are on the way, based upon information which is being compiled at the present time.

EXCELLENT SUGGESTION FROM INDONESIAN AMBASSADOR

Among the most constructive suggestions was one made by his excellency, Ambassador Moekarto Notowidigdo, of Indonesia.

The ambassador suggested that there be set up a committee through which cultural attachés of the embassies could get together and talk over this general matter. Perhaps from such a formal or an informal organization could come some valuable techniques, for not only bilateral exchange, but multilateral exchange.

I ASKED COMMITTEE CONSULTANT, MR. CAHN, TO CONTACT EMBASSIES

I then asked a member of the professional staff of our committee, Mr. Julius N. Cahn, to take up the ambassador's splendid suggestion with a number of the embassies.

I am pleased to state that he reported that the response was unanimously favorable.

MANY EXISTENT CULTURAL CONTACTS

Of course, a great deal of cultural contact already takes place, particularly through our friends in the Organization of American States and through other means.

Obviously, however, there is a deeply felt need for further helpful activity along this line.

And so, I hope that from this proposed Cultural Attachés Committee will come a further mutually helpful approach.

May it help fulfill the highest objectives of our friends and ourselves in contributing to world peace, understanding, and good will.

EXPLORATORY MEETING SOON AT INDONESIAN AMBASSADOR'S

The Indonesian Ambassador has generously indicated that he will gladly make

available his Embassy as a meeting place for the committee.

I expect therefore to communicate again shortly with members of the diplomatic corps to advise them of the time of the proposed initial meeting. I will respectfully invite them, if they are interested, to designate their cultural attachés to represent the ambassadors at the meeting. I will ask the State Department to designate an individual, as well, to sit in, along with a representative of the Senate Foreign Relations Committee staff.

The purpose is purely exploratory, and is intended solely to provide an avenue of additional contact for our neighbors throughout the world and ourselves.

Finally, let me note that I have taken and propose to take these steps as an individual United States Senator. I hope that through these steps, we may so to speak, plant seeds, that is, provide a basis for further flowering of relations within the free world.

INTEREST OF OTHER SENIOR MEMBERS OF COMMITTEE

This has been my purpose during my 18¼ years as a Member of the Senate, particularly during my 2 years of service as chairman of the Senate Foreign Relations Committee in 1953 and 1954, and now as senior Republican on that committee.

I feel confident that my able and distinguished successor, my colleague from Rhode Island [Mr. GREEN], chairman of our committee, shares my feelings, for he has, throughout his long and busy career, been deeply interested in the arts.

So, too, the ranking Democratic member of our committee, Mr. FULBRIGHT, is I know deeply interested in this type of subject, especially because one of the great programs of good will in the postwar era, proudly bears his name. I refer of course to the Fulbright exchange program of students, teachers, and others.

In this particular instance, I am referring, however, to the exchange of artists—musicians, painters, ballet troupes, and the like.

LETTERS FROM THE AMBASSADORS

KEDUTAAN BESAR INDONESIA,
EMBASSY OF INDONESIA,
Washington, D. C., March 28, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: I am most interested in receiving your letter of March 27 and heartily endorse your concept of the importance of furthering cultural relations between the countries of the world.

As I am sure you know, various American artists who have visited Indonesia, among them Martha Graham and Marian Anderson, received a great response in my country and in addition helped dispel the misconception which unfortunately often exists among other peoples that the culture of the United States consists of jazz music and second-rate gangster movies. As an additional example, I might cite the visit to this country of the Dancers of Bali in 1952, whose sell-out performances in New York and other cities throughout the United States demonstrated the enthusiasm and interest the culture of Indonesia evoked among the American people.

You ask what I think might be specifically done further along the line of cultural exchange and here my suggestion would be that a committee be set up in which the cultural attachés of the different embassies in Washington be asked to participate and give their views and assistance.

With appreciation for your interest in this important and worthwhile matter and with kind regards, I am,

Sincerely yours,
MOEKARTO NOTOWIDIGDO,
Ambassador of Indonesia.

EMBAJADA DE CUBA,
Washington, D. C., April 5, 1957.

Senator ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: With much pleasure I acknowledge the receipt of your letter of March 27 last, cordially expressing your desire to receive my opinion in connection with two significant aspects of free world cultural relations; the significance of improved cultural relations between our two peoples, and what can be done along said lines.

The fact that Cuba and the United States are very close socially, politically, economically, and geographically, does not constitute a reason to take for granted the many phases of cultural relations that could be stimulated between the two countries.

Cuba has many outstanding artists and composers who are practically unknown to the American public; also painters and writers whose talents have yet to be discovered in this country.

Perhaps one of many ways that could be employed to raise the interest of those artists would be to give ample publicity to whatever grants or scholarships are offered by the corresponding American agencies and institutions, since in many instances the existence of those cultural facilities are not known to those who could be most representative of our true and respective cultures.

Our First Secretary, Dr. Mario Nuñez, who is in charge of public affairs at the Embassy, has been in contact with your consultant, Mr. Julius N. Cahn, and in my behalf, as I express to you at this time, he has indicated the desire to cooperate in every way possible to the success of your very important program for the improvement of free world cultural relations.

With kindest personal wishes, believe me,

Sincerely yours,
MIGUEL ANGEL CAMPA,
Ambassador of Cuba.

EMBASSY OF GUATEMALA,
Washington, D. C., April 4, 1957.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: This is to acknowledge receipt of your kind letter dated March 27, 1957, requesting my comments on the general importance of improving free world cultural relations.

I am pleased to see that you have contacted me asking my opinion on the above mentioned subject and let me inform you that it will be a pleasure to do this work on such an important topic that concerns all the people of the Western Hemisphere.

In accordance with this purpose, I will send you my comments on the matter in the near future in order to accomplish this work. I am sure that Mr. Julius N. Cahn, a good friend of ours, will be of great help to us.

With my best wishes, I am,

Sincerely yours,
JOSÉ LUIS CRUZ-SALAZAR,
Ambassador.

EMBAJADA DE LA REPUBLICA ARGENTINA,
Washington, D. C., April 5, 1957.

The Honorable ALEXANDER WILEY,
Senator from Wisconsin,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: It has given me great pleasure to read your letter of March 26, 1957, and to study carefully the CONGRESSIONAL RECORDS of March 18 and 21 that you were kind enough to send me.

I believe your plan to create the National Cultural Center in the District of Columbia as well as the International Cultural Exchange and Trade Fair Participation Act, is excellent.

To your question "How do you feel about the significance of improved cultural relations between our two peoples?" I do not hesitate to reply that I sincerely believe that there are no better means of understanding between nations than those that arise from the mutual knowledge of each other through the medium of literature and art, which are the basis of rapprochement through exchanges provided by industry and commerce. From the time that my Government honored me with the post of Ambassador to your country, have sponsored the following cultural exchange programs:

(a) An exhibition of 113 paintings titled "A Century and a Half of Paintings in Argentina." After its inauguration at the National Gallery of Art on April 17, 1956, where it remained a month, it traveled through the United States. The exhibition was brought here as a tribute from Argentina to the people of the United States;

(b) A series of lectures by distinguished American personalities on literature and Argentine music. They were given in the ballroom of the Embassy, in English, and illustrated with small paintings, drawings, etchings or by recordings.

As to the question "What you think might be done further along this line?" my opinion coincides with yours: the increase in the exchange of persons between our countries—men of science and letters, professors, teachers and students, as well as sculpture artists, musical and theatrical groups.

Permit me to congratulate you for your splendid work on cultural exchange and wish you the greatest success in this project.

Yours sincerely,
ADOLFO A. VICCHI, *Ambassador.*

ROYAL GREEK EMBASSY,
Washington, D. C., April 2, 1957.

The Honorable ALEXANDER WILEY,
Senate of the United States,
Washington, D. C.

MY DEAR SENATOR WILEY: I fully share your views about the great importance for improved free world cultural relations. I was also very happy to hear that your great President has endorsed the International Exchange Program. Therefore, I will gladly answer your two questions as follows:

1. I firmly believe that improved cultural relations between our two peoples are deeply significant in the development of the overall relations between our two nations. I know my countrymen are eager and happy to partake of American culture. I am sure that you are aware of the enthusiastic reception that the Greek public has bestowed upon such American projects like Porgy and Bess, the New York Philharmonic, the Ballet Theatre, to name only a few of American artistic groups to have visited my country. I also know that the American public is greatly interested in Hellenic culture, although this interest is directed more to the classical past of Greece than to modern achievements and this leads me to answer your second question.

2. May I be allowed to state a fact which goes unnoticed in this country and that is: Greece is in a period of exceptional artistic flourishing which covers almost all fields of artistic production; i. e., theater, novel writing, painting and sculpture, history, and archeology. As you very aptly point in your letter this International Exchange Program is intended to be a two-way proposition. This encourages me to suggest that the personalities in charge of the International Exchange Program may choose to focus their interest on this aspect of the program and give the American public the opportunity to get themselves acquainted with modern Greece's cultural achievements.

With all good wishes, I am,

Sincerely yours,
GEORGE V. MELAS,
Ambassador of Greece.

EMBASSY OF URUGUAY,
Washington, D. C., April 5, 1957.
The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: I consider improved cultural relations between the United States and Uruguay to be of the utmost significance, for there is no doubt in my mind that this constitutes one of the most comprehensive and effective means of bringing together people who have different customs and languages.

The appeal of art and culture is universal and I know that in spite of all that has been done before our two countries still have a very great deal to offer each other in this respect.

As regards the specific steps that might be taken along these lines, I would like to mention not only the bilateral arrangements made between our two countries both at the official and at the private level but also the work of the hemispheric organizations headed by the Organization of American States.

In this latter connection, the Inter-American Committee of Presidential Representatives—on which I act for my country—is planning to intensify the role played in the field of cultural relations by the Organization of American States.

I have also learned with substantial interest of the possible establishment of a National Civic Auditorium and Cultural Center, in the District of Columbia. The existence of such a center would no doubt contribute enormously to the attainment of our common aims, for it would certainly contribute to making Washington an even more active cultural place than it is today, facilitating many types of activities that would assist the relations of this country with nations abroad.

You may certainly quote freely from the contents of this letter.

With all good wishes, believe me,

Sincerely yours,

JULIO A. LACARTE,
Ambassador.

EMBAJADA DEL ECUADOR,
Washington, March 28, 1957.
Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: I take this opportunity to congratulate you for your thoughtful and quite effective speech of March 21 regarding cultural relations between your country and the rest of the free world.

In answer to your two questions, I would like to say:

(a) To improve the cultural relations between two democratic countries is to provide a solid basis for permanent and fertile understanding. Only through a real knowledge of traditions, ideals, habits, and cultural achievements it is possible to build solidarity among nations. Therefore, the significance of improved cultural relations is of the utmost importance.

(b) I strongly believe that we must undertake a program of interchange of laborers, workmen, and farmers. Cultural exchange must not be limited to the upper classes, intellectuals, professors, and students. I also believe that the United States should spread knowledge of the wonders of this country, not only in the universities and colleges, but also in the schools of small cities and towns. Small pamphlets in Spanish, objective pictures, murals can be used as basis to penetrate in the minds and souls of the laborers and farmers of Latin America.

My dear Mr. Senator, anything you do for the improvement of cultural relations between our countries is a great contribution to the strengthening of cordial democratic relations and better understanding that must exist among nations of the same ideals and principles.

Hoping to hear from you in the near future, I am,

Sincerely yours,

Dr. JOSÉ R. CHIRIBOGA V.,
Ambassador.

ROYAL SWEDISH EMBASSY,
Washington D. C., April 4, 1957.
The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: I think you deserve to be commended for the great task you have taken upon yourself in trying to promote the cultural relations between the United States and other nations. Establishing such relations and improving them is certainly a very important contribution to good relations between the peoples of the world in other respects also.

I can assure you that those American artists who have visited my country under the sponsorship of the International Exchange Program and whom you have mentioned in the list printed in the CONGRESSIONAL RECORD were enthusiastically received by the Swedish audiences which attended the performances. I think the same can be said also by the great number of American artists, musicians, dancers, actors, etc., who have been touring Sweden. They contributed greatly in establishing better relations and understanding between your people and mine; and I am sure that they returned to their own country having made many new friends in mine.

Many times I myself have witnessed the very hearty reception which has been granted Swedish artists touring the United States, and many of them have assured me that they really never felt that they were abroad. Accordingly, you certainly realize that you have my enthusiastic support in your endeavor to further intensify cultural exchanges between the United States and Sweden.

As to your second question, I must confess that I have at present no specific recommendations. I would like to mention to you, however, that on the staff of this Embassy there is a cultural attaché who is quite prepared to cooperate with American individuals, institutions, or organizations both in promoting a general program of cultural exchange and also to take part in the planning of specific projects. If Mr. Julius N. Cahn, who is assisting you in your work, feels that my cultural attaché could be of any help to him, I would be very glad if they could undertake the further discussions. The attaché's name is Dr. Björn Ahlander.

Once again I want to express my appreciation of your efforts; and wishing you the best luck, I remain,

Sincerely yours,

ERIK BOHEMAN,
Ambassador of Sweden.

EMBAJADA DE BOLIVIA,
Washington, April 1, 1957.
The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: I have read with deep interest your statements on the floor of the Senate in relation to two-way cultural exchanges between the United States and other countries in the world. As you can easily realize, I am particularly interested in the importance of cultural relations between the two Americas and especially between the United States and Bolivia.

The study of the cultural development of the Americas has been a subject that has occupied a great amount of my time. I strongly believe that although the settlements of both continents were made under different auspices and through different methods of policy, the course of events indicates more strongly as time progresses that the needs of the Americas are firmly tied to each other. The revolutions for independence in the Latin American countries were greatly influenced by that in North America, and the constitutional law of the American Republics was inspired by the Constitution written for the United States. The development of the Inter-American System, whose birth was here in Washington in 1890, has also indicated that in the face of the everyday, more complex world situation, the American unity not only has to be strengthened but also must be taken as a permanent reality.

In this progress of political and economic ties, one of the most important factors is that of cultural relations. The mutual understanding of our cultures will not only avoid misunderstandings and obstacles to the march of our unity, but also it will permit us to maintain a mutual respect that will be the greatest asset to our democratic ideals. Therefore, any effort that is made to improve our cultural understanding will receive my personal support and all that I can give in my capacity as the representative of my country in the United States.

I have reviewed the list of the countries which have been visited by various American artists, and I am sorry to note that Bolivia has been bypassed. I hope that you can do something about this in the future so that my people will have the benefit of such fine cultural missions. At the same time, I think that programs should be studied to find a means of financially helping some private cultural institutions in Latin America, especially in the field of folklore music, dancing, and other artistic expressions, to come to this country so that the people of the United States will have firsthand contact with our cultural characteristics.

With my best wishes, I am,

Very sincerely yours,

VICTOR ANDRADE,
Ambassador of Bolivia.

PERUVIAN EMBASSY,
Washington, D. C., April 1, 1957.
Senator ALEXANDER WILEY,
The United States Senate,
Washington, D. C.

MY DEAR SENATOR: I am very happy to state that on this subject I fully concur with you, as today more than ever it is so necessary to appeal to the cultural background of the community of free nations in order to improve the political and economic relations.

Since both our countries maintain cultural attachés in their respective embassies, I do feel that a tremendous advance has been made in our cultural relationships. Specifically, I think that an improved system in the interchange of scholarships, visits of lecturers, the continuance of artistic presentations, cultural publications, and even more important in my estimation, a more comprehensive treatment by the press will insure a still better understanding among our peoples.

With all good wishes, I remain

Very sincerely yours,

FERNANDO BERCKEMEYER,
Ambassador.

THE AMBASSADOR OF SPAIN,
April 5, 1957.
The Honorable ALEXANDER WILEY,
Senator from Wisconsin,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: I am glad to give you below my comments on the importance of improved free world cultural relations.

It seems to me that there is only one real way to arrive at a stable peace in the world, and that is to get nations better acquainted. When one discovers how wide is the misunderstanding, the distance, the ignorance among friendly peoples who come from a

common line of historic heritage, one can easily realize how much more difficult the case might be with nations that are members of different cultures, or races, and who live therefore, in separate worlds.

Actually, the ties which link the United States with the Spanish world, are so many and so deep that one cannot but be surprised that there are still so many things which have been forgotten. This great country was discovered, civilized, and pioneered, to a great extent, by the Spanish explorers, missionaries, and conquistadores. More than one-half of the United States territory still bears Spanish names, such as, for instance, the mountains, the rivers, the cities, and the coast. Also, some of the civil laws that prevail west of the Mississippi are of Spanish origin. Much of the folklore and the music of your Southwest still reflect the Spanish stamp. We Spaniards are proud of that legacy, as well as of having aided George Washington's army in the Revolutionary War, with money, ammunitions, and all kinds of arms, as a gesture of our friendship and warm sympathy.

Many of these obvious facts have been disregarded and forgotten during the past decades. But in a world that becomes closer and smaller through progress in technology, we all must work to improve the feeling of solidarity and understanding. And perhaps nothing is so instrumental to achieve it as to revive and bring again to the attention of our public opinion these aspects of our background.

I feel that the same thing applies to the Spanish knowledge of American life and American values. The average Spaniard knows little about the real aspects of the American way of life; of the moral principles on which, as a solid rock, lies the foundation of this country. Sometimes he only catches a glimpse of American realities through a moving picture, which is frequently misleading or inadequate to give a true version of this great country.

I should like very much to see a program of cultural exchange established between the United States and Spain. Much is already being done through some of the United States Government agencies toward bringing Spanish technicians to this country to learn and see the most important aspects of productivity and industrial progress. But it can still be developed in other fields of cultural activity, such as art, music, and the culture of Spain, which could be brought here through our best exponents. And the wonderful achievements of the American way of life could be shown in full splendor to the Spanish people.

The flow of visitors to both countries should also be increased, in order that Americans and Spaniards by the hundreds of thousands become acquainted and friendly. This, in my view, might be the best way to work together for the common ideals of freedom and peace which we share as members of the same western civilization.

With best wishes, I am

Sincerely yours,

JOSÉ MA. DE AREILZA.

AUSTRALIAN EMBASSY,
Washington, D. C., April 5, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: * * * I am totally in accord with you in the belief that the cause of world peace will be advanced by a constant improvement in cultural relations among the nations of the free world. As to the specific questions that you pose, I would answer them as follows:

(a) Even though our peoples have been closely associated in two World Wars and have since the Second World War engaged in mutual programs designed to extend the scope of our cultural relations and to bring about a greater measure of understanding, there still exists a large area of ignorance in both our countries of the truth concerning each of them. We have still much to learn about each other before we can come to a sufficiently intimate understanding of each other's actions and decisions in the great problems which face us in the troubled conditions of today. The more we grow to know each other the better it will be for our own citizens and then by projection the citizens of the rest of the free world.

(b) Much has been done and much is being done to promote cultural exchanges between our countries. In a large measure these exchanges depend upon the generosities implicit in the Fulbright and similar programs. Many students from Australia are studying in the United States, and there is a reciprocal exchange of United States students in Australia. Schoolteachers from our countries have had experience of the other. As to what might be done further along these lines, I can only say that I believe programs at present in operation are doing a splendid job. They are limited only by the amount of money which is available for the purpose. I know of my own experience that there are many young Americans who would like to further their knowledge by studying in Australia just as there are equally large numbers of young Australians who want to learn to know the United States better. The depth of our friendships cannot be made greater. They could, however, be made more extensive by increasing the numbers of young people who might be given the opportunities which exist under present arrangements.

I hope that the foregoing may be of some value to you in any further comment that you may be making in the Senate on this aspect of our international relations, and I will look forward keenly to seeing a transcript of your remarks.

Thank you again for writing to me.

Sincerely yours,

PERCY C. SPENDER, *Ambassador.*

EMBASSY OF TUNISIA,
Washington, D. C., April 1, 1957.

Senator ALEXANDER WILEY,
Senate Office Building,
United States Senate,
Washington, D. C.

DEAR MR. WILEY: * * * It will be my pleasure and that of the whole personnel of this Embassy to cooperate to the best of our abilities in such a worthy and important project as the program of free world cultural relations.

I am sending you herewith a few comments which, I hope, will answer your questions about the significance of improved cultural relations between our two peoples and the possibilities of improving such relations.

Very truly yours,

HABIB BOURGUIBA, Jr.,
Chargé d'Affaires a. i.

Question. How do you feel about the significance of improved cultural relations between our two peoples?

Answer. The purpose of international cultural relations is to create a greater understanding of another country's culture and national life.

Understanding of the geography and history of a country, as well as its problems and way of life, can be achieved by means of speeches, films, and a wide distribution of books, pamphlets, and newspapers in colleges and universities.

The exchanging of students, professors, and even of technicians and research men could be very useful. Scholarships could be granted to Tunisian students who wish to further their studies in the United States, and, likewise, to American students interested in enrolling in a Tunisian university. It would also be advisable to grant scholarships to young people who, after having completed their education, wish to devote their time to surveys on certain aspects of one or the other country.

Special encouragement should be given to native students who wish to write monographs or a thesis on the subject of the other country.

Provisions should be made to encourage the exchange of theatrical and musical companies and folk groups.

Question. What you think might be specifically done further along this line?

Answer. One of the most urgent problems is the language barrier; it would be easy to teach English to a large number of young Tunisians; this could be done by sending American professors to Tunis. Their role would be to prepare the young Tunisians for further education in the United States.

Meetings between Tunisian and American young people between the age of 20 and 30 years old might also be considered in the near future. Study sessions could be organized in Tunisia and in the United States, where students, teachers, and other young groups such as workers, craftsmen, and businessmen could exchange their views and opinions on various problems, especially those confronted by the youth. These sessions would also provide opportunities for artistic manifestations and performances of folk music and dances.

Later on, mixed cultural commissions could be established in both countries in order to promote better coordination of all cultural activities.

Students who wish to specialize in either American or Tunisian affairs should be given an opportunity to do so. Institutes designed for this purpose might be created. An American institute in Tunis would certainly be most welcome.

Thirteen centuries ago, Mohammed, the prophet of Islam, speaking of the importance of education, said to his followers: "When seeking for culture, don't hesitate to go as far as China if needed," thus transcending a narrow concept of culture.

NEW ZEALAND EMBASSY,
Washington, D. C., April 1, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Thank you for your letter of March 27 seeking my comments on the value of improved free world cultural relations. I shall be quite happy if you wish to quote what I have to say.

You will undoubtedly appreciate that my country is fully aware of the vitally important role this aspect of human relations can fulfill and is fulfilling in the maintenance and promotion of international cooperation and good will. We at the New Zealand Embassy in Washington have been able in a small way to further the already existing good relations between our two countries through this medium by, for example, making available New Zealand literature and art for displays in schools and cultural exhibitions. In the field of music I have endorsed the aims and purposes of UNISOMI, which seeks the establishment of a United Nations symphony orchestra and music institute as a means for promoting and strengthening the endeavors of the United Nations and world peace through music.

New Zealand, of course, is an active participant in many international exchange programs, including the Carnegie Corporation, Fulbright, and Department of State foreign leader travel programs. I know of many fellow countrymen in the United States at the moment who are deriving great benefit and instruction in their work in such fields as anthropology, geology, scientific research, and medicine.

Programs which facilitate the exchange of peoples, from different countries, who are

qualified in some field of human activity, whether it be educational, cultural, or scientific, have my wholehearted endorsement. I trust that they will be preserved and expanded, for I believe that through such program the work of the United Nations toward international good will, peace, and security can have purpose and vastly greater chance of success. I shall be happy to do anything I can to help.

With the utmost sincerity do I welcome and support any move toward increased activity in the field of cultural interchange between nations of the free world.

With my kindest regards.

Yours sincerely,

SIR LESLIE KNOX MUNRO,
Ambassador.

PORTUGUESE EMBASSY,
Washington, April 1, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: With reference to your first question, my feelings about the significance of improved cultural relations between our two peoples, I can unhesitantly say that my feelings on the matter coincide with yours. An intelligently directed program of cultural relations is the most effective vehicle for the mutual understanding and respect between two peoples such as ours, and the one which more rapidly reaches the heart and mind of the people. I have in mind, for example, the tremendous success of the performances in Lisbon by the American ballet companies, and also the concerts by the Philadelphia orchestra.

In regard to your second question, for a specific suggestion of mine along these lines, I do have a suggestion to offer. It seems to me that, although the technical achievements of the United States are well known and respected in my country, some interesting aspects of the American literary and artistic life are quite unfamiliar to many Europeans, and you know, as well as I do, that Europeans, particularly Latins, are specially receptive to, shall we say, efforts of the spirit. In this connection I thought that, for example, an exhibition of American literary life (not propaganda, of course), which should include a book exhibit, and an exhibit of the best American modern painters, and sculptors, would be extremely valuable in building up respect abroad for your culture.

Working along the same lines, I have been trying to bring to this country exhibits of Portuguese architecture and Portuguese arts and crafts, projects about which the Smithsonian Institution is quite interested.

With every best wish, I am

Sincerely yours,

L. ESTEVES FERNANDES,
Ambassador of Portugal.

EMBASSY OF THE
FEDERAL REPUBLIC OF GERMANY,
Washington, D. C., April 9, 1957.

The Honorable ALEXANDER WILEY,
Senate Office Building, United States Senate, Committee on Foreign Relations, Washington, D. C.

MY DEAR MR. SENATOR: The Ambassador has asked me to thank you for your letter of March 27 with which you kindly sent reprints of the CONGRESSIONAL RECORD of March 18 and 21, giving your ideas on cultural relations between the countries of the free world. He has put me in charge to outline our general approach to cultural relations which we think are of great importance. I am, therefore, glad to have the opportunity to comment on them.

In my opinion, cultural relations form the underlying factors for the relationship between two countries. Independent from day-to-day changes, moods and political considerations, they are the basic foundation of international understanding. We, therefore, should always try to foster cultural relations between our two peoples by every possible means in order to lay the groundwork for better mutual understanding.

Remarkable efforts have been made in the past to build up the cultural exchanges between our two nations. Especially the United States have, by the means of the United States Information Agency and in particular by establishing the Amerika Häuser, performed an outstanding work in Germany, giving the average German an idea about cultural work and achievements in the United States. The German Government is trying on a more modest basis to help the American public get acquainted with and understand German culture.

Similar to the United States Amerika Häuser in Germany, a Goethe House is now being opened in New York. But, contrary to the Amerika Häuser which are operated by the United States Government, this Goethe House has been founded and will be run under the presidency of Mr. McCloy by United States citizens as an American institution to which we will give our help if required. We hope that the Goethe House in New York, by organizing cultural meetings, exhibitions, etc., will in time further the cultural relations between the people of the United States and the people of Germany. We hope that in the future similar institutions will be founded in other major cities of the United States.

Another most valuable contribution to cultural relations have been the exchange programs of our two Governments which, giving many people an opportunity to see the other country by themselves, have enormously contributed to mutual understanding. Most of the exchangees have been leaders in their home countries or have been students who had already made their degrees. Other students only rarely study in a foreign country since they are not credited with foreign university terms in their home country. I think our universities should credit such terms in order to give students an incentive to do some of their studies abroad. The German exchange program, which up to now brought more than 300 United States citizens to Germany, will be enlarged because we attach great importance to this part of our cultural relations.

Furthermore, we should promote the exchange of art by organizing exhibitions of paintings, sculpture, and architecture in the other country. The exchange of orchestras should equally be encouraged. The understanding of art and music does not require the knowledge of the other language. These mediums reach, therefore, a very large part of the population.

I will be glad to comment further on the extension of cultural relations and if there is any special question, Mr. Julius N. Cahn may at any time call on me.

Sincerely yours,

DR. BRUNO E. WERNER.

EMBASSY OF CAMBODIA,
Washington, April 9, 1957.

DEAR SENATOR: I approve entirely your ideas on an ever improving program of cultural relations. Many examples have proven that peoples of different cultures and civilizations can understand each other through the arts, music and dance. The more cultural relations there are, the better peoples will understand each other and develop greater mutual sympathy.

May I point out that in 1956, the United States Air Force Band, under the direction of Col. George S. Howard, also visited my country and had an enormous success. Colonel Howard is a great personal friend of His Royal Highness Prince Norodom Sihanouk, former King of Cambodia. Their friendship started in 1952 when Colonel Howard took a personal interest in the musical compositions of His Royal Highness Prince Norodom Sihanouk. The compositions have been orchestrated and performed on many occasions by the United States Air Force Band in numerous tours in the United States, Europe and Asia, and in the various capitals of the world.

Such a friendship can have only beneficient influence. His Royal Highness Prince Norodom Sihanouk is at the present time the political leader of Cambodia.

If I may be permitted to make a few suggestions I should like to mention that cultural exchanges should be completed, if possible, by a program through which an increasing number of Cambodian students could come to continue their higher education in the United States. Nothing binds more strongly than spiritual ties. Many problems existing between people are spiritual in nature or have their causes in attitudes which can only be understood or changed through the slow but sure processes of education. Only through education can progress and understanding be safely achieved and results can be enduring.

With my thanks and my best wishes, I remain,

Sincerely yours,

NONG KIMNY,
Ambassador of Cambodia.

CHINESE EMBASSY,
Washington, D. C., April 8, 1957.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR MR. SENATOR: I have read your letter of March 27 and the Congressional reprints with great interest.

While the reprints do not cover the United States cultural-exchange program in Taiwan, I am personally familiar with some of its activities, and I am aware of the benefits derived therefrom by our people.

In reply to your first question, I wish to inform you that my Government and people deeply appreciate the significance of this cultural-exchange program, especially so because our resources and facilities for cultural activities are limited, due to 8 years of war with Japan and the present Communist aggression in the Far East.

In regard to your second question, may I express the hope that this type of cultural exchange will be enlarged, particularly in the field of scholarships, fellowships, and training programs for Americans and Chinese.

You may be interested to know that our Ministry of Education has arranged for a number of American scholars and students to study in the universities in Taiwan and that exchange projects have been worked out between several Chinese and American universities. It is our hope that this kind of close cultural contacts may be augmented in the future. Needless to say, in order to make this two-way program more effective, I would like to see an increase in American support for Chinese scholars, trainees, and research workers in the United States and more visits of Chinese scholars, artists, and students to this country.

With high esteem and warm personal regards,

Sincerely yours,

HOLLINGTON K. TONG.

ROYAL DANISH EMBASSY,
Washington, D. C., April 9, 1957.

The Honorable ALEXANDER WILEY,
United States Senate, Senate Office Building, Washington, D. C.

MY DEAR SENATOR WILEY: As to your two questions, I would like to answer the first one in this way:

I am strongly in favor of not only a continuation, but also an extension of the cultural exchange programs between our two peoples. Of the very few blessings that

came out of the last World War, it seems to me that the cultural exchange programs should have a headline, as should also the exchange of persons programs in the educational field.

One of the first cultural relations programs between Denmark and the United States of America after the Second World War was the Hamlet performance by the State Theater of Virginia, under the sponsorship of the American National Theater and Academy at Kronborg Castle, Elsinore, Denmark, in June 1949. I should also like to mention the visit to Denmark in the fall of 1949 of the Howard University players under the leadership of Dr. Anne Cooke. This company gave remarkable and well-received performances of Dubose Heyward's play, Mamba's Daughters.

From recent years I should like to mention the importance of the visit to Denmark by the American Porgy and Bess company, as well as by the New York City Ballet, the performance in this country by the Danish Radio Symphony Orchestra, and the ballet from the Royal Danish Theater in Copenhagen last fall. Many other achievements could be mentioned, but I am only trying to make a point of the importance of such cultural undertakings, and should the day ever come when we do not continue these cultural exchanges we will be neglecting an important part in our participation in world affairs.

As to your second question I will express the hope that we will continue these exchanges whenever there is a natural occasion. Denmark is planning to go ahead with her cultural exchange programs. A smaller group of the dancers from the Royal Danish Ballet will be visiting the United States this coming summer, and we are about to complete the plans for the return of the Danish Radio Symphony Orchestra for a tour in 1958. We are also negotiating about the return visit by the whole corps of the Danish Ballet. If the new National Civic Auditorium and Cultural Center in Washington has been built by that time it will be possible for us also to stage one of our finest ballets, Romeo and Juliet, which during the last visit was only shown at the Metropolitan Opera House in New York as the stages in the other cities where the ballet performed were too small for this particular ballet, which is considered one of the Royal Danish Ballet's finest achievements.

I hope that these lines will give you an idea of my interest in the field of cultural exchanges. I have been very happy that you have given me this opportunity to express my views, and also to thank you for your contribution toward making these cultural exchanges possible.

Sincerely yours,

HENRIK KAUFFMANN.

TURKISH EMBASSY,
Washington, D. C., April 2, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: I was most pleased to receive your kind letter of March 27, 1957, together with its enclosures which I have perused with great interest.

I can only praise your commendable efforts to further closer and improved understanding among peoples of our free world. Cultural acquaintances have undoubtedly a major role in promoting such understanding and art, in all its aspects, has a particular impact on peoples everywhere, because of its appeal to the eye and to the feelings of individuals. The people of this great country, by their appreciation of fine arts and through their great artists and performers have been splendid contributors to the culture of the world and I believe the peoples of other countries should be given the opportunity to take advantage of this large cultural wealth.

The Turkish people have always welcomed all contributions toward increasing their knowledge and been always attracted by the know-how and culture of their American friends. The significance of such contributions, in my opinion, lies in the fact that they give a timely momentum to enhance the existing friendship by extending the field of relations above and beyond the scope of material cooperation. No one questions the part played by art in general and artists in particular in creating the favorable free atmosphere where the cause of liberty and peace could prosper without fear and prejudice.

There may be many ways of furthering cultural relations between two peoples.

I deem it proper, however, to point out that these cultural programs could be much more fruitful if they are prepared and implemented, on a major scale, working in both directions. I am sure you will agree with me, when I say that Turkey, a country of great cultural heritage, has many interesting subjects in the field of music and dances both classical and folkloric. Visits by American orchestras and artists have greatly contributed in advancing the purpose of cultural exchange programs. I think that these purposes would be further attained by using the same media to enlighten our American friends so that they will get to know better their friends abroad, in Turkey as well as other countries, by seeing or hearing representative samples of their culture here more frequently.

Reiterating my heartfelt wishes of success for your praiseworthy efforts in this respect, I am, my dear Senator,

Very sincerely yours,

HAYDAR GORK, *Ambassador.*

NORWEGIAN EMBASSY,
Washington, D. C., April 13, 1957.

Senator ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: I have received your letter of March 27 last, and have conferred with the cultural counselor of this Embassy, Mr. Fredrik Wulfsberg, about the matter and he has given me the following memorandum:

"The cultural relations between the United States and Norway are extremely satisfactory. Since the appointment of cultural officers in Oslo and Washington, D. C., after the Second World War, work in this field has been channelized in a very efficient way. A great encouragement have been the visits of scholars and research students, made possible under the Fulbright and the Smith-Mundt programs, and the exchange of teachers, which has now been going on over a number of years.

"The Oslo University Summer School for American students, started in 1947, has served to create a deeper insight into Norwegian affairs and to promote lasting friendships. In the sphere of art, one may point to an increased awareness of the other country's achievements in music and design. The recent discussion on the establishment of a cultural center in the Federal Capital has been very encouraging insofar as such a center seems to create better opportunity for the arrangements of exhibitions on an official basis than previously."

I hope this will answer your purposes, and let me add that I am glad to know that you are taking up these matters in the Senate.

With best wishes,

Sincerely yours,

WILHELM MORGENSTIERNE,
Ambassador of Norway.

EMBAJADA DE VENEZUELA,
Washington, D. C., April 2, 1957.

To the Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR MR. SENATOR: Thank you for your letter of March 27 and for the enclosure of excerpts of the CONGRESSIONAL RECORD containing your statements, all of which I have read with a great deal of interest.

I shall be pleased to cooperate with you and Mr. Julious N. Cahn in the project. It is suggested that Mr. Cahn communicate with the Embassy's information service for further details.

With kind personal regards, I am,

Sincerely yours,

CÉSAR GONZÁLEZ,
Ambassador of Venezuela.

EMBASSY OF ISRAEL,
Washington, D. C., April 5, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: I sincerely welcome your inquiry on the significance on cultural relations between the United States and Israel. I believe that the history of our two peoples has very significant common elements; the vision of creating a country by immigration and the harmonization of many cultures; a pioneering spirit; tolerance; the ideals of democracy; fidelity to an ancient moral heritage. These common traits of our national culture need to be stressed again and again, and perhaps the most effective way to do so is for the peoples of the United States and Israel to get to know each other through their achievements in the arts and sciences.

Such a cultural exchange between our two countries is already in operation, but we would greatly welcome its expansion. We would be very happy to receive in Israel representatives of American cultural life in its various fields, and to acquaint the American people with some of our own modest achievements. It would, in my opinion, also be very worthwhile to arrange for joint American-Israel enterprises in certain areas, such as archaeology, for example, for which Israel is particularly suitable.

I can assure you of the wholehearted cooperation of the Government and people of Israel in an expanded program of cultural relations between our two countries.

With best wishes.

Yours sincerely,

ABBA EBAN.

LEGATION OF SWITZERLAND,
Washington, D. C., April 5, 1957.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: I do highly appreciate the interest you take in the field of international cultural relations and wish to thank you for inviting me to comment on the subject.

Switzerland traditionally takes a very favorable view toward initiatives in the field of contacts between nations through cultural mediums. I have this matter in its particular scope of cultural relations between the United States and Switzerland very much at heart myself and am very glad, therefore, that you have brought your exposé to the Senate to my attention.

In order to express myself in a more specific way, I shall give the question careful consideration and will not fail to contact you again on this subject.

Sincerely,

HENRY DE TORRENTÉ,
Minister of Switzerland.

EMBASSY OF FINLAND,
Washington, D. C., April 15, 1957.

The Honorable Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: Thank you for inviting me to comment on the significance of cultural relations between our two peoples. I should like to offer a few observations, for what they are worth, on this subject in which I have a great personal interest.

Cultural exchanges between our two nations have in the recent past produced some striking successes. As one example, I might mention the visits to Finland by the Philadelphia Orchestra in 1955 and the Boston Symphony in 1956. Their performances certainly made a lasting impression on the Finnish public. We, on our side, have been able to show this country some of our arts and crafts and examples of our modern architecture in several exhibitions brought over and circulated by the Smithsonian Institution.

I entirely agree with you that the language of the arts offers a medium of communication that effectively cuts across the barriers of language and distance between the nations. It is, of course, difficult to say in a few lines what might be done further in this field. Much has to be left to private initiative and effort, but I recognize the need of encouragement and support on the part of public authorities in both countries.

Sincerely yours,

JOHAN NYKOPP,
Ambassador of Finland.

EMBAJADA DE CHILE,
Washington, April 16, 1957.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: I thank you for your courtesy in permitting me this opportunity to comment on a matter to which I have given some thought, and one I deem of great importance in the maintenance of friendly relations among the nations devoted to the philosophy of the West.

I feel very deeply that there should be a greater mutual understanding of each other's individual culture among the free nations, especially those of the Western Hemisphere, who are bound together in a common destiny. I believe that once established, this cultural understanding would serve as a hard core from which would radiate an influence for mutual effort in every facet of international activity, including defense and security, and prove a shield of reason against subversive penetrations.

While it is true that the nations of Latin America need technical knowledge and know-how in all fields of production in order to bolster their incipient economy, at the same time, more should be done on the purely cultural side, which has certain extraordinarily favorable reflection in every field of activity. I do think there should be more exchange of students—not just postgraduate or special students, but also undergraduates—in literature, music, and other branches of the liberal arts. These students become active in education and government in their own countries, and constitute a leaven in the national culture that induces to better comprehension and rapprochement between diverse cultures.

Then there is the unexplored possibility of starting and fostering workers tourism spontaneous and exclusively financed by the workers. It is surprising that so far nothing has been done toward making the attraction and lessons of tourism available to wage earners of all countries, as I say, on a spontaneous and self-supporting basis. All that is required is some scheme under which transportation and sojourn in the United States come within reach of foreign workers and that should not be a utopia.

With high personal regards,

Sincerely yours,

MARIANO PUGA.

CANADIAN EMBASSY,
Washington, D. C., April 1, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: This is to acknowledge your letter to Ambassador Heeney who is away on leave.

The cultural relations between Canada and the United States have always been close and in some ways we are culturally almost a part of the United States. We read your books, enjoy your theater, listen to your radio, and watch your television.

There are times when we almost have to struggle to keep some cultural things Canadian. Our Government, as a matter of policy, has spent a good deal of money in supporting Canadian programs on the Canadian radio and the Canadian television.

Within the last 2 or 3 years there has been the unusual development of our exporting some forms of culture to you. For instance, the Canadian National Ballet, whose dancers you so graciously introduced in the Senate 2 years ago, have just completed today a 9,000-mile tour of the United States. They played to capacity audiences in many centers and were given excellent reviews. The Canadian players from Stratford, Ontario, traveled through a great part of the United States this winter. The Canadian film of the Greek tragedy Oedipus Rex is now playing in art theaters all over the country and will definitely be used by almost all American universities. I recently summarized the Canadian export to the United States in a speech at Dayton, Ohio, and enclose a copy.

I do not think we need to worry about improved cultural relations between our two peoples. Our border has never been a barrier to the exchange of thought.

Sincerely,

R. A. FARQUHARSON,
Counselor.

BRITISH EMBASSY,
Washington, April 16, 1957.

The Honorable ALEXANDER WILEY,
Senate Office Building, United States Senate, Washington, D. C.

MY DEAR SENATOR WILEY: I am most grateful for your letter and for inviting me to comment on the general question of developing two-way cultural exchanges between our countries.

Certainly you can count on our fullest support for any project aimed at increasing the opportunities for learning at firsthand more about our respective peoples.

You will agree, I am sure, that the primary object in encouraging men and women to cross the Atlantic is not only to enable them to learn what is being done in their own field of interests, but also to give them the opportunity of seeing the general life of the people, and to view it in relation to their own work, and the community to which they belong. We hope and expect them, on their return, to pass on the information they glean and the impressions they receive to others with whom they work and among whom they live, thus broadening, in ever-widening circles, the knowledge of our respective countries which is so much desired by your President and our Prime Minister.

Clearly, these efforts will not be uniformly felt through the whole community unless those who participate in the exchange scheme are at once representative of all sections of the community and capable of influencing others. I think that the existing traffic to the United States is possibly less representative of the mass of the British people than it might be. The main emphasis at present is upon teachers and scholars, and rightly so. The machinery of commerce no doubt takes care of the leaders in our great industries, but grants which make it possible to bring to this country representatives of employees generally, and of management in small-business firms have been made available only in the last year or so, and in amounts which cater for only token numbers. Yet as representatives of the majority of our working population, it is evidently desirable that the number in those categories should be increased. More prominence, too, could be given, I believe, to representatives of the smaller newspapers and other journals, to members of the learned professions, to those directly engaged in serving the public, and to artists of all kinds. In short, I believe that relations, cultural or other, between our two peoples, will grow in significance to the extent to which we can improve the balance of representation among those taking part, by augmenting, as opportunity arises, the flow least catered for by existing arrangements.

You ask for suggestions on how the exchange program might be developed. Here I must at once pay tribute to the acts of great generosity on the American side which have made possible and have sustained such fruitful sources of growing understanding as the Fulbright and Smith-Mundt programs. Our reciprocal contributions are on a somewhat smaller scale, but even postwar difficulties have not prevented our making additions, and I would instance the Marshall scholarship scheme as one which we believe is conferring especial benefit to both sides.

More recently, and here on the cultural side, you will know that the Old World Pavilion at the current Jamestown Festival was equipped at the expense of the British Government, who also authorized the loan of priceless objects of historical interest to the Jamestown authorities for the duration of the festival.

On the unofficial side, you will know also of the cooperative arrangements made between the Nuffield and Kellogg Foundations, which bring the benefits of exchange primarily to persons engaged in agriculture, and of grants made by the Ford Foundation to the English Speaking Union which have recently made it possible to bring a number of journalists and trades-unionist leaders to the United States. Finally, there are the agencies which assist the exchange of musicians, dancers, and other artists, a feature of the whole program which you yourself have done so much to encourage. Here, where the scheme is largely self-supporting, it might well be that the best prospects for expansion are to be found, providing the necessary backing is forthcoming which would insure against the hazards implicit in dependence on public support.

If there is anything in the foregoing which you think would be of any use to you in the Senate, I should be only too happy to be quoted. May I end by saying how delighted I am to know of the interest you are taking in this vital matter?

Yours sincerely,

HAROLD CACCIA.

EMBASSY OF IRELAND,
Washington, D. C., April 16, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: I thank you for your letter of March 27, with enclosures, relative to the importance of cultural exchanges between the countries of the free world.

It would be hard, I believe, to overstress the importance in the world of today of cultural contracts between countries for in almost no other way can the gulfs of language, social and environmental, racial, political and other differences be so triumphantly bridged than by such contacts.

The warm feelings of mutual affection and esteem which have always permeated the relationship between our two peoples have long manifested themselves on the cultural level in the shape of an almost continuous stream to and fro between our two lands of creative and performing artists of the highest caliber.

As instancing this steady two-way flow of cultural relations I may mention the visits in the year 1956 to the United States of the Irish Festival Singers and of the Little Gaelic Singers of County Derry and the memorable

appearances in Cork and Dublin last August of the Boston Symphony Orchestra, which as the Irish Press commented in an editorial devoted to an appraisal of the significance in the cultural life of our country of the visit "under a series of famous directors, has become one of the greatest orchestras in the world."

Any steps which may be taken to the end that representatives from the United States of every field of cultural attainment may be enabled to participate in artistic, dramatic and musical festivals and programs in Ireland would, I feel confident, be most welcome to our people. As the Irish Press in the editorial I have referred to pointed out in relation to the sphere of music, the Irish public appreciates that we in Ireland have musicians capable of linking the traditions of our own past with great contemporary modern music. The writer went on to say "The visits from other countries of famous orchestras, artists or guest conductors help to stimulate and broaden that appreciation."

Of course, similar considerations apply to other aspects of the cultural field. And indeed it may be said in general of cultural exchanges that they tend inevitably to raise the cultural status of each of the participating countries in each other's eyes and operate to elevate the standards of artistic taste in each country.

You will be interested to learn that provision for a scholarship exchange program has been made by an agreement signed in Dublin on March 16, 1957, between our two countries in connection with the use of the American grant counterpart fund. The agreement provides that a sum of £500,000 out of the grant counterpart fund is to be allotted in the words of the agreement, "to promote further mutual understanding between the people's of Ireland and the United States of America by wider exchange of knowledge through educational contacts."

The terms of the agreement provide that approximately £25,000 shall be expended annually for the purpose of financing studies, research, instruction, teaching, lecturing and other educational activities on the part of Irish citizens in American schools, universities and other institutions of higher learning on the one hand, and of American citizens in like educational institutions in Ireland on the other. The funds available under the Agreement may be used to finance transportation, tuition, maintenance and other expenses for such educational activities.

Furthermore, the Society of the Friendly Sons of St. Patrick of Philadelphia in 1954 set up a scholarship exchange plan as a means of promoting international good will between the people of the United States and those of Ireland. Under the terms of the scholarships, a graduate student chosen from among the students of nine colleges and universities in the Philadelphia area is awarded a grant of $1,200 a year to continue his studies at an Irish university. At the same time, a graduate student from one of five Irish university colleges is awarded a grant of $1,800 a year to continue his studies at a university in the Philadelphia area. The scholarships are awarded biennially.

Recently, the Society of the Friendly Sons of St. Patrick of Washington, D. C., announced that they had instituted an exchange scholarship program under which biennially a graduate of 1 of the Irish universities would receive a scholarship for 2 or 3 years of graduate study in one of the universities in the District of Columbia, while a graduate of one of the local universities (whose principal residence is in the Washington metropolitan area) would receive a scholarship for 2 or 3 years of graduate study in one of the universities in Ireland.

I am, my dear Senator WILEY,

Very sincerely yours,

JOHN J. HEARNE,
Ambassador of Ireland.

IRANIAN EMBASSY,
Washington, D. C., April 17, 1957.

The Honorable ALEXANDER WILEY,
Senator for Wisconsin,
Senate Office Building,
The United States Senate,
Washington, D. C.

MY DEAR MR. SENATOR: I read your letter and its enclosures with deep interest and must congratulate you on the marked success you have achieved in this connection. I am deeply impressed by the emphasis you place on the importance of improved cultural relations among the nations of the free world, and its desirable effects on safeguarding world peace.

It goes without saying that through better understanding and increased cultural exchanges among free-world peoples, residual differences could be eliminated. And with the elimination of such differences, those who try to fan the fire of discord and distort facts through false propaganda will lose the opportunity of exploiting the differences to their own advantage.

As your able and forceful comments in the Senate indicate, art, music, and culture transcend language and political barriers. And once cultural exchanges get established on a sound basis, the results could indeed be great.

Concerning the twofold question you mention in your letter, namely, the significance of improved relations; and specific steps for furtherance of such exchanges, I have the following remarks to make:

(a) Through appropriations made by the United States Congress and programs implemented by the ICA, a number of my compatriots have visited the United States, and a number of your compatriots have visited my country, Iran. The results have been splendid in both cases. I am informed, for instance, that by the portrayal of American art and culture in Iran—through the efforts of such artists as Martha Graham, Edward Vito, Pal Renzi, the San Francisco Ballet company and the Minneapolis Symphony—Iranians have come to a better appreciation of American art and culture, and this has inevitably strengthened the bonds of friendship between the two nations. A single performance of the San Francisco Ballet company in an Iranian city has helped counteract and refute reams of false propaganda emanating from the foes of freedom and peace. When the people of Iran see and hear lucid examples of the art of America, the effect is boundless. Such exchanges are the greatest weapons in our hands to enhance friendship on one hand and counteract vicious propaganda on the other.

The same success achieved by American artists sent to Iran under relevant cultural programs has fallen to Iranian artists coming to America under ICA grants.

Recently Mr. H. Sanjari, conductor of the Teheran Symphony, who is here under an ICA grant, conducted the Army and the Navy bands on two separate occasions at the Departmental Auditorium, Washington, D. C., and played selections from his own compositions to a packed house. The ovation he received was indeed impressive—and I was a witness to it. But what impressed Mr. Sanjari more was this: American musicians played his Persian music exceedingly well although they were handling it for the first time.

When Mr. Sanjari returns to Iran, he will have a vast audience to listen to his experience and to come to know of the American love of art and culture.

Similarly, an Iranian painter, Mr. Abbass Katoozian, is giving an exhibition of his works at the Middle East Institute on April 23. I understand his portrayals of American people are among the more important pieces he will show there. Such artists and musicians are well qualified to help this two-way cultural communication.

But the story does not end here. Your USIA and its effective radioarm, the Voice of America, have been reporting these special events to their responsive Iranian audiences. And so when these grantees return to Iran they will find an already very receptive field to recount their experiences to. And the chain reaction continues, gathering force at each stage * * *

Apart from such results, the grants made by the Congress toward improving cultural relations have been effective in dispelling doubts and misconceptions about America.

In your comments in the Senate, you have alluded to the charge often raised against Americans that they "are materialist minded and not interested in culture." Let me assure you, my dear Mr. Senator, that the means you suggest to counteract and refute such charges—namely, answering such charges through increased and improved cultural exchanges—are the most effective ones. I have known of many Iranians who have come to your country—men of understanding and good will—and who have realized the deep moral and cultural forces that pervade the lives of Americans at all levels. These men, thanks to cultural exchanges, will certainly impart to their compatriots the true nature of America.

At this instance I find it appropriate to quote the English translation of a portion of my Now Rouz (Iranian New Year) message to the people of Iran, a message which was broadcast to my country on March 20 this year through the courtesy of the Persian Service of the Voice of America:

"Contrary to what is generally presumed, the people of America do not work simply for money. Americans consider work to be a necessary part of the process of living. To them work is sacred, and hence they do not turn away from any kind of honest labor. No one here thinks any kind of work to be beneath his dignity. On the other hand, idleness is considered to be a disgrace, an infamy.

"It is on this conception and also as a personality-building factor that many American boys start doing some work early in life. One often sees the sons of rich families utilizing their spare time delivering newspapers, thereby getting an income. The underlying philosophy is that a person who demonstrates an ability to earn some money early in life through his own effort and initiative will, eventually, develop self-confidence and build a forceful personality. Such a person will not become a social parasite; neither will he be a liability to the society he lives in * * *."

I am sure that there are many in Iran who will confirm my views in this respect—again, thanks to cultural exchanges.

(b) In connection with specific projects along this line, may I make the following suggestions:

As you have aptly remarked, we want to improve our two-way communication. An American who understands Iranian culture can communicate his culture to his Iranian friends effectively. In the same way, an Iranian who is acquainted with American culture can communicate, in a better way, the culture of his own country to Americans. And under any circumstances, cultural exchanges are best accomplished through artists themselves.

In Iran there are groups of highly talented folk singers, actors, dancers, and musicians, who cannot afford to come to the United States; neither are there funds available in Iran for such purposes. These artists cannot qualify under current programs of cultural exchange because they lack a knowledge of the English language.

I think that it is highly desirable for these groups to come to the United States and perform or display their various art forms in American cities and States under the guidance and management of experienced

Iran-American tour directors, to be assigned to them by ICA.

The advantages of such a program could be tremendous. By disseminating their native culture in America they will, at the same time, assimilate native American culture. And on their return to Iran, they can transmit that to their compatriots. Such artists command vast audiences in Iran and people, as everywhere, are apt to listen to them more readily than they listen to politicians.

Another step would be the translation of Persian classics into English, and American classics into Persian, and their distribution on a wide scale. The cultures of both nations could be enriched through such efforts; and the results would be overwhelming.

These, in brief, are my views on the subject, and of course you are free and welcome to quote any or all in your comments in the Senate. It will be a pleasure to cooperate with you on these projects.

I hope that through your commendable efforts, cultural exchanges will be enhanced and improved among the nations of the free world. This is the mightiest weapon of peace against the vicious propaganda of international communism.

With all good wishes, I am,

Yours sincerely,

Dr. ALI AMINI, *Ambassador of Iran.*

EMBASSY OF THE PHILIPPINES,
Washington, D. C., April 15, 1957.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: I would like to thank you for your kind words and for giving me the opportunity to jot down a few thoughts on the significance and necessity of Philippine-American cultural relations. I enclose for your information copy of a brief article on cultural contracts and patterns.

I find it especially heartening that Congress has taken and continues to take active part in the program to exchange talents and works in the creative arts, in education, in journalism, and in literature.

The enclosures to your letter of March 28, 1957, including the CONGRESSIONAL RECORD of March 21, 1957, are invaluable additions to the Embassy Library.

With warm personal regards.

Sincerely yours,

CARLOS P. ROMULO.

(Enclosure: Copy of Cultural Contracts and Cultural Patterns.)

CULTURAL CONTACTS AND CULTURAL PATTERNS

In recent months there has been a remarkable upsurge of American interest in the Philippines. The scope of this interest has beeng going on for a long time; it has been going on even before the Philippines became independent in 1946. I was pleased for instance to know that in the spring of 1956, civic and church groups, schools and colleges started conducting study groups, seminars, forums, and programs on the Philippines and Southeast Asia. After the death of our former President, the late Ramon Magsaysay, I found in the many letters of condolence and sympathy, paragraphs of requests for literature on Philippine conditions and culture. The Americans would like to know the characteristics of Filipino culture before and after the Spaniards came to the Philippines, the history of the Philippine theater, regional Philippine music, the influences discernible in Philippine dances, classics in the different Philippine languages, the pattern of democratic tradition in the Philippines, and the extent of the revival of nationalist thought. During the war, I myself brought home to American audiences—conscious of the barbarity that accompanied Japanese occupation of the Philippines—the aspects of Philippine life and culture and the nature of Philippine courage in Bataan and Corregidor. After the war, our country and our people became, in a manner of speaking, more known to the United States. Suddenly our Embassy and our consulates here started receiving leters from Portland, Oreg., to Boston, Mass., requesting information about the Philippine political system, the sociological impact of Spanish colonization, the American contribution to Philippine society.

More and more Americans, we found out, would like to go to the Philippines to observe, work, or visit. We are appreciative of this interest and this desire.

Although we have been exposed to western ideas and customs and are more or less familiar with the historical impulses and events that have made America a great country, we do not fully understand the American way of life as much as it should be understood. On the other hand, most Americans at best have a hazy idea about the Philippines and its people. Today there are, proportionately speaking, more Filipinos in the United States under the exchange program than there are Americans in the Philippines. It is this unfamiliarity that we have to overcome. We need to know each other more. It is for this reason that I note with appreciation the intensified cultural exchange program being undertaken by the United States Government and those sponsored by many private American agencies. The program is by no means bilteral; it includes countries other than mine. I find it gratifying that the Members of the United States Congress have provided and continue to provide the impetus to this project. In 1956 and for 1957 the American National Theater and Academy, in its international exchange program, had made and would make possible the visit of talented American artists to perform to win friends in 80 different countries: the Minneapolis Symphony Orchestra in Algeria; the Robert Shaw chorale in Denmark; the cast of the musical Oklahoma in Italy; Benny Goodman in Japan; Dizzie Gillespie in Denmark; and Marian Anderson in the Philippines, etc.

Since 1950 Filipino writers have come to this country on Rockefeller Foundation fellowships, teachers and artists on Fulbright grants, journalists on Smith-Mundt leader grants. Others study and observe here as International Cooperation Administration participants. The itinerary and visits of some of these people have been administered by many agencies, including the Institute of International Education in New York City. The institute has been promoting and administering exchanges in the arts since 1919. I share its pride in having helped more than a thousand American students in the arts to study abroad and approximately 600 foreign students to study in the United States.

Under the Fulbright program, nearly 1,700 American and foreign art students have been awarded grants and since its inception it has had an appreciable and profound effect on the thinking of my people regarding American progress in the arts. Some of our people who have come here return to the homeland, with valuable impressions about the American family, with insights into the American character, and with a knowledge of American techniques. This has made for an understanding and appreciation of your country's constant struggle for spiritual enrichment as well as for material prosperity. Still, many of our people have but the faintest idea of the American way of life; its values, its meaning and its worth.

Observers of the American and international scenes know that other people regard American society as a materialistic society and the majority of Americans insensitive to art and literature. Mistaken or not, these impressions do not make for friendship; they even provoke arguments. In the Philippines as in this country, the observation has been made that the works of "the hardboiled school" of writers do not necessarily represent the idiom and stance of the average American.

Acquaintance with the real values of American life; familiarity with the richness of America's cultural heritage; and understanding of some of the motivations that underlie the thinking and the action of American leaders may result from a greater and more intensified cultural exchange program, for the arts transcend all barriers, religious, political, racial, and linguistic. This proposition holds true for Americans who would like to know and to understand the Filipinos, their culture, their customs, their institutions. It holds true also for other peoples who would like to understand America.

Last year, our people saw the performances of your Los Angeles Symphony Orchestra, Gregor Piatigorsky, Benny Goodman, Martha Graham, and the San Francisco Ballet. The Philippines is not a wasteland, artistically speaking, and American artists and intellectuals have always been received if not critically, enthusiastically. The visit of William Faulkner a year or so back aroused greater interest in American literature and exploration into the works of other writers from whom Faulkner derives.

It is this kind of action and reaction that makes the cultural exchange program not only illuminating but also exciting. Basically germinal in nature, its scope, I believe, should be enlarged and its particpants increased.

A Filipino composer I know who visited in Tanglewood expressed appreciation of the welcome given to him and at the same time expressed the opinion that he thought he knew the reason why Aaron Copland composes the way he does. A countryman of mine who came here on a grant thought that any correct evaluation of American social behavior cannot be accomplished in 3 or 6 months, the period usually allotted to International Cooperation Administration participants. "This works both ways," he said. "You cannot have Americans writing in the Saturday Evening Post about Philippine life and literature after staying Manila for a month."

At a recent conference on the arts and exchange of persons I found that these same thoughts pervade those who have been involved in the cultural exchange program for a long time.

I think that this great country will find it salutary to be more familiar with Philippine culture. For the visits of such distinguished American artisits as you send to our shores, we would like to exchange the visits of Filipino writers, teachers, journalists, and artists. Some of my people have received fellowships from private American foundations, from universities, and institutions, but their number can be increased. We are desirous of enlarging the exchange of books between your country and ours. There are some major works in Philippine literature which the American people are not familiar with: the novels of our national hero, Dr. Jose Rizal; the work of our foremost poet in the national language; the fiction and poetry of our contemporary writers in English, Spanish, and in the various Filipino languages; the essays of some of our thinkers and the works of our revolutionary leaders. We would like to see American audiences witness the repertory if some of our theatrical, music, and dance groups. Recently in Manila, an alert and intelligent group showed Carmen in the national language; while another group performed an operetta based on incident in the novel of Dr. Rizal. There are Filipino painters who have not been given the audience they deserve. And there are writers whose works have been translated into Indian, Indonesian, and Swedish. Although these works are in English, they do not have an American audience.

I am sure that new ways can be found to improve and increase the exchange of talent and works in the arts and it is my earnest hope that the United States Congress and the various private entities deeply interested in this program will explore the necessity of giving the American people a comprehensive idea and a rounded picture of Philippine cultural life.

The exchange of talent and artistic works has become an imperative function of governments in this age when anxiety and tension rack the world. Speaking of the value of cultural exchanges, one of your distinguished statesmen said that he could not explain why in 1914, after 100 years of relative peace, the most civilized peoples of the world fell upon another and tried to commit suicide. None of the reasons, economic, racial, or political, made sense to him, he said. But he thought that there is sufficient evidence to justify the exchange of persons and exchanges in the arts to prevent another world war.

These exchanges result in mutual understanding and sympathy; contribute to the flowering of cultures, promote brotherhood and good will, and lead to the appreciaton among the peoples of the world of their respective artistic achievements.

A country's culture will never flourish in isolation. Cultural contact leads to acquaintance and understanding of cultural patterns. And a country's cultural heritage will be enriched and its development faster if it continuously touches other cultures.

It is on the basis of these observations and beliefs that logic dictates the inclusion of the Philippines as an integral part of any international exchange program which the United States should like to effect and implement.

THE BUDGET

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there may be printed in the body of the RECORD a letter which was addressed by the President of the United States, under date of April 18, 1957, to the Speaker of the House, dealing with the budget situation.

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

THE WHITE HOUSE, *April 18, 1957.*

The Honorable SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I am sure many Members of the Congress are as gratified as I am to note the growing awareness of private citizens that the dollars spent by the Federal Government are in fact their own dollars, and that Federal benefits are not free, but must be paid for out of taxes collected from the people. It is good to see this realization developing into a widespread insistence that Federal activity be held to the minimum consistent with national needs. As this sentiment grows, our country will be strengthened in many ways.

The evident responsiveness of the Congress to this attitude I find equally encouraging. I assure you and your colleagues that the executive branch will continue to cooperate fully with Members of the Congress who work for sensible control of Federal spending.

In House Resolution 190, adopted last March, I noted the assertion that the public interest requires a "substantial reduction" in the 1958 budget and also the request that I advise the House where a reduction of that magnitude could best be made.

You will recall that last January, immediately after the budget was presented to the Congress, I requested the Director of the Bureau of the Budget to resurvey the expenditures of every department and agency in an effort to find additional items that could properly be reduced. I have kept in close touch with those efforts. Some of the principal results are outlined in this letter.

You realize, of course, that the 1958 budget, as all Federal budgets, is in effect 2 budgets within 1. One consists of requests for new spending authority which enable Federal agencies to obligate themselves to make expenditures sometime in the future. The other concerns the actual expenditures of the agencies in the next fiscal year. These expenditures will be made partly pursuant to spending authority granted in previous years and partly under new spending authority. For example, one-third of the total actual expenditures in the 1958 fiscal year will be made pursuant to spending authority granted, not on the basis of the 1958 budget, but on the basis of spending authority requested in earlier budgets. This problem I emphasize because of its importance in appraising the effect of cuts in new spending authority which, one might assume, will reduce the level of current spending but in fact may affect only future spending.

The House resolution, for instance, does not distinguish between these two budgetary problems, so its call for a substantial reduction, I assume, applies to both and contemplates the reduction of both by a considerable number of billions of dollars.

There are thousands of items in the budget, each an individual fiscal plan to carry forward a new program or a program previously authorized by the Congress. The preparation of these items begins long before the Congress acts, with the result that the budgetary process places a high premium on judgment and foresight. Because departmental needs must be forecast a year or more in advance, no responsible official would realistically contend that every estimate for every item is precisely correct and could be changed only at the risk of serious public injury, or that the funds requested are certain to meet all future needs.

Nevertheless, painstaking efforts were made in preparing the budget to pare to the minimum all projected expenditures and programs, whether large or small. Estimates were substantially reduced before the budget document was submitted to the Congress, and at my request a searching reexamination by all departments and agencies has continued to go forward since that time in an effort further to reduce expenditures whenever possible. I will later discuss possible reductions in new spending authority disclosed by these months of continuing review.

Before turning to budgetary specifics, however, I invite attention to certain general guidlines that, to the extent existing law permitted, were applied in formulating the 1958 budget. These may be helpful to the House in reaching its own budgetary decisions:

First, the Federal Government should undertake only essential activities that the people cannot sufficiently provide for themselves or obtain adequately through private voluntary action or local or State government. Both the Congress and the executive branch should adhere closely to this principle in the interest of sound, economical government.

Second, in times like these Government spending should be held below income in order to lead the way to further reductions in taxes and the public debt.

Third, all governmental expenditures should remain under close scrutiny in the interest of strict economy and, in the currently prevailing prosperity, to help relieve competing demands for economic resources.

Such guidlines have proved their practical worth. Today Federal civilian employees are almost a quarter of a million fewer than in January 1953. The $7.4 billion tax cut in 1954 has already saved our people almost $25 billion in taxes. For the first time in a quarter of a century we have in prospect three balanced budgets in a row. In fiscal year 1956 the surplus was $1.6 billion. It promises this fiscal year to be about the same size, and next year perhaps as much as $1.8 billion. If we hold to this course, we should have paid in these 3 years about $5 billion on the public debt, and the annual necessity to raise the statutory debt limit should have become a thing of the past.

By adhering to the same or similar guidlines, the House can help continue the progress already made.

Regarding the House appeal for guidance on specific budgetary items, I will comment first on the actual expenditures projected for next fiscal year and will later discus possible reductions in new spending authority.

At the outset, we need to remind ourselves that, as in every household budget, all Federal expenditures are not equally subject to control. Many Federal expenditures are rigidly prescribed by law. Others are bills that simply have to be paid. In the 1958 fiscal year, such unavoidable expenditures will total about $17.6 billion, or 24 percent of all Federal expenditures. These funds must be spent for such items as veterans' pensions, public assistance, and the interest on the public debt. The substantial reduction called for by House Resolution 190 cannot be made in this part of the budget until and unless the Congress revises or repeals the governing laws.

In the second place, 63 percent of projected expenditures next fiscal year—some $45 billion—will support programs related to the protection of our country. Departmental estimates in this area were most carefully examined and prudently reduced before they were sent to the Congress. I foresee no early lessening of international tensions and dangers as would justify a significant downward revision in our defense and related programs. The fact is, as we carry forward our efforts for more peaceful world conditions, rapid technological advances in ships, aircraft, nuclear weapons, missiles, and electronics press constantly for more, not fewer, Federal dollars. I most solemnly advise the House that in these times a cut of any appreciable consequence in current expenditures for national security and related programs would endanger our country and the peace of the world.

The remaining expenditures projected in the budget approximate $9 billion, 13 percent of the total. These support the rest of the Federal Government—such activities as public health, the various housing programs, all operations of most executive departments, the civil functions of the Corps of Engineers, the nationwide functions of the General Services Administration, the worldwide operations of the Department of State. Additional savings in such widely varied activities may well be found by the executive branch and the Congress. But a multi-billion-dollar reduction as evidently envisaged by the House resolution would destroy or cripple many essential programs if concentrated in this limited area of the budget.

Thus, it is clear that a substantial reduction in Federal expenditures next fiscal year in keeping with House Resolution 190, whether in any one or a combination of these major segments of the budget, would weaken the Nation's defenses or cutback or eliminate programs now required by law or proposed in the public interest, or both. That forces the conclusion that a multi-billion-dollar reduction in 1958 expenditures can be accomplished only at the expense of the national safety and interest.

Turning now to requests for new spending authority, as distinguished from actual expenditures, we find a more promising outlook. Budgetary reviews since last January have disclosed the feasibility of postponing certain of these requests without serious damage to program levels. A number of the

following actions, which I commend to the House, I have already suggested:

First, that new spending authority for the military assistance portion of the mutual-security program be reduced by $500 million. This reduction results mainly from new management techniques through which leadtime financing has been reduced (notably for spare parts), maintenance support not justified by the rate of consumption of our allies has been eliminated, and items have been removed from grant aid which countries can now pay for themselves. If the funds previously appropriated are continued available, this reduction will not impair the operation of military forces of other countries at mutually agreed levels.

Second, that, by delaying less urgent projects, new spending authority for military public works be reduced by $200 million.

Third, that resulting from new projections of its operating rate and related financial requirements, the new spending authority for the soil bank program be reduced by $254 million.

Fourth, that the investment of the Federal National Mortgage Association in special assistance functions be reduced from $250 million to $200 million, a reduction in new spending authority of $50 million.

Fifth, that the college housing authorization be reduced from $175 million to $150 million, a reduction in new spending authority of $25 million.

Sixth, that resulting from adjustments of construction schedules, the new spending authority of the Corps of Engineers be reduced by $13 million.

The House may wish to give attention to an additional item of $516 million requested for Army procurement and production. The existing authority, granted by the Congress during the Korean war, plus certain reimbursements received since then have made it unnecessary to request new spending authority for this purpose in recent years. Beginning in fiscal year 1959, the Army's need for such spending authority will recur. The $516 million item is requested now to enable the Army to phase efficiently into this new period and to ease the impact of this adjustment in fiscal year 1959. At the expense of efficient programing, the sum can be withheld if the House so chooses. Such action would, of course, increase by $516 million the large amount that will have to be authorized for Army procurement and production in fiscal year 1959.

Exclusive of the Army item just mentioned, but including a possible reduction of $300 million in the amount budgeted for contingent expenses, these reductions and postponements total $1,342 million. Once again I remind the House that less than half of this reduction in new spending authority can be reflected in reductions in expenditures during the next fiscal year, and part of these expenditure reductions will have to be restored in the future. Such expenditure reductions as may result, however, will add to the $.8 billion surplus already projected by the budget. Given continuation of healthy economic growth and of strict expenditure control, these figures combined will begin to lay a firm fiscal foundation for the time when we can be sufficiently assured that our income will so exceed our expenses as to justify a reasonable tax cut for every taxpayer while we continue to reduce the Government's debt.

I am, of course, aware of the cuts thus far proposed by the House. These will be absorbed wherever possible without serious injury to programs essential to the public interest. Where such cuts cannot be so absorbed, the executive branch must and will seek restoration of the needed funds. Some of the House "cuts" have involved large sums that the executive branch is compelled by law to pay. "Cuts" of that kind do not save money and must be later restored through supplemental appropriations unless the governing statutes are revised.

Aside from scrutinizing individual expenditures and reducing new spending authority as suggested above, I strongly urge the House also to improve the Federal budgetary situation by taking such steps as these, most of which I have urged before:

First, adjust postal rates as soon as possible to reduce and eventually eliminate the postal deficit.

Second, establish interest rates for Government loan programs that will induce private funds to participate in their financing and, at the least, require that such rates cover the borrowing costs of the Federal Government.

Third, provide user charges as, for instance, for the use of Federal airway facilities, that will relieve the general public of having to subsidize governmental services affording special benefits.

Fourth, require State financial participation in Federal disaster assistance programs.

Fifth, encourage State and local groups to engage in partnership with the Federal Government in major water resources development.

Sixth, reject new projects not approved by the Board of Engineers for Rivers and Harbors and not reviewed by all interested parties, including the affected States; provide where appropriate for more local participation in approved projects; and withhold authorization and construction of all but urgently needed projects.

Seventh, enact bills approved by the administration to implement Hoover Commission recommendations, such as the authorization of appropriations on the basis of annual accrued expenditures and the extension of the Reorganization Act of 1949.

Eighth, establish procedures that will facilitate the return of surplus Federal land and other property to private, local, or State use.

Ninth, before adopting unbudgeted programs, project the costs they would impose on the Federal budget in years ahead, and reappraise the necessity for and rate of implementation of each program.

And, tenth, to help assure continuing economy on the part of the Congress as well as the executive branch, take action that will grant the President the power now held by many State governors to veto specific items in appropriations bills.

An improved budgetary situation and greater efficiency in our Government will result from prompt approval of these recommendations by the Congress. All elements of the budget, meanwhile, will remain under searching examination by the executive branch in its continuing effort to find additional savings, large or small, that are possible under existing law. Any additional reductions found possible in new spending authority will be promptly reported in the usual way to the Senate and House of Representatives.

Finally, I repeat that as this effort to hold Federal costs and activities to the minimum proceeds sensibly in the executive and legislative branches of our Federal Government, the public interest is bound to be well served.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. JAVITS. Mr. President, the minority leader has had printed in the RECORD the letter addressed by the President of the United States to the Speaker of the House relating to reductions in the Federal budget.

It seems to me that every American should welcome this statement by the President of the United States, for it begins to put the subject into focus.

In the first place, the President reiterates his fundamental political philosophy when he says in the letter:

> The Federal Government can undertake only essential activities that the people cannot sufficiently provide for themselves or obtain adequately through private voluntary action or local or State government.

The President ran for office and was elected on that platform.

I believe the message is also very important for what it does not say.

It represents a refusal on the part of the President to abandon the fundamental principles of the Republican Party's 1956 platform.

It represents also his refusal to yield to criticism of "Modern Republicanism." It is the Eisenhower program, which is the party's program. That is Republicanism today—unhyphenated.

Mr. President, there are millions of Americans who want the budget to be cut, and it is our determination to cut it in line with the suggestions of the President. However, the very same millions of Americans are also deeply interested in housing, health, education, the development of our natural resources, small business, and veterans, as well as many other subjects covered by the Federal budget, and they share the conviction, which has always been adopted by great majorities in both the Senate and the House, that military, economic, and technical assistance is essential to the security of the United States when extended to foreign countries who are friendly to the United States and who want to cooperate with us.

Therefore, the President's letter would appear to me to contemplate reductions within the limits which most objective observers have considered practical, in the two to four billion dollar range. This is prudent and entirely in accord with the middle-of-the-road political philosophy of the President. I deeply believe that the American people are just as responsible as we ought to be. They want the budget cut, but I do not believe they want to make meat-ax cuts at the expense of national safety and interest.

I am convinced that the President's response to the resolution of the House will help all of us along that road.

POLISH AID TO VIETNAM REDS

Mr. KNOWLAND. Mr. President, I have heretofore had printed in the RECORD an article which appeared in the New York Times of March 31. It is a brief article and reads as follows:

> POLAND AIDING VIETNAM REDS
>
> HONG KONG, March 30.—Poland is giving what official Communist sources describe as a considerable sum of money to Communist North Vietnam. The North Vietnam radio said last night that Poland had granted the money for construction projects. A Warsaw delegation is now in Washington negotiating for United States farm surplus goods and loans to help solve Poland's economic woes.

Mr. President, as I have indicated I had previously put that article into the RECORD. I wish to put it into the RECORD again because, under date of April 5, I wrote a letter to the Secretary of State,

and have received a reply from Mr. Christian A. Herter, Acting Secretary. The letter is dated April 11 and reads as follows:

DEPARTMENT OF STATE,
Washington, April 11, 1957.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

DEAR BILL: In your letter to Foster of April 5 you asked him for information on a recent press story stating that Poland had extended aid to North Vietnam. Before he left Washington, Foster had an opportunity to discuss briefly with Jerry Persons your letters on the same subject to him and to the President.

According to our information, the transaction between Poland and North Vietnam to which the press story refers does not provide for the gift of a "sum of money," as reported in the press, but for the sale of sugar machinery and boilers for power stations on credit, for which Poland will obtain repayment through the importation of goods from North Vietnam. Such credit arrangements are often used, as you know, to facilitate the sale of equipment in international trade.

Neither sugar machinery nor boilers are among the products for which Poland has requested credit from the United States during the economic discussions now taking place. Such agricultural or other products as the United States may agree to sell to Poland for local currencies or on credit terms would meet Poland's economic needs, and would be consumed in Poland.

I appreciate your bringing this matter to our attention. You may be sure that any agreements entered into with Poland will contain an assurance from Poland that commodities purchased from the United States under the agreements will not result in the increased availability of such commodities to nations other than Poland.

Sincerely yours,

CHRISTIAN A. HERTER,
Acting Secretary.

I conclude by saying that press reports indicate that, as I previously stated on the floor of the Senate, there will be a loan of approximately $100 million finally negotiated with Communist Poland, under Mr. Gomulka. I expect to have further comments on this subject. I again state I doubt very much the wisdom of the people of the United States, overburdened as they are with taxes at the present time, starting a program to support Communist economic and political systems.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, I have been greatly interested in the developing line of argument against certain features of the civil-rights bills now before Senate and House committees. It has been expressed primarily as a concern for the protections of individuals afforded by jury trials.

This new-found enthusiasm in some who were not previously noted for their concern about trials by juries of one's peers has seemed to me to deserve more careful analysis.

PASSAGE OF THE CIVIL RIGHTS BILL MAY DIRECTLY AND INDIRECTLY DO MUCH TO MAKE JURY TRIALS BY ONE'S PEERS—AND I EMPHASIZE ONE'S PEERS—A REALITY IN AREAS WHERE THEY HAVE BEEN DIFFICULT TO SECURE

Those of us who support proposed civil-rights legislation yield to no one in our regard for jury trials by a defendant's peers in all those cases where it is constitutionally and traditionally appropriate.

In fact, the passage of the civil-rights bill and the effective protection of the right to vote and other constitutional rights may directly and indirectly do much to make such trials by one's peers—and I emphasize by one's peers—a reality in areas where they have previously been difficult to secure.

For the information and study of interested Members, I therefore ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a brief which I have had prepared on this important question of jury trials in injunction and contempt proceedings.

The conclusions supported by the legal research and argument set forth in this brief are that—

First. All judicial safeguards presently applicable to injunctions issued under Federal law and to contempt actions in Federal courts apply under the pending legislation;

Second. Far from the pending civil-rights bill denying citizens constitutional rights to trial by jury—and there is no constitutional guaranty of jury trial in contempt proceedings—it is doubtful whether Congress could constitutionally provide for jury trials as broadly as the opponents of the civil-rights bill propose;

Third. The proposals to broaden jury trial guaranties would not promote, but would defeat and seem intended to defeat, the effectiveness of the pending remedial legislation; and

Fourth. Equitable enforcement of civil rights is the least drastic and the most cautious and reasonable means of protecting the right to vote.

AIM IS PREVENTION, NOT PUNISHMENT

The constitutional right to equal protection of the laws and the protection of the right to vote are also fundamental. The proper use of injunctions and contempt proceedings to protect these rights is in accord with due process under the Constitution. The aim of these provisions in the civil-rights bill is prevention of violations or deprivations of constitutional rights, not punishment. To equate these provisions with criminal prosecutions is to confuse and misread their meaning and effect. The reasonableness of, and indeed the necessity for, these provisions should therefore be clarified by this legal analysis.

I shall save until a later time any discussion or debate of these propositions. But I hope this brief will have the most careful study of all who are concerned not only with due process, but also with the protection of other constitutional rights.

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

THE SOUTHERN PROPOSAL FOR JURY TRIAL AMENDMENTS TO PENDING CIVIL-RIGHTS LEGISLATION IS CONTRARY TO THE CONSTITUTION, TO CONGRESSIONAL PRECEDENT, AND TO THE EFFECTIVE PROTECTION OF CIVIL RIGHTS

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BRIEF

There is pending in the 85th Congress a bill to implement civil rights protections embodied in the civil rights laws. Among the provisions of this bill is one which grants the Federal Government authority to obtain injunctions to restrain violations of civil rights.

Opponents of the pending civil rights bill have centered their major efforts in opposition to the measure on the proposition that it would deprive persons of their constitutional right to trial by jury. They propose to offer amendments to the pending legislation which would require trial by jury in all contempt proceedings under the act.

An analysis of their contentions, however, indicates that—

(i) All the judicial safeguards presently applicable to injunctions issued under Federal law and to contempt actions in Federal courts apply under the pending legislation;

(ii) Far from the pending civil rights bill denying citizens constitutional rights to trial by jury, it is doubtful whether Congress could constitutionally provide for jury trial in contempt cases as broadly as the opponents of the civil rights bill propose;

(iii) The proposals to broaden jury trial guaranties would not promote, but would defeat and are intended to defeat, the effectiveness of the pending remedial legislation.

If this were all, the opposition's attempt to render ineffective the present legislative proposals could be dismissed as mere political tactics. But what renders their arguments and propositions especially disturbing is that they would deny to the Government of the United States its duty and its power to give the citizen effective protection in his right to vote and in his fundamental rights to equal protection and liberty and security under law.

Opponents of the pending civil rights bill assert that it attempts to punish citizens without jury trial. But the pending civil rights legislation is not a bill to punish for crime, but rather to prevent the commission of crime. Prevention not punishment is the purpose.

If prevention succeeds either by obedience to law without court order or by obedience to a court order, it becomes unnecessary to employ any sanctions, civil or criminal. If there is obedience to court orders, no occasion arises for contempt action. All that the

pending legislation contemplates is judicial process to restrain violations of the civil rights of citizens. Trials of violators of Federal decrees are no part of the process contemplated by the pending bill unless those enjoined defy judicial orders and thereby choose to subject themselves to civil or criminal contempt proceedings. Insofar as any penalties are imposed by the Federal courts, such disciplinary action would be for disobedience of specific court orders directed to specified defendants and not for violation of law.

The pending bill accuses no one of crime and does not seek to punish but to make punishment unnecessary. The likelihood of trial and punishment arises only because opponents of civil rights, by stripping courts of power to make civil rights injunctions effective, would invite disobedience and defiance. The civil rights bill is intended to secure compliance—it is the opponents of civil rights who anticipate and would encourage the defiance which in turn would require the substitution of punishment for prevention.

I. ALL PROCEDURAL SAFEGUARDS PRESENTLY PROVIDED BY FEDERAL LAW FOR THE PROTECTION OF THE INDIVIDUAL WOULD APPLY TO PROCEEDINGS AUTHORIZED BY THE PENDING LEGISLATION

Opponents of the pending proposal argue that it provides insufficient safeguards against hasty Federal injunctions, issued without proper hearing, and allows punishment of those enjoined without according them traditional rights, especially the right of trial by jury.

But these arguments can have little merit unless the entire present Federal law on the subject of equitable proceedings is faulty and inadequate. For the proceedings authorized by the pending bill will be accompanied by all the procedural safeguards presently provided by Federal law. We know of no outcry from the opponents of the civil rights bill against existing Federal injunctive and contempt procedures.

A. ISSUANCE OF INJUNCTIONS

The process contemplated by the pending measure is a traditional equitable proceeding, in which present law provides ample safeguards for the litigants. Permanent injunctions are issued only after full trial of the issues between the parties as in any other judicial litigation. The Government will have to make out its case that the civil rights of individuals are threatened with irreparable injury, and the defendants, represented by counsel, will have every chance by cross-examination and by their own proof, to demonstrate that the injunction is unwarranted. Where time does not permit such a complete trial and adjudication before the irreparable injury to the complaining party will have been inflicted and will in fact be beyond repair, the law provides for the issuance of preliminary injunctions and temporary restraining orders; these preserve the status quo until a full hearing can be had on the issuance of a permanent injunction. But in each of these temporary remedies, Federal law carefully safeguards the rights of the litigants.

When Irreparable Injury Will Result Before Hearing Can Be Had

(i) Temporary restraining orders, granted without notice to the adverse party, are issued only if "it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before notice can be served and a hearing had thereon" (rule 65, F. R. C. P.).

And if such restraining order has been granted without notice, provision is made for the most expeditious giving of notice and holding of hearing. Thus, it is provided by rule 65 that "in case a temporary restraining order is granted without notice, the motion for a preliminary injunction shall be set down for hearing at the earliest possible time and takes precedence of all matters except older matters of the same character; and when the motion comes on for hearing the party who obtained the temporary restraining order shall proceed with the application for a preliminary injunction and, if he does not do so, the court shall dissolve the temporary restraining order. On 2 days' notice to the party who obtained the temporary restraining order without notice or on such shorter notice to that party as the court may prescribe, the adverse party may appear and move its dissolution or modification and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require."

In addition, temporary restraining orders have minimal duration. Rule 65 provides that "every temporary restraining order granted without notice shall be endorsed with the date and hour of issuance; shall be filed forthwith in the clerk's office and entered of record; shall define the injury and state why it is irreparable and why the order was granted without notice; and shall expire by its terms within such time after entry, not to exceed 10 days, as the court fixes, unless within the time so fixed the order, for good cause shown, is extended for a like period or unless the party against whom the order is directed consents that it may be extended for a longer period. The reasons for the extension shall be entered of record."

When Time Permits Hearing

(ii) Preliminary injunctions, rather than temporary restraining orders, are required where time permits notice and hearing. Rule 65 of the Federal Rules of Civil Procedure provides that "no preliminary injunction shall be issued without notice to the adverse party." This requires that, before the issuance of a preliminary injunction, there be an opportunity afforded the parties to be heard, including a trial of any issue or issues of fact presented, at which the parties may present evidence and argue the effect of that evidence. See *Sims* v. *Greene* (161 F. 2d 87).

(iii) Both temporary restraining orders and preliminary injunctions are issued only on a showing of immediate irreparable injury and only to preserve the status quo between the litigants, not to effect any change in their relationship. See, e. g., *Sims* v. *Greene* (161 F. 2d 87); *Seagram-Distillers Corp.* v. *New Cut Rate Liquors, Inc.* (221 F. 2d 815, cert. denied, 350 U. S. 828). Neither temporary restraining orders nor preliminary injunctions may therefore be employed to compel the registration of any voter, but at the most to restrain last minute attempts by election officials or others to deprive those already entitled to vote of their right to the franchise.

Permanent Injunctions Only After a Full Due Process Hearing

(iv) Permanent injunctions alone have any effect beyond the preservation of the status quo. They can be issued, as we have already seen, only after a full due process hearing wherein the burden of proof must be sustained by the Government and the defendants have the traditional American right of counsel, confrontation and fair play in opposing the issuance of the injunction. The Government must prove a threatened violation of the civil rights laws—for example, a threatened violation of the most precious right of a citizen to exercise his franchise—and also that there will be irreparable injury to the public and private interests unless the court acts. Prevention of wrongdoing, not punishment, is the object of the injunction authorized by the pending civil-rights legislation.

(v) Thus, there is nothing arbitrary about the process by which the Government would obtain injunctions to protect civil rights unless these established safeguards on the subject are themselves arbitrary or inadequate. And there is no evidence that the provisions cited do not adequately protect against the issuance of hasty and ill-considered equitable process. Indeed, the testimony of Attorney General Brownell and cases cited therein before the Senate Subcommittee on Constitutional Rights of the Committee on the Judiciary, February 14 to 16, 1957, make clear that in the cases where Federal courts have been called upon to protect voting rights they have proceeded with utmost caution and deliberation.

* * * * *

Civil Contempt Proceedings Are to Secure Compliance

In case there has been a violation of the court's injunction, such action may be followed by either civil or criminal contempt proceedings.

(i) Civil contempt proceedings are intended to secure compliance with judicial decrees and orders and to compensate the injured parties. The remedies in civil contempt include compensatory fines as well as conditional fines and imprisonment, but the defendant can always relieve himself from such additional penalties by complying with the decree.

Criminal Contempt Penalties Are for Defiance of the Courts

(ii) Criminal contempt proceedings, on the other hand, are intended to punish the individual for violating the court's commands and thereby to vindicate the authority of the court.

In a word, whereas civil contempt proceedings are instituted for the purpose of obtaining compliance with judicial decrees and affording compensatory relief to the parties for violation of decrees, criminal contempts are initiated to punish those who defy judicial authority or judicial commands. In neither case is there punishment for violation of the criminal law.

Both in civil and criminal contempt proceedings, Federal law presently provides numerous safeguards for the parties charged with contempt and we turn now to those safeguards.

B. CIVIL CONTEMPT PROCEEDINGS

In civil contempt proceedings the action is directed only against "the parties to the action, their officers, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise." Rule 65 (d), Federal Rules of Civil Procedure. Plaintiff must carry the "heavy burden" of proving defendant's resistance in civil contempt by "clear and convincing" evidence. See, e. g., *Fox* v. *Capital Co.* (96 F. 2d 684, 686); *Telling* v. *Bellows-Claude Neon Co.* (77 F. 2d 584); *Hanley* v. *Pacific Live Stock Co.* (234 Fed. 522, 531).

Civil contempt adjudications after disobedience of final orders and decrees are fully reviewable in appellate courts. *Penfield* v. *SEC* (330 U. S. 585, 591); *Lamb* v. *Cramer* (285 U. S. 217, 221); *Leman* v. *Krentler-Arnold Hinge Last Co.* (284 U. S. 448); see *Clay* v. *Waters* (178 F. 385, 391–2).

Congress Has Never Provided a Jury Trial as a Matter of Right in a Civil Contempt Proceeding

Congress has never provided for a jury trial as a matter of right to the defendant in a civil contempt proceeding. See *Michaelson* v. *United States* (266 U. S. 42); *Odell* v. *Bausch & Lomb Optical Co.* (91 F. 2d 359, certiorari denied, 302 U. S. 756). Indeed, such a provision would apparently be unconstitutional because it would deprive Federal courts of their inherent right to enforce their decrees and authority. See II, D, infra.

Although no jury is provided as a matter of right to a defendant in a civil contempt

proceeding, there is, of course, full judicial authority to employ an advisory jury, and this authority would exist in proceedings arising from the pending bill. A court of equity always has authority to submit questions of fact to an advisory jury. See, for example, *Federal Reserve Bank* v. *Idaho Grimm Alfalfa Seed Growers' Assn.* (8 F. 2d 922, certiorari denied, 270 U. S. 646). Rule 39 (c) of the Federal Rules of Civil Procedure specifically provides that "in all actions not triable of right by a jury the court upon motion or of its own initiative may try any issue with an advisory jury. * * *"

C. CRIMINAL CONTEMPT PROCEEDINGS—CRIMINAL CONTEMPT IS ALSO TRIABLE IN OPEN COURT AND SUBJECT TO APPEAL

If the proceeding be one for criminal contempt, which is initiated to punish those who have defied the authority or the orders of the court, the protections of the Federal Rules of Criminal Procedure apply. See 18 U. S. C. 3771, 3772; *United States* v. *Lederer* (139 F. 2d 861). Under the Federal Rules of Criminal Procedure, rule 42, only the United States attorney or the court may institute criminal contempt proceedings. Rule 42 (b) guarantees every traditional right to litigate issues in open court after full notice:

"The notice shall state the time and place of hearing, allowing a reasonable time for the preparation of the defense, and shall state the essential facts constituting the criminal contempt charged and describe it as such. The notice shall be given orally by the judge in open court in the presence of the defendant or, on application of the United States attorney or of an attorney appointed by the court for that purpose, by an order to show cause or an order of arrest."

In order to avoid any possible bias against the defendant, the rule provides:

"If the contempt charged involves disrespect to or criticism of a judge, that judge is disqualified from presiding at the trial or hearing except with the defendant's consent."

Furthermore, only persons bound by and having actual notice of a decree can be punished by criminal contempt proceedings, see, e. g., *Kean* v. *Hurley* (179 F. 2d 888), and then only if the disobedience was willful and is proved beyond a reasonable doubt. *United States* v. *United Mine Workers* (330 U. S. 258); *Gompers* v. *Buck's Stove & Range Co.* (221 U. S. 418); *United States ex rel. Porter* v. *Kroger Grocery & Baking Co.* (163 F. 2d 168). Trial is not on affidavits but on testimony taken in open court. *Cooke* v. *United States* (267 U. S. 517); *New Jersey Patent Co.* v. *Martin* (166 Fed. 1010).

Criminal contempt convictions are fully reviewable in appellate courts. See *Bessette* v. *W. B. Conkey Co.* (194 U. S. 324); *Nye* v. *United States* (313 U. S. 33); *United States* v. *Lederer* (139 F. 2d 861).

If the proceedings are mixed civil and criminal, the criminal safeguards control. *Penfield* v. *SEC* (330 U. S. 585, 594); *United States* v. *United Mine Workers* (330 U. S. 258); *Kreplik* v. *Couch Patents Co.* (190 Fed. 565, 572–73).

The court in its discretion may employ an advisory jury in criminal contempt proceedings. See *In re Steiner* (195 Fed. 299, 303). Federal law does not, however, provide a right to a jury trial in criminal contempt proceedings except under certain limited circumstances.

Exception Made by Congress After Debs Case But Only in Criminal Contempt Cases Involving Private Litigants; Federal Government Retained the Means Needed for Its Operation and Survival

Until 1914 Congress had made no provision of any kind for jury trial in contempt proceedings. However, in that year, after considerable agitation following the Supreme Court's decision in the Debs case, Congress enacted as part of the Clayton Act a provision which is now section 3691 of title 18[1] of the United States Code (and see 18 U. S. C. 402) providing for trial by jury in criminal contempt cases consisting of willful disobedience of the orders and decrees of United States district courts obtained by private litigants where "the act or thing done or omitted also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted."

However, in deference to the principle that the Federal Government must retain the means needed for its own operation and survival, and for the enforcement of the laws of the land, the law, as enacted in 1914 and in its present form, exempts from the jury-trial provision contempts "in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."[2] Thus, when Congress enacted the provision for jury trial in criminal contempt proceedings, it rejected the proposition now tendered that jury trial should be granted to defendants in contempt actions arising from injunctions, decrees and orders sought and obtained by the United States.

There are 28 statutes on the books today under which the United States is authorized to bring injunction suits to safeguard its interests and to restrain violations of criminal law. (These statutes as compiled by the Attorney General in his testimony on the pending bill appear as appendix A herein.) The Government-suit exception to the jury trial provision for criminal contempts has been uniformly applicable in the case of all these statutes, as well as the Taft-Hartley Act, just as it would be applicable under the pending measure.

What the opponents of the remedial legislation under consideration argue is that, despite the careful procedural safeguards which Federal law provides in injunctive and contempt proceedings, Congress should now go beyond anything it has previously done in the past and provide for jury trials in all criminal contempt proceedings (without regard to the existing limitations just outlined), in all civil contempt proceedings and, what is more, even for the judicial proceedings involved in the issuance of injunctions.[3] We turn to an examination of these proposals.

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[1] "SEC. 3691. Jury trial of criminal contempts:

"Whenever a contempt charged shall consist in willful disobedience of any lawful writ, process, order, rule, decree, or command of any district court of the United States by doing or omitting any act or thing in violation thereof, and the act or thing done or omitted also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practices in other criminal cases.

"This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

[2] The Norris-LaGuardia extension of jury trials even where the Government is the litigant is discussed in II, B, infra.

[3] We deal in this memorandum with the proposals for jury trial in criminal and civil contempt proceedings. We do not stop to examine the contention that there should be a jury trial as of right before an injunction can issue. It is sufficient answer to that contention that such a negation of the "equity" power conferred under article III, section 2 of the Constitution has never before been attempted; that, because of the limited time factor in election cases it would make relief impossible in many instances; and that in all likelihood such legislation would be unconstitutional. See *Michaelson* v. *United States* (266 U. S. 42); *Cf. Brown* v. *Kalamazoo Circuit Judge* (75 Mich. 274, 42 N. W. 827).

II. THE PROPOSALS TO BROADEN PRESENT FEDERAL PROVISIONS FOR JURY TRIAL IN CONTEMPT CASES ARE WITHOUT CONSTITUTIONAL WARRANT OR CONGRESSIONAL PRECEDENT

Opponents of the pending legislation urge that there is a constitutional right to jury trial in contempt cases, and that, whether or not there is such a constitutional right, Congress should grant such a right in the pending legislation.

But, as will be seen, there is no constitutional right to jury trial for either civil or criminal contempts; and, indeed, there is serious constitutional doubt whether Congress could provide a right to jury trial in civil contempt proceedings.

Furthermore, the proposal to change the existing Federal contempt law is not made to further the remedial purpose of making civil rights guaranties more effective, but is offered in the hope that such an amendment would either defeat or make meaningless and ineffective the very remedial legislation before the Congress.

A. THERE IS NO CONSTITUTIONAL GUARANTY OF JURY TRIAL IN CONTEMPT PROCEEDINGS

Opponents of the pending civil-rights measure assert that it invades the constitutional right to trial by jury of persons charged with violating judicial orders. But this contention is groundless, for it has uniformly been held by the highest judicial authorities that there is no constitutional right to a jury trial in contempt actions.

It has been established by authoritative decisions of the United States Supreme Court since the earliest days of the Union that the Constitution guarantees no jury trial in civil or criminal contempt proceedings. See, e. g., *United States* v. *Hudson* (7 Cranch 32), *Anderson* v. *Dunn* (6 Wheat. 204), *Ex parte Robinson* (19 Wall. 505), *Ex parte Terry* (128 U. S. 289), *Eilenbecker* v. *District Court* (134 U. S. 31), *In re Debs* (158 U. S. 564), *Bessette* v. *W. B. Conkey Co.* (194 U. S. 324), *Gompers* v. *Buck's Stove & Range Co.* (221 U. S. 418), *Michaelson* v. *United States* (266 U. S. 42), *United States* v. *United Mine Workers* (330 U. S. 258), *Fisher* v. *Pace* (336 U. S. 155).

The Court's Position

The contention that jury trials are required by the Constitution for contempt cases arising under the proposed civil rights bill evokes today no different answer from that which the Supreme Court has always given:

"Surely it cannot be supposed that the question of contempt of the authority of a court of the United States, committed by a disobedience of its orders, is triable, of right, by a jury." *Interstate Commerce Commission* v. *Brimson* (154 U. S. 447, 488).

The Constitution's guaranties of jury trial apply only to such cases as were triable by jury at the time of its enactment, and jury trial in contempt cases was unknown in the Colonies. Every decision on the subject rejects an interpretation of this constitutional guaranty which would render the judicial branch the only one of the branches of the Federal Government powerless to make its authority real and effective.

Thus in *Ex parte Terry* (128 U. S. 289), Mr. Justice Harlan, speaking for a unanimous court in holding against the jury trial contention in a contempt case, said:

"Nor can there be any dispute as to the power of a circuit court of the United States to punish contempts of its authority. In *United States* v. *Hudson* (11 U. S., 7 Cranch, 34), it was held that the courts of the United

States, from the very nature of their institution, possess the power to fine for contempt, imprison for contumacy, enforce the observance of order, etc. In *Anderson* v. *Dunn* (19 U. S., 6 Wheat. 204, 227), it was said that 'Courts of justice are universally acknowledged to be vested, by their very creation, with power to impose silence, respect, and decorum in their presence, and submission to their lawful mandates.' So, in *Ex parte Robinson* (86 U. S., 19 Wall. 505, 510): 'The power to punish for contempts is inherent in all courts; its existence is essential to the preservation of order in judicial proceedings, and to the enforcement of the judgments, orders, and writs of the courts, and consequently to the due administration of justice. The moment the courts of the United States were called into existence and invested with jurisdiction over any subject, they became possessed of this power.' (*Ex parte Bollman* (8 U. S., 4 Cranch, 75, 94); Story, Const. sec. 1774; Bac. Abr. Courts, E.). And such is the recognized doctrine in reference to the powers of the courts of the several States. "The summary power to commit and punish for contempts tending to obstruct or degrade the administration of justice,' the Supreme Judicial Court of Massachusetts well said, in *Cartwright's Case* (114 Mass. 230, 238), 'is inherent in courts of chancery and other superior courts, as essential to the execution of their powers and to the maintenance of their authority, and is part of the law of the land, within the meaning of Magna Charta and of the 12th article of our Declaration of Rights.' The Declaration of Rights here referred to was that which formed part of the Constitution of Massachusetts, and contained the prohibition, inserted in most of the American constitutions, against depriving any person of life, liberty, or estate, except by the judgment of his peers, or the law of the land. So in *Cooper's Case* (32 Vt. 253, 257): 'The power to punish for contempt is inherent in the nature and constitution of a court. It is a power not derived from any statute, but arising from necessity; implied, because it is necessary to the exercise of all other powers.' Without such power, it was observed in *Easton* v. *State* (39 Ala. 552), the administration of the law would be in continual danger of being thwarted by the lawless. To the same effect are *Watson* v. *Williams* (36 Miss. 344); *Johnston* v. *Com.* (1 Bibb, 598); *Clark* v. *People* (Breese, 266); *Com.* v. *Dandridge* (2 Va. Cas. 408); *Ex parte Hamilton* (51 Ala. 68); *Redman* v. *State* (28 Ind. 212); *People* v. *Turner* (1 Cal. 153); *State* v. *Morrill* (16 Ark. 388); and numerous cases cited in note to *Clark* v. *People* (Breese, 266 in 12 Am. Dec. 178)."

And in *Ellenbecker* v. *District Court* (134 U. S. 31), Mr. Justice Miller, speaking again for a unanimous Supreme Court, held to the same effect:

"If it has ever been understood that proceedings according to the common law for contempt of court have been subject to the right of trial by jury, we have been unable to find any instance of it. It has always been one of the attributes—one of the powers necessarily incident to a court of justice—that it should have this power of vindicating its dignity, of enforcing its orders, of protecting itself from insult, without the necessity of calling upon a jury to assist it in the exercise of this power.

Court's Contempt Power Is Essential to the Execution of Their Powers

"In the case in this court of *Ex parte Terry* (128 U. S. 289), this doctrine is fully asserted and enforced, quoting the language of the court in the case of *Anderson* v. *Dunn* (19 U. S. 6 Wheat. 204, 227), where it was said that 'courts of justice are universally acknowledge to be vested, by their very creation, with power to impose silence, respect, and decorum in their presence, and submission to their lawful mandates;' citing also with approbation the language of the Supreme Judicial Court of Massachusetts in *Cartwright's* case (114 Mass. 230, 238), that 'the summary power to commit and punish for contempts tending to obstruct or degrade the administration of justice is inherent in courts of chancery and other superior courts, as essential to the execution of their powers and to the maintenance of their authority, and is part of the law of the land, within the meaning of Magna Carta and of the twelfth article of our declaration of rights.'

"And this court, in Terry's case, held that a summary proceeding of the circuit court of the United States without a jury, imposing upon Terry imprisonment for the term of 6 months, was a valid exercise of the powers of the court, and that the action of the circuit court was also without error in refusing to grant him a writ of habeas corpus. The case of Terry came into this court upon application for a writ of habeas corpus, and presented, as the case now before us does, the question of the authority of the circuit court to impose this imprisonment on a summary hearing without those regular proceedings which include a trial by jury, which was affirmed. The still more recent cases of *Ex parte Savin* (131 U. S. 267), and *Ex parte Cuddy* (131 U. S. 280), assert very strongly the same principle. In *Ex parte Robinson* (86 U. S. 19 Wall. 505), this court speaks in the following language:

" 'The power to punish for contempts is inherent in all courts. Its existence is essential to the preservation of order in judicial proceedings and the enforcement of the judgments, orders, and writs of the courts, and, consequently, to the due administration of justice. The moment the courts of the United States were called into existence and invested with jurisdiction over any subject, they became possessed of this power'."

Commission of a Crime Cannot Bring Immunity From Punishment for Contempt

Nor is there a constitutional right to jury trial in a contempt proceeding merely because the actions constituting the contempt also violate Federal or State criminal law. The principle that jury trial guaranties in the Constitution do not apply to contempt proceedings, either civil or criminal, is in no way altered by the fact that the contempt in question may also be a violation of criminal law. The argument that jury trial is guaranteed by the Constitution for acts of criminal contempt which are also crimes fails because the punishment for the contempt is not punishment for the crime but for the willful defiance of judicial authority. It is no more relevant to the question whether a contempt of judicial authority has been committed that the conduct constituting the contempt is forbidden by criminal law than it would be relevant in a criminal prosecution that the acts charged also violated a judicial decree or command. One who willfully defies judicial authority cannot obtain the constitutional right to trial by jury merely by committing a contempt so aggravated that it violates not only judicial mandates but the Criminal Code as well.

Thus, the Supreme Court in the Ellenbecker case, supra, squarely held that jury trials are not guaranteed for criminal contempts even though the contemptuous acts are also criminal:

"The counsel for plaintiffs in error * * * [urge] the proposition that the entire statute under which this injunction was issued is in the nature of a criminal proceeding, and that the contempt of court of which these parties have been found guilty is a crime for the punishment of which they have a right to trial by jury.

"We cannot accede to this view of the subject. Whether an attachment for a contempt of court, and the judgment of the court punishing the party for such contempt, is in itself essentially a criminal proceeding or not, we do not find it necessary to decide. We simply hold that, whatever its nature may be, it is an offense against the court and against the administration of justice, for which courts have always had the right to punish the party by summary proceeding and without trial by jury; and that in that sense it is due process of law within the meaning of the 14th amendment of the Constitution. We do not suppose that that provision of the Constitution was ever intended to interfere with or abolish the powers of the courts in proceedings for contempt, whether this contempt occurred in the course of a criminal proceeding or of a civil suit."

B. THE JURY TRIAL PROPOSALS OF THE CIVIL RIGHTS OPPONENTS ARE WITHOUT CONGRESSIONAL PRECEDENT

As has just been seen, the proposals for jury trials in contempt proceedings under the pending civil-rights bill are not supported by any constitutional requirements; they are equally unsupported by Congressional precedent.

The opponents of pending civil rights bill demand jury trials in all cases of civil contempt. Yet, in the almost 170 years that Congress has sat as the legislature of this country, it has never provided for jury trial as a matter of right in civil contempt actions. Indeed, as will be seen hereafter (II, D), jury trials as of right in civil contempt proceedings would be unconstitutional as in derogation of the powers of the Federal judiciary to enforce its own orders.

The opponents of civil-rights legislation likewise demand jury trials in all cases of criminal contempt. In this respect, they would exceed the requirements for jury trials which Congress, in 1914, saw fit to grant defendants in certain cases of criminal contempt. The 1914 statute provides for jury trials in criminal contempt proceedings where the plaintiff is a private party and the act of contempt is a violation of the Criminal Code, and excludes from the right to jury trial criminal contempt proceedings resulting from suits instituted by the Government.[4] In other words, until 1914, there was no right to a jury trial whatever in criminal contempts. Since 1914 there has been the right to a jury trial in criminal contempts only where the suit was instituted by a private party rather than the Government and the contempt violates the criminal law. Despite this long history of limited jury trial in criminal contempt proceedings, the opponents of civil rights, without ever having objected to the absence of jury trials in criminal contempt proceedings brought by the Government under other statutes, now demand this right for those who willfully defy civil rights injunctions.

Thus, the opponents of the pending civil-rights bill face overwhelming adverse constitutional history against their claim of a constitutional right to jury trial in contempt cases. Likewise, their proposals for jury trials in all civil and criminal contempts are without Congressional precedent. Con-

[4] It might be well to repeat here for the sake of clarity the distinction between civil and criminal contempt proceedings. Civil contempt proceedings are intended to secure compliance with judicial orders by conditional penalties and to compensate the injured parties by compensatory fines. Criminal contempt proceedings are intended to punish the individual for violating the court's commands and thereby to vindicate the court's authority. Criminal contempt proceedings for willful violations of the court's order can be based on acts which, independently of the order, would constitute a crime or on acts which, independently of the order, would not constitute a crime. In none of the cases, however, is there penalty for violation of the criminal law; it is for violation of judicial mandate.

gress has never been willing to deprive the Federal judiciary of authority to enforce obedience to its lawful orders. Certainly, it ought not to do so here where pending legislation seeks to empower the courts to protect fundamental rights of our citizens guaranteed by our Constitution and the Bill of Rights.

The Norris-La Guardia Act Was Passed to Further the National Policy

The opponents of civil rights make much of the one and only instance of a broad right to jury trial in criminal contempts, contained in the 1932 Norris-LaGuardia Act (now 18 U. S. C. 3692). There Congress provided that in criminal contempt proceedings arising out of labor disputes involving the disobedience of judicial orders the accused should have trial by jury. As we have just seen, the general statute for jury trials is much more narrowly confined to cases where the contempts constitute violations of criminal law and do not arise out of injunctions obtained by the United States. There are 28 different statutes providing for Government-sought injunctions to restrain violations of law [5]—in none of these did Congress see fit to provide for jury trials. Norris-LaGuardia contains the only provision ever enacted by Congress in which jury trial was provided as of right in criminal contempt cases arising from injunctions obtained by the United States.[6]

But even as the sole exception to the general Congressional policy, the Norris-LaGuardia provision fails to support the contention of the opponents of the present bill. For, unlike the present proposal, that provision was enacted to insure the carrying out of the national Congressional policy as reflected and specifically defined in the Norris-LaGuardia Act.[7] In the decades prior to 1932 numerous anti-labor injunctions were issued by anti-labor Federal judges. These injunctions were made on the basis of highly controversial judge-made law unsupported by any clear Congressional mandate and frequently contrary to the law prevailing in the courts of the States where the acts took place. These anti-labor judges were unwilling to recognize the growing national policy of fostering rather than stifling the growth of a strong and independent labor movement. Courts would issue injunctions and use their contempt power indiscriminately, not to prevent violations of law but to prevent labor organization and freedom of collective bargaining. Decades of such demonstrated hostility by the courts to labor and its interests [8] prompted Congress to implement the growing national policy in the labor field by specifically curtailing the Federal injunctive power in many areas of labor litigation and by providing that juries, rather than the judges, determine whether contempts had been committed.

Thus the anti-labor judges at whom the Norris-LaGuardia jury trial provision was aimed had utilized injunctive and criminal contempt powers in a manner hostile both to the laboring defendants and to the growing national policy favoring the protection of legitimate trade unionism. The Norris-LaGuardia jury trial provision was intended both to protect the laboring defendants and to further this growing national policy. It certainly cannot be suggested either that Federal judges in the South will utilize their powers under the pending civil rights legislation in a manner hostile to the southern defendants or that the national policy of protecting the right to vote will be furthered by depriving these judges of their contempt powers. Thus, neither of the reasons which called into being the Norris-LaGuardia jury trial provision are present in this situation.

The very narrow purpose and significance of the Norris-LaGuardia provision is demonstrated by the fact that in 1947, when it was believed that the judicial abuses of previous years could no longer reasonably be anticipated, Congress in effect repealed the Norris-LaGuardia Act jury trial provision by providing in Taft-Hartley [9] that Norris-LaGuardia restraints would be inapplicable to injunctions sought by the United States under the Labor-Management Relations Act. By so doing, Congress returned to its basic policy of providing for judicial enforcement of criminal contempt in proceedings instituted by the United States. In Taft-Hartley, Congress manifested once again its determination that only the most overriding considerations would induce it to deprive the Government of speedy and effective judicial remedies. Far from any such considerations applying to the pending civil rights legislation, depriving the judiciary of the power to make effective their civil rights decrees would in fact nullify the very purpose of the legislation.

C. THE PROPOSAL FOR JURY TRIAL IS INTENDED NOT TO FURTHER BUT TO DEFEAT THE REMEDIAL PURPOSE OF THE PENDING LEGISLATION

The present suggestion for jury trial, unlike the Norris-LaGuardia provision, is not offered to further, but rather to defeat, the purpose of the pending remedial legislation. For it is not the judiciary which is hostile to the national and Congressional purpose found in the 14th and 15th amendments, in existing civil rights laws, and the pending legislation; on the contrary, it is the juries in certain States which are hostile to that national policy. It requires no elaborate documentation to show the hostility of juries in certain States to the civil rights legislation and the civil rights amendments to the Constitution. At the moment and, it is tragically probable, for some time to come, southern juries simply will not convict white southerners, no matter how willfully and wantonly they deprive American citizens, because of their color, of their most fundamental constitutional rights. The hostility of the juries to the national policy of racial equality and Negro rights can be explained. In the atmosphere of coercion, intimidation, and threat exerted in some States on the colored people thereof, juries cannot exercise their fair judgment in civil rights cases. The white community of many States is organized in force to prevent the execution of the law and the enjoyment of civil rights, especially those protected by the 15th amendment, and jurors are not impervious to organized force. It is only the Federal judges, protected as they are by tenure for life, who are sufficiently insulated from these organized economic, social, and even physical sanctions to resist the dominant community hostility to the civil rights of the minority group.

Fears Expressed by Southern Legislators About Southern Judges Are Imaginary

The fears that are expressed by southern legislators of the wrongs that southern judges might inflict upon southern citizens under the pending legislation are imaginary. Indeed, their reckless and unsupported attack on the integrity of the judiciary, more specifically of the Federal district judges in Southern States, is not only a discourtesy to these jurists, but ill befits those who indulge in it.

By and large, these judges are southerners drawn from the practitioners of the bars of the various Southern States. They have been appointed without the opposition, indeed with the concurrence, endorsement, and often at the suggestion, of southern Senators. The danger that they represent to the opponents of civil rights is not derived from any injudicious tendencies among the Federal judiciary in the South or any lack of understanding or sympathy among these judges for the problems of the South. The threat that they pose to the opposition is derived rather from the fact that, once given tenure appointments to the Federal bench, these men honestly and conscientiously apply and are applying daily the law of the land, including the civil rights laws and the 14th and 15th amendments.

What the southern proponents of jury trials fear, and all that they fear, is that their own southern judges will enforce civil and electoral rights of American citizens without prejudice, discrimination, and recrimination. The southerners are not asking for jury trials because southern Federal judges cannot be counted on to do justice in civil rights cases; they are asking for jury trials because southern white juries can be counted on not to do justice.

To provide for jury trials in the pending civil rights legislation would not only fail to further its remedial purpose, but, on the contrary, would emasculate and defeat that very remedial intent. As Assistant Attorney General Warren G. Olney III stated in a public address on April 5, 1957, the jury trial proposal of the opponents of civil rights is "a clever device to nullify the proposed civil rights legislation" by "deceptive appeals for the protection ofthe right to jury trial." Enforcement of injunction orders by judicial authority will effectively implement the purpose of the pending civil rights legislation and will conform to historic Congressional policy in the realm of contempt proceedings.

D. THE PROPOSAL FOR JURY TRIAL IN CIVIL CONTEMPT CASES IS NOT ONLY LACKING IN PRECEDENT OR POLICY BUT WOULD CONTRAVENE THE UNITED STATES CONSTITUTION

Opponents of the pending measure would amend it so as to grant jury trials not only in criminal contempt cases, whether or not arising in suits brought by the United States and whether or not the act of contempt is also a violation of criminal law, but apparently would extend the right to civil contempt proceedings as well. This proposal is not only contrary to the purpose of the pending remedial legislation, but also appears to be unconstitutional. For there is most serious doubt whether Congress could deprive the Federal courts of the power to make their decrees and commands fully effective by making enforcement of such decrees dependent upon and subject to the delays and uncertainties of jury trial.

Numerous decisions in State courts have held that the legislature has no power so to restrict the authority of the courts, by requiring jury trials in contempt proceedings, as to render judicial authority ineffective. The four early authoritative decisions of

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[5] There are 29 such statutes counting Taft-Hartley.

[6] It is to be noted, however, that no court has held jury trial to be a right of the defendant in a contempt proceeding arising from a suit instituted by the United States either before or after the Norris-La Guardia Act. It should also be noted that in *United States* v. *United Mine Workers,* 330 U. S. 258, wherein the United States obtained an injunction in its capacity as a mine employer, the Supreme Court held the Norris-LaGuardia Act jury trial guarantee inapplicable to a contempt of that injunction.

[7] The Norris-LaGuardia Act declared that "it is necessary that he [the worker] have full freedom of association, self-organization, and designation of representatives of his own choosing, to negotiate the terms and conditions of his employment, and that he shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection * * *" (29 U S. C. 102).

[8] See Frankfurter and Green, The Labor Injunction (1930).

[9] Sections 10 (h), 208 (b).

State courts which reject legislative power to impair the inherent authority of the courts to punish contempts are *Watson* v. *Williams* (36 Miss. 331 (1858)); *Carter's Case* (96 Va. 791, 32 SE 780 (1899)); *Bradley* v. *State* (111 Ga. 168, 36 SE 630 (1900)); and *Ex parte McCown* (139 N. C. 95 (1905)).

A Mississippi's Court's Opinion

In Carter's case the Supreme Court of Virginia gives a full and cogent analysis which has been relied upon universally in States where the legislature has attempted to require jury trials in contempt proceedings. And there is probably no more concise statement of the constitutional reasons for retaining summary enforcement power in the judiciary than that given by the Supreme Court of Mississippi in 1858 in *Watson* v. *Williams* (36 Miss. 331, 341), where the court held:

"The power to fine and imprison for contempt, from the earliest history of jurisprudence, has been regarded as a necessary incident and attribute of a court, without which it could no more exist than without a judge. It is a power inherent in all courts of record, and coexisting with them by the wise provisions of the common law. A court without the power effectually to protect itself against the assaults of the lawless, or to enforce its orders, judgments or decrees against the recusant parties before it, would be a disgrace to the legislation and a stigma upon the age which invented it."

These early southern decisions have been followed in numerous other States where the courts have held that the legislature may not, by requiring jury trials in contempt of court proceedings, deprive the courts of their inherent power to make their decrees and authority effective. See, e. g., *Fort* v. *Cooperative Farmers' Exchange* (81 Colo. 431, 256 Pac. 319 (1927)); *Arnold* v. *Commonwealth* (80 Ky. 300 (1882)); *Walton Lunch Co.* v. *Kearney* (236 Mass. 310 (1920)); *In re Opinions of the Justices* (314 Mass. 767, 49 NE 2d 252 (1943)); *Pacific Live Stock Co.* v. *Ellison Ranching Co.* (46 Nev. 351, 213 Pac. 700 (1923)); *Hall* v. *The State* (55 Ohio St. 210 (1896)); *Smith* v. *Speed* (11 Okla. 95 (1905)); *Blanchard* v. *Golden Age Brewing Co.* (188 Wash. 396, 63 P. 2d 397 (1936)); *John F. Jelke Co.* v. *Hill* (208 Wisc. 650, 242 NW 576 (1932)).

The Limits of Congressional Power to Require Jury Trials

Both before and after enactment of the Clayton Act in 1914, it was doubted that Congress could, without violating the doctrine of separation of powers, grant the right to jury trial in either civil or criminal contempt. United States courts of appeals for two circuits, in *Michaelson* v. *United States* (291 Fed. 940) and *In re Atchison* (284 Fed. 604), following the universal rule announced in State court decisions, held that the Clayton Act provision for jury trial of criminal contempts violated the constitutional doctrine of separation of powers. The United States Supreme Court in *Michaelson* v. *United States* (266 U. S. 42), reversed these rulings. However, the Court clearly indicated that only because of the limited nature of the Clayton Act jury trial provision could it be upheld. It indicated that "different and more serious considerations would arise" if that statute had extended to cases of failure or refusal to comply affirmatively with a decree. The Court said:

"But it is contended that the statute materially interferes with the inherent power of the courts and is therefore invalid. That the power to punish for contempt is inherent in all courts, has been many times decided and may be regarded as settled law. It is essential to the administration of justice. The courts of the United States, when called into existence and vested with jurisdiction over any subject, at once become possessed of the power. So far as the inferior Federal courts are concerned, however, it is not beyond the authority of Congress (*Ex parte Robinson* (19 Wall. 505, 510–511); *Bessette* v. *W. B. Conkey Co.* (194 U. S. 324, 326)); but the attributes which inhere in that power and are inseparable from it can neither be abrogated nor rendered practically inoperative. That it may be regulated within limits not precisely defined may not be doubted. The statute now under review is of the latter character. It is of narrow scope, dealing with the single class where the act or thing constituting the contempt is also a crime in the ordinary sense. It does not interfere with the power to deal summarily with contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, and is in express terms carefully limited to the cases of contempt specifically defined. Neither do we think it purports to reach cases of failure or refusal to comply affirmatively with a decree—that is to do something which a decree commands—which may be enforced by coercive means or remedied by purely compensatory relief. If the reach of the statute had extended to the cases which are excluded a different and more serious question would arise."

The Court specifically stated its "doubt" that Congress could require jury trial for civil contempts:

"We first inquire whether the proceeding contemplated by the statute is for a civil or a criminal contempt. If it be the latter—since the proceeding for criminal contempt, unlike that for civil contempt, is between the public and the defendant, is an independent proceeding at law, and no part of the origial cause, *Gompers* v. *Bucks Stove & Range Co.* (221 U. S. 418, 444–446, 451)—we are at once relieved of the doubt which might otherwise arise in respect of the authority of Congress to set aside the settled rule that a suit in equity is to be tried by the chancellor without a jury unless he choose to call one as purely advisory. We think the statute, reasonably construed, relates exclusively to criminal contempts." [10]

The Supreme Court had earlier given its view that courts must be authorized to exercise contempt power "without referring the issues of fact or law to another tribunal or to a jury." In *Gompers* v. *Bucks Stove & Range Co.* (221 U. S. 418, 450), the Court held:

Power to Punish for Contempt Is Vital

"While it is sparingly to be used, yet the power of courts to punish for contempts is a necessary and integral part of the independence of the judiciary, and is absolutely essential to the performance of the duties imposed on them by law. Without it they are mere boards of arbitration, whose judgments and decrees would be only advisory.

"If a party can make himself a judge of the validity of orders which have been issued, and by his own act of disobedience set them aside, then are the courts impotent, and what the Constitution now fittingly calls the judicial power of the United States would be a mere mockery.

"This power 'has been uniformly held to be necessary to the protection of the court from insults and oppression while in the ordinary exercise of its duty, and to enable it to enforce its judgments and orders necessary to the due administration of law and the protection of the rights of citizens.' *Bessette* v. *W. B. Conkey Co.* (194 U. S. 333).

"There has been general recognition of the fact that the courts are clothed with this power, and must be authorized to exercise it without referring the issues of fact or law to another tribunal or to a jury in the same tribunal. For, if there was no such authority in the first instance, there would be no power to enforce its orders if they were disregarded in such independent investigation. Without authority to act promptly and independently the courts could not administer public justice or enforce the rights of private litigants."

Michaelson is the only Supreme Court decision upholding the power of Congress to require jury trials even in criminal contempt proceedings. There the Court indicated its serious doubt whether Congress could, by providing for juries in civil contempts, invade the equity jurisdiction conferred by the Constitution and deprive the courts of their inherent power to obtain compliance with their decrees and orders. Therefore, if Congress were to require a jury trial in civil contempts arising under the present bill, it would not only go beyond what the Constitution requires and what Congress itself has heretofore deemed proper, but would be extending Congressional authority over the judiciary in a way which would give rise to that "doubt" and those "different and more serious considerations" which the Supreme Court emphasized in the Michaelson case.[11]

III. EQUITABLE ENFORCEMENT OF CIVIL RIGHTS IS THE LEAST DRASTIC AND THE MOST CAUTIOUS AND REASONABLE MEANS OF PROTECTING THE RIGHT TO VOTE AND PREVENTING THE BREAKDOWN OF LAW AND ORDER IN THE SOUTH

The limited and traditional equity power of the Federal courts which the present measure invokes, contrasted with other remedies provided by the Constitution in cases of wholesale denial of civil rights and organized resistance to law, are a reasonable and moderate attempt to cope with national problems before they reach proportions requiring more summary and precipitous action. Courts of equity have traditionally intervened to protect against irreparable damage to public and private interests, often in cases not involving so serious an affront to the public interest as in this case where civil rights legislation seeks to protect the fundamental right to vote guaranteed by our Constitution and the Bill of Rights. This use of Federal equity powers is a cautious effort to utilize the least drastic means to protect basic constitutional rights of our citizens.

CAUTIOUS REMEDIAL MEASURES MAY AVERT BREAKDOWN OF LAW AND ORDER

Opponents of the pending civil rights measure who seek to render it ineffective by their proposal for a jury-trial amendment are doing a great disservice to their States and to the Nation. By attempting to defeat cautious remedial measures, they are inviting a state of affairs which may require far more stringent Federal action. They would create the untenable alternative that the Federal Government must rely on present ineffective laws or wait until the breakdown of law and order becomes so complete as to require harsh and peremptory Federal remedies to be invoked. This is reminiscent

[10] See also *Fort* v. *Cooperative Farmers' Exchange*, 81 Colo. 431, 256 Pac. 319 (1927).

[11] In this connection the comment of Mr. Justice Holmes, with Mr. Justice Brandeis concurring, in *Toledo Newspaper Co.* v. *United States* (247 U. S. 402, 425), is relevant. The Justices were dissenting from the majority's denial of procedural safeguards to contempts by publication, but as concerns contemptuous disobedience of judicial candates, Justice Holmes said: "I would go as far as any man in favor of the sharpest and most summary enforcement of order in court and obedience to decrees. * * *"

Even the stanchest advocates of jury trial for contempt cases concede the undesirability of its extension to civil as distinguished from criminal contempts. See, e. g., Beale, *Contempt of Court, Civil and Criminal* (21 Harv. L. Rev. 161, 173–174), approved by Justices Black and Douglas in *United States* v. *United Mine Workers* (330 U. S. at 332).

of the revolutionary theories of salvation by catastrophe: that things must get worse before they can get better.

MORE STRINGENT REMEDIES AVAILABLE

If more stringent remedies be required, there is no lack of Federal power to take far more stringent steps to guarantee the fundamental right to the franchise than those contemplated by the pending measure. Thus, the 14th and 15th amendments, both providing that Congress shall have "power to enforce by appropriate legislation" provisions of those amendments, permit a wide field of remedial action. For instance, Congress provided by law in 1866 for "the removal of suits from a State court either by the plaintiff or defendant, who shall make oath that he cannot have a fair trial on account of local prejudice and influence" (*Barclay* v. *Levee Commissioners* (1 Woods 254)). This unprecedented legislation, designed to secure to Negroes rights which were denied them in the State courts because of bias and prejudice against them, substantially altered the distribution of judicial power established by the Constitution by providing for Federal trial of actions and prosecutions ordinarily within the competence of State authority only. Nevertheless, under the implementing clause of the 14th amendment, this law was upheld by the Supreme Court in *Strauder* v. *West Virginia* (100 U. S. 303):

"A right or an immunity, whether created by the Constitution or only guaranteed by it, even without any express delegation of power, may be protected by Congress. *Prigg* v. *Com.* (16 Pet. 539). So in *U. S.* v. *Reese* (92 U. S. 214), it was said by the Chief Justice of this Court: 'Rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. The form and manner of the protection may be such as Congress in the legitimate exercise of its legislative discretion shall provide. These may be varied to meet the necessities of the particular right to be protected.' But there is express authority to protect the rights and immunities referred to in the 14th amendment, and to enforce observance of them by appropriate Congressional legislation. And one very efficient and appropriate mode of extending such protection and securing to a party the enjoyment of the right or immunity, is a law providing for the removal of his case from a State court, in which the right is denied by the State law, into a Federal court, where it will be upheld."

Congress could likewise take far-reaching action under article IV, section 4, of the Constitution which provides that the United States "shall guarantee to every State in this Union a Republican Form of Government." It cannot be doubted that the wholesale denial of electoral rights to a significant portion of the qualified voters in certain States tends to render their governments unrepublican and unrepresentative in form, and it has many times been held that this clause of the Constitution was intended for Congressional implementation within the full discretion of Congress. (See, e. g., *Luther* v. *Borden* (158 U. S. 564).)

THE WHOLESALE DENIAL OF FEDERAL ELECTORAL RIGHTS TO NEGROES

In the light of the wholesale denial of Federal electoral rights to Negroes in many States of the Union, Congress and the President could safeguard their franchise by using far more stringent power provided for such cases. Indeed there is ample constitutional and Congressional precedent for such measures:

1. Reduced Representation

Under the second section of the 14th amendment, the representation of States in the House of Representatives can be drastically reduced when Negroes are denied the franchise. This section permits such reduced representation when the right to vote is denied to any adult male inhabitants of such State for reasons other than participation in rebellion or other crime. It will hardly be argued that, rather than employing established judicial process, Congress should permit the present intolerable wholesale denial of voting rights to continue and merely reduce representation of the offending States in Congress, thus penalizing all citizens of those States. Yet if the pending remedial measure is defeated or impaired, the more sweeping alternative will gain popularity among those suffering from, or outraged by, denial of the equal protection of the laws.

2. Federal Control of Federal Elections

There is also precedent for actual Federal control of Federal elections [12] in legislation enacted after the Civil War, when Congress enacted sweeping laws to protect the Federal electoral right. Included in the 1870 act "to enforce the right of citizens of the United States to vote in the several States, etc.," were provisions providing (as summarized by the Supreme Court in *Ex parte Siebold* (100 U. S. 371)):

(i) For Federal judicial authority to have registrations and elections guarded and scrutinized;

(ii) For the appointment by Federal courts of election supervisors;

(iii) For authority of such supervisors to challenge registration of voters or "to cause such names to be registered as they may think proper to be so marked";

(iv) For such supervisors to attend at the elections "to challenge any vote, the legality of which they may doubt; to be present where the ballot boxes are kept, until every vote cast has been counted * * * and to personally inspect and scrutinize at any and at all times, on the day of the election, the manner in which the poll books, registry lists, and tallies are kept * * *";

(v) For Federal marshals, upon application by two citizens, to appoint deputies to aid and assist the election supervisors; and

(vi) For the marshal and his deputies to "keep the peace and protect the supervisors in the discharge of their duties; preserve order at such place of registration and at such polls; prevent fraudulent registration and voting, or fraudulent conduct on the part of any officers of election, and immediately to arrest any person who commits, or attempts to commit, any * * * offense against the laws of the United States."

The National Government Must Execute Its Power or It Is No Government

This legislation was upheld by the Supreme Court in *Ex parte Siebold* (100 U. S. 371), where these sections of the civil rights acts were put in issue by the conviction of certain State election officials for stuffing the ballot box and for hindering the Federal marshals in their duty to keep the peace at elections of Federal candidates. Broad Federal authority under the Constitution to protect the purity of Federal elections against State action was upheld in the Siebold case (the same power was upheld as against private interference later in *Ex parte Yarbrough* (110 U. S. 651)). The Court answered the contention that there was no Federal authority to keep the peace at Federal elections in the following relevant terms:

"We hald it to be an incontrovertible principle, that the Government of the United States may, by means of physical force, exercised through its official agents, execute on every foot of American soil the powers and functions that belong to it. This, necessarily, involves the power to command obedience to its laws, and hence the power to keep the peace to that extent."

As to the contention that, though Congress might entirely assume jurisdiction over Federal elections it could not, short of such sweeping legislation, provide for protection of the purity of Federal elections, the Court said:

"Without the concurrent sovereignty referred to, the National Government would be nothing but an advisory Government. Its executive power would be absolutely nullified.

"Why do we have marshals at all, if they cannot physically lay their hands on persons and things in the performance of their proper duties? What functions can they perform, if they cannot use force? In executing the processes of the courts, must they call on the nearest constable for protection? Must they rely on him to use the requisite compulsion, and to keep the peace whilst they are soliciting and entreating the parties and bystanders to allow the law to take its course? This is the necessary consequence of the positions that are assumed. If we indulge in such impracticable views as these, and keep on refining and rerefining, we shall drive the National Government out of the United States, and relegate it to the District of Columbia, or perhaps to some foreign soil. We shall bring it back to a condition of greater helplessness than that of the old Confederation.

"The argument is based on a strained and impracticable view of the nature and powers of the National Government. It must execute its powers, or it is no government. It must execute them on the land as well as on the sea; on things as well as on persons. And, to do this, it must, necessarily, have power to command obedience, preserve order, and keep the peace; and no person or power in this land has the right to resist or question its authority, so long as it keeps within the bounds of its jurisdiction. Without specifying other instances in which this power to preserve order and keep the peace unquestionably exists, take the very case in hand.

Congress May Assume the Entire Control and Regulation of Federal Elections

"The counsel for petitioners concede that Congress may, if it sees fit, assume the entire control and regulation of the election of Representatives. This would necessarily involve the appointment of the places for holding the polls, the times of voting, and the officers for holding the election; it would require the regulation of the duties to be performed, the custody of the ballots, the mode of ascertaining the result, and every other matter relating to the subject. Is it possible that Congress could not, in that case, provide for keeping the peace at such elections, and for arresting and punishing those guilty of breaking it? If it could not, its power would be but a shadow and a name. But, if Congress can do this, where is the difference in principle in its making provision for securing the preservation of the peace, so as to give to every citizen his free right to vote without molestation or injury, when it assumes only to supervise the regulations made by the State, and not to supersede them entirely? In our judgment, there is no difference; and if the power exists in the one case, it exists in the other."

The Supreme Court has thus clearly recognized the power of Congress to assume entire control and regulation of Federal elections. Far-reaching proposals have been made for Federal registration or for an Electoral Practices Commission to supervise Federal elections. The pending legislation proposes to leave control of Federal elections in the hands of the States, subject only to the willingness of the State officials to protect the right of every qualified citizen to vote.

3. Federal Forces

Finally, since 1795, the President has been given full power to use military force to execute the laws where wholesale resistance is encountered. Congress, in 1795, passed (First United States Statutes at Large, page 424; see 50 U. S. C., sec. 202), "an act to provide

[12] We mean, of course, elections at which presidential electors, Senators, or Representatives are selected or elected.

for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," providing that "whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such State, or of any other State or States, as may be necessary to suppress such combinations, and to cause the laws to be executed. * * *"

And the Civil Rights Acts, within the specific context of denial to Negroes of their civil rights, reaffirmed this authority by providing for full aid of the militia and military and naval forces to guarantee such rights. Acts of April 9, 1866; May 31, 1870 (see 42 U. S. C., sec. 1933),[13] Act of April 20, 1871 (see 50 U. S .C., sec. 203).[14]

* * * * *

THE PRESENT CAUTIOUS REMEDIAL MEASURE IS FAR TO BE PREFERRED

We do not believe that anyone would wish to employ such stringent legislation as has been reviewed here in order to guarantee voting rights now denied to many citizens. But it is clear that the Constitution provides most abundant authority for remedial Congressional action to protect the rights safeguarded by the 14th and 15th amendments. It cannot be fairly contended that, rather than using the orderly judicial process to guarantee civil and electoral rights, any of these last resort remedies must be relied upon. The present cautious remedial measure is far to be preferred.

CONCLUSION

The Federal Constitution protects every citizen on every bit of soil under the jurisdiction of the Federal Government. Federal elections are the very heart and soul of this democratic union. In one way or another, the Federal Government must enforce the rights of every citizen in every part of the country to cast his vote. If the cautious and reasonable methods of enforcing the right to vote through Federal injunctions are not successful, more drastic measures will have to be tried. The one thing that cannot be accepted is that the Federal Government should surrender its own democratic foundations by tolerating wholesale denials of the right to vote in any part of the land.

OPPONENTS ARE FIGHTING FOR THE RIGHT TO VIOLATE THE LAW

Opponents of civil rights are not fighting for jury trial, but for the right to violate the law. Their entire argument is based on the expectation that civil rights decrees of the Federal court will be violated and disregarded. They are fighting for the right of defiance to the law of the land without fear of punishment or restraint.

There can be no warrant for accepting the facile arguments of the opponents of the pending civil rights legislation. Never in its history has Congress accorded jury trials as of right in civil-contempt proceedings. It was not until 1914 that Congress provided even a limited right to jury trial for criminal contempt proceedings, i. e., in cases where the Government was not the litigating party.

THEY INVOKE THE SPECTER OF JUDICIAL TYRANNY TO DISTRICT ATTENTION FROM THE REALITY OF EXISTING POLITICAL AND ECONOMIC TYRANNY

Never having been heard before to complain of these limits on the right of jury trial in contempt proceedings, the opponents of civil rights legislation now ask for an unprecedented extension of jury trials to all contempts under the pending civil rights legislation. They invoke the specter of judicial tyranny to distract attention from the reality of existing political and economic tyranny at which the civil rights bill is directed. They ask the whole Nation to distrust the southern Federal judiciary which they have recommended, endorsed, and confirmed, and they would repose the most sacred rights of the citizen in the hands of a jury rendered incapable of performing its constitutional function by fear, intimidation, and hostility.

Of course, occasions may arise when, because of persistent judicial abuse or some other cogent reason, Congress would want to provide for jury trial more broadly than it has provided generally in the law today. But the present bill certainly presents no occasion for such a requirement. On the contrary, the pending legislation is designed and render the pending legislation powerless to carry out the will of the vast majority of this Congress and of the people of the United States.

In the name of civil liberties, overnight champions of jury trials propose now again to strangle hope of making civil rights a reality for millions of disfranchised Americans. Their arguments find not support but contradiction in the Constitution, in established Congressional policy, and in the need for implementing and securing the civil and electoral rights of our American citizens.

APPENDIX A. STATUTES AUTHORIZING INJUNCTIVE RELIEF TO THE UNITED STATES GOVERNMENT, AND AGENCIES AUTHORIZED TO SEEK THE SAME

1. Antitrust laws, restraining violation (by U. S. attorney under direction of Attorney General (15 U. S. C. 4).

2. Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

3. Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

4. Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (42 U. S. C. 1816).

5. Atomic Energy Act, enjoining violation of act or regulation (by Attorney General) (42 U. S. C. 2280).

6. Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

7. Clayton Act, violation of enjoined (by U. S. attorney, under direction of Attorney General) (15 U. S. C. 25).

8. Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

9. False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

10. Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

11. Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

12. Enclosure of public lands, enjoining violation (by U. S. attorney) (43 U. S. C. 1062).

13. Investment advisers, violations of statute, rules and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b-9).

14. Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-35).

15. Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-34).

16. Violation of statute governing, or rules, regulations or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-41).

17. Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor under direction of Attorney General, see 29 U. S. C. 204b) (29 U. S. C. 216 (c), 217).

18. Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States Attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

19. Import trade, prevention of restraint by injunction (by United States Attorney. under direction of Attorney General) (15 U. S. C. 9).

20. Wool products, enjoining violation of Labeling Act (by Federal Trade Commission) (15 U. S. C. 68e).

21. Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

22. Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

23. Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

24. Submarine cables, to enjoin landing or operation (by United States) (47 U. S. C. 36).

25. Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a (6)).

26. Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

27. Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

28. National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b).

CLARENCE DARROW

Mr. DOUGLAS. Mr. President, Clarence Darrow, the celebrated American attorney, was born just a century ago, April 18, 1857. Mr. Darrow had a dis-

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[13] "It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title."

[14] "Whenever insurrection, domestic violence, unlawful combinations, or conspiracies in any State so obstructs or hinders the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the Constitution and secured by the laws for the protection of such rights, privileges, or immunities, and the constituted authorities of such State are unable to protect, or, from any cause, fail in or refuse protection of the people in such by such State of the equal protection of the rights, such facts shall be deemed a denial laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy, opposes or obstructs the laws of the United States, or the due execution thereof, or impedes or obstructs the due course of justice under the same, it shall be lawful for the President, and it shall be his duty, to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary, for the suppression of such insurrection, domestic violence, or combinations."

tinguished record both as an attorney and as a citizen.

I did not agree with Mr. Darrow's religious views, and I did not agree with many of the positions which he took in public life. He would have been the last man to have claimed that he was perfect in all respects. Nevertheless, his record, taken as a whole, was one of able and persistent defense of "underdogs" in American society, and he performed great service in defending the rights of minority groups, such as laboring men, who were frequently unjustly accused and unduly severely punished, and in defending the right of free inquiry and the freedom of teaching.

I think Mr. Darrow probably did more than anyone else in the history of our Nation to free American schools, so that they might teach the facts of organic life and of the earth and earth sciences.

It was my privilege to have been for many years a close personal friend of Mr. Darrow. I formed a great affection for him and a sincere respect for him.

In the past few years one phase of Mr. Darrow's career has been brought to the attention of the American public by the extraordinary play Inherit the Wind, which tells, in the main truthfully, the story of the celebrated Scopes trial in Tennessee, where Mr. Darrow acted as attorney for the defense.

I wish to pay tribute to Mr. Darrow today, and to say that his career in defense of the "underdogs," ultimately winning great respect from the American public for his defense of unpopular causes, is also in a deeper sense a tribute to America itself.

WASTEFUL GOVERNMENT EXPENDITURES

Mr. TALMADGE. Mr. President, every day my mail brings me scores of letters from constituents who are in economic distress as the result of the failure or refusal of Congress to act to protect their interests.

I receive letters from farmers who are in danger of losing their farms because flexible price supports deny them their proportionate share of the national income. I hear from small-business men who are threatened with bankruptcy because nothing is done to relieve them of the burden of confiscatory tax rates. I get pleas from disabled veterans and widows and dependent children of deceased veterans who are unable to make ends meet on pre-inflation pensions. I have communication with working men and women who, caught in the squeeze between rising living costs and ever-increasing tax burdens, cannot properly provide for their families or assure the education of their children.

These people cannot understand why Congress will do nothing to help them but will unquestioningly vote thousands of dollars to be squandered on all manner of frivilous undertakings in foreign countries. These people are angry—and rightly so—that the tax dollars they pay at so great sacrifice are wasted doing things for people in foreign nations which would not even be considered to be done for Americans here at home.

A case in point is the news item distributed April 10 by the United Press Associations reporting that the United States spent $100,839 last year to send a jazz band on an 8-week tour of Africa and the Middle East and pay its leader a salary greater than that received by the President of the United States. Another example is the recent report of the International News Service of the request of the State Department for $260,000 to build a tennis court at Basra, Iraq; a dancehall in Rangoon, Burma, and a mountain retreat in Indonesia.

I ask unanimous consent that these articles be printed herewith in the RECORD as a portion of my remarks.

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

DIZZY'S BAND PLEASED TURKS—JAZZMAN'S PAY BEAT IKE'S ON TOUR, TAXPAYERS LEARN

WASHINGTON, April 10.—Uncle Sam last year briefly paid Negro band leader Dizzy Gillespie a Government-guaranteed higher weekly salary than President Eisenhower, Congressional testimony disclosed Wednesday.

The testimony revealed that it "cost" $100,839 for Dizzy's band to make an 8-week tour of Africa and the Middle East from March 27 to May 21 last year. It gave 55 performances in 11 cities in Iran, Pakistan, Lebanon, Syria, Turkey, Yugoslavia, and Greece.

The "cost" included $43,741 for transportation, Dizzy's $2,150 a week salary, salaries of his musicians, extra pay of $1,287 for rehearsals and half pay of $1,802 for traveltime.

The tour produced $16,458 in receipts. Therefore, it cost taxpayers $84,381.

The testimony showed that Gillespie again received $2,150 a week pay when the Department subsequently sent his band on a tour of Latin America. The duration of this tour was not disclosed, but the cost to taxpayers was estimated at $40,000.

In defending the program, Department officials said it was promoting "good relations and understanding between our country and other nations."

They said Gillespie went over big in Turkey where he was "extremely generous" with his time in greeting Turkish musicians and even gave a trumpet to one Turk.

But they said they had criticism about Gillespie's conduct in Uruguay. They said he "went off by himself" and refused to meet with one group "although he could have."

The State Department arranged for Dizzy to be paid $2,150 a week to disseminate American culture by playing jazz music to foreign audiences in Africa, the Middle East, and Latin America.

While it lasted, Dizzy was the Government's highest-paid employee. President Eisenhower's $100,000 a year salary, exclusive of expense allowances, amounts to a little less than $2,000 a week.

Most of Dizzy's pay came from money appropriated by Congress for the President's special international fund which finances the cultural programs on which the State Department has been spending $2,500,000 a year.

IT'S A $17 SAVING—STATE DEPARTMENT SEARCHES WORLD AND FINDS A WASTEBASKET FOR LESS THAN $27

The State Department has proudly reported that it has scoured the world, slashed redtape, and found a wastebasket that sells for less than $27.

Testimony before the House Appropriations Subcommittee released yesterday shows that the Department discovered executive wastebaskets could be purchased somewhere for only $10.

The subcommittee cast a cold eye last year on the Department's $27 variety wastebaskets as well as its $8 smoking stands.

Asked about the cutrate wastebaskets, Thomas S. Estes, Deputy Assistant Secretary for Operations, explained:

"These are a type of executive wastebaskets, sir, that we have succeeded in finding on the market, bearing in mind the committee's interest in this item last year."

Chairman JOHN J. ROONEY, Democrat, of New York, also unearthed a few other bargains. Last year's $8 smoking stands are now available at $7.35. But it was still $73.85 for a chair, swivel, executive, and the tables that were $84 last year are $100 today.

Gloom filled the hearing room over the Department's $260,000 recreation request.

"Included in this amount of $260,000," ROONEY lamented, "we find such items as construction of a tennis court at Basra, Iraq, the construction of a recreation hall for movies and indoor games and dancing and tennis in Rangoon, Burma—that one to the extent of $19,500—a rest center for our Moscow people, a swimming pool and two more tennis courts with floodlights and provisions for dancing and cards at $27,000 at Vientiane, Laos."

The chairman also looked askance at a $25,000 clubhouse in Belgrade, a beach house at Accra on the Gold Coast (now Ghana), and a mountain retreat at Indonesia.

State Department officials explained that the money was to be used for isolated hardship posts where normal recreation facilities are not available.

Mr. TALMADGE. Mr. President, of course, I can only speak for myself; but I, for one, cannot tell my constituents that they must do without bread in the interest of economy when thousands of dollars are being thrown to the four winds overseas.

I wonder, Mr. President, how long the American taxpayer will stand for such irresponsibility on the part of his elected representatives and the officials of his National Government.

I am encouraged to believe, Mr. President, that the wrath of the taxpaying citizen will be felt sooner than many Members of Congress realize.

Mr. MALONE. Mr. President, I join the distinguished Senator from Georgia in everything he has just said. We are about to give $48 million to Hungary—and $48 million is all we are asking to keep open the mines of the United States so that they may produce the things without which we cannot fight and without which we cannot live in peace. That is all we are asking for the fiscal year 1958, when, without anyone coming to Congress, all the money which the distinguished Senator has mentioned is going into the building of dancehalls and the support of people who, when the tugs are tight, cannot be for us. They would be destroyed instantly if they tried to take our part.

THE HELLS CANYON DAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, certain telegrams and communications which I have received in respect to Hells Canyon Dam urging that the Congress of the United States proceed forthwith to consider and pass

upon the Morse-Pfost bill in respect to Hells Canyon Dam.

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

VERNONIA, OREG., *April 17, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: May we, the undersigned, urge that you put all efforts and facilities at your command to support the high Hells Canyon Dam to a successful passage.

Lee Wooden, Jewell, Oreg.; Lewis Kelley, Banks, Oreg.; Fred M. Knox, Gaston, Oreg.; Edmund G. Roediger, Jr., Vernonia, Oreg.; Gy Griffith, Timber, Oreg.; Noble Dunlap, Vernonia, Oreg.

VERNONIA, OREG., *April 17, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: May we kindly urge your strongest possible support to the extent of the successful passage of the high Hells Canyon Dam now before Congress and reverse the adverse order of the Supreme Court.

GUY I. THOMAS,
Manager, West Oregon Electric Cooperative, Inc.

APRIL 3, 1957.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WAYNE MORSE: Enclosed herewith is the resolution which the Malheur County Democratic Club No. 2, of Vale, Oreg., has adopted as of the 28th day of March, 1957. We sincerely hope that this resolution will enable you to present our views in the matter.

Very truly yours,

MARY THIEL,
Secretary of the Malheur County Democratic Club No. 2.

Whereas the development of a high single dam in the Hells Canyon area would grant the maximum benefit for flood control as well as store power production water from early flood and also have ample capacity for late flood water; and

Whereas it will provide recreational possibilities not now available to residents of the area; and

Whereas the principle of public power is still very strong in the West: Now, therefore, be it

Resolved, That the Malheur Democratic Club No. 2, of Vale, Oreg., strongly requests our House and Senate to exert every effort in the support and passing of the Hells Canyon Memorial when the same comes before them.

MARY THIEL,
Secretary of the Malheur County Democratic Club No. 2, Vale, Oreg.

MISUSE AND MISAPPROPRIATION OF TEAMSTERS UNION FUNDS

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Teamsters Meet Raps Funds Use," which was published in a recent issue of the Portland Oregonian.

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

TEAMSTERS' MEET RAPS FUNDS USE

(By Harold Hughes)

A mass meeting of some 1,500 members of Teamster Local No. 162 Thursday night unanimously censured the union's international leadership and the Western Conference of Teamsters for "misuse and misappropriation of our funds," members reported.

The meeting, which was considered orderly by union leaders, was held at the public auditorium. Officials of the local hired seven off-duty Portland policemen to keep order, but there were no incidents requiring police attention.

DUMMY BEARS SIGN

Midway in the meeting, open only to union members with paid-up dues cards, an effigy of Dave Beck, teamster national president, was discovered lying on the sidewalk by a side door. Reporters, who observed the gathering from outside the building, found the dummy.

The stuffed dummy, with Beck's name on it, bore a sign reading "It's Later Than You Think."

The teamsters voted unanimously not to support with union funds any of the international or Western Conference of Teamsters officials under fire for misuse of union funds, another member said.

Specifically, one member reported, Beck's name was mentioned in censuring floor speeches.

CROSBY'S ABSENCE HOOTED

A report from the floor that Clyde Cardinal Crosby, international representative of the union, could not be at the meeting because of teamster business in Los Angeles, brought laughs and a few boos, a member reported.

The teamsters also exonerated Harry Federspiel, teamster member accused of violating the union's bylaws in recently gathering petitions supporting the work of the Senate labor-Government rackets committee investigation.

Al Moore, president of the local, which represents some 5,000 general truckdrivers and is the largest in the Portland area, after the meeting said he did not want to comment on the action taken except to say "it was a good meeting."

LOCAL OFFICERS PRAISED

Members, however, who left the nearly 3-hour meeting from time to time, confirmed the president's estimate of the gathering and added details.

Generally, the meeting censured the union's international leadership and supported its local leaders, members said.

A teamster driver for 3½ years said a 7-man committee was appointed to recommend changes in the international constitution.

"I think our local officers are doing a fine job. The criticism was directed at the national officers," he said.

Federspiel had been under investigation by the executive board. The action of the membership in unanimously tabling the investigation was another indication of the strong feeling expressed against the intertional leadership exposed by the Senate committee.

MAIN FLOOR FILLED

"They had a chance to get it off their chest," one member said. However, some members were highly critical of the local for not having more than the three floor microphones for members to speak in.

The main floor of the public auditorium was filled. The building had been rented when a regular meeting last week of local No. 162 drew more members than the teamster hall would seat. Members began arriving soon after the doors opened at 6:30 p. m., although the meeting did not start until 8 p. m.

All the proposals acted on by the teamsters came from rank and file members on the floor, a member said.

Mr. MORSE. I wish to take a moment to comment on this very interesting article, written by Harold Hughes.

Yesterday afternoon on the floor of the Senate I had considerable to say about the investigations of labor racketeering and, using as the basis of my remarks an editorial which appeared in the Bend, Oreg., Bulletin, highly commending the local teamsters union of that city and the secretary of that union, Mr. Hugh Cole, for the fine work they do in civic affairs, I pointed out that the American people would make a great mistake if they were to judge the rank and file of the teamsters union of America by the malfeasance and misconduct of some of their national officers.

Therefore I am particularly pleased to place in the RECORD today this news story. Let me read the first paragraph of the article, which sets the tone of the entire article:

A mass meeting of some 1,500 members of the Teamsters Local No. 162 Thursday night unanimously censored the union's international leadership and the Western Conference of Teamsters for "misuse and misappropriation of our funds," members reported.

The article then goes on to describe a mass meeting of the rank-and-file members of local No. 162, who left no room for doubt that they do not approve of the type of action which I not only criticized in my speech yesterday, but which I have criticized ever since it was disclosed to us that union funds had obviously been misappropriated and misused by international teamsters officers.

This article makes it clear, I believe, that we have further evidence that the rank-and-file teamsters can be counted upon to support the type of legislation which I urged on the floor of the Senate yesterday afternoon—legislation which would protect the rank-and-file members with respect to union funds, and protect the rank-and-file members in respect to seeing to it that the affairs of the union are controlled by democratic processes, and not the processes of an oligarchy.

DEATH OF MAPLE T. HARL

Mr. CARROLL. Mr. President, it is with deep regret that I rise today to notify the Senate of the untimely and unexpected death of a distinguished Coloradoan, Maple T. Harl. Mr. Harl became more than a distinguished Coloradoan through his many years of service for the Federal Government. As a Director of the Federal Deposit Insurance Corporation from 1945 to 1953 and, for 8 years Chairman of that important agency, Mr. Harl became well known to the banking fraternity of the entire Nation.

However, while all of us are acquainted with the outstanding service rendered by the FDIC to the banking interests, more important and so considered by Mr. Harl, is the fact that FDIC has become one of the bulwarks of confidence on the part of American citizens that the banking system of our country is sound and that depositors, large and small, may be secure in the belief that their money is safe.

Maple Harl died Wednesday shortly after noon at Walter Reed Army Medical Center which he entered on Monday. He is survived by his wife, 1 daughter, Mrs. Jeanne Stockmar, of Denver, and 3

grandchildren. He was born in Marshall, Mo., in 1893, and graduated from William Jewell College in Liberty, Mo., in 1914. He received an LL. D. from William Jewell in 1952. Mr. Harl also studied at the University of Chicago law school.

He moved to Colorado in 1906, where he quickly established himself in business. He served as State banking commissioner for Colorado from 1939 to 1946.

He left this position to become Chairman of the FDIC, and it was his distinction in 1948 to hand a check for $12,604,306 to Secretary of Treasury John W. Snyder. This check represented the final payment on a $239 million advance made by the Government to the FDIC 14 years previously. On that occasion, Mr. Harl pointed out that the Nation had then completed almost 5 years without loss to any depositor in an insured bank. The three and a quarter billion dollars originally advanced to banks by the Government during the depression had been recovered by the FDIC, Mr. Harl pointed out, adding that the agency had in the meantime built up a billion dollar reserve. In addition, many millions of dollars in interest money had been returned to the United States Treasury on the investment in FDIC. Since that statement in 1948, this reserve has approximately tripled, and a fine record of safety and soundness for the American banking system has been maintained. I might add that this program was inaugurated under the New Deal administration of Franklin Delano Roosevelt which has, at times, been referred to disparagingly by some segments of the business life of our country.

As Maple Harl so fittingly said:

The American system of free-enterprise banking, with Federal and State authority sharing credit and responsibility, is the right answer to the question of financial stability; it represents not only a symbol but a bulwark of our way of life.

The proudest achievement of Maple Harl was his contribution toward the growth and development of this outstanding agency.

The activities of Mr. Harl were many. During World War I he fought in the Argonne and at St. Mihiel. He was bedridden for 4 years with a back injury. For many years an arthritis sufferer, he was chairman of the District chapter of Arthritis and Rheumatism Foundation's 1950–51 campaign. He also served as past national commander of Disabled American Veterans and was a former president of the Denver Kiwanis Club. Mr. Harl was a member of the Masonic order, having achieved the post of 32d degree Mason, and was a Shriner. He belonged to the National Press Club, Metropolitan Club, Democratic Club of Denver, American Legion, Veterans of Foreign Wars, Forty and Eight, and several business fraternities.

In behalf of his many friends in Congress and throughout the Nation, I express our sorrow and extend our sincere sympathy to his wife and daughter with the hope that our sentiments may comfort them in their hour of bereavement.

Mr. HILL. Mr. President, I should like to join the Senator from Colorado in paying tribute to Maple T. Harl. I knew him well. He was a good, steadfast friend, a fine gentleman, and an able and devoted public servant. He rendered great and outstanding service to our country.

Mr. CARROLL. I thank the distinguished Senator from Alabama.

Mr. ALLOTT. I wish to compliment my colleague on the statement he has made in behalf of Maple T. Harl. I have known Maple Harl for more than 30 years. I have been, I hope, one of his stanch friends, and always one of his admirers. We happened to be fraternity brothers in school, which was the association that first brought us together.

Maple was a Democrat. He was always proud of his party association. However, his party association never interfered with his friendship with people who were not of the same political faith, and on many occasions in the 30 years I have known him he expressed again and again his own interest in the senior Senator from Colorado and in the things he was doing in that State.

Mr. President, in the death of Maple T. Harl, the Nation has lost a valued public servant, a man who cannot easily be replaced. Indeed his mark is such an indelible one that, although his work will of necessity have to be carried on, Maple T. Harl's place can never be filled.

Mr. Harl was one of Colorado's most distinguished citizens. He has given freely of his life and his means to the community, the State and the Nation during his 51 years of residence in our State.

Mape Harl, as he has been known for years, is given credit for the work on the passage of the Federal Deposit Insurance Corporation Act of 1950 which extended the insurance coverage to bank deposits from $5,000 to $10,000 and removed the FDIC from under the jurisdiction of the Federal Reserve Act. At the time of his death, he was a Director of the FDIC, having served as its Chairman from 1946 to 1953.

His accomplishments are many from the time he worked his way through William Jewell College by selling produce in the summer, and included a great interest in the ills that befall humanity. Mape carried with him through life the marks of a true gentleman and his conduct always reflected the humble surroundings of his early years. He was not discouraged by the physical handicaps, incurred in the service of his country in World War I, nor the toughness of the competition he met in the pathways of life; rather he met adversity with a head-on determination to succeed in all the things he undertook, and at the same time instill in his family and all of those who knew him the virtues of his early lessons.

Mr. President, I ask unanimous consent that I may have printed in the RECORD at this point, as a part of my remarks, a short statement and biography of Mr. Harl dealing with the pertinent facts of his life.

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

Born in Marshall, Mo., Mr. Harl put himself through William Jewell College in Liberty, Mo., by selling produce during summer vacations. The college awarded him an honorary doctor of laws degree in 1933. He also studied law at the University of Chicago.

During World War I he fought in the Argonne and at Saint Mihiel. After having been bedridden 4 years with a back injury, he practiced law, specializing in wills and trusts.

Mr. Harl, who lived 51 years in Colorado, started the Harl Mortgage Co. in Denver and specialized in real estate credits. He was Colorado State Banking Commissioner from 1939 to 1946.

An arthritis sufferer, he was chairman of the District chapter of Arthritis and Rheumatism Foundation's 1950–51 campaign. He was a past national commander of the Disabled American Veterans and former president of the Denver Kiwanis Club.

Other affiliations included the National Press Club, Metropolitan Club, Democratic Club of Denver, American Legion, Veterans of Foreign Wars, Forty and Eight, and several business fraternities.

He was also a 32d degree Mason and a Shriner.

Surviving are his wife, Maybell Mayfield Harl of the home address, 4000 Cathedral Ave. NW., and a daughter, Mrs. Ted Stockmar, Jr., of Denver.

Mr. ALLOTT. Mr. President, in conclusion, I should like to say that I personally will always remember Mr. Harl's kindliness and his friendship, which I believe was and should be an inspiration to everyone who undertakes service for the public good.

Mr. MALONE. Mr. President, I should like to join with the distinguished Senators in paying tribute to Maple T. Harl. He was a very personal friend of mine for 37 years. I knew him in American Legion activities, and I knew him in the business in which he was engaged when he suffered his fatal heart attack. I have never known a finer man, or one who was more genial in the company of his friends or more firm in his convictions. He was a good American all the way through.

ADDITIONAL APPROPRIATIONS, 1957

The PRESIDING OFFICER. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the joint resolution (H. J. Res. 312), making additional appropriations for the fiscal year 1957.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. HILL].

The Senator from Nevada [Mr. MALONE] is recognized

Mr. MALONE. Mr. President, when we adjourned yesterday I was discussing recommendation No. 7 submitted in Document No. 83, 84th Congress, 1st session. Recommendation No. 7 appears at page 5905 of the CONGRESSIONAL RECORD of April 17. I shall continue with the recommendations, which appear on page 3 of the document.

8. We maintain that increased production of the new metal, titanium, is more urgent than ever before in the production of sonic-speed long-range bombers, fighters and interceptors, guided missiles, rockets, and submarines.

9. We recommend that special attention be paid to civil aviation titanium requirements for stepped-up speed and maneuverability, including commercially pure titanium and alloys.

10. We recommend that the Minerals, Materials, and Fuels Subcommittee continue its work in the critical materials field, including possible substitute, replacements, laboratory developments, fuel reserves, the stockpile program, and the status of the investment climate in the nations of the Western Hemisphere.

Mr. President, I ask unanimous consent that the introduction to this document, which is entitled "Critical Materials—Factors Affecting Self-Sufficiency Within Nations of the Western Hemisphere," be printed at this point in the RECORD. It appears on pages 1 and 2.

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

CRITICAL MATERIALS—FACTORS AFFECTING SELF-SUFFICIENCY WITHIN NATIONS OF THE WESTERN HEMISPHERE, ECONOMIC STATUS—INVESTMENT CLIMATE

INTRODUCTION

The manipulation of the value of their currencies in terms of the United States dollar, the permit system for imports and exports, foreign exchange and the use of multiple currencies for trade advantage forms the basic roadblock to normal trade and the interchange of investments.

Alarming as it may be to American citizens, the United States appears to be the only nation in the Western Hemisphere where the investors and workingmen are not adequately protected by a duty or tariff on imports to equalize the wages and the cost of doing business here and abroad.

It is believed that these data and the information herein, not heretofore available as a reference work, will be helpful to the nations of the Western Hemisphere in establishing the necessary investment climate—and to potential investors throughout the world.

This report—Senate Document 83, 84th Congress—on the investment climate and economic status of the nations of the Western Hemisphere is in the form of a supplement to Senate Report 1627, 83d Congress, published July 9, 1954. The following 42 nations and entities are included in this document.

American Republics

1. Argentina.
2. Bolivia.
3. Brazil.
4. Chile.
5. Colombia.
6. Costa Rica.
7. Cuba.
8. Dominican Republic.
9. Ecuador.
10. El Salvador.
11. Guatemala.
12. Haiti.
13. Honduras.
14. Mexico.
15. Nicaragua.
16. Panama.
17. Paraguay.
18. Peru.
19. United States of America.
20. Uruguay.
21. Venezuela.

Dominion

22. Canada.

European colonies

British

23. Bahamas.
24. Barbados.
25. Bermuda.
26. British Guiana.
27. British Honduras.
28. Jamaica.
29. Leeward Islands.
30. Trinidad and Tobago.
31. Windward Islands.

Netherlands

32. Surinam.
33. Curacao.
34. Bonaire.
35. Aruba.
36. St. Martin.
37. St. Eustatius.
38. Saba.

Danish

39. Greenland.

France

40. French Guiana.
41. Guadaloupe.
42. Martinique.

Senate Report 1627, published July 9, 1954, on the accessibility of strategic and critical materials to the United States in time of war and for our expanded economy including the 42 nations and entities, was a digest of 10 volumes of testimony including 360 witnesses—and showed that the Western Hemisphere could be made self-sufficient in the production of the critical materials for war or peace, and could be defended.

Senate Document 83 is the result of a personal inspection of each of the 42 nations and entities of the Western Hemisphere together with a digest of the 2-year exhaustive research program and shows that such nations, including our own, have steadily moved away from the sound long-range basic principles and policies necessary to establish a favorable "investment climate."

"Investment climate" is a phrase long used by engineers to indicate conditions within a nation or a State, under which private investments may be freely made in any enterprise where a profit is indicated, without fear of an executive action or other ruling destroying the feasibility of such enterprise, with resulting loss or impairment of such investment.

Something more than legislative action is necessary in this field to establish and maintain an investor's confidence—there is no substitute, as in the case of an individual, for a period of basic honesty and integrity.

Senate Resolution 271 continued the special work of the Minerals, Materials, and Fuels Economic Subcommittee of the Interior and Insular Affairs Committee in determining the "accessibility of critical raw materials to the United States in time of war and for the expanding economy"—and "study of the best means, methods, and devices to foster the greatest measure of self-sufficiency of critical materials that can be produced within the United States and the Western Hemisphere and to expand and develop the strategic materials industry."

Senate Document No. 83 then is set up to show the approach to a favorable "investment climate" practiced in each of the 42 nations and entities, together with their current fiscal and investment status.

Principles and policies must be established by the legislative branch of the individual sovereign nation's government upon which potential investors can depend. These principles should include current market value for money exchanges; equitable duties or tariffs on imports and exports, and reasonable policies governing foreign investments in the field of invested capital, including the free flow of interest and dividends. Continuity of such principles is of the utmost importance to the international relationship necessary to encourage production of critical materials and to further amicable relations.

It is well known and recognized that there is more private capital available for investment than ever before, anywhere in the world where there is an opportunity for a reasonable profit and where there is an established favorable "investment climate." Only a nation itself can establish or destroy such an investment climate.

To send Government funds (taxpayers' money) of any nation, into foreign lands, on any pretext or by any name, means a displacement of private investments and delay of sound development. When American taxpayers are forced to substitute foreign aid for investment dollars in projects which cannot pay out on an investment basis, then the result is a program for distribution of the people's wealth throughout the world—or international socialism.

Mr. MALONE. Mr. President, I ask unanimous consent that the findings, from which the recommendations are drawn, and which appear on pages 5 and 6 and the top of page 7 of the report, be printed at this point in the RECORD.

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

FINDINGS

The findings are in conformance with Senate Resolution 271, of the 83d Congress, to determine accessibility of the critical materials to the United States in time of war and for our expanding economy and security—and the policies and principles necessary to assure such accessibility.

The findings, including conclusions arrived at as a result of personal investigations in each of the 42 nations and entities of the Western Hemisphere and a digest of the 2 years' research material, are:

1. That the overriding interest of the nations of the Western Hemisphere is security from external aggression, and from internal economic measures tending to restrict full opportunity for the development of their resources and the welfare of their peoples.

2. That the long-range trade future of the nations of the Western Hemisphere lies in the Western Hemisphere.

3. That the greatest potential industrial development during the next century is located in the Western Hemisphere between Alaska and Greenland on the north and the southern tip of Chile on the south, containing 350 million people and one-third of the land area of the world.

4. That the United States is the only nation in the 42 nations and entities of the Western Hemisphere that does not have adequate methods, including duties or tariffs, to protect its investors and workingmen.

5. That for more than two decades the United States has moved toward international interdependence across major oceans for critical materials, without which the hemisphere cannot be defended—and which would not be available in time of war.

6. That in all of the 42 nations and entities of the Western Hemisphere the executive branches of the governments regulate the amount of money in circulation, thus providing executive-order control of trade and investments within their boundaries without further action by the legislative body. In 41 of these nations and entities the executive branch may invoke a permit system on all imports, exports, and money exchange and fix the price of their currency in terms of the dollar without reference to its market value.

7. That the United States, early in its history, adopted through the legislative branch a policy of adjusting duties or tariffs for the protection of American workingmen and investors by taking the profit out of the European and Asiatic sweatshop labor at the water's edge, thus regulating the national economy in relation to foreign trade in accordance with article I, section 8, of the Constitution. In accordance with this long-established principle by the Congress—the 1930 Tariff Act provided that:

"If the Commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in the principal competing

country, the Commission shall specify in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize such differences."

8. That the 1934 Trade Agreements Act nullified the 1930 Tariff Act and transferred the constitutional responsibility of the Congress to regulate foreign trade (art. I, sec. 8) to the President (the executive branch). In 1947 the President, by Executive order, transferred that responsibility to the General Agreements on Tariffs and Trade (GATT) at Geneva, Switzerland, which may divide the markets of its 35 member nations, including the United States, through manipulation of duties or tariffs. Such procedure is a form of international socialism.

9. That control by the executive branch of the United States Government of the Federal interest rate, the margin on the stock exchanges and the credit in installment buying all add to investors' uncertainty and confusion.

10. That shipments of supplies across major oceans, including critical materials and replacements of industrial machinery could be completely destroyed during any future major conflict.

11. That an "investment climate" necessary for the maximum production of the critical materials in the Western Hemisphere and trade between such nations must include money exchanges at their respective market value, freedom from expropriation, discriminatory taxes, and controls; the principle of fair and reasonable competition in levying duties or tariffs on imports, and the free export of interest and dividends on investments, including the free flow of capital between the nations.

12. That the trade among the nations of the Western Hemisphere including the sources of production, can be defended as going-concern enterprises during an all-out world war.

13. That where an "investment climate" has been established there is more private capital ready to be invested in development and production enterprises anywhere in the world today than ever before in history.

14. That beyond the mutual security interest, each of the sovereign nations must conduct its own affairs, establish its own fiscal policies, and in general do the things that in its judgment meet the current development and production needs of their own people.

15. That the United States is the only nation that can currently "spearhead" the defense of the Western Hemisphere.

WESTERN HEMISPHERE

The Western Hemisphere can be made self-sufficient in the production of the so-called strategic and critical minerals and materials.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the list of Strategic and Critical Materials, which appears on pages 7 and 8 of the report. There are 73 of such critical materials. There being no objection, the list was ordered to be printed in the RECORD, as follows:

STRATEGIC AND CRITICAL MATERIALS

GROUP I

Abrasive crude aluminum oxide.
Aluminum.
Antimony.
Asbestos, amosite.
Asbestos, chrysotile.
Asbestos, crocidolite.
Bauxite, metal grade.
Bauxite, refactory grade.
Beryl.
Bismuth.
Cadmium.
Celestite.
Chromite, chemical grade.
Chromite, metallurgical grade.
Chromite, refactory grade.
Cobalt.
Columbite.
Copper.
Corundum.
Diamonds, industrial.
Fluorspar, acid grade.
Fluorspar, metallurgical grade.
Graphite, amorphous lump.
Graphite, crucible grade.
Graphite, lubricant and packing grade.
Kyanite.
Lead.
Magnesium.
Manganese ore, battery grade.
Manganese ore, chemical grade.
Manganese ore, metallurgical grade.
Mercury.
Mica, muscovite block, good stained and better.
Mica, muscovite block, stained (radio tube quality).
Mica, muscovite film.
Mica, muscovite splittings.
Mica, phlogopite splittings.
Molybdenum.
Nickel.
Petroleum.
Platinum group metals, iridium.
Platinum group metals, platinum.
Quartz crystals.
Rare earths.
Selenium.
Tin.
Titanium.
Tungsten.
Vanadium.
Zinc.
Uranium.
Thorium.

Nonminerals

Bristles, hog.
Castor oil.
Coconut oil.
Cordage fibers, abaca.
Cordage fibers, sisal.
Cotton, extra long staple.
Feathers and down, waterfowl.
Hyoscine.
Iodine.
Jewel bearings, instrument jewel except vee jewels.
Jewel bearings, sapphire and ruby vee jewels.
Jewel bearings, watch and timing-device jewels.
Opium.
Palm oil.
Pyrethrum.
Quinidine.
Quinine.
Rubber, crude natural.
Sapphire and ruby.
Shellac.
Silk.
Talc, steatite, block.
Sperm oil.
Vegetable tannin extract, chestnut.
Vegetable tannin extract, quebracho.
Vegetable tannin extract, wattle.

GROUP II

Minerals

Bauxite, abrasive.
Cryolite, natural.
Graphite, crystalline fines.
Ilmenite.
Mica, muscovite block, stained and lower.
Mica, phlogopite block.
Platinum group metals, osmium.
Platinum group metals, palladium.
Platinum group metals, rhodium.
Platinum group metals, ruthenium.
Rutile.
Zirconium ore, Baddeleyite.
Zirconium ore, zircon.

Nonminerals

Agar.
Cotton.
Diamond dies.
Emetine.
Optical glass.
Talc, steatite, ground.
Wool.

Mr. MALONE. Mr. President, for myself and on behalf of my colleague, the distinguished junior Senator from Nevada [Mr. BIBLE], I offer an amendment to House Joint Resolution 312, the effect of which would be to have the Senate return to the House Joint Resolution 310, which was first sent to the Senate by the House yesterday, which was amended by the Senate, and was then sent back to the House. My amendment would have the effect of returning to the House the exact language which was sent to the House yesterday after the Senate had amended House Joint Resolution 310.

The PRESIDING OFFICER. The Senator from Nevada understands, does he not, that the Hill amendment would have to be disposed of before the amendment offered by the Senator from Nevada would be in order? However, the Senator's amendment could be read for the information of the Senate.

Mr. MALONE. I ask that my amendment be read for the information of the Senate, and that it be printed and lie on the table at this time. But to conserve the time of the Senate, I ask that my amendment be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the amendment offered by the senior Senator from Nevada for himself and on behalf of the junior Senator from Nevada [Mr. BIBLE] will be printed at this point in the RECORD, for the information of the Senate, and will lie on the table.

The amendment is as follows:

Strike out all language after line 5, page 1 and insert in lieu thereof the following:

"CHAPTER I

"Department of Agriculture

"Agricultural Conservation Program Service

"Emergency conservation measures

"Not to exceed $25 million of the appropriation granted under the head 'Agricultural Conservation Program Service,' in the Department of Agriculture and Farm Credit Administration Appropriation Act, 1956, shall be available until June 30, 1958, to enable the Secretary to make payments to farmers who carry out or who, after having requested and been granted approval by their county agricultural stabilization and conservation committees, have carried out subsequent to September 30, 1956, emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created which, (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage which is unusual in character and, except for wind erosion, is not the type which would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use, and for reimbursement to the appropriation to the President for disaster relief,

for allocations to the Secretary of Agriculture for such purposes: *Provided*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), and may be distributed among States and individual farmers without regard to other provisions of law.

"Farmers' Home Administration

"Disaster loan revolving fund

"Not to exceed $25 million of the disaster loan revolving fund established under the act of April 6, 1949, as amended (12 U. S. C. 1148a–1 to 1148a–3), may be used for emergency feed and seed assistance under section 2 (d) of said act in addition to, and under the same conditions as, the amount made available under this head in the Third Supplemental Appropriation Act, 1954 (68 Stat. 81, 88): *Provided*, That, from the funds available, upon request of the governor of any State, assistance to farmers, ranchers and stockmen in major disaster areas under section 2 (d) of the act of April 6, 1949, as amended (12 U. S. C. 1148a–2 (D)), in providing roughage for livestock shall until August 1, 1957, include assistance in procuring cottonseed meal or cottonseed cake or pellets which are available in the area, in amounts recommended by the State extension service as necessary to supplement available grazing or roughage to preserve basic herds of range livestock, upon conditions that such assistance shall be available to farmers, stockmen, and ranchers who desire to feed such protein supplements to their range livestock and that the price of such protein supplements, whether acquired by the State or by the Secretary of Agriculture and resold at less than cost or acquired by the farmer, rancher, or stockman from commercial suppliers, shall not exceed the average price charged by the respective suppliers during the calendar year 1956, or in the case of new suppliers, the average price for 1956 of the county in which the supplier is located. Insofar as funds are available, the Federal contribution hereunder for cottonseed meal or cottonseed cake or pellets shall be comparable in amount to the assistance made available to farmers in major disaster areas in the purchase of feed grains under section 301 of the Agricultural Trade Development and Assistance Act of 1954 (7 U. S. C. 1427).

"Loan authorizations

"For an additional amount for loans under title I and section 43 of title IV of the Bankhead-Jones Farm Tenant Act, as amended, $26 million: Provided, That not to exceed the foregoing amount shall be borrowed from the Secretary of the Treasury in accordance with the provisions set forth under this head in the Department of Agriculture Appropriation Act, 1952.

"CHAPTER II

"Small Business Administration

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $1,200,000, to be transferred from the 'Revolving fund, Small Business Administration.'

"Revolving Fund

"For additional capital for the revolving fund, authorized by the Small Business Act of 1953, as amended, to be available without fiscal-year limitation, $45,000,000.

"CHAPTER III

"American Battle Monuments Commission

"Construction of Memorials and Cemeteries

"To the extent that the Commission may find necessary or desirable, the appropriation granted under this head in the General Government Matters Appropriation Act, 1957, shall be available for the purposes of the act of April 2, 1956 (70 Stat. 84).

"CHAPTER IV

"Department of Health, Education, and Welfare

"Public Health Service

"Foreign quarantine service

"For an additional amount for 'Foreign quarantine service,' $67,500.

"Social Security Administration

"Grants to States for public assistance

"For an additional amount for 'Grants to States for public assistance,' $275 million.

"CHAPTER V

"Department of the Interior

"Office of the Secretary

"Acquisition of strategic minerals

"For an additional amount for 'Acquisition of strategic minerals,' $30 million, to remain available until December 31, 1958.

"CHAPTER VI

"Public works

"Department of Defense—Civil functions

"Department of the Army

"Rivers and Harbors and Flood Control

"Construction, general

"That portion of title III of the act of July 2, 1956 (Public Law 641, 84th Cong., 70 Stat. 474, 480), that pertain to the purchase of lands and improvements in the Buford-Trenton Irrigation District in lieu of protecting said Buford-Trenton Irrigation District in connection with development, construction, and operation of the Garrison Dam and Reservoir project on the Missouri River, is amended to read as follows:

" 'That in lieu of protecting the East Bottom of Buford-Trenton Irrigation District, the sum of $1,621,791 of the funds herein or hereafter appropriated for the Garrison Dam and Reservoir project on the Missouri River shall be available for the purchase of lands and improvements in and contiguous to the Buford-Trenton Irrigation District, exclusive of tracts Nos. H. H. 3170 and H. H. 3168, and not to exceed $2 million shall be available to the Corps of Engineers for protection of the intake structure of the pumping plant in Zero Bottom and for the construction of bank protection to prevent erosion in the Missouri River adjacent to the Buford-Trenton irrigation project. The substitution of land acquisition for protection shall be made and the Secretary of the Army shall acquire such land and improvements if all of the landowners, except Lester G. Larson, the heirs of Louis Morin, Jr., and the heirs of A. Desjarlais, on or before June 30, 1957, have offered to sell their property on the terms agreeable to said landowners, and within the amount provided for such land acquisition: *Provided*, That the Chief of Engineers, United States Army, is authorized to acquire by condemnation proceedings, in the appropriate United States district court, tract 208C of the Buford-Trenton project, Williams County, N. Dak., according to the recorded plat thereof which tract is owned by Lester G. Larson, the public domain allotment of A. Desjarlais, now deceased, described as Government lots 5 and 8 in section 19 and Government lot 1 in section 30, township 153 north of range 102 west of the fifth principal meridian, North Dakota, and the public domain allotment of Louis Morin, Jr., now deceased, described as the west half southwest quarter, section 16, and the north half southeast quarter, section 17, township 153 north, range 102 west, fifth principal meridian, North Dakota, in connection with the construction and operation of the Garrison Dam and Reservoir: *Provided further*, That in the event land acquisition is undertaken in lieu of protection of the East Bottom, that in recognition of the increased per acre annual operation and maintenance cost of the remaining lands in the Buford-Trenton Irrigation District, the construction charge obligation assignable to the remaining lands of said district pursuant to the act of October 14, 1940 (54 Stat. 119), as amended, and the proposed contract between the United States and Buford-Trenton Irrigation District, approved as to form February 23, 1955, shall be nonreimbursable, and the Secretary of the Interior is authorized and directed to enter into a contract with the Buford-Trenton Irrigation District to transfer operation and maintenance responsibility for project works constructed by the Bureau of Reclamation for the benefit of the Buford-Trenton Irrigation District to such district.'

"CHAPTER VII

"Legislative branch

"Senate

"Salaries, officers and employees

"Office of the Vice President: For an additional amount for clerical assistance to the Vice President, $5,000.

"Administrative and clerical assistants to Senators: For an additional amount for administrative and clerical assistants for Senators, to provide additional clerical assistants for each Senator from the States of Louisiana and Ohio so that the allowance for each Senator from the State of Louisiana will be equal to that allowed Senators from States having a population over 3 million, the population of said State having exceeded 3 million inhabitants, and so that the allowance for each Senator from the State of Ohio will be equal to that allowed Senators from States having a population over 9 million, the population of said State having exceeding 9 million inhabitants, $8,000.

"Contingent expenses of the Senate

"Inquiries and investigations: For an additional amount for expenses of inquiries and investigations, fiscal year 1956, $25,000.

"Inquiries and investigations: For an additional amount for expenses of inquiries and investigations, $820,000.

"Automobile for the President pro tempore: For an additional amount for purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $2,000.

"Automobiles for the majority and minority leaders: For an additional amount for purchase, exchange, driving, maintenance, and operation of 2 automobiles, 1 for the majority leader of the Senate and 1 for the minority leader of the Senate, $4,000.

"Joint Committee on Navaho-Hopi Indian Administration: For salaries and expenses of the Joint Committee on Navaho-Hopi Indian Administration, $5,000, to remain available during the existence of the committee.

"House of Representatives

"For payment to Cleo C. Fernandez, widow of Antonio M. Fernandez, late a Representative from the State of New Mexico, $22,500.

"For payment to Elizabeth F. Hand, widow of T. Millet Hand, late a Representative from the State of New Jersey, $22,500.

"For payment to Wilbert R. Hinshaw, widow of Carl Hinshaw, late a Representative from the State of California, $22,500.

"For payment to Mildred N. Priest, widow of J. Percy Priest, late a Representative from the State of Tennessee, $22,500."

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

Mr. MALONE. I shall be happy to yield to my friend, the distinguished Senator from Illinois.

Mr. DIRKSEN. If I may be permitted to do so, first I wish to commend the Senator from Nevada for the steadfast and diligent way in which he has pursued the matter that has engaged his interest, namely, the minerals controversy. Considering his long experience

as a mining engineer, and his familiarity with the section of the country where minerals abound, his diligent pursuit of the national interest in this field is most commendable.

I share his dejection of spirit over what took place when the money item for strategic materials under Public Law 733 was deleted from the resolution by the House, notwithstanding the action taken by the Senate. I doubt, however, that at this late hour, with the Easter recess impending, we will get anywhere unless we follow certain lines of regular procendure.

I wish to make a suggestion to the Senator from Nevada. There will be two opportunities, certainly, for the Senate to register its stand on the minerals controversy. One will come on the third supplemental appropriation bill, which is at present pending either in committee or in the House, and, so far as I know, will probably come to the Senate committee for action not too long after the Easter recess.

The second opportunity will come, of course, on the Department of the Interior appropriation bill. I think hearings have been completed on the Interior appropriation bill, and it will be the first regular appropriation bill to be considered by the Senate.

On either one of those bills a proposal to modify the action which has been taken, so as to restore the funds for minerals acquisition, will be in order. There is, however, one small problem in connection with the matter, namely, that if the funds were to be made available for retroactive payment until such a measure were signed, such a proposal would be legislative in character, and would have to be offered separately on the floor. If a point of order were made against the proposal it would have to be stricken. But there would still be the alternative of moving to suspend the rules and then to insert such a provision, so as to make the money available for retroactive purposes.

I give the Senator from Nevada the assurance, on this point, that such a course can be followed no matter what action is taken on the Urgent Deficiency bill. Whether it lies dormant or whether the House agrees to another conference will make no difference, because we are not inhibited in our opportunity to take such action with respect to other appropriation bills which will come along.

I give the Senator from Nevada my assurance now, because I am interested in the matter. I heard all the testimony. I subscribe to the attitude which has been expressed by the Senator from Nevada. I would, in order to accomplish the result desired, upon my own responsibility, offer an amendment to the supplemental appropriation bill when it finally comes to the full Senate Committee on Appropriations for action. I cannot speak for any other member of the Senate committee; I can speak only for myself. I would make the endeavor in good faith, and would do so in the hope that the amendment could be adopted and inserted in the supplemental appropriation bill. If that effort should fail, I still give the Senator from Nevada my word that I will take the same course in connection with the regular Department of the Interior appropriation bill.

I am willing also to undertake the drafting of the necessary provision notwithstanding the fact that it may be legislative in character, and to make certain that it is incorporated in the bill, so as to take care of the minerals which are produced from this time, until some measure is signed by the President under which funds will become available.

I point out to my friend from Nevada, however, that assuming favorable disposition of the matter by the Senate Committee on Appropriations and the Senate, there will still remain the question of what may be done in conference. I have no way of knowing or determining what the ultimate action of the committee of conference will be.

I wanted to address my statement not only to my friend from Nevada, but also to the distinguished Senator from Arizona [Mr. HAYDEN], the chairman of the Committee on Appropriations, because I discussed the matter with him this morning.

Having helped to carry the flag on this matter, all I can do is to give the Senator from Nevada my personal assurance as a Member of the Senate and as a member of the Committee on Appropriations that I will undertake to do what I have stated, because I think it is entirely in line with the course I have pursued thus far.

Mr. MALONE. Mr. President, I appreciate the remarks of the distinguished junior Senator from Illinois. I know that his attitude has always been right in regard to the production of all critical materials, not solely minerals, without which we cannot fight a war or live in peace, and without which we can be blackmailed into agreements with foreign nations, as we have already been blackmailed. I appreciate and agree with everything he has said in this regard.

ACTION BY THE UNITED STATES SENATE—SECURITY

I may say, further, that I have deeply appreciated the attitude of all Members of the Senate toward the security of the Nation. This is the 11th year in which I have been a Member of the Senate, and twice the Senate has passed mineral bills which I have introduced, as the distinguished Senator from Arizona, the chairman of the Committee on Appropriations, will remember, bills which would continue the production of critical materials until the time when we could reach a commonsense solution in a long-range workable program. Both of those bills failed of passage in the House. That measure was called the Malone-Aspinall Act, but many other Senators and many other Members of the House of Representatives are interested.

In 1953, the Senate and the Congress passed the bill. An extension was passed in 1955. But the President vetoed the bill. I think he vetoed it because of a lack of understanding of what we were trying to do for the security of this Nation. Nevertheless, he did veto it. The bill was passed again in 1956, and the President signed it. The Senate has likewise expressed its approval of the principle—having done so on two different occasions during this session.

So not only do I appreciate the attitude and the promise of support for the security of the Nation, on the part of the distinguished Senator from Illinois; but at this time I wish to inform the Senate that I have watched its actions closely during the past decade, and never to my knowledge has the Senate turned down a requested appropriation or bill which would secure the Nation in the case of the production of critical minerals and materials without which we cannot exist in war or in peace.

Mr. HAYDEN. Mr. President——

Mr. MALONE. I yield to the Senator from Arizona.

Mr. HAYDEN. I recall the basic principle of the act of Congress the Senator from Nevada sponsored—that is to say, that there should be a strategic-minerals industry in the United States, in order that in time of war our country would not be entirely dependent upon foreign sources.

Congress enacted that law; and, in good faith, miners in my own State and in his State and elsewhere throughout the Nation have expended their money, believing that when Congress, by means of the enactment of that law, and then following it up by making an appropriation, last year, made the promise to them it would keep it, and that they could depend upon the promise made in the act, and could proceed accordingly.

But now we have reached a point where Congress has not kept its word.

So long as I have anything to do with the Senate Committee on Appropriations, it will be my endeavor to have Congress carry out its obligations. The only way to do so in this instance is to have Congress appropriate the necessary funds.

I shall be glad to bend every effort to the end that we may do our best to bring about that result when the first deficiency appropriation bill comes to the Senate from the House of Representatives. If we cannot succeed in that instance, we shall do our best in the case of following appropriation bills.

Mr. CHAVEZ. Mr. President, will the Senator from Nevada yield to me?

Mr. MALONE. I yield.

Mr. CHAVEZ. I wish to support what has been said by the Senator from Arizona [Mr. HAYDEN], the Chairman of the Appropriations Committee, and by the Senator from Illinois [Mr. DIRKSEN].

I happen to be a Member of the Appropriations Committee. I agree completely with all the remarks the Senator from Nevada has made in regard to minerals and the necessity of taking care of our own mines and our own people.

However, in the present case we are faced with a practical situation. I believe that the Senator from Nevada and other Senators who are interested in the stockpiling of minerals would gain ground if they would agree to have the Senate pass the pending measure. I assure the Senator from Nevada that, as a Member of the Appropriations Committee—and I am third in seniority on the committee—I shall vote at the first

opportunity I have, whether it be on a deficiency appropriation bill or on the regular appropriation bill for the Department of the Interior, for everything the Senator has requested.

Mr. MALONE. I thank the Senator from New Mexico.

Mr. BIBLE. Mr. President, will my colleague yield to me?

Mr. MALONE. Mr. President, I am happy to yield to my colleague.

Mr. BIBLE. I thank my colleague very much.

Mr. President, I wish to associate myself with my colleague's remarks. I should like to have the RECORD show that I join him in the sponsorship of the amendment which is now before the Senate. I think it is a shame that the amendment is not to be agreed to—if that should be the eventual outcome—and is not to be sent to the House of Representatives. I take that position because of the commitment and the expression the Congress has made to the persons involved.

As I said yesterday, I am as well aware of this problem as I am of the social-security problems and the problems of small business. I wish to call the attention of this body to the fact that, night after night, many unemployed miners go to their homes without funds, and have been doing so for some time. I also wish to point out that certainly this measure relates to a form of social security, too. It will be rather difficult to explain to our constituents that the Congress could take a recess, but could not take care of their immediate problem. As my senior colleague well knows, in our own State many thousands of men are out of employment at this very moment.

Mr. President, I should like to ask the indulgence of my colleague, so as to be permitted to ask a question of the very distinguished chairman of the Appropriations Committee.

Mr. MALONE. I am happy to yield for that purpose.

Mr. BIBLE. If I correctly understand the present situation, if House Joint Resolution 312 is enacted into law, there still will remain in the first urgent deficiency appropriation bill of 1957 a number of items; is that correct?

Mr. HAYDEN. That is correct.

Mr. BIBLE. Those items and that particular bill are still in conference; are they not?

Mr. HAYDEN. That is correct.

Mr. BIBLE. Can the chairman of the committee indicate to us when there will be a meeting of the conference committee?

Mr. HAYDEN. There will be a meeting of the conference committee at the first opportunity that I can persuade the members of the House Appropriations Committee who are conferees to talk over the differences between the two Houses. I have not been able to do so recently, and I understand that they are now preparing to leave for home. But I hope to be able to do so soon.

Mr. BIBLE. Is it possible that during the Easter recess, during the week of April 29, the conferees may get together and thresh out this problem?

Mr. HAYDEN. If an invitation from me will accomplish that result we certainly shall get together.

Mr. BIBLE. I thank the Senator for his answer.

Mr. President, I should like to ask an additional question, if I may have the permission of my senior colleague.

Mr. MALONE. I am happy to yield.

Mr. BIBLE. What is the position of the chairman of the Appropriations Committee, insofar as the regular 1958 appropriation bill for the Department of the Interior is concerned? As the Senator from Arizona is well aware, the bill contains an item of approximately $40 million to carry forward this minerals program, which was written into the law of the land by Congress, and was enacted in good faith.

Mr. HAYDEN. That item is based on a budget estimate, recommended by the Bureau of the Budget to the President; and it is now pending before the committee. Certainly it is entitled to receive consideration. The difficulty about it—as has been pointed out by the Senator from Illinois—is that the appropriations in that bill will not become effective until July 1.

Mr. BIBLE. I realize that.

Mr. HAYDEN. So, in order to take care of the intervening period, there will have to be a suspension of the rule if a retroactive measure is to be passed.

That is why I hope it will be possible for the conferees on the part of the Senate to get together with the conferees on the part of the House immediately after the recess, in order to take some action which will dispose of this matter, and not make it necessary to take it up in connection with the regular appropriation bill. Otherwise, we shall have to take it up in connection with the regular appropriation bill.

Mr. BIBLE. So I understand there are three opportunities to take care of the matter.

Mr. HAYDEN. I think we shall have the necessary opportunity in the case of the deficiency bill which is coming to us from the House of Representatives.

Mr. BIBLE. I certainly wish to impress upon the senior Senator from Arizona, the very able chairman of the Appropriations Committee, the great urgency and need in connection with this problem.

Mr. HAYDEN. I am well aware of the situation.

Mr. BIBLE. The people concerned are in need week after week; and they cannot eat promises.

Mr. HAYDEN. Of course, I fully realize the situation.

Mr. MALONE. Mr. President, I wish to say that the distinguished senior Senator from Arizona [Mr. HAYDEN], the chairman of the Appropriations Committee has been very helpful and very conscientious in this work from the beginning.

As I stated yesterday, for many years I have greatly admired his ability to accomplish things in the Senate of the United States.

Finally, Mr. President, let me say to the Senator from Arizona that I thoroughly understand that certain deficiency appropriation bills will be coming before his committee, in addition to the regular 1958 appropriation bill for the Department of the Interior. As I understand his statements, he will continue to work in the conference on the deficiency legislation which has already passed and is in the conference of both Houses.

Mr. HAYDEN. That is correct.

Mr. MALONE. And in connection with that deficiency appropriation bill, he will try to have the conferees agree upon a sufficient appropriation to carry on this matter until June 30 of this year.

Mr. HAYDEN. That is correct.

Mr. MALONE. If that is impossible, we shall try to include such an appropriation in the first deficiency bill that comes before the committee following the recess, or in the appropriation for the Department of the Interior, whichever may seem the most appropriate, and if possible make it retroactive, which, as explained by the Senator from Illinois, would take a two-thirds vote, because such a provision would be legislative in nature. If we did not succeed in making it retroactive, we would at least get an appropriation to continue operations to the end of this fiscal year, June 30.

Mr. HAYDEN. That is my hope and expectation. That is what I will try to do.

Mr. MALONE. Then, so far as the 1958 appropriation is concerned, it would come under the regular appropriation legislation already in your committee for 1958, since it is the law of the land.

Mr. HAYDEN. It is already in the law, and the committee must consider it.

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

Mr. MALONE. I yield to the distinguished Senator from Montana.

Mr. MANSFIELD. There is not much I can add to what has already been stated by the Senator from Illinois [Mr. DIRKSEN], the chairman of the Committee on Appropriations, the senior Senator from Arizona [Mr. HAYDEN], the junior Senator from Nevada [Mr. BIBLE], and the senior Senator from Nevada [Mr. MALONE].

First, I wish to commend the senior Senator from Nevada for the great fight he has made in behalf of the small-mine producers not only of his own State, but throughout the entire West. What he has done is take up the cudgels for what truly should be considered a national-defense matter. I can say, as acting majority leader on this side of the aisle, I will do what I can to back up the assertions, the promises, and the pledges made on the floor this afternoon relative to tungsten and other materials which are so vital to the welfare and the security of our country.

I want the RECORD to show that, insofar as we are concerned, we will do the best we possibly can to see that funds will be forthcoming in the next deficiency appropriation bill, and that funds will be forthcoming in the Interior appropriation bill, which is now under consideration, and which will carry out the program until next year.

Mr. MALONE. I wish to thank the distinguished Senator from Montana for that statement. I knew already that his heart was in the work. I know he realizes, as I do, and as do all the Senators who have been discussing the matter, that this is a national security matter. It was on that basis that we pressed for the legislation in the first instance.

It was on that basis that we passed the bill in 1953, and on that basis it was renewed last year with the approval of the President.

Over the years that I have been a Member of the Senate, the Senate has fully shown that it never fails to take proper action on such a matter. In my opinion, the House has been derelict. I give the House credit for being conscientious in what it is doing, but sometimes it is pretty hard to rationalize an action such as it has taken in the last 2 or 3 days. Nevertheless, what we are deciding is being decided for the Senate, and not for the House.

I want to express again my appreciation to the Senate. Over the decade that I have been a Member of the Senate it has shown that it is conscious of the necessity for this security measure and the necessity of not being fully dependent on foreign nations across major oceans for products without which we cannot fight a war or live in peace, and therefore being subject to blackmail by such countries upon which we are currently dependent for further agreements.

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

Mr. MALONE. I yield to the Senator from Illinois.

Mr. DIRKSEN. As the distinguished acting majority leader pointed out so well, we are, after all, confronted with a condition rather than a theory, and we have to resort to the most practical means to meet it.

I respectfully suggest, therefore, to my good friend from Nevada, that he withdraw the amendment he has submitted, since it already appears in the RECORD, so we can consummate action on the pending joint resolution.

Mr. MANSFIELD. If the Senator from Nevada will yield before answering the question, I should like to point out that the acting majority leader has been consistent in his efforts on behalf of the small-mine owners and producers in the West, and particularly with respect to the particular subject under discussion.

Mr. MALONE. I have no doubt the sentiment of the Senate has been for full security for this Nation and for full cooperation in the production of critical minerals and materials. The Senate has always made the proper decisions when confronted by conditions requiring action.

I want to say to the Senator that, of course, while I believe the economic structure of these little communities all over the United States makes up the economic structure of the United States, are vitally important to the economic structure of this Nation, that the delay beyond the Easter recess may be the most feasible method to bring about the proper congressional action. This not only includes minerals and mines, but textiles, machine tools, and 5,000 other products.

We are paying $40 billion annually for materials and labor for national defense. We have moved away from our dependence on our legitimate markets. We have given our markets away to the 34 foreign nations sitting in Geneva, and have moved to a war economy.

I am sure that the country is beginning to realize that condition.

The people of the country are beginning to realize more and more the real basic reason for the plight in which they as taxpayers find themselves.

That while they are objecting to the budget, that is all they can immediately see. They just write their Senator or Congressman and say, "Cut down the budget."

But, Mr. President, what makes up the budget? The budget is made up of millions and millions of dollars which are spent to buy materials for use in a critical period, from as far away as Korea and South Africa and other nations in the world, which would be unnecessary if the proper constitutional responsibility of the regulation of our foreign trade and national economy were borne by the Congress and not shifted to 34 European and Asiatic competitive nations sitting 3,000 miles away in Geneva, Switzerland. They are, as a result, bought at a much higher price than they would cost if produced in this country, and in addition at a sacrifice of life, as in Korea.

That is true with respect to 5,000 or more products that we manufacture and produce in this country. So the public has not yet fully realized what the basic situation is—that the 1934 Trade Agreements Act is the principal factor causing such a high budget.

The President of the United States cannot be altogether blamed for the high budget, because it was started 24 years ago. It has pyramided and pyramided, so it is asking a good deal for him to suddenly say, "We are just not going to appropriate money for all of this funny business," while the Congress continues the legislation upon which it is based.

So long as the 1934 Trade Agreements Act stays in existence, we are confronted with the situation brought about by it, and by the pressing forward of the State Department for the Office of Trade Cooperation legislation, which is nothing more nor less than our approval of 34 competitive nations, in Geneva, controlling our foreign trade and national economy—as long as the President is confronted with all those things, we just cannot place all of the blame upon the President of the United States for the high budget.

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

Mr. MALONE. I am glad to yield to the distinguished Senator from California.

Mr. KNOWLAND. First of all, I wish to say I concur in what the distinguished chairman of the Appropriations Committee has said, and in what was mentioned earlier by the distinguished Senator from Illinois [Mr. DIRKSEN], who is a member of that committee, that there are certain alternative ways in which the Senate will have an opportunity to express itself after the Easter recess.

First, there is the first urgent deficiency appropriation bill, which is in conference. We hope that a conference may be held when the two Houses of Congress reassemble, following the 29th of April.

Certainly we all recognize that under our constitutional form of government, while all legislative power is vested in the Congress, there is a two-House Congress, and unless the legislative machinery is to break down completely, there has to be an adjustment between the points of view of the two Houses of Congress.

Over a long period of time, I think the Senator from Nevada has, as have many of the other Senators who have spoken today, been interested in seeing that, from the standpoint of the defense potentialities of our country, we have a domestic supply of minerals and other basic strategic materials which are essential both for the development of our great peacetime economy and for our national defense.

I think no prudent person dares lose sight of the fact that, based on the information which has been made public, the Soviet Union has a submarine fleet far larger than Nazi Germany had at the height of its power during World War II. While they may not be able completely to intercept—we would hope the antisubmarine measures would prevent their doing so—all sea travel, certainly it would be highly imprudent for us not to recognize that our sea communications would be seriously interfered with in case of war.

We also must be mindful of the fact that in the event of hostilities all these strategic materials, which are found primarily in countries behind the Iron Curtain or in countries which are in close proximity to the Iron Curtain, would not be available to us in wartime. We must face up to the fact, as mentioned by the Senator from Nevada, that the cold statistics might indicate certain of these materials today are in surplus supply compared to our apparent needs, but, with a changing technology, the advance of jet propulsion, the effect of intense heat on metals, and the need for solving many other problems, though the materials might seem to be in long supply today, they might be in short supply tomorrow.

Certainly, considering the debate which has taken place in this body and in the other body, I hope the administration will soon submit to Congress a permanent minerals policy dealing with our strategic stockpile and the importance of maintaining a domestic minerals industry.

It was pointed out yesterday that we have to take a long-term look at these problems. We know that in the event we should have no domestic industry at all, with no domestic processing plants, we could easily find that what we can buy for $25 a ton today we might have to pay $100 a ton for, through the nose, tomorrow, if there were no alternative

source of supply and we had to pay the price asked by the foreign producer. So it would be very poor economy to undertake to solve the problem by buying in the world market today, allowing the domestic industry to be destroyed, and then being called upon to pay all the traffic will bear tomorrow, when we have no way of achieving a fair and equitable balance.

I am not prepared to say at this time that the formulas used in the past are necessarily the utopian formulas. I am not prepared to say today that we should not apply a different standard for one metal that may be in long supply from the standard applied to a metal in short supply. The Senator from Nevada, with his engineering background and mining experience, is far more expert than am I, and perhaps many other Senators are, also. But I think all these factors should be taken into account by both the executive branch of the Government and by the two Houses of Congress in the developing of a long-term program, because we cannot rest entirely on purely a makeshift program.

I say to the Senator from Nevada that so far as I am individually concerned, I shall endeavor to help secure equitable action, either on the urgency deficiency bill—when the conference meets, if it does—on the supplemental bill, or on the appropriation bill for the Department of the Interior. I hope, however that by the time the appropriation bill for the Department of the Interior is considered perhaps the committee of which the Senator from Nevada is a valuable member, the Committee on Interior and Insular Affairs, will have the administration's long-term program under consideration and will have held some additional hearings, so that questions which trouble Senators, for instance, whether we have a 25-year supply, may be adequately answered. Not only the Members of the Senate and the House have to be satisfied with respect to this item, but a great many people throughout the country must also be satisfied, for they read various articles, and they wonder if the Senate and the House are correct in piling up additional materials when there apparently is a sufficient supply to meet the strategic needs of the Nation.

I know the Senator is aware of the many problems involved and I hope we can find a sound solution to them.

Mr. MALONE. I will say to the distinguished Senator from California, the minority leader, that I appreciate very much the statement he has just made. We are all looking for a long-range solution.

I think there is a very sound solution, to take the whole weight off of the President: Simply allow the 1934 Trade Agreements Act to expire on June 12, 1958, and Congress automatically regains its constitutional responsibility under article I, section 8 of the Constitution, and the Tariff Commission, an agent of Congress, will adjust the duty or tariff on the basis of fair and reasonable competition and the American workingmen and investors are back in business.

TARIFF COMMISSION, AN AGENT OF CONGRESS, ESTABLISHES DUTY

However we should immediately return the 17 minerals, without which we cannot make a jet engine to the authority and responsibility of Congress, and permit the Tariff Commission, an agent of Congress, to set that duty based on the difference between the cost of labor and the general cost of doing business here and in the chief competing nation. That would end it.

The PRESIDING OFFICER (Mr. THURMOND in the chair). The Senate will be in order.

Mr. MALONE. If that is satisfactory, we will proceed.

I merely wish to say that in that case, the same as in this case, the domestic price should be fixed, as nearly as it can be computed, based upon the difference between the world price and the cost of the labor in America, the general cost of doing busines here, and in the chief competitive Nation, and that would be the same as a duty or a tariff.

In neither case would it affect the cost of the end product. One could not find the difference in the cost of a jet engine due to paying American labor. Of course there are many other things besides jet engines involved. The steel cutting tools and armor piercing projectiles cannot be made without tungsten. We are unable to make a pound of steel without manganese.

There is a difference between the world cost of doing business and the cost of doing business here, which is mostly the cost of labor—but one could not find that in the cost of a ton of steel. What we are talking about is unimportant, except as to whether we depend on a foreign nation for something we cannot fight a war without or live in peace, or whether we should produce a maximum of these materials in this Nation and have "going concern" production for all we need in the Western Hemisphere.

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

Mr. MALONE. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I believe by this time it has been made abundantly clear, for the benefit of those who are primarily interested in this matter, what the reasons are why the Congress, cannot act upon this item before an Easter recess. It was brought out in the debate very clearly yesterday, as it has been brought out several times today in the debate, that when Congress passed the Strategic Minerals Act of last year it was made very clear to the miners of the United States that we intended to do something for the benefit of the producers of these various minerals. Now, after saying on the floor of the Senate and saying in the report of the committee that the amount appropriated last year was only to last until January 1 and that it was contemplated a further appropriation would be made immediately after January 1, when Congress convened, we have for 3½ months delayed doing anything about this matter. I should not say we have delayed doing anything, because a great many of the Senators who have been here and participated in this debate, as well as others, have tried to precipitate action on this matter since the first of the year.

I believe the remarks of the Senator from Illinois [Mr. DIRKSEN] and the Senator from Nevada [Mr. MALONE] explain why it is not possible to act upon this matter at this time.

The gist of the situation, of course, is the fact, so ably pointed out by the Senator from California, that this is a dual legislative body, and that we must have due regard for the other House. We must work with it and act in unison, to enact laws for the benefit of the country.

I wish to compliment the Senator from Nevada. I am not sure that everything has been touched upon that should be touched upon in a full debate of this question. When it comes before us again I intend, as I am sure the Senator from Nevada intends, to discuss this subject at greater length, so that the people of the country, particularly those who are not able to see in this program one of the greatest conservation measures in the United States today, may be informed as to what we are trying to do, not only for the safety of our country, not only for the sound economic policy of our country, but also for the conservation of strategic materials which will always be of great value, and an absolute need in the event we should become involved in war.

I thank the Senator from Nevada for yielding to me. I will join him in seeing that action is taken on this subject at the earliest opportunity.

Mr. MALONE. Mr. President, there are three procedures which I might follow today in this controversy. However, my colleagues have been very friendly and cooperative in suggesting a way that the program may be continued. The amendment which my colleague [Mr. BIBLE] and I have offered could be debated at considerable length, and voted upon. If the amendment were approved then it would go to the House and be subject to similar treatment accorded our amendment to House Resolution 310 yesterday.

We might debate the subject at considerable length—maybe a few days—but that procedure would, in any case, delay action until after the Easter recess—and cause many friendly Members of this body much discomfort.

As I have said, if we were to send the joint resolution back to the House with our amendment, we would again be in conference, or could receive another joint resolution from the House. Apparently we have reached a point of deadlock, which, in any case, would delay the Easter recess of the Congress and possibly gain nothing of a permanent nature.

To follow the course to which I have just referred would mean holding Senators in attendance on sessions of the Senate. I know that many of them have made other arrangements for the Easter recess. Some plan to hold hearings or conduct investigations. Others are merely trying to obtain a little rest before the session is resumed.

We could debate this issue for a considerable itme. I was moved to do so in the beginning. However, since we

have the assurance of the leading Members of the Appropriations Committee that in connection with the next deficiency bill, or the Interior Department appropriation bill, that this item will be included if the leading Members of the Appropriations Committee can prevail upon the majority of the committee to do so. I am sure they can. They have usually been able to convince a majority of the committee. We have assurances that the conferees on the part of the Senate will continue to press in conference that part of the measure already disposed of by the two Houses which will still be in conference.

I am inclined to believe that that is the best method of obtaining the money to continue purchase of the four minerals mentioned in the Minerals Purchase Act of 1953, as extended last year.

In connection with the question of the surplus of these minerals, I think it has been well established, I will say to the distinguished Senator from California, our minority leader, that in his own State the Research Institute of Stanford University has led the work in many of these investigations.

TUNGSTEN NEEDED FOR JET ENGINES

With particular reference to tungsten, it has been explained on the floor of the Senate that the use of tungsten and tungsten alloys is necessary to create a metal with increased heat resistance, so that jet engines may travel not 750 miles an hour, or at the speed of sound, but 1,200 or 1,500 miles an hour. We must have metals with a greater resistance to heat in order to construct these engines; and, according to the research institutions, the best solution is an alloy composed of 50 percent or more of tungsten, which would require from 3 to 4 times the annual use of that metal than has been customary in the past. Therefore any reserve we may have would be cut in half, or reduced to a third or a fourth.

The more generous use of tungsten in jet engines will increase their life by 4 to 5 times. The cost of these engines runs from $400,000 to $600,000 each, and we need thousands of them.

Wholly irresponsible statements have been made as to the quantity of tungsten in the stockpile. It would have been easy to obtain official figures instead of depending on articles in the press.

I am merely repeating what scientists and engineers have long known, when I say, for benefit of Members of the Senate, that whenever we repeat statistics which are 6 months or a few years old, they should be checked, because, as of today, with respect to any metal, or the use of any material, by reason of the research work and the work of the scientists and engineers directed toward the production of materials which will withstand high speeds, the picture may be entirely changed.

With respect to manganese, without which a pound of steel cannot be made, we were under the impression for a long time that all we had was certain low-grade manganese, which would cost considerably more to produce than merely the difference in labor costs and the costs of doing business as between this Nation and the competing nation. I have never urged on the floor of the Senate that the Senate do anything but make up that difference. When we go beyond that point, it must be considered as a subsidy. We may have to come to that. At the present time we do not have to come to that point in the production of the materials of which I am speaking.

In Minnesota there is enough low-grade manganese, in deposits already known, to last this country for several hundred years. All we have to do is to adjust the duty or tariff on manganese so as to arrive at an equalization between the cost of doing business in this Nation and the cost of doing business in the competing nation, and we are in business.

To complete the record, as a long-range plan for these minerals I introduced Senate bill 34 on January 7, 1957. That is a bill to provide relief for producers of certain critical minerals, metals, and materials indispensable in the construction of jet engines.

The language in the bill setting out the declaration of policy is as follows:

DECLARATION OF POLICY

SECTION 1. It is declared to be the policy of the Congress—

(a) to facilitate and encourage trade with foreign nations on the basis of fair and reasonable competition;

(b) to maintain an investment climate through the principle applying equally to the whole country;

(c) to provide necessary flexibility of import duties on certain critical minerals, metals, and materials, thereby making possible appropriate adjustments in response to changing economic conditions;

(d) to assure the accomplishment of these objectives by returning to the provisions of the Constitution (article 1, section 8) in the control over American import duties on such critical minerals, metals, and materials, now subject to international agreements;

(e) that as used in this act and amendments made by this act the term "critical metals, minerals, and materials" includes antimony, asbestos, beryllium, chromite, cobalt, columbium-tantalum, fluorspar, iron, lead, manganese, mica, molybdenum, nickel, titanium, tungsten, vanadium, uranium, and zinc, all being used in the production of jet engines;

Other conditions are laid down in the bill. It is declared to be the policy of Congress to take care of the situation. Under the terms of the bill no appropriations would be necessary, and no duty or tariff would be necessary to make up more than the difference between the labor costs and the general cost of doing business in this country and the costs in the chief competing nation, with respect to each of the minerals.

All it would do would be to take away from the 34 competitive nations, which are now regulating our foreign trade and national economy, these 17 minerals and bring them back to Congress, where the Constitution of the United States put them in the first place. The 1934 Trade Agreements Act transferred these minerals, among 5,000 products in all, to Geneva. I do not believe that any nation would criticize the President for trying to increase the production of materials and minerals without which we cannot make jet engines in this country.

Furthermore, Mr. President, the volume of business in these minerals is relatively small in foreign trade.

TABULATION OF TRADE LAWS FROM 1930–58

I wish to complete the record by inserting in the RECORD a tabulation of the foreign trade laws from 1930 to date:

First. The Tariff Act of 1930. That act is still on the books and in full force and effect, with the exception that the 1934 Trade Agreements Act took away from the Tariff Act the authority of the Tariff Commission to act. The Tariff Commission at this time has no authority whatever.

Second. The 1934 Trade Agreements Act, Public Law 316—73d Congress. That act extends authority to enter into foreign trade agreements for 3 years, from June 12, 1934, to June 12, 1937.

The act was described as an emergency act. It must be understood that the term "reciprocal trade" does not appear in the act, and it was never intended that the act be a reciprocal act. It never has been reciprocal, because exceptions have been allowed to all other nations, and all those nations have used those exceptions. We are the only nation on earth at this time which is not properly protecting its workingmen and investors in its own country.

Third. Public Resolution 10, 75th Congress. This extends the Trade Agreements Act of 1934 from June 12, 1937, to June 12, 1940.

Fourth. Public Resolution 61, 76th Congress. It extends the 1934 Trade Agreements Act for a period of 3 years, from June 12, 1940, to June 12, 1943.

I call attention to the fact that this act was passed, in the first place, as an emergency act, and has always been extended as an emergency measure. We have not let the water settle in 24 years.

Fifth. Public Law 66, 78th Congress. This act extends the 1934 Trade Agreements Act for a period of 2 years, from June 12, 1943, to June 12, 1945.

Sixth. Public Law 130, 79th Congress, extends 1934 Trade Agreements Act for a period of 3 years—June 12, 1945, to June 12, 1948.

Seventh. Public Law 792, 80th Congress. Trade Agreements Extension Act of 1948. It extends the act for the period from June 12, 1948, to June 30, 1949, a period of 1 year and 18 days.

I had something to do with cutting the extension down to one year. I thought that Congress was about ready to take on its own responsibility. That responsibility had been assumed by Congress for nearly a century and a half before 1934. It was on that system that we built the highest standard of living in the world. We regulated our own foreign trade and national economy. I thought we were ready then to take back our responsibility, and take it away from Geneva.

Eighth. Public Law 307, 80th Congress. This act repealed Public Law 792, 70th Congress. It extended the Trade Agreements Act from June 12, 1948, to June 12, 1951, a period of 3 years.

Ninth. Public Law 50, 82d Congress. The Trade Agreements Extension Act of 1951. It extends the Trade Agreements Act from June 12, 1951, to June 12, 1953, a period of 2 years.

Tenth. Public Law 215, 83d Congress. The Trade Agreements Extension Act of 1953. It extends the act for a period of 1 year, from June 12, 1953, to June 12, 1954.

Eleventh. Public Law 464, 83d Congress. This act extends the Trade Agreements Act from June 12, 1954, to June 12, 1955, a period of 1 year.

Twelfth. Public Law 86, 84th Congress. The Trade Agreements Extension Act of 1955. It extends the act from June 12, 1955, until the close of June 30, 1958, a period of 3 years and 18 days.

NO FURTHER EXTENSION WILL ALLOW CONGRESS TO AGAIN REGULATE UNITED STATES FOREIGN TRADE AND NATIONAL ECONOMY

Mr. President, I hope when the act expires in 1958 Congress will not again extend the law. If it does not extend it, every product will come back to Congress, as the Constitution, in article 1, section 8, requires.

Congress then will regulate, through the Tariff Commission, the foreign trade and national economy of this Nation on the basis of fair and reasonable competition. It will not be done on the basis of a high tariff or a low tariff or a duty, but on the basis of making up the difference in the labor and the cost of doing business, and all manufacturers and producers in this country and our workingmen will be back in business.

It is a principle established in the Constitution of the United States that the foreign trade shall be regulated by Congress, and is the principle laid down in the Tariff Act.

At the end of stockpiling by GSA in 1953, Congress passed the so-called Malone-Aspinall Act, covering seven critical minerals. In 1956 the act was extended, and that is what we are talking about today.

UNITED STATES PRESS ASSOCIATION RELEASE ON DEFENSE REQUIREMENTS

Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a United States Press Association release entitled "Jugular of Defense."

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

JUGULAR OF DEFENSE

Our conquest of the air—which must provide our first line of defense—is grinding to a halt in the absence of materials to withstand the disintegrating heat of supersonic flight. At mach 2, approximately 1,500 miles per hour, we are perilously close to the thermal barrier for both engines and planes.

The search for new heat-resistant materials is thus, in a large sense, the pursuit of military superiority. And among all the alloying minerals known, tungsten appears to be the most promising. With the highest melting point of any metal (6,152° F.) it provides a steel alloy that withstands high temperatures and high speeds in cutting tools and jet-engine parts. Alloyed with carbon (tungsten carbide) it constitutes the hardest of all man-made materials, surpassed only by the diamond.

Recognized as a strategic material, tungsten has been stockpiled and price supported by the Government. Just before knocking off last summer, Congress passed Public Law 733 to continue Government purchasing at a support price of $55 a unit (20 pounds). Funds for the purpose, however, ran out last December and a deficiency appropriation bill calling for $30 million more for tungsten, fluorspar, columbium-tantalum, and asbestos is locked in conference, the House against it and the Senate for.

The fate of this apparently minor bill could well control the destiny of the Nation's defense effort, a situation in which the misguided effort to save $30 million could hamstring the effectiveness of $43 billions of expenditure.

With price support for these strategic metals, the mines will be kept open and operating, our stockpile will increase to meet the tremendous and essential demand that metallurgists anticipate. Without it, the Nation will be at the mercy of foreign tungsten producers.

We are all for Government economy. The budget should be cut. But this is not the place. This is the jugular of progress in defense.

AID TO CLARIFY IN MID-EAST

Scarcely a day goes by that someone, somewhere, fails to come up with a plan which is to bring peace to the Middle East. The more one hears of such formulas, however, the more one must be convinced that the problem is too heartbreakingly complex to be resolved either quickly or easily. The most to be hoped for, probably, is that all parties will act with wisdom and forebearance.

Among the few groups making a positive contribution to clear thinking about the Middle East—without which, certainly, no solution will ever be found—is the American Council for Judaism, which is holding its 13th annual conference in New York City, April 26–29.

The council has been dedicated, during its entire existence, to the compilation of a public record of the fact that there are American Jews who reject for themselves, that extra set of Israeli national rights and obligations which Zionism seeks to confer on all Jews, regardless of their citizenship. In holding steadfastly to its purpose, despite bitter and unremitting Zionist attacks, the council helps public understanding of a basic issue involved in the Arab-Israeli conflict.

To council members, Judaism is a religion—not a nationality. To them—and, indeed, in fact—Zionism is a political movement, with no right to the immunity from criticism normally granted a religious faith. The council's stand helps make the point that Zionism, as a political movement, must expect the brickbats as well as the bouquets to which all political enterprises are subject.

For this and other contributions to clarity on a topic otherwise bedeviled by deliberately generated confusion, the council deserves the thanks of all men of good will, regardless of their faith.

MORE TROUBLED SOULS?

In pleading guilty to the second of six counts in the indictment charging them with spying for the U. S. S. R., Jack and Myra Sobel have escaped the possibility of execution. Their counsel, who intimated that they had been victims of the long arm of Russia, forced into espionage to protect their parents in the U. S. S. R., said: "They told me they wanted to recapture their souls for the first time since they came to this country. They were two anguished individuals, suffering intensely from experiences they had gone through before they emigrated to this country and since."

Following this recapture of their souls, the Sobels spent 40 minutes before a special grand jury investigating Russian espionage. It is to be hoped that they did their best to make amends to the country that gave them its trust and honored them with citizenship—and further, that whatever their sentence may be, their decision to confess the truth will be a moving example to others who have betrayed us—willingly or not.

Mr. MALONE. Mr. President, I close my part of the debate by bowing to the advice of my colleagues that they will do everything in their power in committee—in conference committees and on the Appropriations Committee—to arrive at agreement in conference to take care of the situation for the remainder of the fiscal year 1957 and in the regular appropriation bill for the fiscal year 1958, to keep this Nation in peace to the extent that we are not completely dependent upon foreign nations for the things without which we cannot fight a war or live in peace.

I yield the floor.

Mr. BIBLE. Mr. President, I wish to speak for a few minutes on the amendment which has been offered on behalf of my distinguished colleague, the senior Senator from Nevada [Mr. MALONE], and myself. My expressions on yesterday as well as those of today make abundantly clear my keen feelings about this particular matter. I shall not detain the Senate for any appreciable length of time. I wish, however, to repeat what I have said on several occasions, that it is inconceivable Congress would, in a solemn act, Public Law 733, duly enacted and duly signed by the President of the United States, hold out to the mining industry the firm promise that it was to do certain designated things, and then repudiate its own action.

In that connection, on this very morning I received a letter, which I shall read into the RECORD, because I believe it very forcefully points up my thoughts better than I possibly could express them myself. The letter comes from Mr. Robert C. Armstrong, of 60 Anson Drive, Reno, Nev., and is addressed to Mr. Louis D. Gordon, secretary of the Nevada Mining Association, Reno, Nev. A copy of Mr. Armstrong's letter was sent to me, and is as follows:

RENO, NEV., *April 6, 1957.*

Mr. LOUIS D. GORDON,
Secretary, Nevada Mining Association,
Reno, Nev.

DEAR MR. GORDON: A courageous fight has been waged by the proponents of the tungsten appropriation, and not the least of the struggle has been waged by Senators MALONE and BIBLE, Representative BARING, and you. I am very sure that everyone directly or indirectly connected with the production of this vital metal, and they number in the thousands, joins me in expressing heartfelt thanks.

That I might establish my right to speak of a far more vital issue than the mere refusal on the part of the House Appropriations Committee to recommend the appropriation, I respectfully submit that I purchased a large tungsten property in central Nevada, in 1952; that subsequently, under the stimulus of the original stockpiling program, I subjected this property to a thorough and competent development program; that between the years 1953 and 1956, I spent upwards of $60,000 in payments on the purchase of the property, and in development of the ore deposit; that, when the 84th Congress passed Public Law 733, extending the stockpiling program late in 1956, I—along with every other domestic producer—committed myself fully to the mining and milling of tungsten; that, having exhausted my own financial resources, I drew others into the project, whose faith in the integrity of their Government was as unshakable as my own; that these working men and women invested more than $30,000 in the project of mining and milling tungsten ore, and that the project in which they invested was entirely sound and profitable under the appropriation covering Public Law 733; that, as the sole result of the refusal on the part of the House Appropriations Committee to recommend the appropriation, our project has failed, debt has been accu-

mulated, the investors have lost their hard-earned savings, and I have been wiped out.

If, by the above, I have qualified myself to speak out, then I would say that the issue here is betrayal, inexcusable and unforgiveable. It would argue that the issue is not whether or not our Government has stockpiled enough tungsten concentrates to meet any emergency for a long period of time; not that the budget ought to be reduced; not that only a very few domestic producers benefit by the stockpiling program; not for any other policy, economic or political reason, but rather if it intends to meet an obligation it incurred by the passage of a law of the land, after inducing a whole industry to irrevocably commit itself by the passage of the law.

It seems to me, indeed I am convinced, that if a group of men duly elected by the people of this Republic, and sworn to serve them faithfully, to do their will, to guard and protect them and their interests, if those interests be honorable, can with arrogance and insolence, with coldness and indifference, and finally with impunity reject and renounce their own acts, then and in that event we have come to a dangerous, a most critical point in our struggle to create reality of the ideals of our beloved forefathers laid down for us along with their lives.

If our elected representatives in Government can now betray a handful of "dispensable" voters without danger of punishment, how long will it be before, with like impunity, they can betray a whole people.

A great many of us in the industry, perhaps a majority, are in complete sympathy with many of the arguments advanced by the House Appropriations Committee in its stand against a further stockpiling of tungsten concentrates. We believe that they are sound arguments, reflecting wisdom and intelligence and leadership; but, we hold that these arguments have no place here, and at this time; we hold that, rather, they should be used when the current program has expired, and a further extension is proposed. We hold there is a law in effect, now, a law that drew us deeply into the mining and milling of tungsten; that, had the law not been passed, we would not have so committed ourselves; that we did so commit ourselves because we had unbounded faith in our Government, and that the duty of Government is therefore plain.

We hold that, if this appropriation is not passed, and at once, we have been cruelly and fatally betrayed; but we hold that something far more horrifying will have been established if this appropriation is not made: a clear precedent will have been raised for more and ever greater betrayals, shocking and confounding the peoples ever more deeply, destroying in increasing measure their faith in their own kind. And, if that comes to pass, what then will follow?

Cordially,

ROBERT C. ARMSTRONG.

Mr. President, to me this letter points up the problem concerning the full faith and credit of the United States. I think it is absolutely unforgivable to permit a breach of faith, a breach of contract, in this instance.

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

Mr. BIBLE. I am glad to yield.

Mr. MORSE. I am delighted that the Senator from Nevada has read that letter into the RECORD. In my opinion, the letter is unanswerable, so far as the House of Representatives is concerned. If the House wants to attack this problem, let them attack it in the next appropriation bill for the next biennium. But I feel that there is a clear moral obligation to carry out the commitment which Congress made when the present law was enacted, in the first instance, because the investors and the operators of the mines proceeded in good faith to make their investments, thinking that they could count on Congress to fulfill its moral obligation.

I look upon this situation really as a failure on the part of the House to fulfill the obligation which is clearly implied and inherent in the law which was enacted, and on the basis of which this entire controversy has arisen.

Mr. BIBLE. I thank the distinguished senior Senator from Oregon for his remarks. I share his sentiments.

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

Mr. BIBLE. I yield.

Mr. MANSFIELD. I wish to aline myself with the junior Senator from Nevada and to say that I am in full accord with what he has said. He has come right down to the basic question, namely, the good faith of the United States of America.

I hope that, despite the action taken today, it will be possible for us in the weeks ahead to rectify this error on the part of the Government.

Mr. BIBLE. I thank the distinguished junior Senator from Montana.

Mr. President, I commend Mr. Armstrong's letter to the reading of the Members of the House, who have refused to carry out their part of the obligation. I hope they will read the letter in every detail.

It surprised and shocked me to learn that as of January 1, 1957, the United States Government had in full force and effect 11 contracts for the purchase of foreign tungsten amounting to $60 or $70 million, and some 14 contracts amounting to $98 million.

What does that mean? It means purely and simply that we are not acting in good faith toward our domestic producers, to whom we held out this representation in good faith. Certainly I acted on it in good faith when I voted for it as a freshman Senator and when I went home and repeatedly told my constituents that I had confidence in the United States Government; that I felt the Government had made a commitment to the miners which it was certainly going to carry out.

But young and inexperienced as I am in this body, I am profoundly shocked to find such a breach of faith on the part of this Government, of which I think so much. Yet we still have enforceable foreign contracts to purchase vast quantities of tungsten from abroad. I do not know how I can explain that to the hard-rock miners back in Nevada. I should certainly like to take some of the Members of the House along with me to visit those miners and to let the miners hear their explanation. If this action by the House is not calculated to shake the faith and confidence we have in our Government I do not know how else it can be considered.

Mr. MALONE. Mr. President, will my colleague yield?

Mr. BIBLE. I am glad to yield to my distinguished senior colleague.

Mr. MALONE. Having been a Member of the Senate for 7 or 8 years before my distinguished colleague came here, I could bring him up to date on some of these contracts.

In World War II, I was consulting engineer to the Senate Committee on Military Affairs. The United States was producing none of these minerals, because for many years the Secretary of the Interior—I have mentioned his name several times—Mr. Ickes, and others of the administration then in office had flatly asserted that we had negligible amounts of tungsten, manganese, and other critical materials; therefore, we must save what little we had and buy our needs from foreign nations. I have explained all that in my remarks during the past 24 hours. When the GSA or the RFC or some other agency was suddenly made responsible for stockpiling, they perhaps believed those statements. Therefore, they made those contracts and paid as high as $60 or $65 a unit, which seemed reasonable at the time, because all foreign prices were away up. But as soon as the domestic producers of the minerals went out of business the foreign producer could charge what the traffic would bear. So the prices looked reasonable at the time the contracts were made. I do not blame the individuals who made the contracts; I blame those who fixed the policy; and, in the final analysis, policymaking is the function of Congress.

One of the things I have always deplored is that when Congress wants to investigate the setup of a Cabinet officer—for instance, the Department of the Interior—as my distinguished colleague knows now, we have no force with which to make the investigation. We do not have the room or the facilities. Therefore, we must largely take the information we get from the Department of the Interior and its investigators. When we get the report, it generally contains what the Secretary is for; and at that time Mr. Ickes was against mining in this country.

Then the Korean war took place. There is no need to discuss whether we should have fought that war in the way we did. I think almost everyone knows what I think of our action in that war. But when it became unpopular, the officials of the State Department said it was worth having the war merely to get the tungsten we did not have in this country. That tungsten was covered with blood. If in that connection we consider the cost of that war, the tungsten must have cost at least $10,000 a unit, in addition to the lives of many American boys. But those in the Department had the arrogance, through ignorance—if it was ignorance; and if it was not ignorance, it was worse—to say that the Korean war was worth its cost, because it enabled us to obtain that tungsten.

However, Mr. President, all that we needed to do in order to obtain the needed tungsten was to provide for the payment of an increased amount, in order to cover the cost of wages and the cost of doing business in the United States.

Mr. President, whenever a person says, "I think wages paid in the United States are too high, instead, they should be

lowered, by using foreign labor," I can respect the person who makes such a statement conscientiously. But when a person says, "The United States should import materials which are produced at low wages," and at the same time that person says, "The American standard of wages and standard of living must be maintained," then it is obvious that there is something wrong with his thinking.

Mr. BIBLE. I certainly agree with my colleague.

Mr. MALONE. So, Mr. President, it has finally been decided that at this time we shall not call up our amendment.

Mr. BIBLE. Mr. President, I have not had much experience in speaking marathons. However, at this time I serve notice that if later in the session it is necessary to engage in such procedure, in connection with this matter, in which I so firmly believe, simply in order to keep faith, I am prepared to do so.

I repeat that in my section of the country, once a man gives his word, he is bound by it. I trust that before the final adjournment of this session occurs, the Congress will take action to keep its word to the miners who are affected by this action.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a very emphatic letter from the Secretary of the Interior, dated March 7, 1957. I wish to read the closing sentence of the letter; and in that connection I point out that I do not know how a much stronger statement could be made in behalf of the legislation which is now being urged:

> In our view, the best national interest demands that the provisions of Public Law 733, enacted by the last Congress for the interim support of the four domestic minerals included in Public Law 733 (tungsten, acid-grade fluorspar, asbestos, and columbium-tantalum), be completely implemented by adequate appropriations in the urgent deficiency bill and the regular appropriation bill for the Department of the Interior.

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

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

UNITED STATES DEPARTMENT
OF THE INTERIOR,
Washington, D. C., March 7, 1957.

Hon. CARL HAYDEN,
Chairman, Committee on Appropriations,
United States Senate,
Washington, D. C.

DEAR SENATOR HAYDEN: The Department of the Interior is now engaged in drafting for submission to the Congress recommendations for a long-range minerals program.

This program when presented will include recommendations for maintaining a sound mineral domestic industry. Any such program no doubt would include measures which would require time to be fully effective in achieving this objective.

In our view, the best national interest demands that the provisions of Public Law 733, enacted by the last Congress for the interim support of the four domestic minerals included in Public Law 733 (tungsten, acid-grade fluorspar, asbestos, and columbium-tantalum), be completely implemented by adequate appropriations in the urgent deficiency bill and the regular appropriation bill for the Department of the Interior.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

Mr. BIBLE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a statement by Charles H. Segerstrom, Jr., president of the Nevada-Massachusetts Co. His father was the pioneer in this essential mineral industry. In my opinion, the statement points up the situation most completely.

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

STATEMENT OF CHARLES H. SEGERSTROM, JR., PRESIDENT OF THE NEVADA-MASSACHUSETTS CO., RESIDING AT SONORA, CALIF., APRIL 1, 1957

My name is Charles H. Segerstrom, Jr. I am president of the Nevada-Massachusetts Co., a tungsten concentrate producer located at Tungsten, Nev. This company has been in business 33 years and with its predecessor companies has operated this mine since 1914, when the first discovery of tungsten ore was made on the property. My late father and myself have been the presidents of this company and directed its operation for this period of time. This mine is the oldest tungsten operation in the United States which has operated and withstood the ups and downs of the domestic industry. Our mining operation has not been continuous, as such, because we have seen five periods when operations could not economically continue: 1919 to 1924, 1932 to 1934, 1937, 1939, 1949, and the situation we are facing today.

Public Law 733 was passed by the 84th Congress, after full consideration by the proper committees of both Houses, after debate in the Senate and House, and the President signed it on July 19, 1956. When the appropriation of only $21 million was made in the closing days of Congress to implement the law it was fully understood by the domestic tungsten mining industry that a supplemental appropriation would be made soon after the new Congress convened, in accordance with Senate Report No. 2770 of July 24, 1956, on the second supplemental appropriation bill, 1957 (H. R. 12350).

However, in the 3 months that the Congress has been in session this year there has been a flood of misinformation and misconstrued facts and figures about the industry, about the stockpile, and about the Government's purchase programs. Irresponsible statements which have been greatly damaging to our industry have tended to create controversial issues.

I am speaking today in behalf of the domestic tungsten mining industry and I intend to clarify—as far as possible—the facts that have been misinterpreted, and to refute the misinformation that has been disseminated by a consumer, not a regular producer, of tungsten, and one who has never been considered a spokesman for the domestic tungsten mining industry.

In April and May of 1956 the Subcommittee on Minerals, Materials, and Fuels of the Senate Committee on Interior and Insular Affairs held extensive hearings on the extension of purchase programs of strategic and critical minerals. One of the witnesses testifying before these hearings was Dr. Arthur S. Flemming, Director, Office of Defense Mobilization. On page 316 of the hearings he made the following statement:

"Up to March 26, 1954, the Government made provisions only for minimum stockpile objectives.

"On that date, the President, acting on the basis of a preliminary study of the policy committee, authorized the Office of Defense Mobilization to establish new long-term mineral stockpile objectives to eliminate completely the risk of dependence on overseas sources.

"The procurement program established under this directive, I am sure you will agree, has materially strengthened the domestic mineral industries.

"The Cabinet Committee on Minerals Policy also recognized that the development of mineral resources may involve factors beyond the national security. It stated that—

" 'In addition to security consideration, the Committee believes that an orderly development and wise use of the Nation's resources is an essential element in a strong and sound economy.

" 'A major objective of mineral policy is a full and orderly program for the development and conservation of the country's mineral resources.

" 'The Committee believes that the Government has an obligation to assure that the mineral resources of the Nation be developed, conserved, and utilized in the best possible manner over the longest possible period in order to enhance its security and commerce. Development of mineral resources is, of course, primarily a function of private enterprise. The Government must, however, continue to assist in many ways.' "

Dr. Flemming further stated:

"Thus the Minerals Policy Committee recognized that there may be nondefense problems in the minerals industries and, therefore, that, as is evident later in the report, these problems are beyond the scope of the Office of Defense Mobilization as a defense agency. I suggest, however, that where a domestic purchase program is about to terminate and where all defense needs have been met, the Congress should make provision beyond the scope of defense legislation to assist the industry by providing for the purchase of specified amounts from nondefense funds until the Congress has had time to consider recommendations from the appropriate nondefense agency, namely, the Department of Interior, for a long-range program.

"Based on this approach, I have taken action necessary to insure the continuance of domestic purchase programs for six minerals under the authority of the Stock Piling Act or the Defense Production Act. These six minerals are mica, muscovite block and film; metallurgical chromite; beryl; metallurgical manganese; metallurgical fluorspar; and antimony. In the case of mercury a review will be made at a later date to ascertain whether there is any need for extension or intensification of the program."

Dr. Flemming continued:

"I also recommend that in the case of three minerals: chrysotile asbestos, acid grade fluorspar and tungsten—for which all defense needs have been met, the Congress pass such legislation and appropriate such funds as it deems necessary to provide interim assistance pending consideration by the Congress of a long-range nondefense program."

* * * * *

Reflecting agreement with the views expressed in the last paragraph of this testimony the Senate Committee on Interior and Insular Affairs reported out S. 3982, which was passed by the Senate on June 18, 1956.

Hearings were held by the House Interior and Insular Affairs Committee and after hearing numerous witnesses an amendment in the nature of a substitute was adopted and S. 3982 was ordered reported favorably, passed by both the House and Senate, approved by the President on July 19, 1956, and became Public Law 733, 84th Congress.

As far as I have been able to ascertain no one in Congress or in the industry was under the impression that the enactment of Public Law 733 was necessarily based on defense needs, but on the contrary that it was merely an interim program to cover the four

minerals until the long-promised, long-range minerals program was drafted and presented to Congress by the Department of the Interior and enacted into law. Neither was there any feeling that the four minerals involved were receiving any preferred aid. With other minerals already being covered by other programs this interim purchase program was deemed both desirable and necessary under the overall national picture.

In 1951 and 1952 during the Korean emergency the Office of Defense Minerals Administration was confronted by large demands for tungsten from our defense officials. The demands and needs were astronomical in size. At a meeting of the domestic producers called by DMA officials early in 1951 it was pointed out that the domestic industry could really not do a great deal to meet these needs. However, I personally pointed out at this meeting that the goals for domestic production could be met only by one factor—that of price. This prediction proved itself accurate as the goal of 3 million units authorized to be acquired from domestic production by June 30, 1958, was in fact met by June 1, 1956. In other words, as I have said before, the domestic producers did an excellent job in meeting the goal.

At the same time when the domestic program was set at 3 million units, contracts were entered into in 1951 and 1952 with foreign producers for something like 7,500,000 units at an average price of $55 per unit, as against the domestic price of $63; the difference being $8 per unit, or approximately the amount of the import duty—$7.93 per unit.

These foreign contracts in a number of cases still remain in effect, and there appear to be currently still in force contracts for 1,800,000 units involving a $98 million commitment on the part of our Government. These foreign contracts call for deliveries running through the first quarter of 1959, at the average price of $55 per unit.

These foreign contracts are with countries where substantial ECA and ICA funds have been granted and where a lot of these funds were used to mechanize these foreign mines to a point where they are better equipped today than most of our domestic operations. As a result their production costs have been lowered a great deal in addition to their advantage of a low wage factor. Their wage scale of $2 per day for miners compared with $2 per hour in the United States give them a distinct advantage. The foreign producers are, therefore, in a position where they can force prices so low that no domestic producer can compete and survive. With the domestic producers out of business, foreign mines can again at any time force world prices up to any level they desire. This is what happened in our nonoperative periods previously mentioned.

In other words, our Government is still going to purchase this foreign production for 2 years longer while the domestic producers are placed in the position of a limited life under Public Law 733 and with hopes for a long-range minerals program for the future.

On this one point, we had a visit several years ago from the manager of an Australian tungsten producer who has a contract with our Government. He asked to see our contract under the 3 million unit program, and I showed him our 2 cent post card saying that we could participate in same. He then displayed his own contract of some 11 or 12 typed pages, which I read. He then commented that he didn't know there were so many darn fools in the United States who would rely on a post card contract as against their long and conventionally drawn contract.

Under date of February 12, 1957, a letter signed by Philip M. McKenna, president of Kennametal, Inc., Latrobe, Pa., a fabricator and a medium-sized producer of tungsten in Nevada, was directed to certain members of the Senate Appropriations Committee, urging the disapproval of appropriating further funds to keep the domestic tungsten mining industry in operation. The letter states, in part:

"Noting that you are on the Senate Appropriations Committee, and reading of the discussion on the appropriation of $30 million to continue to purchase tungsten, I thought you might like to have the enclosed charts showing about 20 years' supply of tungsten on hand in Government stockpiles now, at the current rate of consumption and the average for the past 4 years."

The charts referred to, I am informed, are classified information. In addition to mailing the charts to members of this committee, the information was published in Steel, a trade magazine, by this consumer-producer of tungsten whose profit interest lies in low prices for tungsten concentrates and who has recommended the disapproval of further appropriations. All of the domestic producers are supporting the appropriation, with the one exception of this fabricator-producer.

The stockpile information referred to above has been grossly misinterpreted by the person who circulated it, as well as by some Members of Congress. In refutation of this misinterpretation I quote from testimony offered February 26, 1957, by Dr. Arthur S. Flemming, Director of ODM, in a hearing before the Senate Committee on Interior and Insular Affairs:

"Mr. REDWINE. Dr. Flemming, I hand you a letter on the stationery of Kennametal, Inc., Latrobe, Pa., which for reasons which will develop in a moment, Mr. Chairman, I do not wish to offer for the record. I just want Dr. Flemming to identify it.

"Dr. Flemming, attached to this letter is a chart. There is a figure here that purports to show the total stockpile on tungsten. Is such a figure classified information?

"Dr. FLEMMING. It certainly is.

"Mr. REDWINE. Dr. Flemming, please do not mention the figure that is given, but can you say whether or not, without violating security, that is a realistic figure?

"Dr. FLEMMING. I prefer not to comment on the figure at all, in view of the fact that it is classified.

"Mr. REDWINE. Doctor, in the letter reference is made back to that figure and it is stated that that figure constitutes a 20-year supply in time of emergency of tungsten.

"Can you say whether you have a 20-year supply of tungsten on hand?

"Dr. FLEMMING. Let us make the question very specific. That is a 20-year supply for dealing with a wartime emergency?

"Mr. REDWINE. Correct, sir.

"Dr. FLEMMING. The answer to that is 'No, we do not have anything approaching that on hand.'

"Mr. REDWINE. Can you, without violating security, tell the committee approximately how many years' supply you have on hand for wartime emergency?

"Dr. FLEMMING. Thinking in terms of the requirements for a wartime emergency, we have on hand enough to carry us through approximately a 6-year emergency.

"Mr. REDWINE. Mr. Chairman, I do not think this letter should be put in the record, in view of the testimony of Dr. Flemming.

"Dr. Flemming, getting back to your stockpile of tungsten, usually in December the Defense Department advises you as to its requirements for the following year; is that correct?

"Dr. FLEMMING. Along in there.

"Mr. REDWINE. Along about that period?

"Dr. FLEMMING. Yes.

"Mr. REDWINE. Is it not true that on December 13, 1956, you were advised by the Defense Department that, because of technological, rapid technological advances in weapons, it would be this fall before any realistic figures could be given you as to requirements?

"Dr. FLEMMING. Well, I don't recall the exact wording of that letter, but undoubtedly the Defense Department had that factor in mind in so advising us, but primarily they had in mind the fact that it was necessary for them to review their requirements in the light of new strategic concepts and the new strategic plans that had been developed by the Joint Chiefs of Staff.

"They told us that because of the rather drastic changes that had taken place in those strategic plans it would not be possible for them to give us advice as to new requirement figures until some time next fall.

"Mr. REDWINE. Dr. Flemming, along that line, aren't those changes, many of them, in the development of such weapons as guided missiles, nuclear-propelled vessels and planes which require the use of the so-called refractory or high-temperature metals? Isn't that included in these rapidly changing concepts of warfare?

"Dr. FLEMMING. It is my understanding that that factor is in the picture at the present time.

* * * * *

"Senator MALONE. * * * I would like to call your attention to this matter for the record in the light of your testimony that you have a 6-year reserve or stockpile on tungsten.

"Now, Dr. Thielemann says, and I heard him testify before a House committee in San Francisco last Sunday, a week ago, that:

" 'If satisfactory tungsten base alloy can be developed which will have useful engineering properties of temperature of 2,000° F. and higher expected consumption would be doubled or tripled.'

"Now, if you believe that is really right on top of us, what would you say about your stockpile?

"Dr. FLEMMING. Senator, as you know, it is difficult to comment on that in a specific way because I do not know what defense will come up with in the way of requirement in the light of a statement of that kind, but unquestionably the requirements will be higher than they have been at the present time and that will be reflected in the stockpile.

"I would like to say this, Senator: I think the point we are making, although we don't have any figures to go on at the present time, the point that you are making, nevertheless, indicates the desirability of keeping industries of this kind on a going basis rather than letting them shut down because in this kind of world we never know when somebody is going to come through with something like this."

* * * * *

The potential usage and new uses for tungsten are greater today than they have ever been in our country's history. The domestic tungsten mining industry has been spending its own funds on a research program at Stanford Research Institute working on the high-temperature uses of tungsten-base alloys. No other metal has the qualifications for use on the 2,000° F. level and higher temperatures that are now needed for our jet engines in order for us to be ahead of the indicated Russian developments. The present limit of temperature with alloys now in use is a maximum of 1,650° F. and with a very low hour life at this point. Already through the tungsten research program we have developed a new alloy called WI–52 which contains three times as much tungsten as is being currently used, and which will exceed current maximum temperatures with a great extension of hour life. With the lifting of restrictions in October 1956 by the Department of Defense on the amount of tungsten that may be used in jet engines per 1,000 pounds of thrust the Armed Forces are now entering actively into this field. Both the Air Force and the Navy have invited the Tungsten Institute to work with them on this project to

avoid duplication of effort and to expedite the necessary research and development of tungsten-base alloys.

Also the Atomic Energy Commission is interested in tungsten both for its high-temperature qualities and for shielding, where in some fields it has no equal.

Just last Friday another giant B–52 jet stratofortress—the Air Force's costliest aircraft—literally disintegrated while in test flight. This is the fifth $8 million B–52 to meet a similar fate. As a layman I cannot go into scientific details that may cause these fateful disasters but eminent metallurgists who know the reaction of structural metals are begging for time and material to perfect better high-temperature alloys for use not only in gas turbine engines but in structural uses as well. One of the most eminent, Mr. R. H. Thielemann, chairman, department of metallurgy, Stanford Research Institute—the man who developed 14 years ago the alloy currently used in jet aircraft engines—says that "the limiting temperature at which a pure metal will still have useful load-carrying ability has a definite relationship to the melting point of the metal. This limiting temperature is the temperature at which deformed grains in the metal will recrystallize. * * * The need for metals and alloys which will have improved engineering properties at elevated temperatures is urgent. We must continue to develop and improve the present high-temperature alloys wherever possible by the judicious use of those alloying elements, like tungsten, which promote metallurgical stability at the high temperatures. For the higher temperature requirements, the most promising and probably the only means available is with the four higher melting point refractory metals—columbium, molybdenum, tantalum, and tungsten. Because of its high recrystallization temperature and high modulus of elasticity, tungsten appears to be the most promising for the more severe applications."

* * * * *

The commercial airlines' early use of jet engines is going to bring out the low hour life of currently used materials that demand frequent and costly overhauling and rebuilding of the engines. As a result the airlines recognize this problem and are very definitely interested in our new alloys, as they may mean the difference between success or failure on the use of jet engines for commercial use.

As a result the anticipated demand for tungsten can easily be as much as three times the current consumption, exclusive of military demands, at a relatively early date. The military demand will vary but with their now indicated interest in our new alloy their demand could be increased to the point where our current consumption and stockpile figures will have little, if any, meaning in the overall picture because of increased requirements. I am reliably informed that this is a matter of urgent necessity.

There are other new and important uses that are coming along rapidly but I will not take the time now to go into them in detail.

The price of tungsten concentrates has always been a major problem for the domestic industry. Prices are fixed and governed by the world market and are based on London quotations. Quoted prices are often not what the producer can expect to receive as sales are on an individually negotiated basis. As a result, the producer at all times is at the consumer's mercy as competitive foreign material is always the basis on which negotiations start. Both the lows and highs of the market price under all conditions are always controlled by the foreign producer. In times of low domestic demand low foreign prices prevail, but in times of higher or maximum demand the foreign prices are always raised to the maximum that the domestic consumer will stand or is willing to pay. During World War II the United States Government was forced to pay $1,000 per unit or higher to keep foreign production out of enemy hands. At that time the domestic industry was operating under a ceiling price of $24 per unit. During the Korean emergency the foreign price went up to $90 per unit while the domestic ceiling was $65 and the floor price $63.

It can be seen, therefore, that the domestic tungsten mining industry is entirely at the mercy of low-cost foreign producers in times of normal consumption. Furthermore, when an emergency arises the domestic consumer is at the mercy of the foreign producers. This is just a warning of what can happen overnight in the market place, and points up the entire lack of market stability on which the domestic industry can depend.

With the passage of Public Law 733 while fewer producers than the over 700 previously taking part in the 3-million-unit program resumed production because of the lower price of $55, some 200 continued to produce with the assurance that they had an interim program on which they could plan to operate.

As a spokesman for the domestic tungsten industry, I can say, and with authority, that if no funds are appropriated every tungsten mine in this country will be forced to shut down at once.

Mines are not like factories. You cannot shut them down and then reopen in the future just by pulling or pushing a switch. Many problems arise; for example, we cannot stand the expense of keeping the mine dry and replacing its timbering or permit it to fill with water and then let it rust and rot away. We lose our skilled manpower, particularly miners and engineers. In the case of miners they are becoming so scarce that it is difficult even to maintain a full crew under normal conditions due to the overall miner shortage in the mining industry. This again is true in any other industry that is up and down and on which the workmen feel that their future is so insecure that they tend to shy away from such employment.

After a shutdown of say 6 months' duration the time lag in getting the operation back on the same basis where it was before the closedown is a minimum of 2 years and can run easily to 3 or 4 years in numerous cases. The shutdown expense of many properties is so great that it would mean their liquidation and loss forever.

At the present time many operators face major losses on their inventories of finished product on hand, which run into millions of dollars, which were produced in reliance on Public Law 733. They cannot afford these losses and a great many plants, mines, and communities will become ghost camps to be liquidated at further financial losses that cannot be visualized as they are so enormous.

Regardless of the current defense requirements the thought should be maintained that our Nation would have these mines on a stand-by basis for use in an emergency. How can this be possible in the light of the above? In the long run the cheapest and most practical approach is to keep the industry operating so that the time lag will not be a factor, or a great number of mines lost forever.

With a complete shutdown of the domestic industry the country will be placed on the basis of total dependency on foreign sources of supply. This is a situation that I can imagine no one wants to see, but one that can become a reality at any time.

In addition to the vast investment loss of the domestic tungsten mining properties at least 10,000 people directly dependent upon income from jobs in the industry and, in addition, many thousands of people in allied industries will be affected.

Without the appropriation necessary to keep the strategic minerals purchase program in operation not only will an entire industry be wiped out but at the same time a source of tax revenue of at least $8 to $11 million derived annually from domestic tungsten mining operations will be lost.

The initial appropriation of $21 million, under Public Law 733, covered purchases of tungsten to December 1956. General Services Administration, designated by the Interior Department to administer the program, recommended in writing to individual producers that their offerings be continued each month in the apparent belief that retroactive deficiency appropriations would be made early in the 85th Congress.

Relying upon assurances of GSA the industry has continued to produce, to keep its mines open, whenever possible, and consequently an unwieldy inventory has now accumulated at great cost to the producer.

What I am saying in conclusion is that the United States faces a situation where we can become a have-not Nation as far as tungsten is concerned. The people in the industry, whether they be small, medium, or large-size operators, actually feel that there is a moral commitment that has been made in Public Law 733 and under which they went ahead and now under which they may lose their final efforts to keep the United States self-sufficient in the one metal around which so much of their future may depend.

The producers of asbestos, fluorspar, and columbium-tantalum all face exactly the same economic conditions as those faced by the producers of tungsten.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Salt Lake City Deseret News of March 2, commenting on the present situation with respect to appropriations for the interim minerals purchase program.

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

TUNGSTEN MUST STAY STRONG

If nothing else, the experience of the past 17 years should have taught all Americans the necessity of making the Western Hemisphere as nearly as possible self-sufficient in strategic minerals. Yet, at this time, a broad segment of our domestic tungsten industry is fighting to keep from losing out to foreign producers—many of whom are near or behind the Iron Curtain.

Prior to the Korean war, most of the United States supply of tungsten came from such countries as China and Korea. The war cut off some of these sources. Others soon doubled, then tripled their prices. We had to have the metal, so we met the price.

Realizing the need for a strong domestic source of tungsten, the Government offered United States producers $63 a ton. Under this stimulus the domestic industry met the challenge. New mines and refineries came into being. Utah became a vital part of the industry. As a result, our supply of tungsten saw us through the war and has been stockpiled since.

But now, foreign sources have cut their prices from $90 a ton to $35. Our local industry cannot compete with that price. The Government purchase price for domestic tungsten has dropped to $55 per ton. That is about as low as it can go and allow domestic producers to show a profit. This reduction alone reduced our producers from 700 to 200 companies.

As foreign prices continue to drop, pressure is mounting for the Government to abolish its purchasing program. At a moment when we were about to become independent of foreign sources, we are faced with the possibility of closing our domestic mines and abandoning expensive mining equipment.

To forestall this, the Administration has asked for a continuation of the purchasing program until a long-range mineral policy can be formulated. There is a distinct possi-

bility that Congress will not follow the President's wishes in this matter.

This reasoning is hard to understand. Tungsten is a strategic mineral. We cannot afford to have our major sources of this raw material under the control of possible fickle allies or timid neutrals, some veritably under the guns of our potential enemies. We must have a strong domestic industry.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Ely Daily Times of February 27, commenting on the present situation with respect to appropriations for the interim minerals purchase program.

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

TUNGSTEN

News bulletins from Washington indicate that the battle for funds to continue Government buying of tungsten is not yet won despite the efforts of mining State Senators, for the powerful Appropriations Committee of the House has shown a contrary disposition.

It seems to us that this committee is right as far as its knowledge goes, but it further seems to us that the committee does not understand mining. How does it happen that for so long so many otherwise well-informed people refuse to understand the essentials of mining?

Yesterday's report said that the House committee continues to be opposed to the program because, among other things, it had been advised that some larger producers were selling domestic tungsten to the Government "at a subsidy-program price of $55 a unit and purchasing foreign tungsten for use in their own industry at the United States market price of $35.

"Proponents of this nondefense subsidy claim that continuing support of these mining industries is necessary to assure a supply in time of emergency," the committee statement continues. "But the Director of the Office of Defense Mobilization assured the Congress in June 1956 that the amount of these minerals on hand and on order met both the minimum and long-term stockpile objectives. He stated that even if all sources of overseas supply were cut off, the United States would have an emergency stockpile adequate to last at least 5 years."

And here is the part that we particularly object to: The committee said the budget appropriation is unnecessary because it is "abundantly clear that the administration under the Defense Production Act continues to have adequate authority and funds to purchase any of these minerals for which any unforeseen defense requirements may arise."

What they don't seem to be able to get through their heads is that if the mines and the mills shut down for, say, the 5 years for which they believe the stockpile is adequate, there may be authority and funds to purchase domestic tungsten to meet "any unforeseen defense requirements," but there will not be any domestic tungsten to purchase. True, it will be in the ground somewhere, but little will be within a year of the concentrate stage, and defense crises are not going to wait a year in this period of history.

We don't particularly care either for inconsistent, emergency programs. Mining has been plagued by them enough already. But until we find a way to have a consistent long-range minerals policy which will keep the industry going, we must be very sure that we act in the interests of national security, not merely (as the committee seems to feel) "for the benefit of a small segment of the industry."

We wish there were some way to capture that recalcitrant committee and put its members to work in the mines and mills long enough for them to understand that it is a long way from the unworked mountain to an adequate supply of tungsten—or any other mineral—in usable form.

Mr. BIBLE. Mr. President, although it may have been called to the attention of Congress in another manner, I now ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a joint resolution adopted by the Legislature of the State of Nevada regarding the urgency of the problem now confronting us.

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

Senate Joint Resolution 5

Memorializing the President, Vice President, the Secretary of Defense, the Nevada Congressional delegation, and the Congress of the United States to continue the tungsten program

Whereas there are extensive deposits of tungsten in Nevada; and

Whereas a healthy domestic tungsten industry is a key to prosperity and national security, because without such industry the United States cannot be certain of having the stockpile of tungsten necessary to our economy and national defense; and

Whereas the economy of the tungsten producing areas within the State of Nevada and elsewhere within the United States must be kept prosperous, and the United States itself be kept strong and in a position to weather either short or prolonged periods of world and national crises; and

Whereas it requires years to develop a productive tungsten mine and constant effort is needed in development, since, if mines and tungsten processing plants be abandoned, the mines become flooded, timbers deteriorate, and skilled and able personnel are dispersed beyond recall, resulting in a crisis when production is to be resumed in an emergency; and

Whereas the expansion and well-being of the Nevada mining industry is substantially dependent upon continued production of tungsten: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada (jointly), That the President of the United States, the Vice President of the United States, the Secretary of Defense, the Speaker of the House of Representatives, the Senators and the Representative from the State of Nevada in the Congress of the United States, and the Congress of the United States are hereby memorialized to immediately and energetically undertake positive action to do everything necessary and proper to continue, encourage, protect and stimulate the production of tungsten, and, specifically, to continue the purchase and stockpiling of tungsten; and be it further

Resolved, That the secretary of state of the State of Nevada shall transmit certified copies of this resolution to the President of the United States, the Vice President of the United States, the Secretary of Defense, the Speaker of the House of Representatives, and the Senators and Representative from the State of Nevada in the Congress of the United States.

Adopted by the assembly February 6, 1957.

WM. D. SWACKHAMER,
Speaker of the Assembly.
C. A. BASTIAN,
Chief Clerk of the Assembly.

Adopted by the senate February 6, 1957.

REX BELL,
President of the Senate.
H. E. ROWNTREE,
Secretary of the Senate.
CHARLES H. RUSSELL,
Governor of the State of Nevada.

Mr. BIBLE. Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. What is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the amendment of the Senator from Alabama [Mr. HILL], to strike out the colon in line 11, on page 2, and the proviso immediately following, in lines 11 to 13. (Putting the question.)

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time.

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

The joint resolution (H. J. Res. 312) was passed.

CHICAGOLAND COMMERCE AND INDUSTRY EXPOSITION

The Senate resumed the consideration of the bill (H. R. 4803) to permit articles imported from foreign countries for the purpose of exhibition at the Chicagoland Commerce and Industry Exposition, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes.

The PRESIDING OFFICER (Mr. MORSE in the chair). The bill is open to amendment.

THE FARM PROGRAM

Mr. THYE. Mr. President, for the past several months we have heard many references to what the overall cost of the farm program has been to the United States Government. For that reason, I shall cite the facts, as best I can, from information obtained from the Department of Agriculture and the statistical records of the Department.

The total agricultural budget for 1958 amounts to approximately $4.9 billion.

It should be pointed out that, of the total agricultural budget, approximately $2.7 billion, or more than half, is attributable to programs which are not designed, primarily and only, as aids to farmers.

Some of these programs are: Meat inspection program, school lunch program, the foreign aid program, forestry payments to schools, and disaster donations. The costs of these and a few others total approximately $1.7 billion.

Also included here are loan authorizations for REA and FHA, which will be repaid over a period of years. These authorizations in the 1958 budget amount to $474.5 million, while collections in 1958 are estimated at $331.9 million.

It should also be pointed out that certain other receipt items should be deducted from the budget, such as proceeds from sales of timber, grazing leases, and

sugar-tax receipts, which amount to $245.9 million.

After having made these necessary adjustments, we get a more true picture of how much of the total budget for the Department of Agriculture is chargeable to agriculture. This amounts to $2,162,000,000.

When we go into the Department of Agriculture budget for fiscal 1958 item by item, we find that it becomes a very interesting study. The original budget was $5,127,300,000. The budget was later reduced by $254 million.

The obligational authority for 1958 is $4,873,300,000.

I now show the breakdown for the specific functions within the Department of Agriculture.

"Agricultural Research Service, $95,100,000."

Experiment stations are included in the research item.

"Plant and animal pest control, $27.0 million."

"Meat inspection, $18.7 million."

Mr. President, meat inspection is conducted for the safety of the consumers. It is a consumer service.

Meat inspection, $18.7 million.
Extension, $64.1 million.

Mr. President, that service has been in existence for years. It is the educational part of the agricultural function.

	Million
Farmer Cooperative Service	$.6
Forest Service (receipts from sales of timber, grazing, etc. $161.4)	126.9
Soil Conservation Service:	
Conservation operation	73.5
Watershed protection and flood prevention	39.1
Great Plains conservation	20.0
Agriculture conservation service	237.0
Agricultural Marketing Service: Marketing research service	31.9

School lunch program, $100,000,000.

Mr. President, that is charged to agriculture, and yet it is a direct school lunch program.

Foreign Agricultural Service, $4,400,000.
Commodity Exchange Authority, $800,000.
Soil Bank, $1,000,000,000.
Commodity Stabilization Service—
Acreage Allotment and Marketing quotas, $43,000,000.
Sugar Act Program, $72,200,000.

Income from sugar taxes, Mr. President, is $84½ million. So any administrative cost in the Sugar Act is actually reimbursed by the tax which is imposed upon sugar. Yet the cost of the Sugar Act program is charged to agriculture.

REA (salaries and expenses) $9,600,000.
Loan authority, $239,000,000.

The 1958 estimate of collections is $137½ million.

Farmers' Home Administration (salaries and expenses) $30,000,000.
Loan authority, $235,500,000.

Collections in 1958 are estimated at $194.4 million.

Staff officers, $8,200,000.
Restoration of Commodity Credit Corporation Capital Impairment (to repay CCC losses in the year 1956) $1,239,800,000.
Reimbursement of CCC for Financial Program, $843,100,000.
Title I, Public Law 480, $637,000,000.
Title II, Donations, $94,500,000.
International Wheat Agreement, $93,000,000.

Now we come to the permanent appropriations. Section 32 provides a donation of 223½ million, which is taken out of section 32 funds. Section 32 funds, Mr. President, are made up of the tariff duties which are collected on imports which come in direct competition with agricultural commodities produced in the United States and the funds are accumulated for the purpose of paying for perishable commodities on a support basis.

The permanent appropriation for this particular fund is $306.5 million.

The payment to counties for schools from forest receipts is $47.3 million.

All these items, Mr. President, total $4,873.3 million, which we have so often heard referred to as the appropriation for agriculture, oftentimes thought of by the taxpayers, because of the way it is phrased, as a subsidy, or a direct Treasury check.

Mr. President, I have a tabulation of programs shown in the agricultural budget of 1958 which benefit others than farmers:

Meat inspection, $18.7 million.
Watershed projects, $39.1 million.
School-lunch program, $100 million.
Section 416 donations, $361.3 million.
Public Law 480, title I, $637 million.
Title II donations for relief, etc., $94.5 million.

The International Wheat Agreement is a part of the State Department's function. That is $93 million.

I have described section 32, for which the figure was $223.5 million.

Mr. President, the remainder of this table I shall not read, because it refers to the figures I read on the other page. I ask unanimous consent that the remainder of this one page be printed in the RECORD as a part of my remarks. It continues with the school milk program, the REA, the FHA, and it shows the total receipts from timber sales and collections under REA and FHA.

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

[In millions]

Forest payments to counties for schools	$47.3
School-milk program	45.0
Subtotal	1,659.4
REA loan authority	239.0
FHA loan authority	235.5
Subtotal of loans (loan authority to be repaid)	474.5
Total	2,133.9
Receipts received by agriculture:	
Timber sales, grazing leases, etc.	161.4
REA collections (estimated 1958)	137.6
FHA collections (estimated 1958)	194.4
Sugar taxes	84.5
Total receipts	577.8
Total to be deducted from budget	2,711.7
Total agricultural budget	4,873.3
	−2,711.7
Total chargeable directly to agriculture	2,161.6

Mr. THYE. The most significant part of this, Mr. President, is the table following, relating to "Realized Net Income, Direct Government Payments, and Direct Payments as a Percent of Net Income."

I have gone back into the years 1936 and 1937, because they were prewar years. Then I have taken the years in the postwar era, 1946 and 1947. Then I have taken the last calendar year available, which is 1956.

In 1936 the realized net income—this is agricultural net income—was $5.1 billion.

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

Mr. THYE. I yield.

Mr. CAPEHART. Is that the income of the farmers?

Mr. THYE. It is the realized net income of the farmers.

Mr. CAPEHART. That is the amount the farmers received?

Mr. THYE. Yes. It is the realized net income for 1936, and it amounted to $5.1 billion.

Direct Government payments to farmers—I repeat that, direct Government payments to farmers—$300 million.

The next is the direct payments as a percentage of realized net income. That is 5.9 percent.

Then we go to the calendar year 1937. The realized net income was $5.2 billion. The direct Government payments to farmers were $300 million, or 5.8 percent of realized net income.

Next we go to the calendar year 1946. This is the immediate postwar year, after World War II. The realized net income was $15 billion. The direct Government payments to farmers were $800 million, or 5.3 percent of realized net income.

In 1947 the realized net income was $17.2 billion. The direct Government payments to farmers were $300 million. The direct payments as a percentage of realized net income were 1.7 percent.

The last year, the most recent year, was 1956. The realized net income was $11.8 billion. The direct Government payments to farmers were $600 million. Six hundred million dollars is the only figure given for the direct payments to the farmers in 1956, Mr. President. In other words, the direct payments as a percentage of the realized net income amounted to 5.1 percent.

Now I should like to refer to another table, which covers the estimated direct payments to farmers in millions of dollars.

The A. C. P. program in 1957 amounted to $245.3 million.

For 1958, this item is $253 million.

Under the Wool Act, the estimated direct payment to farmers in millions of dollars is $60 million for 1957. The anticipated payments for 1958 are $55 million.

In connection with the soil bank, direct payments to farmers for 1957 are $387 million; and the estimated direct payment to farmers in millions of dollars for the calendar year 1958 will be $896 million.

Under the Sugar Act, the cost to this Government in 1957 was $65.5 million. The anticipated cost for 1958 will be $70.1 million.

The next item is the Great Plains. The estimated direct payment to farmers for 1958 will be $17.7 million.

Stating it in another way, in the calendar year 1957 the estimated direct payment to farmers, in millions of dollars, is $757.8 million. The total anticipated for the calendar year 1958 is $1,291,800,000. It will not be $4 billion, $5 billion, or $5½ billion, the figures we have so often heard stated in recent months. I had to go into these figures and place them in the RECORD in order that we and the taxpayers might understand what is involved in the farm program, and in the total administrative responsibilities and functions of the Department of Agriculture.

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

Mr. THYE. I yield.

Mr. CARLSON. I commend the distinguished senior Senator from Minnesota for calling the attention of the Senate to some factual figures which show the actual payments to the farmers of the Nation. The senior Senator from Minnesota has always been an effective spokesman for our great agricultural economy. He has a keen knowledge of agriculture gleaned from many years of actual experience as a successful farm operator. He is considered a leading authority in this important area of our Nation's economy. There is no man more dedicated to the betterment of agriculture in the United States, than the senior Senator from Minnestota.

I think it is most unfortunate that during the past few months we have been reading figures which have been generally distributed over the Nation, to the effect that the farm programs cost $5.5 billion or more, and that the farm income is only about $11 billion; in other words, that the cost of the farm program is 50 percent of the farm income.

I think the Senator from Minnesota has rendered agriculture a real service. It is time these figures were made known to the people of the Nation. Otherwise they, too, would be concerned, as we are, over these payments which, in reality, are not so large considering the great program as a whole. The American farmer sustained our needs during World War II and the Korean conflict. Today the farmer is producing to sustain our growing needs and demands for agricultural products, both at home and abroad. The farmers of our Nation must not be made the victims of statistical errors concerning subsidy payments.

Mr. THYE. I thank my distinguished friend from Kansas. He has always been a loyal supporter of sound legislation for our Nation's farmers and has recognized their contribution to our ever-expanding agricultural economy.

Mr. President, I have just been given by my administrative assistant a release which has come over the United Press wire service. This is the statement:

Acting Assistant Press Secretary Wayne Hawks just clarified the President's statement on farm subsidies. He said: "The $5 billion figure represents about one-half of the net income of all farmers in the United States. The figure is not all subsidy as the President's remarks implied."

I am grateful that this clarification has been made. I know that it would have been a disservice to cause me and others to labor under the impression that agriculture would be charged with such a burden as was suggested when it was stated that $5 billion was the cost of the farm programs to the Treasury. That was what led me to go into the statistical records to obtain the facts and introduce them on the floor of the Senate this afternoon.

Agriculture is doing too good a job to be placed under a cloud of taxpayers' criticism. The American farmer not only met the needs of the Nation during the war years, not only supplied the food and fiber which our allies needed, but supplied the materials for many a gallon of alcohol which was processed into synthetic rubber and ammunition in the war years.

American agriculture deserves better than to be constantly charged with being such a burden to the United States Treasury. We have won friends all over the world with the surplus products from the good earth of the United States. The United States and Canada are the great bread-producing areas of the world, as well as being producers of foods and fibers, timber, cotton, animal fats, and fatty products from vegetable crops. American agriculture has done such an outstanding job that it should be commended rather than being placed under a cloud of charges to the effect that a burden of possibly $5 billion has been imposed on the Treasury of the United States to support the farm economy of the Nation.

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

Mr. THYE. I yield.

Mr. SYMINGTON. First, Mr. President, I congratulate the distinguished senior Senator from Minnesota, who, as we all know, is one of the true experts of this body on the farm program.

I ask unanimous consent to have printed in the RECORD at this point an article from the Washington Post and Times-Herald of Wednesday, April 17. This article states that Assistant Secretary Earl L. Butz is the source for the assertion that $1,000 a farm is the average amount of subsidy this country will pay each farmer in the coming fiscal year.

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

[From the Washington Post and Times-Herald of April 17, 1957]

REVIEW OF FARM POLICY HINTED BY GOP LEADERS

(By Raymond Lahr)

Republican congressional leaders were told yesterday that Federal farm programs would cost the Treasury an average of about $1,000 per farm in the next fiscal year.

The figure was given out at yesterday's weekly legislative conference between President Eisenhower and the GOP Congressional leaders.

Latest available Census Bureau figures show there were 4,787,393 United States farms in 1954. They were valued at an average of $19,706, including land and buildings.

A SHOCK

"It was a rather staggering thing," Senator STYLES BRIDGES (Republican, of New Hampshire) said later. "It was a shock to me."

Also present at the White House discussion of next year's $5 billion farm budget were Agriculture Secretary EZRA T. BENSON and his aides.

BRIDGES did not explain the reason for issuing the $1,000-a-farm figure which was given to the lawmakers by Assistant Agriculture Secretary Earl L. Butz.

But some Senators said they got the impression the Department may be considering an overall review of farm policies and costs.

ACCOUNTING CRITICIZED

BRIDGES, chairman of the Senate Policy Committee, said the estimates also were discussed at yesterday's weekly luncheon of Republican Senators.

Some Farm Belt Senators, he said, replied that the cost of distributing surplus farm products abroad should be charged to the foreign-aid program, not to the farm program.

BRIDGES also reported that some Senators who attended the luncheon voiced disappointment about the failure of the Senate Judiciary Committee to act on the President's civil rights bill, which is being fought by southern Democrats.

He said he told them he still expects the Senate to pass civil-rights legislation this year even though "the speed to date doesn't indicate that it will."

Mr. SYMINGTON. Mr. President, will the Senator from Minnesota yield further?

Mr. THYE. I am happy to yield. However, I do not wish to preempt the floor and prevent recognition of my distinguished friend from Utah [Mr. WATKINS], because I know that he has been in the Chamber for an hour seeking recognition.

Mr. SYMINGTON. I thought I would be recognized in order after the distinguished senior Senator from Minnesota yielded the floor.

Mr. THYE. I am delighted to yield. I merely wished to be courteous to my friend from Utah, and not have it thought that I am holding the floor at his expense.

Mr. SYMINGTON. The distinguished junior Senator from South Carolina [Mr. THURMOND], when he was presiding, told me that I was to be recognized following the distinguished Senator from Minnesota.

Mr. WATKINS. Mr. President, I am not objecting. I hope the Senator will proceed.

Mr. THYE. The Senator from Utah is acting with his usual fine courtesy.

Mr. SYMINGTON. Mr. President, I thank the Senator from Utah for his gracious courtesy. I have congratulated the able Senator from Minnesota for his remarks. If he yields the floor, I will seek recognition.

Mr. THYE. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. SYMINGTON. Mr. President, at this point I ask unanimous consent to have printed in the RECORD a transcript from the New York Times of part of the press conference held by President Eisenhower yesterday.

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

NOT PLANNING FARM LAWS

Charles W. Bailey of the Minneapolis Star and Tribune. Sir, could you tell us about your meeting with the leaders yesterday and your discussions of the farm situation with them? Was this a routine discussion of budgetary matters or were you talking about new legislative proposals, and if so, could you tell us something about them?

Answer. Well, we are not talking about new legislative proposals. We are talking about certain of the problems that persist in our agriculture, regardless of the—all of the programs that have been tried literally since the beginning, or before the beginning of the war.

The * * * we have laws for the disposal of surpluses at a subsidized, under a subsidized arrangement for which the taxpayers pay. Then when we get rid of those surpluses to a certain degree, the arbitrary provisions of the law operate; the price supports go up, and you get more surpluses. So we have in many ways a very, very difficult problem in this whole field.

Now, this administration starts with this: We want to help the farmers who have been caught, as we call it, you know, the cost-price squeeze for so long. This particularly applies to smaller farmers, and the problem is how to help them and not to go beyond reason, and at the same time not just continue to create new problems as you try to solve ones we now have.

At present you must remember that about half the income of the farmer is from Federal subsidy. We are up to over $5 billion in our agricultural budget for the year, and I believe the amount they told me is something, averages over a thousand dollars a farm family that the United States is paying in some form of subsidy; not all of that, I think, gets right into the hands of the farmers.

But the pity of it is that if the small farmers were getting their adequate share of that, probably the system would be working. But it doesn't work that way. The big farmers get the most. So what we are doing is really looking over this whole field to see how you can best have an adequate program for the farmers, one that will stand the test of time, will be stable, and will not create new problems.

Mr. SYMINGTON. In the press conference in question the President was asked about the farm program. I have placed the colloquy in the RECORD, but I should like to read one part of his answer:

Now, this administration starts with this: We want to help the farmers who have been caught, as we call it, you know, in the cost-price squeeze for so long. This particularly applies to smaller farmers, and the problem is how to help them and not to go beyond reason, and at the same time not just continue to create new problems as you try to solve ones we now have.

At present you must remember that about half the income of the farmer is from Federal subsidy.

The just-completed remarks of the distinguished Senator from Minnesota show how wrong that statement was.

The colloquy continues:

We are up to over $5 billion in our agricultural budget for the year, and I believe the amount they told me is something, averages over $1,000 a farm family that the United States is paying in some form of subsidy; not all of that, I think, gets right into the hands of the farmers.

Mr. President, putting it mildly, not all of it does get into the hands of the farmers.

For example, the figure given includes some $686,300,000 for the administration expenses of the Department of Agriculture, including operating expenses, expenditures for agricultural research, agricultural marketing service, soil conservation, forest service, commodity exchange authority, and other similar activities and services of the Department of Agriculture.

As the able Senator from Minnesota [Mr. THYE] pointed out, it also includes the removal of surplus agricultural commodities by special grants to the inhabitants of slums in our cities, people with the lowest incomes; also the national school lunch program. It also includes Government loans, donations for such disasters as floods and fire, meat inspection services, etc. It is almost incredible that this total amount of money would be charged as a subsidy against the farmers.

Mr. President, I could read more figures to disprove this statement, but I believe they have already been placed in the RECORD by the distinguished Senator from Minnesota. My great regret with respect to this statement is the fact there appears to be a lack of understanding of just what is the farm problem in the United States today. Anyone who believes there is a thousand dollars per farm subsidy going to the farmers has no true comprehension of the growing agricultural problem now prevalent in the United States.

Mr. President, I am glad to see that there are those in high office who sympathize with the problems of the smaller farmer. But I was surprised that in the discussion where this concern was expressed, there was a statement that no corrective legislation would be presented to Congress to help solve this problem.

Mr. MORSE. Mr. President, I am very glad that the Senator from Minnesota [Mr. THYE], and the Senator from Missouri [Mr. SYMINGTON] put the President straight this afternoon, in the case of the misinformation regarding the cost of the farm program the President gave the American people at his press conference yesterday.

Of course, Mr. President, we are accustomed to this habit on the part of the President of misinforming the American people. Many of us recognize that he is not a student of these problems, and does not do his bookwork, and apparently depends upon information handed to him as he goes into press conferences or when he is briefed prior to attending such press conferences.

Mr. President, among the American people there is growing concern about these press conferences. When we consider the statement made by the President in yesterday's conference, we find that it is characterized primarily by incoherency. Many of the President's statements simply are not coherent, if we try to dig meaning out of them. That was perfectly apparent yesterday, in the case of his farm statement; and if we have any question about it, we have only to read the statement as it appears in the New York Times.

Mr. President, the President of the United States should have accurate advisers. He owes it to the people of the United States to have accurate advisers. But the examples of the President's inaccuracies and the examples of instances in which the President has misinformed the American people have become legion. The President simply does not have the information in the case of issue after issue. The sad thing is that apparently he simply parrots the misinformation which is given him prior to his press conferences. Such statements by him are very much like the speech he made in Portland, Oreg., on October 18, 1956, during the campaign. On that occasion he said:

Second, the National Park Service and the Wildlife Service: Having inherited a declining system of national parks, we have added more than 400,000 acres to our park system.

Mr. President, I am sure the President thought he was speaking accurately when he told the people that 400,000 acres had been added to the park system. I am sure he believed that much surface area had been added to the park system. However, whoever gave him that information forgot to tell him that the greater portion of that land was under water, beneath the surface of Lake Superior. Yet, Mr. President, in my State the people thought the President had given them information about an actual addition of land to the national parks.

Such inaccuracies on the part of the President of the United States are causing increasing concern. Of course, the necessary information on such matters cannot be obtained while on a putting green; it can be obtained only from books and reports. In order to do a proper job in that connection, it is necessary to study, rather than to have someone—in the most recent instance, apparently, someone from the Department of Agriculture—give off-the-cuff figures, as I assume happened yesterday prior to the President's press conference.

So the President gave the American people misinformation, only to have the ticker a few minutes ago have to correct the President of the United States.

I happen to be one who protests when the President puts his foot in his mouth so frequently by way of giving the American people misinformation. I think the Senator from Minnesota [Mr. THYE] and the Senator from Missouri [Mr. SYMINGTON] deserve a vote of thanks from us for putting the record straight this afternoon, because what the President said yesterday was not based on the facts regarding the cost of the farm program. In fact, until approximately January 1, 1956, over a period of 22 years—so the Department of Agriculture has informed us—the total cost of the farm program was approximately $2 billion, or a little less than $1 a year for every person in the United States, which, as I have said

before, is a rather cheap insurance premium to pay for at least the degree of farm stability we had at the time when we had the so-called firm price supports.

Mr. President, I hope the President of the United States learned a lesson yesterday, in connection with his press conference; and I hope he will not again rely upon information which is given to him, until he doublechecks it, so that we do not have to repeat the experience we have had this afternoon on the floor of the Senate, namely, that of having to collect the correct information, in order to correct the President of the United States.

Mr. President, because of what the Senator from Minnesota and the Senator from Missouri already have done, I shall not place in the RECORD corroborating information regarding the actual cost of the farm program.

However, I should like to make the following additional suggestion to the President of the United States: I suggest that he recognize that these problems are not solved by using labels.

It is very interesting to note what the President's program has been. For instance, he will go before a group of educators and will indulge in the most glittering generalities in discussing the importance of education. However, we should have an administration which really will fight for a legislative program which will bring the needed assistance to the boys and girls of our Nation, who by the tens of thousands are being cheated out of a decent education because of the failure to place on the statute books a legislative program which will assure them at least the minimum standard of training which is so essential for the defense of the country, if we wish to consider the matter solely on the basis of the national defense.

I regret to state that I believe the circumstances are such that words as harsh as the ones I have used this afternoon, need to be spoken about the President of the United States. But I believe it is time that some of us say from the floor of the Senate, "Mr. President, will you please start getting the facts and start presenting the facts to the American people, instead of the misinformation which so frequently comes out of your press conferences."

FEDERAL TRADE COMMISSION SUPERVISION OF CERTAIN TRADE PRACTICES

Mr. WATKINS. Mr. President, April 4, 1957, I called to the attention of the Senate the fact that food chains and other nonmeatpacker firms can buy a packing plant, or a small interest in one, and thus escape Federal Trade Commission supervision of their trade practices. This is because meatpackers are exempt from the provisions of the Federal Trade Commission Act by reason of the Packers and Stockyards Act of 1921. However, due to what amounts to virtual nonadministration by the Department of Agriculture of title II of that act, which is designed to prevent unlawful trade practices, such food chains escape supervision not only with respect to the meatpacking operations but their food store operations as well.

To remedy this situation, and others involving meatpackers equally injurious to the public welfare, I cosponsored with the Senator from Wyoming [Mr. O'MAHONEY] S. 1356, which would transfer back to the Federal Trade Commission, where it originally was placed by the Congress, authority to prevent unfair trade practices in the meatpacking industry.

My remarks on April 4 were prompted by the motion filed on March 20, 1957, by the Food Fair Stores, Inc., of Philadelphia, asking for dismissal of a complaint filed against them for an alleged violation of section 2 (d) of the Clayton Act, as amended, in contracting with suppliers to buy certain items for an anniversary sale at prices lower than the prices these suppliers were asking from competitors of the Food Fair Stores Corp. It is to be noted that this alleged violation had nothing to do with meatpacking activities carried on by a packing plant which Food Fair owns in New Jersey.

Yet, it asked the FTC to dismiss the complaint filed against it on the grounds that since it owned a meatpacking plant that its entire operations were exempt from FTC jurisdiction. In its brief filed in support of the motion to dismiss, this food chain had the temerity to cite part of the remarks I made at the time S. 1356 was introduced as evidence of the fact that FTC did not have jurisdiction in the matter. In part, the motion stated:

> Senator WATKINS, of Utah, the author of a bill (S. 1356) now pending in the Senate to confer upon the Commission jurisdiction in precisely the situation in issue here, stated the following on the floor of the Senate on February 25, 1957, in support of his bill: "I believe it is in the public interest that FTC control be extended over packers which enter into other sideline businesses—businesses which now escape such control because of USDA inaction, but whose competitors are subject to FTC control. The same need for public control applies to food firms, especially food chains, which now can acquire packing plants, or a substantial interest in one, and thus escape FTC supervision over their entire operation."

Today, Mr. President, a hearing examiner of the Federal Trade Commission issued an order dismissing the complaint against Food Fair Stores, Inc., "for lack of jurisdiction," as Food Fair Stores had contended was the case in its motion to dismiss the complaint. This is a food chain, operating 238 stores located along the Atlantic seacoast, which had gross sales of $475 million for the 1956 fiscal year. Yet, because it owns a packing plant in New Jersey, which during its 1956 fiscal year, by comparison, did only $25 million worth of business, it will, if this order is upheld, be permitted to wholly escape adequate supervision over all its operations. Passage of S. 1356 will bring an end to the type of evasion of proper public regulation.

Because of the importance the practice has assumed, I ask unanimous consent that a pres release announcing this decision and the decision itself be printed in the RECORD.

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

[Press release from Federal Trade Commission]

PROMOTIONAL ALLOWANCES (ROBINSON-PATMAN AMENDMENT)—UNFAIR COMPETITION (FTC)

A Federal Trade Commission hearing examiner today issued an order which would dismiss for lack of jurisdiction a complaint charging Food Fair Stores, Inc., Philadelphia, Pa., with inducing favored treatment from its suppliers in violation of the antitrust laws.

This is not a final decision of the Commission and may be appealed, stayed, or docketed for review.

The axaminer, Frank Hier, said Food Fair is a "packer" under the terms of the Packers and Stockyards Act and, therefore, is under exclusive jurisdiction of the Secretary of Agriculture. The FTC does not have jurisdiction, he said, and Food Fair's motion to dismiss the FTC complaint should be granted.

The Commission's complaint, issued in November 1955 and amended last March, had charged Food Fair with inducing special promotional allownaces which it knew, or should have known, were not being offered by its suppliers to its competitors on "proportionally equal terms," as required by section 2 (d) of the Robinson-Patman Amendment to the Clayton Act. This knowing inducement of violations of the Robinson-Patman Law, the complaint had charged, was an unfair method of competition in violation of the FTC Act.

Food Fair, which is a supermarket grocery chain of 238 stores along the Atlantic seaboard is doing an annual business of about $475 million (gross sales, 1956), has operated a meat-packing plant in Elizabeth, N. J., since July 1945. This plant sells $25 million in meat products each year. These products, the examiner said, are federally inspected, and Food Fair is listed and licensed by the Department of Agriculture as a packer.

The Packers and Stockyards Act, the examiner said, is "clear and unambiguous" and provides that "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.* * *"

The matters referred to in the act, the examiner said, include "broad proscriptions" against unfair business practices and "include the charge of the complaint here."

Denying the claim of counsel supporting the complaint that the Secretary of Agriculture's jurisdiction applies only to the meatpacking phase of Food Fair's business, the examiner said:

"It is * * * clear that Congress was legislating for all businesses doing any meat packing whatsoever, that the bill was intended to reach and regulate all phases of the business of any person, firm or corporation engaged in meat packing to any extent whatever, that the problem of 'unrelated activities' was squarely before Congress and thoroughly considered, that the statutory definition of 'packers' * * * was made designedly broad so as to include all within its terms, 'whatever the ramifications of his business, and whatever the form of corporate organization adopted,' or 'if such person has *an interest* in a packing business. * * *'"

Congress, the examiner added, was legislating "for the future and for an industry, and was keenly aware of extensions into other fields, and of other firms entering into the packing field. There is no evidence in this legislative history that the act was intended to be confined to those whose sole or primary business was meat packing."

Counsel supporting the complaint had maintained that complete jurisdiction in the

Department of Agriculture would lead to absurd results enabling any concern to choose between FTC and Agriculture simply by acquiring or divesting itself of a packing plant.

"The answer, of course, the examiner said, "is that where a law is clear and unambiguous in terms, command, and intent and where the latter is also clear from the legislative history, interpretation is uncalled for and no deciding authority may interpose his views and interpret it away from that intent, regardless of result. The responsibility for the latter, any duty to change, as well as the sole right to change, lies with the enacting authority, Congress. That this is recognized by that body is evidenced by the recent introduction for passage by Congress of S. 1356 to confer on the Federal Trade Commission the very jurisdiction contended for here."

UNITED STATES OF AMERICA, BEFORE FEDERAL TRADE COMMISSION—IN THE MATTER OF FOOD FAIR STORES, INC., A CORPORATION, DOCKET NO. 6458

INITIAL DECISION

Frank Hier, hearing examiner.

Andrew C. Goodhope, Frederic T. Suss, and Alvin C. Edelson, counsel supporting the complaint.

Stein, Stein & Engel, by Howard Engel, Jersey City, N. J., Gravelle, Whitlock & Markey, by Louis A. Gravelle, and Howrey & Simon, by David C. Murchison, Washington, D. C., counsel for the respondent.

In the midst of proof taking to support the allegations of the complaint, and immediately subsequent to the issuance by the Commission of amended complaint, respondent, by counsel, moves for complete dismissal for lack of jurisdiction. Since jurisdiction can be questioned at any time and is not conferred by consent, waiver, or failure to raise the point, at any previous time, the motion is timely and proper. The ground of the motion is that respondent's acts and practices, including those challenged by the complaint herein, are in the exclusive jurisdiction of the Secretary of Agriculture because respondent is subject to the Packers and Stockyards Act of 1921 (S. S. C. 191 et seq.)

Respondent herein is a supermarket grocery chain of 238 stores located along the Atlantic seaboard from New England to Florida, selling a full line of grocery and household products including fresh and canned meat and meat products. Its gross sales were about $475 million for the fiscal year ending April 28, 1956. It was organized about 1933. The charge against it in this proceeding is that it knowingly induced and received from suppliers advertising allowances which those suppliers had not made available on proportionally equal terms to all of their other customers competing with respondent in the retail sale of such suppliers' products and that respondent knew this. In short, that respondent knowingly induced a violation of section 2 (d) of the Clayton Act by its suppliers.

On July 13, 1945, respondent acquired a meat packing plant at 406 Allen Street, Elizabeth, N. J., at which place it has since slaughtered livestock and prepared same for consumption, selling and shipping in commerce to the extent of $25 million, or 95 million pounds, for the fiscal year ending April 28, 1956. Respondent's investment in said plant is $2.7 million. The products thereof are federally inspected and respondent is listed and licensed by the Department of Agriculture as a packer. Counsel supporting the complaint concedes that "to the extent it operates its meatpacking plant in Elizabeth, N. J.," respondent is a packer within the statutory definition set out in title 7, United States Code, section 191, 42d Statute page 160, which reads as follows:

"When used in this chapter the term 'packer' means any person engaged in the business (a) of buying livestock in commerce for purposes of slaughter, or (b) of manufacturing or preparing meats or meat food products for sale or shipment in commerce, or (c) of manufacturing or preparing livestock products for sale or shipment in commerce, or (d) of marketing meats, meat food products, livestock products, dairy products, poultry, poultry products, or eggs, in commerce; but no person engaged in such business of manufacturing or preparing livestock products or in such marketing business shall be considered a packer unless—

"(1) Such person is also engaged in any business referred to in clause (a) or (b) of this section, or unless;

"(2) Such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, any interest in any business referred to in clause (a) or (b) of this section, or unless;

"(3) Any interest in such business of manufacturing or preparing livestock products, or in such marketing business is owned or controlled, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, by any person engaged in any business referred to in clause (a) or (b) of this section, or unless

"(4) Any person or persons jointly or severally, directly or indirectly, through stock ownership or control or otherwise, by themselves or through their agents, servants, or employees, own or control in the aggregate 20 percent or more of the voting power or control in such business of manufacturing or preparing livestock products, or in such marketing business and also 20 percent or more of such power or control in any business referred to in clause (a) or (b) of this section. (August 15, 1921, ch. 64, sec. 201, 42 Stat., p. 160.)"

Section 406 (b) of that same statute (7 U. S. C. 227, 42 Stat., p. 169) provides "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. C. 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 section 202, title 7, U. S. C., page 192 of that act which reads as follows:

"UNLAWFUL PRACTICES ENUMERATED

"It shall be unlawful for any packer or any live poultry dealer or handler to:

"(a) Engage in or use any unfair, unjustly discriminatory, or deceptive practice or device in commerce; or

"(b) Make or give, in commerce, any undue or unreasonable preference or advantage to any particular person or locality in any respect whatsoever, or subject, in commerce, any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; or

"(c) Sell or otherwise transfer to or for any other packer, or any live poultry dealer or handler, or buy or otherwise receive from or for any other packer or any live poultry dealer or handler any article for the purpose or with the effect of apportioning the supply in commerce between any such packers, if such apportionment has the tendency or effect of restraining commerce or of creating a monopoly in commerce; or

"(d) Sell or otherwise transfer to or for any other person, or buy or otherwise receive from or for any other person, any article for the purpose or with the effect of manipulating or controlling prices in commerce, or of creating a monopoly in the acquisition of, buying, selling, or dealing in, any article in commerce, or of restraining commerce; or

"(e) Engage in any course of business or do any act for the purpose or with the effect of manipulating or controlling prices in commerce, or of creating a monopoly in the acquisition of, buying, selling, or dealing in, any article in commerce, or of restraining commerce; or

"(f) Conspire, combine, agree, or arrange with any other person (1) to apportion territory for carrying on business in commerce, or (2) to apportion purchases or sales of any article in commerce, or (3) to manipulate or control prices in commerce; or

"(g) Conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by subdivisions (a)–(d) or (e) of this section."

Obviously the above broad proscriptions include the charge of the complaint here. There follows detailed provisions for complaint, answer, hearing, decision and order by the Secretary of Agriculture with right of appeal therefrom to the United States circuit court of appeals—procedure closely following that of the Federal Trade Commission (7 U. S. C. 193–194–195) and indeed there is a separate general provision (7 U. S. C. 222) adopting for the use of the Secretary of Agriculture in the enforcement of the act, all of the implementing provisions of the Federal Trade Commission Act. It was probably this which led the Fourth Circuit Court of Appeals in *United Corporation, et al.* v. *F. T. C.* (110 F. 2d 473) to say:

"It was doubtless because plenary power over the unfair trade practices of packers had been vested in the Secretary of Agriculture by the Packers and Stockyards Act and the Meat Inspection Act, that Congress withheld jurisdiction over packers from the Federal Trade Commission. Only confusion could result from an overlapping jurisdiction, as this case well illustrates."

On the basis of the above, counsel for respondent contends that it has an in personam immunity from supervision, investigation, or correction by the Federal Trade Commission, being, by reason of its packing activities, subject in all of its operations exclusively to the jurisdiction of the Secretary of Agriculture. In a word, once in grace, always in grace. Counsel supporting the complaint, on the other hand, contends that the exclusive jurisdiction of the Secretary of Agriculture is not personal, but is only as to matters given to him exclusively, and that the acts and practices of respondent challenged in the instant proceedings are not such a matter. His argument, so far as the examiner understands it, proceeds as follows:

"(a) The Packers and Stockyards Act was aimed directly against the five big packers who, in 1917, handled 70.5 of all animals slaughtered under Federal inspection.

"(b) That these same five packers were under a 1920 consent decree forbidding them to engage in the retail distribution of grocery products including meat or meat products.

"(c) That, therefore, the Packers and Stockyards Act was, and is, confined in its operation to slaughtering, processing, preserving, selling, and shipping meat and meat products in commerce, and does not cover the retail distribution thereof.

"(d) Therefore, there was never conferred on the Secretary of Agriculture any jurisdiction whatever over the retail activities of any business coming within the statutory definition of packer, and, therefore, he has no ju-

risdiction over the great bulk of respondent's acts and practices."

The above-quoted statutory provisions are clear and unambiguous and would seem to this hearing examiner to require no resort to legislative history for clarification. But all counsel seem to think the contrary, and quote extensively from that legislative history to sustain their conflicting contentions.

Without extensive quotations from that legislative history, it is plain therefrom that while the consent decree of 1920, which barred the five major packers from engaging in most retail operations, was in the mind of Congress in 1921, it is also clear that Congress was legislating for all businesses doing any meatpacking whatsoever, that the bill was intended to reach and regulate all phases of the business of any person, firm, or corporation engaged in meatpacking to any extent whatever, that the problem of unrelated activities was squarely before Congress and thoroughly considered; that the statutory definition of "packers" in section 201 of the act (7 U. S. C. 191) was made designedly broad so as to include all within its terms, "whatever the ramifications of his business, and whatever the form of corporate organization adopted," or "if such person has an interest in a packing business, as [above] defined or if a packer has any interest in his business." It is apparent that Congress was not legislating in a 1921 vacuum, but was legislating for the future and for an industry, and was keenly aware of extensions into other fields, and of other firms entering into the packing field. There is no evidence in this legislative history, that the act was intended to be confined to those whose sole or primary business was meatpacking. On the contrary, the House of Representatives was pressured by the Farm Bureau to narrow the definition of "packer" to just manufacturing or preparing meats and meat products for sale—in other words, just to meatpacking—but this was flatly rejected; the expressed intention then being "to relieve from regulation (by the Secretary of Agriculture) those outside industries only when having no affiliation with a packer." "Affliation" is a broad and significant word. Finally, on this point, it is most significant to this hearing examiner that in 1938 when Congress was enlarging the jurisdiction of the Federal Trade Commission by adopting the Wheeler-Lea amendment, and then having before it the extensive hearings preceding the Robinson-Patman Act, and their disclosure of new and devious anticompetitive practices which had come to life in the intervening years, with the knowledge of backward and forward integration occurring during the 1920 decade, was most careful to except from the new grant of additional jurisdiction "persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921, except as provided in section 406 (b) of said act." This careful additional exclusion of jurisdiction, not there before and coming 18 years later in that setting, seems to this hearing examiner to refute any claim that Congress in 1921 was legislating only about five packers, was not legislating as to retail activities, or unrelated operations. It seems a reaffirmation of a firm intent to have the Secretary of Agriculture regulate all phases of any business in whatever primary field, connected in any way, or operating to any degree, in meatpacking. There is, therefore, no necessity for deciding whether the exemption is in personam or merely in rem.

This interpretation logically and inevitably leads, counsel in support of the complaint contends, to absurd results enabling any concern to choose at will the regulatory authority, by simply acquiring or divesting itself of a packing plant. Or, put more crassly, by the simple expedient of buying a load of chickens, wringing their necks, plucking their feathers, and selling their carcasses in commerce, any business in the Nation, even a tire or battery manufacturer, for instance, may escape regulation of its entire business by the Federal Trade Commission, whose "expertise" in the use, for instance, of brokerage, advertising allowances, service grants, and other devious means of competitive favoritism, is widely recognized. Thus, in the instant case, alleged competitive discrimination in the use of advertising allowances to push such nonagricultural products as floor wax, chewing gum, and cleaning fluid is left exclusively to the Department of Agriculture. No law, says counsel, should be interpreted to achieve an absurd result.

The answer, of course, is that where a law is clear and unambiguous in terms, command, and intent and where the latter is also clear from the legislative history, interpretation is uncalled for and no deciding authority may interpose his views and interpret it away from that intent, regardless of result. The responsibility for the latter, any duty to change, as well as the sole right to change, lies with the enacting authority, Congress. That this is recognized by that body is evidenced by the recent introduction for passage by Congress of S. 1356 to confer on the Federal Trade Commission the very jurisdiction contended for here, and by the statement of its sponsor:

"I believe it is in the public interest that Federal Trade Commission's control be extended over packers who enter into other sideline businesses—businesses which now escape such control because of United States Department of Agriculture's inaction, but whose competitors are subject to Federal Trade Commission's control. The same need for public control applies to food firms, especially food chains, which can now acquire packing plants, or a substantial interest in one, and thus escape Federal Trade Commission's supervision over their entire operations."

Despite distinctions of counsel, which are really not actual differences, the views expressed, and the language used in *United Corporation et al.* v. *F. T. C.* (110 F. 2d. 473 (C. C. A. 4) (1940)) and Docket 6409, Armour & Co. (March 30, 1956) are consonant with, and, it is believed, fully support the views expressed, and the conclusion reached here, and these are precedents by which this hearing examiner is, of course bound.

Express findings on this motion then are:

1. Respondent comes within the definition of "packer" as set out in title 7 United State Code, section 191, not only as to its Elizabeth, N. J., plant but as an entity.

2. As such, the Secretary of Agriculture has exclusive jurisdiction of the acts and practices charged in the complaint to be illegal.

3. The Federal Trade Commission has no jurisdiction thereof.

It follows that the motion of respondent to dismiss should be and the same hereby is granted.

Any and all requests for time to brief further the motion are denied.

ORDER

It is 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.

APRIL 11, 1957.

INTERMOUNTAIN INDIAN SCHOOL, BRIGHAM CITY, UTAH, AND TRIBUTE TO DR. GEORGE BOYCE, SUPERINTENDENT

Mr. WATKINS. Mr. President, a week ago today I gave a talk in Brigham City, Utah, at an occasion honoring the man who has been superintendent of the Intermountain Indian School during the more than 7 years it has been in existence, Dr. George A. Boyce.

The school is a practical example of what can be done to give young Indians—in this case, Navahos—a real American education; it is also a lesson in Government economy. In editorial comment last Saturday the Deseret News-Salt Lake Telegram said:

Government economy is a much discussed subject these days, and properly so. On every side come warnings about the need for a careful watch over the spending of public funds.

Thus, it is with special pride that we here in Utah can point today to the Intermountain Indian School at Brigham City. As Senator Watkins pointed out in an address honoring the school's outgoing superintendent, Dr. George A. Boyce, this week, the school is a good example of what can be done in accomplishing much and at little cost.

In 1950 Congress authorized the transformation of Bushnell General Hospital to the Intermountain Indian School. Before it was decided to convert Bushnell to a school, plans were under way to sell the plant for $1 or to sell it for salvage at an estimated $175,000. Later, $3,750,000 was allotted to convert the hospital and erect new classrooms and other buildings to house and educate children primarily from the Navaho Reservation.

Under the direction of Dr. Boyce the conversion was made, and the country has realized full value for every dollar of the appropriation.

Mr. President, at this time I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of my talk dealing with the progress and the economy achieved at this fine Indian school.

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

TRIBUTE TO DR. GEORGE BOYCE: PROGRESS AND ECONOMY AT INTERMOUNTAIN INDIAN SCHOOL, BRIGHAM CITY, UTAH

Dr. Boyce, friends, and neighbors, I am very grateful for the opportunity to be here with you, and to be fortunate to be privileged to join with you in this well-deserved recognition of the fine labor among us all of Dr. George A. Boyce. I say this with my heart: I shall always treasure these golden moments in memory, these hours spent here—with you—in recognition of a work well done.

Several weeks ago, when I knew that I might have this opportunity, I began to think back over all of the wonderful things that have happened—right here in Brigham City—in these last few years. Back in Washington, able from that far distance to measure again this achievement here in our beloved State, I think I could appreciate even more than most of you this miracle that you have wrought here in the success you have made of Intermountain School, in the way that you have welcomed these neighbors of ours into your hearts, and seen to it that—within but a few years really—they gained not only education, but love, respect, understanding.

THE MIRACLE OF BRIGHAM CITY

I use the word "miracle" advisedly. For it is truly that—the miracle of Brigham City and Intermountain School. This miracle inspires wonder and admiration and gratitude. And I know that Dr. Boyce will quite agree with me when I say that tonight we honor not him alone, but all of you—townsmen, other Utahns, faculty members, students—who have all taken part in this creation.

As all of you perhaps know, in numbers the Navaho are our largest tribal group of

Indians. They number nearly 80,000. They are a remarkable people, deeply inspired by their heritage from the past, talented, and resourceful. We can scarcely appreciate their historic problem as a people, gradually encircled by those of another race, possessed of superior weapons, speaking a vastly different language, favoring strange customs and beliefs. Yet it is our destiny in this land of ours that the melting pot—as we sometimes call it—has brought us all together. And it is at once our trial and our opportunity—as God Himself would have it—that we must live together, one nation, with full liberty for all, and we shall become the benefactor of this Indian people in the years to come.

WORKS BOTH WAYS

Now to truly live together, we must learn to understand each other, and understanding is not just a one-way route. It works both ways. We have—and this is truly the miracle of Intermountain School—found that understanding here. That is, I think, our triumph. We have learned—from these Navaho boys and girls; and they, in turn, from Dr. Boyce, his staff; those of you here in Brigham City, have also learned. And that is our true joy, that out of all this experience in living and learning together we have found joy in understanding and zest in accomplishment.

That is why I am so happy tonight. Happy for Dr. Boyce, happy for you whose lovely city this is, happy for all the young men and women who have been provided with this opportunity to know you better and through you, to begin to know all the fine things it means to be—not a second-class citizen—but an American, with all that implies.

I say that learning is a two-way street. I think sometimes we forget that. And I want to point out that not only the Navaho but all of us in a way, have been getting an education at Intermountain. And a wonderfully fine education it is.

FRANKLIN'S REMARKS

I think Benjamin Franklin—that educated jack-of-all-skills-and-insights—saw the real meaning, and the humor, in the situation of Indians, Americans, and education. In a little booklet he printed in 1784 he gave us words we should all remember. Ben remarked:

"Perhaps, if we could examine the manners of different nations with impartiality, we should find no people so rude, as to be without any rules of politeness; nor any so polite, as not to have some remains of rudeness.

"The Indian men, when young, are hunters and warriors; when old, counselors; for all their government is by counsel of the sages; there is no force, there are no prisons, no officers to compel obedience, nor inflict punishment. Hence they generally study oratory, the best speaker having the most influence. * * *

"Our laborious manner of life, compared with theirs, they esteem slavish and base; and the learning on which we value ourselves, they regard as frivolous and useless."

THE VIRGINIANS' OFFER

Ben Franklin went on to tell then about some events that occurred at the signing of the Treaty of Lancaster, in Pennsylvania, in 1744, between the government of Virginia and the Indians of the Six Nations. It seems the Virginians—after affairs were settled—told the Indians of their college at Williamsburg, where they had a fund for educating Indian youth. And—in short—they invited the Six Nations to send down, say, half a dozen of their young lads to the college, telling the Indians that their sons would be well cared for and instructed in all the learning of the whites.

Franklin pointed out that because of the Indian rules of politeness—which meant never answering such a proposal on the same day, lest it be felt to have been considered a light matter—the Indians waited until the next day before giving their answer. And—on this next day—the Six Nations spokesman began by expressing their deep sense of kindness of the Virginia gentlemen, in making them that offer, "for we know," the Indian speaker said, "that you highly esteem the kind of learning taught in those colleges, and that the maintenance of our young men, while with you, would be very expensive to you. We are convinced, therefore, that you mean to do us good by your proposal, and we thank you heartily. But you who are wise," he continued, after a pause, "must know that different nations have different conceptions of things; and you will therefore not take it amiss, if our ideas of this kind of education happen not to be the same as yours. * * *

"We have had some experience of it," the Indian leader added. "Several of our young people were formerly brought up at the colleges of the northern provinces; they were instructed in all your sciences; but when they came back to us, they were bad runners, ignorant of every means of living in the woods, unable to bear either cold or hunger; knew neither how to build a cabin, take a deer. * * * Spoke our language imperfectly, were therefore neither fit for hunters, warriors, nor counselors; they were totally good for nothing. We are, however, not the less obliged by your kind offer, though we decline accepting it."

THE INDIANS' REPLY

And then the Six Nations chief—who obviously appreciated the humor of the situation—in the words of Franklin's pamphlet added:

"To show our grateful sense of your kind offer, however, we say this: If the gentlemen of Virginia will send us a dozen of their sons, we will take great care of their education, instruct them in all we know, and make men of them."

Well, Ben Franklin wasn't above making up stories to tell his points, and that may be just one of them. However, it points up what I was saying: Education is a two-way street. The Navaho have learned, here at Intermountain, and we have learned with them.

I just wonder sometimes if the people of Utah and the Nation generally appreciate the marvelous work that is going on here at Intermountain daily, the experience in living and adjusting and learning that Dr. Boyce and his helpmates have directed so ably.

THE NAVAHO VETERANS

Let's just consider it, for a moment. I think many of you know that Navahos, as other young Americans everywhere, were called upon for war service in World War II. Many of them entered and made fine records, proud records, for themselves and their people. But they noticed something, too—many of them, because they were not properly educated, were "casualties" not on the field of battle but in the days of pre-service and introductory service. That hurt, not even to be allowed to fight. And there were many Navaho veterans as Indian veterans elsewhere who in the councils of their people said that the day was long since done when an Indian education was enough. Their words, the words of proud American fighting men returned home, carried weight. Their elders knew, too, that wisdom lay with the education of their children, not merely in tribal customs and mores, but in the ordinary plain and simple ways of the average American child, whatever his parentage, whatever his ancestral heritage.

I came to Congress back in 1946. I remember how appalled I was when I learned of the cold disinterest of many of my colleagues when told that we weren't keeping our promise with the Navaho, made at the Treaty of Fort Sumner more than three-quarters of a century earlier, a treaty which recognized that school in white man's ways and customs would be necessary. Under it the Navaho agreed to send their children to school and the Government agreed to furnish one teacher for every 30 such students. But this was never accomplished. We didn't provide the teachers and by and large the Navaho—just as the Six Nations leaders years before—wasn't too impressed with the value of a white man's education. But in those more than 75 years we had both learned, gradually, what is the true meaning of the word "American."

AN APPALLING LACK

I say I was appalled by the state of the Indian program when I came to Congress in the mid-forties. Appalled to learn that literally thousands of Navaho children, and other Indian children, were not receiving, as every American child should, an American education. I wasn't alone in that feeling. Through its leaders the Navaho Tribe was urging that buildings, teachers, be provided. Through its spokesman the Indian Bureau urged Congress to give full freedom of citizenship—and a proper national education—to the Indians. And in Congress we had new stirrings; some of us appreciated that action was imperative. Thousands of Navaho children—and the tribal population was growing—were not being given the opportunity for an education to fit themselves to live, wherever they might choose, in America. And it was determined—in the 80th Congress—that an action program had to be set in motion.

By then I felt fortunate that in the Senate Committee on Interior and Insular Affairs I had also been assigned to the Subcommittee on Indian Affairs. Later, in the 83d Congress when Republicans controlled the Senate, I felt particularly happy that it was my good fortune to head the Indian Affairs Subcommittee. As I think most of you know, I've served on that committee and subcommittee ever since. It is one of my finest experiences in Senate service.

A REMARKABLE GAIN

My friends, I think you will better understand why I speak of the miracle here when I recall that back in 1945 some 12,000 out of the then 19,000 Navaho children were not in school, largely because they just plain didn't have the opportunity. Since then you know—as Indian Commissioner Glenn L. Emmons has told you—that although there are now nearly half again as many Navaho of school age—some 29,000 in all, we are right on the border of that happy day when we can say that all of them are in school.

Now I am firmly convinced—and I think I can safely say that most of the informed Members of Congress will agree—that secluded reservation life is a deterrent to the Indian—in that it keeps him apart, and that in ways far beyond just the purely geographic. He should have the right, as all of us, to live where it pleases him, in America, and to have all the opportunities of full United States citizenship. Yet through our national historic development the Indian was forced into a dependent position more and more. This tended to sublimate his natural qualities—his self-reliance, his courage, his resourcefulness, his confidence, and, most of all, his faith in himself.

That is why in Congress—in the 83d Congress—the Members, in both the Senate and the House, unanimously endorsed a statement on our policy with the Indians; one that expressed it as national policy to truly grant all of them the rights and prerogatives of full and respected American citizens. That remains today—in the 85th Congress—still our keystone of Indian policy.

PREPARATION FOR LIFE

But it is one thing to express a policy, or adopt a concurrent resolution, and another to see positive results. For example, the 84th Congress passed a Vocational Rehabilitation Act—to assist Indians to adapt themselves more readily to off-reservation life. We found, in short, that just to declare an Indian a first-class American citizen, rather than a Government ward, wasn't enough. And we found, as many of you already have guessed, that education was basic to the whole success of the Indian program. Indeed, there are weighty volumes and hearing reports that proclaim that the whole or major purpose of the Indian Bureau today should be largely or wholly that of education.

And in a way, that brings us right back here—to the miracle at Brigham City. And to the splendid work of our Dr. George Boyce. For truly the hand of God and His inspiration were upon us when we realized that its wartime service done, Bushnell General Hospital stood ready and waiting a further humanitarian call to life.

Yet I wonder—I recall an article in Time—I imagine you do, too, Dr. Boyce—that told of the little misgivings we had when Congress made it possible to put the stamp of Intermountain School over the legend Bushnell General Hospital. How would it go? Would this city be overrun? Would, as Time suggested, perhaps facetiously, "tepees" spring up in our midst? Well, we all know, now—we have known these last 7-plus years: It went wonderfully well.

At this point, I shall yield to the temptation to say something about that much-needed policy of economy in our governmental operations.

ECONOMY WINS OUT

That word economy looms large in our discussions of today. It is entirely probable that if the Intermountain School were up for authorization and the necessary appropriations in our present 85th Congress, that such a measure and accompanying appropriations would be defeated—not on their merits but because of the necessity to economize—to cut the budget.

But back in the 81st Congress, it was also necessary to economize. And I thought then, as I do now, that to save a plant—that had cost the people approximately $12 million—from demolition and to convert it into a school for Indian children who didn't have an opportunity to go to school at all, was the best and most effective kind of economy.

When I came up with the idea of converting Bushnell Hospital to a vocational school for Navaho Indian children and later introduced legislation to put it into effect, the General Services Administration, which was charged with the disposal of Government surplus property, was near to a decision to either sell the plant for $1 to a group to use as a coeducational military school for underprivileged white children, or to sell the plant for salvage purposes. For salvage, it was estimated that $175,000 could possibly be recovered.

MORE THAN FULL VALUE

Well, the bill to transfer the hospital to the Indian Bureau for school purposes was passed and became law. Later, in the same Congress, I offered an amendment to the Interior appropriations bill on the floor of the Senate appropriating $3,750,000 for the conversion of the hospital into a school and the erection of some needed new classrooms and other buildings.

The amendment was adopted and I am happy to say that under the able and efficient direction of Dr. Boyce, the United States Government got more than full value for every dollar of that appropriation.

The conversion was a job well and artistically done, as we all well know.

When Intermountain opened that January of 1950, there they came—some 526 of them, less than half of whom spoke other than their native tongue. Now, well, you know the proud story as well and better than I. School enrollment is about 2,300; isn't that so, Dr. Boyce?

THE POSITIVE GAINS

And think of what has happened. It did my heart good these last few weeks to pick up the school newspaper Smoke Signals and read all about the splendid things that are happening right here. The headlines enraptured me: "1956 Graduates Leave for on-the-Job Training, Boys Will Work in 10 Western States, Girls Work in 6 Different States." The stories were so appealing, written by students themselves.

And just before I left Washington, I sat down with a whole pile of press clippings that told such a wonderful story of what's happening here at Intermountain, in Brigham City.

For instance:

1. The Navaho festival held to raise funds for completion of a Protestant Indian center for the 1,200 students of Protestant faiths you have here.

2. The seventh annual Christmas party the Catholic women of the diocese gave.

3. That dream of a Latter Day Saints' seminary and chapel here that has at last come to be—as President David O. McKay remarked at the dedication in February—"a house of worship, a house of learning, and a house of recreation."

PROVISION OF FAITH

Not only have you kept the faith, in all so many ways, but by these signal acts it is obvious that you have and will continue to give faith—that faith that is truly the finest gift of all.

Friends, I could go on endlessly in praise, in gratitude, for all that has and is and will continue to happen here in your midst. But I feel you know in this that I have said my heart and mind.

There is one thing more, however—I know by your being here tonight your devotion and your affection for George Boyce, who brought Intermountain from little more than rough buildings and a congressional appropriation—with his staff and students—to a triumph of American life. You know, too, that he has received a call.

DR. BOYCE'S CALL

Take pride in this, if you take sorrow in his leavetaking from the superintendency at Intermountain: Congress and the administration have need of his specially qualified services to perform a much-needed task—to survey and take stock of our whole measure of progress and needs for the education—not only of some portion of the Navaho—but all our Indian youth. His findings will provide basis for a special report within 2 years to the Congress.

I am happy, as you, that he will continue not only in spirit but in being to occupy his home here and maintain his office. And I am pleased that in Thomas Tommaney is a new superintendent who has truly grown up with Intermountain and in assistance to Dr. Boyce.

Forgive me if I have today—talked overlong. In a way, and may I say this with all due modesty, Intermountain is "my baby." And like any proud parent, congressional or otherwise, I dote on a rewarding child. But your faces tell me, too, that our feeling is mutual.

Dr. Boyce, all of the best in your important and valuable new work.

Mr. Tommaney, may all good fortune attend you further here, at Intermountain.

Friends from Utah, and especially those of you who call Brigham City home—and that goes for the students too—my heartiest congratulations to you who made the miracle of Intermountain School possible.

SENATORIAL OFFICE ALLOWANCES

Mr. WILLIAMS. Mr. President, many persons are becoming alarmed by the rapid increase in Government expenditures, and in recent months much discussion has been held as to how the cost of Government can be curtailed.

Today I wish to point out one specific instance wherein the Government not only insists upon the full appropriation being spent but actually proposes to levy a penalty against the official on the amount returned to the United States Treasury.

In the administration of our senatorial offices each Senator is allowed a certain amount, based upon the population of his State, for clerical hire, for long-distance telephoning, for telegrams, for special delivery and airmail stamps, and for stationery allowance. Coming from a small State, I have not needed, except on a very few occasions, the full allowance in any of these categories, and at the end of each year have been authorizing the unexpended portion's reversion to the Federal Treasury.

I recognize, of course, that in many instances Senators need their full allotments, and I question their adequacy to cover the expenses of Senators from some of the other States.

It has always been recognized that that portion of such funds not needed for the office reverts to the Federal Treasury, and for the past 10 years, since I have been a Member of the Senate, that principle has been recognized.

Last year I had $1,508.26 left over in my stationery account, which as in previous years I authorized to be returned to the United States Treasury as not being needed, but for the first time I was told that this is no longer permissible. The Government has now taken the position that the money must be spent, and that if a Member of the United States Senate does not spend his full allotment he will be taxed on the unexpended portion, even though it is left in the Federal Treasury.

I have been advised that an easy way to avoid this penalty would be to order $1,508 worth of stationery from the Senate stationary store, even though I do not need it, have it delivered to my office, and then call the truck and send it out to the city dump. In that manner the Government would be rid of the money, I would be subject to no penalty, and everybody but the taxpayers would be happy.

Or under this new ruling I could file a claim for the Treasury check of $1,508.26, pay income tax on the amount, and turn the rest over to the Republican National Committee, or put it in a special account to finance a personal political campaign.

If this ruling stands unchallenged, what is there to prevent using these unexpended funds to buy mink coats or deep freezes, for distribution at our discretion?

All the emphasis seems to be placed not on whether or not the money is needed for the administration of my office, but rather on getting rid of it, no matter for what purpose.

In the first year of my service, in setting up a new office I used the full stationery allotment, but in each of the other years there have been unexpended balances in the stationery fund, which in each instance were released to the Treasury as follows:

Fiscal year	Allowance	Expended	Balance authorized for reversion to the U. S. Treasury
1948	$600	$342.48	$257.52
1949	500	220.94	279.06
1950	700	223.79	476.21
1951	800	198.61	601.39
1952	1,100	341.09	758.91
1953	800	345.20	454.80
1954	1,200	615.25	584.75
1955	1,200	334.33	865.67
1956	1,800	291.74	1,508.26
Total	8,700	2,913.43	5,786.57

At the end of the last fiscal year I again instructed the disbursing officer of the United States Senate to return the unexpended balance to the United States Treasury. My instructions were as follows:

UNITED STATES SENATE,
Washington, D. C., June 26, 1956.

Mr. ROBERT A. BRENKWORTH,
Financial Clerk, United States Senate, Washington, D. C.

DEAR MR. BRENKWORTH: I acknowledge receipt of the voucher stating that I have $1,508.26 representing the unused portion of my $1,800 stationery allowance for the fiscal year ending June 30, 1956.

This amount is not needed and you are hereby authorized to return the balance ($1,508.26) to the United States Treasaury.

Yours sincerely,

JOHN J. WILLIAMS.

In early December 1956 I received a call from Mr. Brenkworth, financial clerk of the Senate, advising that he had been instructed that this procedure would no longer be permissible, but that either the funds would have to be spent or the Member of the Senate failing to spend his full allotment would be subject to income tax on the unexpended balance, even though the money was left in the United States Treasury.

I am not criticizing Mr. Brenkworth for relaying these instructions; he was only acting upon orders. He explained that these instructions were being issued based upon a ruling by the Treasury Department.

A suggestion was made that one way around this situation may be to file a claim for the check, accept the money, and then make a gift of it to the United States Treasury; however, I could not agree to this suggestion, because how can I give something which does not belong to me in the first place? This money, left over from my stationery allowance, does not belong to me; it never has; it belongs to the American taxpayers.

Furthermore, in giving the check back to the United States Treasury, the individual could be subject to a gift tax, added to the other gifts, the maximum gift allowance was exceeded for the year involved. He would be paying the Treasury Department to take back that which was already theirs.

I ask unanimous consent that the Treasury Department's ruling on this question be printed at this point in the RECORD.

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

MARCH 29, 1956.

This letter deals specifically with funds provided (1) for stationery for Senators (2 U. S. C. 46a), and (2) an amount not to exceed $150 quarterly, for official office expenses incurred by each Senator in his State (2 U. S. C. 53), during the taxable year 1955.

It is our understanding that the stationery allowance is credited to the account of each Senator at the beginning of each fiscal year. As supplies are procured by each Senator from the stationery room, their cost is charged against his individual stationery account. Any unexpended funds remaining in the stationery accounts of the respective Senators at the close of the fiscal year may be withdrawn by them in cash.

It is held, therefore, that any unexpended funds remaining in the stationery accounts of respective Senators at the end of the fiscal year are constructively received by each Senator on that date, whether or not withdrawn, and are includible in the gross income shown on his Federal income-tax return for the taxable year in which that date falls.

Expenses charged against the stationery account are not deductible, for Federal income-tax purposes, since their payment in that manner does not constitute payment by the Senators.

The amount (not to exceed $150 quarterly) payable for official office expenses incurred in a Senator's State is payable upon certification of each Senator and is includible in his gross income for the taxable year in which such quarterly reimbursements are first available to him. This is true even though such funds are not actually reduced to his possession, so long as they are available to him without substantial limitation or restriction. These funds are understood to be thus available at the close of each quarter. Such office expenses are deductible by a Senator in computing his adjusted gross income to the extent of the reimbursements thus received.

In the event a Senator's official stationery expenses and his official office expenses incurred in his State exceed the respective allowance or reimbursement therefor, the portion of such excess considered reimbursed by that portion of the $2,500 expense allowance received during the taxable year is also deductible in computing adjusted gross income. The balance of such excess which is paid by the Senator from his own funds is deductible in computing taxable income, provided he itemizes his deductions for that purpose.

I sincerely trust the information contained herein will answer your questions on this subject. If not, I shall be glad to hear from you further.

RUSSELL C. HARRINGTON.

Mr. WILLIAMS. Mr. President, I wish to read, for emphasis, one paragraph from that letter:

It is held, therefore, that any unexpended funds remaining in the stationery accounts of respective Senators at the end of the fiscal year are constructively received by each Senator on that date, whether or not withdrawn, and are includible in the gross income shown on his Federal income tax return for the taxable year in which that date falls.

Upon receipt of this ruling, on December 31, 1956, I directed the following letter to Mr. Brenkworth rejecting the money on the basis that it did not belong to me, and again I renewed my instructions that it be released to the United States Treasury:

UNITED STATES SENATE,
Washington, D. C., December 31, 1956.

Mr. ROBERT A. BRENKWORTH,
Financial Clerk, United States Senate, Washington, D. C.

DEAR MR. BRENKWORTH: Your letter of December 17, 1956, notifying me that I have an unexpended balance in the stationery account allotted to my office in the amount of $1,508.26, is acknowledged.

As I have previously advised you, I do not need this allotment for the purchase of stationery or other essentials to my office, and therefore I have authorized you to let this unexpended balance revert to the Federal Treasury.

I have read the ruling of the Commissioner of Internal Revenue in which he indicates that this amount could be accepted by each Member of the Senate as a cash item and then included as gross income for tax purposes. I disagree with those conclusions; this money is not mine. Our salaries are fixed at a specific amount by law, and it was never intended that a Member of Congress should additionally benefit as the result of any savings resulting from the management of his office. These funds were specifically appropriated for the purpose of paying the stationery expenses of the office, and I have utilized all that was necessary. Therefore, as in previous years, I have instructed you to let the unexpended balance ($1,508.26) revert to the Federal Treasury.

I note the suggestion that I could sign the voucher, accept the check, and then endorse the check "Payable to the order of the Treasurer of the United States," transmitting it to him as a gift to the United States Treasury. This cannot be interpreted as a gift since a gift represents something the title of which rests with the donor, who in turn transmits his title to the recipient. In this instance these funds are not and never have been mine, nor were they ever intended to be mine; therefore, I cannot give to the Federal Treasury that which already belongs to them.

I appreciate your position in this matter in that you are merely relaying instructions as they were given to you and I will discuss this further with the agency affected and with the appropriate committee of Congress after we convene in January. In the meantime I renew my instructions, as incorporated in my letter of June 26, 1956, to allow this unexpended balance of $1,508.26, which had been allocated to me for necessary purchases of stationery, to revert to the Federal Treasury.

Yours sincerely,

JOHN J. WILLIAMS.

During the succeeding weeks I have been endeavoring to get the ridiculous ruling of the Treasury reversed.

Throughout all of these discussions I have been left with just one clear understanding, namely, nobody cares how the money is spent or what happens to the goods after it is spent, nobody cares if the money is claimed and put in my pocket, but there is a terrific objection to and suggestion that the funds not needed be left in the United States Treasury.

I think the United States Government should underwrite the cost of administering my office and any other congressional office. I have purchased all the stationery I need for the administering of my office and have charged the cost to the United States Government. But by no line of reasoning do I as a Member of the United States Senate

have a right, legally or morally, to reap a profit on economies achieved in the administration of a public office any more than does the head of an executive agency have a right to divert to his own personal use the unexpended balance of any appropriation to his department.

If the unexpended balance in the stationery account is mine, then what about the unexpended balances in the other accounts? Where will this practice stop?

If we are to accept the principle that the unexpended funds in stationery or in any other office allowance are profits to the congressional Member, then what is there to prevent us from increasing these allowances and using the savings to finance our political campaigns? Certainly no one suggests this, yet it would be possible if we let the ruling stand unchallenged.

This particular office allowance has been increased substantially during recent years, and I voted for these increases, recognizing at the same time that while I did not need the extra allowances for my office many representatives from other States did need the additional funds. I reasoned that since my unexpended balance would return to the Treasury anyway, the unnecessary increase to my office was meaningless.

I have refused to sign a voucher claiming this $1,508.26 check for the unexpended balance of my stationery account in 1956 on the basis that the money does not belong to me but belongs to the United States Government, and I have submitted this question to the Comptroller General of the United States asking for an official decision. The text of my letter is as follows:

UNITED STATES SENATE,
Washington, D. C., March 22, 1957.

Hon. JOSEPH CAMPBELL,
Comptroller General,
Washington, D. C.

DEAR MR. CAMPBELL: In June 1956 I was advised by the Disbursing Office of the United States Senate that I had $1,508.26 remaining as an unexpended balance on the stationery allowance for my office. In previous years I had received similar notices regarding this account, and since once again the full allotment was not needed in the administration of my office I directed a letter on June 26, 1956, to the Disbursing Office stating that these funds were not needed and authorizing their release to the United States Treasury.

On December 17, 1956, I received a notice from the Disbursing Office that this procedure was not permissible and that the unexpended balance was mine to be accepted and was available for my personal use and that I would be required to pay income tax thereon.

I replied under date of December 31, 1956, that I could not accept these funds for my personal use since they were not a part of my salary and since I as a Member of Congress had no right to cash in on savings made in the administration of my office. I therefore refused to accept these funds. The suggestion was made that I accept these funds but return them to the Treasury as a gift. I would not agree with this procedure since in my opinion a gift to the Federal Treasury could only be made by first acknowledging this money as mine. In other words, I did not feel that this procedure was proper since refusing to recognize the funds as mine I could not give that which I did not own.

I fully recognize that in most instances the Members need and use their allotments, which is perfectly proper, but if a Member does not need his allowance certainly it is ridiculous to suggest that it must be spent or a penalty tax levied against that Member of Congress who saves Government funds. Presumably I could have ordered $1,500 worth of stationery, had it delivered to my office, and the following day discarded it in the wastebasket, and everybody would have been happy and no tax would be due. Or as I understand the Treasury Department's ruling, I can accept the money, pay the tax, and keep the remainder to finance a political campaign or to use for any other purpose I wish.

Copies of this correspondence, along with the ruling of the Treasury Department in this connection, are enclosed.

I am requesting you to review this and issue a general ruling as to whether or not I am correct in insisting that the unexpended balance on this or on any other account furnished for the administration of my office should revert to the Federal Treasury.

Yours sincerely,

JOHN J. WILLIAMS.

Mr. President, chapter 314, section 304, of Public Law 212 of the 72d Congress, upon which this Treasury ruling was based, reads as follows:

SEC. 304. During the fiscal year ending June 30, 1933, (1) not more than $16,000 shall be available for expenditure for stationery for Senators and the President of the Senate, and for committees and officers of the Senate, (2) not more than $44,000 shall be available for expenditure for stationery for Representatives, Delegates, and Resident Commissioners, and for the committees and officers of the House of Representatives, and (3) each Senator, Representative, Delegate, and Resident Commissioner shall be allowed $90 for stationery allowance or commutation therefor, to be paid out of the sums provided in (1) or (2), as the case may be.

Mr. President, I point out that the amount has been changed many times, because of the increased cost of administering the offices. However, the law still provides that the amount "shall be available for expenditure for stationery for Senators."

It does not say it shall be available for our own personal use.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 312) making additional appropriations for the fiscal year 1957, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 164) establishing that when the two Houses adjourn on Thursday, April 18, 1957, they stand adjourned until 12 o'clock meridian, Monday, April 29, 1957, in which it requested the concurrence of the Senate.

OUR OUTDOORS

Mr. MORSE. Mr. President, one of the outstanding challenges facing the 85th Congress is the opportunity for establishing sound policies with regard to our American outdoors.

One aspect of this opportunity is represented by the wilderness bill introduced in the Senate on February 11, 1957, by the junior Senator from Minnesota [Mr. HUMPHREY], along with a group of cosponsors of both parties from Maine to Oregon, among whom I was glad to be numbered. The bill had been introduced even earlier in this Congress in the House of Representatives, there also by Members of both parties, from various States.

One of these champions of wilderness preservation in the House is the Honorable JOHN P. SAYLOR, of Pennsylvania, who also, like myself, is a sponsor of another measure of fundamental importance to the establishment of a sound outdoors policy—the bill to establish an Outdoor Recreation Resources Review Commission.

As it happens, there are among certain opponents of the wilderness bill some who have sought to give the impression that this outdoor recreation review bill is an alternative measure. Mr. SAYLOR, along with others in both Houses who also are sponsors of both measures, has effectively demonstrated, however, that the two bills are in fact very properly companion measures, both of which should be enacted.

This is one of the conclusions reached by Representative SAYLOR in a significant address on "Our Outdoors" which he presented on April 11, 1957, in Philadelphia, Pa., before the Wilderness Club of Philadelphia Conservationists, Inc. I ask unanimous consent that there be printed in the body of the RECORD, as a part of my remarks, this important address, which explains and advocates this dual program for preserving certain areas of our primeval outdoors unspoiled, and at the same time conducting an inventory of all our outdoor recreation resources and formulating a program for their best use and adequate protection.

This speech was delivered on April 11 by Representative SAYLOR, of Pennsylvania. I recommend its reading to my colleagues in the Senate.

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

OUR OUTDOORS—ADDRESS OF HON. JOHN P. SAYLOR, OF PENNSYLVANIA, BEFORE THE WILDERNESS CLUB, PHILADELPHIA CONSERVATIONISTS, INC., ON APRIL 11, 1957, IN PHILADELPHIA, PA.

I want to talk with you tonight about our outdoors. That is still a big subject in this country.

We have become more and more a nation of city people, workers in crowded metropolitan areas, living in suburbs, moving along crowded highways, flying in cozy airliner cabins almost out of sight of trees and streams. But the farther we get away from the rural areas that we all once knew so well and the more removed we are from woods, waters, and wildlife, the more we seem to care about our great outdoors.

Here in Philadelphia, our first great city, is a good place to think about what this means, and what we ought to do as citizens about our outdoors. I am glad to be here—always glad to be in Pennsylvania and, like all Pennsylvanians, glad to visit Philadelphia.

Here, of course, you have the Philadelphia Conservationists, Inc. Here you have the Wilderness Club. Here, in other words, is an ideal setting for some earnest thinking about one of the most important subjects that Pennsylvanians and other Americans are discussing these days.

So I deeply appreciate the invitation you have sent down to me in Washington to come back up here tonight and talk with you, and I thank you for this excellent opportunity you have provided for saying to some deeply interested fellow citizens some things that certainly need to be said.

Here in Pennsylvania—in this sylvan State—I wonder if we fully realize what it means to be discussing what we ought to do about our outdoors? I wonder if we sense fully the fact that our outdoors actually depends on what we do about it.

We have been taking the outdoors for granted, taking it as a matter of course—one thing that we didn't have to do anything about. When we have grown tired of doing things, then we have gone outdoors—anywhere. The outdoors was there all around us. We didn't have to do anything about it, except enjoy it—the great outdoors!

Not everyone has yet realized that this is changing. But it is. And it is slowly dawning on us that we are going to have to do something about it.

My fellow citizens, I am here tonight to tell you plainly that if we have in the future, just over the horizon of our beautiful Pennsylvania hills of today, a still great and beautiful American outdoors, it will be because you and I and our fellow citizens act now with a determination to see that we do have it.

You can no longer trust to the fortunes of history to leave a valley here and a range of mountains there, untouched, undeveloped, unspoiled. You can no longer anticipate an expanse of country so spacious that whenever you wish you can just hike off across the fields and into the woods along some stream and wander around back to where you started, praising God for making the country and thanking Him for always having lots of it at hand whenever you want to escape for a while from the man-made city.

Our civilization is destined to occupy for its purposes every acre on this land. There are so many of us Americans already and so rapidly are we increasing that if all is left to chance, and we do nothing about it, then—when you or your children head for the country in the future, city will change to suburb, suburb to country estates, country estate to carefully cultivated farms, and farm will lead again to country estate, estate to suburb, and suburb to another city. We are destined to occupy the whole of this land; and if we like open spaces for picnicking, streams for fishing, hills and fields for hunting, we are going to have to occupy such open spaces, such streams, hills, and fields for these very purposes.

If we are going to have any of our land wild and unmodified by man it will only be because we have deliberately so dedicated such areas.

So I say that a discussion of what we ought to do about our American outdoors is a mighty important one, because if we do nothing, if we do not act, we shall see the outdoors that we have known so well change and as far as the recreational values which we have known are concerned, it will vanish. The likes of it will never again be known.

Let me make plain that I am not talking, here and now, about conservation in the matter-of-fact material sense that has become so well known to us, so clearly a part of our morality. I am not talking at this time about good forestry. I am not talking about the good plain common sense in conserving wildlife resources by avoiding over-hunting and over-fishing. I am not talking about the immorality of cluttering up the landscape with litter and making America *un*beautiful. Nor about stream pollution, or soil erosion. These are aspects of conservation that are indeed aspects of civic righteousness, and especially so for us Pennsylvanians, who once had Gifford Pinchot for governor. I am devoted to these expressions of conservation too, as indeed I am devoted to the welfare of this great Commonwealth, but they are not the subjects of my outdoor concerns tonight. They are indeed in every single instance consistent, however, with what I am here advocating—and that is the importance of the outdoors to all of us as modern Americans, and to our successors.

I speak tonight of the outdoors itself, as such—the outdoors as the environment of what Henry Thoreau called "our own true recreation."

What shall we do about it?

I say, Let's save some of it.

And let's save some of it in remnants big enough to be valid samples of our original primeval America. Let's save some of the wilderness itself.

What are the chances for this?

The chances are good. But let me tell you, these good chances are disappearing rapidly. We better not hesitate any longer.

Wilderness is the oldest resource of all, the raw material for our civilization. It is what we started with. But it is the last resource to be recognized as in need of conservation.

What is wilderness, anyhow? Maybe you face this question the way Johnny faced the teacher when she asked him what a vacuum is and he said "I have it in my head but I just can't express it." In many respects the idea of wilderness is an intangible. It does mean different things to different people. But it is a concept that conservationists have come to know very well, if not by exact definition.

Wilderness I would say is in contrast with those areas where man and his own works dominate the landscape. In the wilderness, the earth and its natural life community are untrammeled by man. Man himself of course belongs there. Indeed he does. But he visits. He doesn't reside there. His travels leave only trails.

Wilderness is land with a certain character. The word wilderness is one of those positive terms that has meaning largely because of what it rules out. Another such word is chastity. I think it is important to recognize this; when we say wilderness we are not referring to any particular use that an area may have but to a character that it has.

Recognizing this clarifies greatly our efforts to save some of this wilderness land of America, because it helps us realize that we can preserve wilderness and still have the areas involved serve other purposes—other purposes that do not destroy the wilderness character of the land.

Let me be more specific. I expressed the belief a few moments ago that our civilization is destined to take over all of the land for its own purposes, that preserving wilderness would involve setting areas aside for that purpose.

The fact is it is even later than we thought. All our wilderness is already serving some other purpose. The opportunity that we have to preserve it comes from the fact that on lands that are serving other purposes it is possible to maintain the wilderness character.

Where is it?

Well, there are some privately owned lands with a wilderness character, but, being privately owned, they are not practically available to you and me and other citizens for a wilderness preservation program. Then there are some State areas that in the aggregate include some 3 million acres, some dozen or more areas of wilderness included in parks or preserves under State jurisdiction. We can regret that history began so early here in Pennsylvania, and civilization swept across this Commonwealth so fast that before we could sense the value of wilderness as such it had vanished from all but the small samples—precious as jewels but small. In our Cook Forest State Park not far from my own home there are still a few acres of the virgin white pine that once grew tall over many, many acres of Pennsylvania. We prize this State park for its virgin forest. But unfortunately we have no great areas of wilderness in Pennsylvania. And of course the wilderness in the State parks, forests, and preserves of other States are not subject to our administration, or our concern at the polls. We can admire them, appreciate them, and commend the people of the States that cherish and preserve them. But the only wilderness that is in our custody is within the Federal areas that we own together as citizens of the United States of America.

So, listen, and I'll tell you where all the wilderness is that is available to you and me to preserve.

There are 80 areas and they are within 80 of the 149 national forests—80 areas inside the forests, not including all of an entire forest, but comprising a certain designated "zone" established as wilderness, wild, primitive, or roadless.

Out of the 181 units in our National Park System there are 48 that include areas of wilderness.

Twenty of the 264 national wildlife refuges and ranges include areas of wilderness for wildlife.

And there are 15 roadless and wild areas within Indian reservations.

These 163 areas with about 55 million acres all together make up our National Wilderness System, and every one of them is serving some stated purpose other than wilderness preservation.

The wilderness of each national park, for example, is back country, or foreground, to some unique scenic splendor, some superb example of the sublimity of our American landscape, some complex of wildlife or flora. The national park idea has suggested the wilderness concept, but the two are not identical. The original idea at the Madison Junction in the Yellowstone country was not to preserve wilderness but rather to assure all Americans the right and privilege of beholding the great natural wonders that Cornelius Hedges and his companions had seen. We owe the leaders of the National Park Service a great debt for the way in which they have fostered the wilderness idea, but we must recognize that the wilderness concept is compatible with, not identical to, the national park idea—an enrichment certainly of the national park purpose but not the genesis.

Similarly our wilderness, wild, primitive, and roadless areas are indeed parts of the various national forests in which they are located—and they are serving essential purposes of those forests. While serving these purposes, these areas have retained their wilderness character, to a very great extent because the administrators of the national forests have so managed.

The Okefenokee National Wildlife Refuge is one of our deepest areas of wilderness, but it is not because of any recreational use which it shares with any national forest or national park area but rather because its wilderness character has been preserved by the Fish and Wildlife Service in connection with the administration of Okefenokee as a wildlife refuge.

Thus have our wilderness areas been preserved, so far, by land administrators in various agencies who have handled them for various purposes in such a way that we still know them as wilderness. Our opportunity as conservationists interested in wilderness is to see that these areas continue to keep their wilderness character. And that is what is proposed in the "Wilderness Bill" which I have introduced in Congress, and

which Representatives and Senators of both parties from coast to coast have also sponsored.

The wilderness bill establishes a National Wilderness Preservation System, "for the permanent good of the whole people," by specifying certain areas of public land that are still wilderness and that are being managed for purposes consistent with their continued preservation as wilderness.

The bill provides for the continued management by the existing Federal agencies, of the areas for the purposes for which they were established but requires that this management be so carried out as to preserve the wilderness character of the areas.

This I consider the key concept of this legislative proposal; namely, that wilderness can be preserved where it is, without disturbing the uses to which the areas are now put, and without changing the administration of the areas, except to add to the administrators a responsibility for continuing so to handle the areas as to preserve their wilderness character.

For you and me, and for our children, and theirs, through a long future, I consider this wilderness bill a fundamentally important statement of national policy.

We must, of course, continue our development of resource uses. We must continue to provide outdoor recreation with conveniences for everybody in picnic places and parks of many kinds. But we must also continue to see that some of our land is preserved as nearly as possible untouched by any kind of civilized development.

Our great engineering and development programs should, indeed, be part of an overall national policy that likewise includes the preservation of some of our land as God made it.

As our population becomes greater, as our industrial and other pressures close around the areas of willderness still remaining, the necessity becomes keener for moving ahead with a program that will preserve these buffer areas for the human spirit, seeing that they may long endure for the recreational, educational, scientific, and historical uses of the American people.

Therefore, it is important to emphasize that the preservation program provided for in the wilderness bill is recognized as part of an overall outdoor program that must also include attention to other kinds of recreation needs, besides those realized in our wilderness areas.

Not only are we compelled to exercise foresight and take positive action to see that the future in this country continues to include an opportunity to preserve wilderness, but we must also recognize an important obligation to provide for all out outdoor recreation needs.

These needs are varied, but they all require space. Meeting them means seeing that economic and cultural developments across our land are so handled that recreation space is provided for all those activities that mean so much to us as the outdoor people we have always been. Hunting, fishing, camping, hiking, skiing, mountain climbing, pack tripping, nature photography, scenic appreciation, boating, canoeing—all these are comprised by the American way of living which you and I cherish.

If we continue to have the privilege of these activities we shall have to make provisions for them.

It is with this responsibility in mind that I have sponsored, once again, along with others in both the House and Senate, another measure to help us solve our problem of what to do about our outdoors. This bill is one that will establish a national commission to review our outdoor recreation resources and to make recommendations for a program for the future.

Here are the broad and ultimate purposes of this outdoor recreation resources bill:

"To preserve and develop * * * such quality and quantity of outdoor recreation as will be necessary and desirable for individual enjoyment * * * to inventory and evaluate the outdoor recreation resources and opportunities of the Nation, to determine the types and location of such resources and opportunities which will be required by present and future generations."

As a basis for the better understanding that we need in order to realize these purposes, this bill establishes a Commission charged with the following responsibilities, and I quote from the bill:

"The Commission shall proceed as soon as practicable to set in motion a nationwide inventory and evaluation of outdoor recreation resources and opportunities, directly and through the Federal agencies, the States, and private organizations and groups, utilizing to the fullest extent possible such studies, data, and reports previously prepared or concurrently in process by Federal agencies, States, private organizations, groups, and others.

"The Commission shall compile such data and in the light of the data so compiled and of information available concerning trends in population, leisure, transportation, and other factors shall determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 1976, and the year 2000, and shall recommend what policies should best be adopted and what programs be initiated, at each level of government and by private organizations and other citizen groups and interests, to meet such future requirements.

"The Commission shall present not later than December 31, 1959, a report of its review, a compilation of its data, and its recommendations on a State by State, region by region, and national basis to the President and to the Congress."

I thank you very much for your interest and attention, and I solicit your further discussion of this problem of what to do about our outdoors. I have suggested a two-fold program that I, myself, have been advocating in this 85th Congress—a two-fold program that is in addition to other important programs in accommodating the recreationists that now visit our national parks and national forests in increasing numbers. Such programs—"Mission 66" in the parks, "Operation Outdoors" in the national forests—have my wholehearted support. Beyond them is our need for a careful inventory of all our outdoor recreation resources—a review of what we have, in the light of the projected requirements of our foreseeable future.

Paralleling all of these programs, present and projected, and crowding urgently for attention while yet there is time, is our effort to enact legislation that will preserve our National Wilderness System.

There are, of course, some people who for various reasons have so far opposed the wilderness bill, and some of these opponents of wilderness preservation legislation have used the outdoor recreation resources bill as a means of their opposition. For this reason, I emphasize that the two measures are in no sense in conflict.

The one bill provides for a thorough and comprehensive study over a period of time and a broad field of interest.

The wilderness bill, on the other hand, proposes to establish at once the preservation of specific areas that already are recognized as suitable and available for preservation.

Anyone who has ever tried thus to accomplish such a positive program knows that a favorite device of the opposition is to say "Oh, no, not yet; let's study it some more." So it is now, with the wilderness bill. And some such opponents have pointed eagerly to the Outdoor Recreation Resources Review Commission bill as the device for such a delay.

We are not being fooled, and you will not be either. We welcome eagerly all the support we can get for establishing the Outdoor Recreation Resources Review Commission. We hope to pass this bill promptly. But I say to you, as I have already said to others, while we are doing all this study let's be saving something too; let's pass the wilderness bill, just as soon as we can.

Man does not live by bread alone. His soul hungers for a sustenance that only Nature's grandeur can offer.

My father took me on my first National Park visit when I was a boy of 12. That experience has stayed with me through all the years. On every subsequent trip I have known the same inner satisfaction, and now I share it with my children. I hope to give them an opportunity to visit our areas of scenic splendor and wilderness recreation just as long as they are willing to spend their vacations with Mom and Dad.

I want to protect and preserve our outdoor heritage of beauty and wildness so that our children's children will also have an opportunity to see the handiwork that God has left for them to enjoy.

I am sure you share with me this deep desire to see perpetuated our great American opportunity to know the health and inspiration of the outdoors. I know that we can work together to this great end.

Thank you.

OKLAHOMA'S SEMICENTENNIAL CELEBRATION

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by me regarding Oklahoma's semicentennial celebration.

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

STATEMENT BY SENATOR MONRONEY

The Jamestown Festival and Oklahoma's semicentennial celebration both are being opened officially this month. I trust my colleagues from Virginia will understand if I mention, in this connection, that Oklahoma's exploration goes back even before that of Jamestown. Coronado crossed our State in 1541 on a trip which carried him up into Kansas.

However, a startling contrast is presented by these 2 festivals, 1 commemorating our Nation's earliest permanent English settlement, and the other, the admission to the Union of one of our youngest States. It seems to me that both should claim the attention of Senators from other parts of the country.

In one, the emphasis is on the rigors of crossing an unexplored ocean in such frail-looking craft as the *Susan Constant* and her sister ships which visited Washington recently, and on the struggles associated with our Nation's earliest beginnings.

Oklahoma's 50th anniversary as a State, on the other hand, marks the progress of the State, in one generation, from tepees to towers. It catches up the still-potent spirit of frontier days in the setting of a modern industrial society and mingles the wild West with the atomic age.

We hope that many of you will visit Oklahoma in the next few months. On Easter Sunday morning, the annual pageant in the Wichita Mountains which annually attracts more than 100,000 persons, will use Faith of Our Fathers as its theme, illustrating the faith of our pioneer fathers that endured and made possible this unique religious observance for people of all faiths, creeds, and colors.

Already a variety of celebrations have been held, ranging from the Okeene rattlesnake hunt to the presentations of Bizet's Carmen by Tulsa Opera, Inc., in Tulsa's fine Municipal Theater; from the dogwood tour in Tahlequah and the Redbud Festival in Shawnee to the Ardmore rodeo and the Territorial Dress Review at Stillwater.

The Special Commemorative stamp will go on sale June 14, coincident with the opening of the Semi-Centennial exposition at Oklahoma City.

The Exposition will feature displays of 12 nations at an International House, a 2-acre Teen Town with custom-made entertainment, and the talents of dancers and singers from 20 States at the National Folk Festival.

Two big automobile companies are spending $125,000 each to make the settings of their displays attractive. Three railroads are building a spur track on which their old and new rolling stock will be displayed. A $50,000 "plastic lady" constructed by German scientists will be shown.

A full-sized replica of Boomtown, linking together the progress of Oklahoma's oil industry and the State, is being made possible by major oil companies.

These unusual attractions at the exposition must share wtih the cooperative efforts of the people in almost every community in the State for the visitor's attention. I can't mention them all, but their variety is indicated by mention of the Cheyenne-Arapaho Day at Cheyenne, April 19; the Kick-Off Parade and '89ers celebration at Guthrie April 20 through April 23, the Semi-Centennial Exhibition of the Gilcrease Museum of American History and Art in Tulsa opening April 22, and the sports events at Enid, Norman, Lawton, Broken Bow, Bristow, Henryetta and Waynoka this month.

I want to extend a cordial invitation to attend any of these celebrations and to help Oklahoma celebrate its fiftieth anniversary as a State.

ADJOURNMENT OVER EASTER

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate House Concurrent Resolution 164 and further ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The legislative clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, April 18, 1957, they stand adjourned until 12 o'clock meridian, Monday, April 29, 1957.

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

There being no objection, the concurrent resolution was considered and agreed to.

AUTHORIZATION TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS AND RECEIVE MESSAGES DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I submit an order, and ask for its immediate consideration.

The PRESIDING OFFICER. The order will be stated.

The legislative clerk read as follows:

Ordered, That the President of the Senate or President pro tempore be authorized during the adjournment of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Ordered further, That the Secretary of the Senate be authorized to receive messages during such adjournment from the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the order.

The order was agreed to.

THE BUDGET

Mr. MORSE. Mr. President, I hold in my hand the release from the White House of April 18, 1957, setting forth the text of a letter of the same date addressed by the President to the Speaker of the House of Representatives. It deals, Mr. President, with some of the recommendations of the President relative to the budget. Parts of it dovetail with the comments I made a few minutes ago with regard to White House representations.

I point out that of the 6 recommendations made for a cut in his budget, 2 are directed against housing programs. With housing construction in a toboggan ride downhill today, all over the United States, with lumber mills in my State shutting down, and many of them on 3- and 4-day weeks, I am at a complete loss to understand the failure on the part of officials of this administration to get the facts to the President in regard to what is happening to the construction industry in this country.

My State has the highest rate of unemployment in the Nation today. One of the reasons it has this unenviable position is due to what is happening to the lumber industry as a result of the hard-money, high-interest-rate policy of this administration, and the record of this administration in cutting public housing to the point that great damage is being done to the construction industry. It hurts thousands of fellow Americans who ought to have decent housing, who come from the low-income groups, and from the slums of America, and who cannot buy housing unless we, the rest of the people, do the humanitarian job that we ought to do, in order to give the assistance, through the public housing program, to which they are entitled.

The six proposals of the President for cuts amount to about $1,042,000,000, and the housing cuts account for only $75 million of it. But that is an important $75 million, so far as the lumber industry is concerned. It is also important because it symbolizes very well the whole attitude of this administration in regard to housing.

The special assistance functions mentioned include cooperative housing, defense housing, disaster housing, and urban renewal housing, those mortgages not being purchased by institutional investments.

Mr. President, it also includes college housing. All one has to do is make a study of the college housing problem to realize what a problem it is. For the last 2 years I have been on the Banking and Currency Committee. I have worked under the statesmanlike leadership of the Senator from Alabama [Mr. SPARKMAN], who is chairman of the Subcommittee on Housing. I want to say the record is replete with evidence that we need to do a job, and do it quickly, with regard to this matter of college housing.

So I am aghast and greatly disappointed that the President of the United States, in his message to the Speaker of the House, would be making the suggestion, and I read from the message:

Fourth, that the investment of the Federal National Mortgage Association in special assistance functions be reduced from $250 million to $200 million, a reduction in new spending authority of $50 million.

Fifth, that the college housing authorization be reduced from $175 million to $150 million, a reduction in new spending authority of $25 million.

I want to say to every operator of a large lumber mill who opposed me last November, "How do you like it? What do you think of it? I warned you during the campaign that the reelection of the administration would not bring about the relief and assistance to which the lumber industry is entitled."

I had the support of the small operators. They were already wise, but some of the big boys thought maybe the administration would change. Yet the record begins to show clearly what I forewarned during the campaign. This administration simply is not going to support a program that is essentially needed, in order to regenerate the construction industry, and put people back to work, increase employment in this segment of our economy.

I think it is a most regrettable thing that we have these recommendations from the President of the United States. That is not sound economy, Mr. President. It is false economy that he proposes. Not only that. Let me say that kind of economy is not in the interest of a sound business program for the construction industry of this country.

I certainly hope the businessmen in this field will make very clear to the President of the United States what they think of it. I will let the President in on a secret—those businessmen do not think much of it.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, April 18, 1957, he presented to the President of the United States the enrolled joint resolution (S. J. Res. 70) requesting the President to proclaim the week of April 28 to May 4, 1957, inclusive, as National Mental Health Week.

ADJOURNMENT TO APRIL 29, 1957

Mr. MANSFIELD. Mr. President, pursuant to the terms of the concurrent resolution previously agreed to, I move that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being in accordance with the terms of House Concurrent Resolution 164, until Monday, April 29, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 18 (legislative day, April 17), 1957:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

C. Douglas Dillon, of New Jersey, to be United States Alternate Governor of the International Monetary Fund and the International Bank for Reconstruction and Development for the term of 5 years.

APPRAISER OF MERCHANDISE

Elie N. Khouri, of New York, to be appraiser of merchandise in customs collection district No. 10, with headquarters at New York, N. Y., vice Aleer J. Couri, resigned.

IN THE ARMY

The following-named officers to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant generals

Lt. Gen. Thomas Wade Herren, O7430, Army of the United States (major general, U. S. Army).

Lt. Gen. Alonzo Patrick Fox, O8434, Army of the United States (major general, U. S. Army).

Lt. Gen. Laurin Lyman Williams, O8425, Army of the United States (major general, U. S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major general, Medical Corps

Maj. Gen. Paul Irwin Robinson, O17802, Army of the United States (brigadier general, Medical Corps, U. S. Army).

To be brigadier generals, Medical Corps

Brig. Gen. John Frederick Bohlender, O17814, Army of the United States (colonel, Medical Corps, U. S. Army).

Brig. Gen. Jack William Schwartz, O17823, Army of the United States (colonel, Medical Corps, U. S. Army).

To be brigadier general, Dental Corps

Brig. Gen. Clarence Price Canby, O17904, Army of the United States (colonel, Dental Corps, U. S. Army).

To be brigadier generals

Maj. Gen. John Francis Regis Seitz, O17734, Army of the United States (colonel, U. S. Army).

Maj. Gen. Ralph Copeland Cooper, O17741, Army of the United States (colonel, U. S. Army).

Maj. Gen. David Haytor Buchanan, O17746, Army of the United States (colonel, U. S. Army).

Maj. Gen. Herbert John Vander Heide, O17754, Army of the United States (colonel, U. S. Army).

Maj. Gen. Normando Antonio Costello, O17764, Army of the United States (colonel, U. S. Army).

Brig. Gen. Lloyd Roosevelt Moses, O29362, Army of the United States (colonel, U. S. Army).

Maj. Gen. Eugene Fodrea Cardwell, O38662, Army of the United States (colonel, U. S. Army).

Brig. Gen. Briard Poland Johnson, O29393, Army of the United States (colonel, U. S. Army).

Maj. Gen. Robert William Porter, Jr., O18048, Army of the United States (colonel, U. S. Army).

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 general

Brig. Gen. Stuart Gross Smith, O16369, Medical Corps, United States Army.

Brig. Gen. David William Traub, O17110, Army of the United States (colonel, U. S. Army).

To be brigadier general

Col. John William Cave, O18388, United States Army.

Col. Alden Kingsland Sibley, O18964, United States Army.

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of the Reserve Officer Personnel Act of 1954, Public Law 773, 83d Congress:

To be brigadier general

Col. Walter Duryee Lamon, Jr., O403168, Artillery, National Guard of the United States.

Col. James Haydon Weyhenmeyer, Jr., O415260, Armor, National Guard of the United States.

Maj. Gen. Andrew Thomas McNamara, O17324, Army of the United States (colonel, U. S. Army), for appointment as the Quartermaster General, United States Army, and as major general in the Regular Army of the United States, under the provisions of title 10, United States Code, section 3036.

Brig. Gen. Thomas North, O11879, United States Army, for temporary appointment as major general in the Army of the United States under the provisions of title 10, United States Code, sections 3442 and 3447.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 18, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, unto no one else can we draw so near and ask for so much and unto none can we unburden ourselves so freely and completely.

During these days of Holy Week we are turning our thoughts to that lowly Man of Galilee who shouldered a Roman cross and staggered out to a hill called Calvary to die upon it.

Our hearts are stirred with humility and gratitude as we think of the wonder and beauty of the self-giving love of our blessed Lord, who never harmed or hated anyone.

In the hour of His deepest pain and agony He whispered into the ear of the Eternal a petition of pity and compassion: "Father, forgive them, for they know not what they do."

Inspire us to pray and labor for that glorious day when the hot embers of ill will and hatred in the heart of men and nations shall be put out forever.

Hear us in the name of the Christ, our Saviour, and the risen Lord, in whom we find our hope and assurance of eternal life. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE FEDERAL BUDGET—COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 155)

The SPEAKER laid before the House the following letter from the President of the United States, which was read, referred to the Committee on Appropriations, and ordered printed:

THE WHITE HOUSE,
Washington, D. C., April 18, 1957.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I am sure many Members of the Congress are as gratified as I am to note the growing awareness of private citizens that the dollars spent by the Federal Government are in fact their own dollars, and that Federal benefits are not free but must be paid for out of taxes collected from the people. It is good to see this realization developing into a widespread insistence that Federal activity be held to the minimum consistent with national needs. As this sentiment grows, our country will be strengthened in many ways.

The evident responsiveness of the Congress to this attitude I find equally encouraging. I assure you and your colleagues that the executive branch will continue to cooperate fully with Members of the Congress who work for sensible control of Federal spending.

In House Resolution 190 adopted last March, I noted the assertion that the public interest requires a "substantial reduction" in the 1958 budget and also the request that I advise the House where a reduction of that magnitude could best be made.

You will recall that last January, immediately after the budget was presented to the Congress, I requested the Director of the Bureau of the Budget to resurvey the expenditures of every department and agency in an effort to find additional items that could properly be reduced. I have kept in close touch with those efforts. Some of the principal results are outlined in this letter.

You realize, of course, that the 1958 budget, as all Federal budgets, is in effect, two budgets within one. One consists of requests for new spending authority which enables Federal agencies to obligate themselves to make expenditures sometime in the future. The other concerns the actual expenditures of the agencies in the next fiscal year. These expenditures will be made partly pursuant to spending authority granted in previous years and partly under new spending authority. For example, one-third of the total actual expenditures in the 1958 fiscal year will be made pursuant to spending authority granted not on the basis of the 1958 budget but on the basis of spending authority requested in earlier budgets. This problem I emphasize because of its importance in appraising the effect of cuts in new spending authority which, one might assume, will reduce the level of current spending, but in fact may affect only future spending.