SENATE

TUESDAY, JULY 8, 1958

(Legislative day of Monday, July 7, 1958)

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

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

O Thou divine shepherd of our souls, who in these fields of time hast prepared green pastures and still waters for the restoration of our jaded and spent strength, lead us this day, we pray Thee, into paths of righteousness for Thy name's sake.

May we toil in the sense of the eternal.

Allay the fever of our fretfulness and lift us above corroding care.

Even in these troublous times may our hearts be untroubled as we stay our minds on Thee.

We make our prayer in the name of Him who offers us the peace that passeth all understanding. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 7, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on July 7, 1958, the President had approved and signed the following acts:

S. 385. An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties; and

S. 3500. An act to require the full and fair disclosure of certain information in connection with the distribution of new automobiles in commerce, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

(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, without amendment, the following bills of the Senate:

S. 602. An act to provide for the acquisition of additional land to be used in connection with the Cowpens National Battleground site;

S. 628. An act to direct the Secretary of the Army to convey certain property located at Boston Neck, Narragansett, Washington County, R. I., to the State of Rhode Island;

S. 1901. An act to amend section 401 of the Federal Employees Pay Act of 1945, as amended;

S. 2108. An act to amend the Public Buildings Act of 1949, to authorize the Administrator of General Services to name, rename, or otherwise designate any building under the custody and control of the General Services Administration;

S. 2109. An act to amend an act extending the authorized taking area for public building construction under the Public Buildings Act of 1926, as amended, to exclude therefrom the area within E and F Streets and 19th Street and Virginia Avenue NW., in the District of Columbia;

S. 2318. An act to provide for the conveyance of certain land of the United States to the city of Salem, Oreg.;

S. 2474. An act directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.;

S. 2630. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment, and to provide certain services to the Girl Scouts of the United States of America, and to permit use of certain lands of the Air Force Academy for use at the Girl Scout Senior Roundup Encampment, and for other purposes;

S. 3314. An act for the relief of the city of Fort Myers, Fla., and Lee County, Fla.;

S. 3431. An act to provide for the addition of certain excess Federal property in the village of Hatteras, N. C., to the Cape Hatteras National Seashore Recreational Area, and for other purposes; and

S. 3506. An act to authorize the transfer of naval vessels to friendly foreign countries.

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

S. 692. An act to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes;

S. 1732. An act to readjust equitably the retirement benefits of certain individuals on the emergency officers' retired list, and for other purposes;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; and

S. 2752. An act to amend section 207 of the Federal Property and Administrative Services Act of 1949 so as to modify and improve the procedure for submission to the Attorney General of certain proposed surplus property disposals for his advice as to whether such disposals would be inconsistent with the antitrust laws.

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

H. R. 65. An act to provide certain allowances and benefits to personnel of the Veterans' Administration who are United States citizens and are assigned to the Veterans' Administration office in the Republic of the Philippines;

H. R. 67. An act to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes;

H. R. 413. An act to provide a further period for presuming service-connection in the case of veterans suffering from Hansen's disease (leprosy);

H. R. 471. An act relating to the retired pay of certain retired officers of the Armed Forces;

H. R. 781. An act to amend title 10, United States Code, to make retired pay for nonregular service available to certain persons who performed active duty during the Korean conflict;

H. R. 855. An act to designate the dam being constructed in connection with the Eagle Gorge Reservoir project on the Green River, Wash., as the "Howard A. Hanson Dam";

H. R. 2770. An act to provide that no application shall be required for the payment of statutory awards for certain conditions which, prior to August 1, 1952, have been determined by the Veterans' Administration to be service connected;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of $200 per month shall be paid to certain paraplegic veterans during periods in which they are not hospitalized at Government expense;

H. R. 4214. An act to amend section 315 of the Veterans' Benefits Act of 1957 to provide additional compensation for veterans having the service-incurred disability of deafness of both ears;

H. R. 4503. An act to provide that all interests of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky, shall be quitclaimed and returned to the Commonwealth of Kentucky;

H. R. 4675. An act to provide that certain employees under the jurisdiction of the commissioner of public lands and those under the jurisdiction of the board of harbor commissioners of the Territory of Hawaii shall be subject to the civil-service laws of the Territory of Hawaii;

H. R. 5322. An act to extend certain veterans' benefits to or on behalf of dependent husbands and widowers of female veterans;

H. R. 5450. An act to authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Houghton, Mich., and for other purposes;

H. R. 5949. An act to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.;

H. R. 6038. An act to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes;

H. R. 7225. An act to amend provisions of the Canal Zone Code relative to the handling of the excess funds of the Panama Canal Company, and for other purposes;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7902. An act to authorize travel and transportation allowances in the case of certain members of the uniformed services;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservations, Michigan;

H. R. 8252. An act to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income-tax laws take place;

H. R. 8478. An act to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian homelands;

H. R. 8775. An act to amend section 709 of title 32, United States Code;

H. R. 8826. An act to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office;

H. R. 9139. An act to amend the law with respect to civil and criminal jurisdiction over Indian country in Alaska;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes;

H. R. 10423. An act to grant the status of public lands to certain reef lands and vesting authority in the commissioner of public lands of the Territory of Hawaii in respect of reef lands having the status of public lands;

H. R. 10426. An act to provide that the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Cong., ch. 462, 2d sess.) shall be amended to increase the period in which actual construction shall commence on rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made;

H. R. 10461. An act to amend section 315 (m) of the Veterans' Benefits Act of 1957 to provide a special rate of compensation for certain blind veterans;

H. R. 11008. An act to authorize the Secretary of the Interior to exchange certain land at Vicksburg National Military Park, Miss., and for other purposes;

H. R. 11305. An act to authorize the appropriation of funds to finance the 1961 meeting of the Permanent International Association of Navigation Congresses;

H. R. 11504. An act to amend title 10 of the United States Code to permit enlisted members of the Naval Reserve and Marine Corps Reserve to transfer to the Fleet Reserve and the Fleet Marine Corps Reserve on the same basis as members of the regular components;

H. R. 11626. An act to amend section 6911 of title 10, United States Code, to provide for the grade, procurement, and transfer of aviation cadets;

H. R. 11636. An act to repeal section 6018 of title 10, United States Code, requiring the Secretary of the Navy to determine that the employment of officers of the Regular Navy on shore duty is required by the public interest;

H. R. 11700. An act to authorize civilian personnel of the Department of Defense to carry firearms;

H. R. 11954. An act to amend the Hawaiian Organic Act and Public Laws 640 and 643 of the 83d Congress, as amended, relating to general obligation bonds of the Territory of Hawaii;

H. R. 12140. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 12161. An act to provide for the establishment of townsites, and for other purposes;

H. R. 12224. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to acreage allotments for peanuts;

H. R. 12883. An act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems;

H. R. 12927. An act to amend section 358 of the Veterans' Benefits Act of 1957 to provide for apportionment of compensation of veterans who disappear;

H. R. 12938. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County, Fla.;

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy; and

H. J. Res. 228. Joint resolution to provide for the honorary designation of St. Ann's Churchyard in the city of New York as a national historic site.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

H. R. 7349. An act to amend the act regulating the business of executing bonds for compensation in criminal cases in the District of Columbia;

H. R. 7452. An act to provide for the designation of holidays for the officers and employees of the government of the District of Columbia for pay and leave purposes, and for other purposes;

H. R. 8439. An act to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act;

H. R. 9285. An act to amend the charter of St. Thomas' Literary Society;

H. R. 12643. An act to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended;

H. J. Res. 479. Joint resolution to designate the 1st day of May of each year as Loyalty Day;

H. J. Res. 576. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 580. Joint resolution for the relief of certain aliens.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

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

H. R. 65. An act to provide certain allowances and benefits to personnel of the Veterans' Administration who are United States citizens and are assigned to the Veterans' Administration office in the Republic of the Philippines;

H. R. 67. An act to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes;

H. R. 413. An act to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy);

H. R. 2770. An act to provide that no application shall be required for the payment of statutory awards for certain conditions which, prior to August 1, 1952, have been determined by the Veterans' Administration to be service connected;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of $200 per month shall be paid to certain paraplegic veterans during periods in which they are not hospitalized at Government expense;

H. R. 4214. An act to amend section 315 of the Veterans' Benefits Act of 1957 to provide additional compensation for veterans having the service-incurred disability of deafness of both ears;

H. R. 5322. An act to extend certain veterans' benefits to or on behalf of dependent husbands and widowers of female veterans;

H. R. 10461. An act to amend section 315 (m) of the Veterans' Benefits Act of 1957 to provide a special rate of compensation for certain blind veterans; and

H. R. 12927. An act to amend section 358 of the Veterans' Benefits Act of 1957 to provide for apportionment of compensation of veterans who disappear; to the Committee on Finance.

H. R. 471. An act relating to the retired pay of certain retired officers of the Armed Forces;

H. R. 781. An act to amend title 10, United States Code, to make retired pay for nonregular service available to certain persons who performed active duty during the Korean conflict;

H. R. 7225. An act to amend provisions of the Canal Zone Code relative to the handling of the excess funds of the Panama Canal Company, and for other purposes;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7902. An act to authorize travel and transportation allowances in the case of certain members of the uniformed services;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservations, Mich.;

H. R. 8775. An act to amend section 709 of title 32, United States Code;

H. R. 9932. An act to provide for the conveyance of certain land of the United States to the State Board of Education of the State of Florida;

H. R. 10173. An act to provide for the transfer of title to certain land at Sand Island, T. H., to the Territory of Hawaii, and for other purposes;

H. R. 11504. An act to amend title 10 of the United States Code to permit enlisted members of the Naval Reserve and Marine Corps Reserve to transfer to the Fleet Reserve and the Fleet Marine Corps Reserve on the same basis as members of the regular components;

H. R. 11626. An act to amend section 6911 of title 10, United States Code, to provide for the grade, procurement, and transfer of aviation cadets;

H. R. 11636. An act to repeal section 6018 of title 10, United States Code, requiring the Secretary of the Navy to determine that the employment of officers of the Regular Navy on shore duty is required by the public interest;

H. R. 11700. An act to authorize civilian personnel of the Department of Defense to carry firearms; and

H. R. 13170. An act to amend title 10, United States Code, to provide for a permanent professor of physical education at the United States Military Academy; to the Committee on Armed Services.

H. R. 855. An act to designate the dam being constructed in connection with the Eagle Gorge Reservoir project on the Green River, Wash., as the "Howard A. Hanson Dam";

H. R. 10426. An act to provide that the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Cong., ch. 462, 2d sess.) shall be amended to increase the period in which actual construction shall commence on

rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made;

H. R. 11305. An act to authorize the appropriation of funds to finance the 1961 meeting of the Permanent International Association of Navigation Congresses; and

H. R. 12883. An act to provide for certain improvements relating to the Capitol powerplant and its distribution systems; to the Committee on Public Works.

H. R. 4503. An act to provide that all interests of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky, shall be quitclaimed and returned to the Commonwealth of Kentucky;

H. R. 4675. An act to provide that certain employees under the jurisdiction of the commissioner of public lands and those under the jurisdiction of the board of harbor commissioners of the Territory of Hawaii shall be subject to the civil service laws of the Territory of Hawaii;

H. R. 5450. An act to authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Houghton, Mich., and for other purposes;

H. R. 6038. An act to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes;

H. R. 8478. An act to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian homelands;

H. R. 9139. An act to amend the law with respect to civil and criminal jurisdiction over Indian country in Alaska;

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957;

H. R. 10423. An act to grant the status of public lands to certain reef lands and vesting authority in the commissioner of public lands of the Territory of Hawaii in respect of reef lands having the status of public lands;

H. R. 11008. An act to authorize the Secretary of the Interior to exchange certain land at Vicksburg National Military Park, Miss., and for other purposes;

H. R. 11954. An act to amend the Hawaiian Organic Act and Public Laws 640 and 643 of the 83d Congress, as amended, relating to general obligation bonds of the Territory of Hawaii;

H. J. Res. 228. Joint resolution to provide for the honorary designation of Saint Ann's Churchyard in the city of New York as a national historic site; to the Committee on Interior and Insular Affairs.

H. R. 5949. An act to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.; and

H. R. 12938. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County Fla.; to the Committee on Government Operations.

H. R. 8252. An act to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income tax laws take place;

H. R. 8826. An act to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce to carry out the provisions of international conventions and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office; and

H. R. 12140. An act to amend the act of September 2, 1942, and the act of August 16, 1941, relating to injury, disability and death resulting from war-risk hazards and from employment suffered by employees of contractors of the United States, and for other purposes; to the Committee on the Judiciary.

H. R. 12161. An act to provide for the establishment of townsites, and for other purpose; and

H. R. 12224. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to acreage allotments for peanuts; to the Committee on Agriculture and Forestry.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, for the introduction of bills, the presentation of petitions and memorials, and the transaction of other routine business, subject to a 3-minute limitation on statements.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

ISSUANCE OF PASSPORTS

A letter from the Secretary of State, transmitting a draft of proposed legislation to provide standards for the issuance of passports; and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

AMENDMENT OF WAR CLAIMS ACT OF 1948, RELATING TO COMPENSATION FOR CERTAIN WORLD WAR II LOSSES

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D. C., transmitting a draft of proposed legislation to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON REVIEW OF HOUSING AUTHORITY, CITY AND COUNTY OF DENVER, COLO.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the Housing Authority of the City and County of Denver, Colo., 1957, Public Housing Administration, Housing and Home Finance Agency (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIAL

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

By the PRESIDENT pro tempore:

Petitions signed by sundry citizens of West Covina, Calif., praying for the enactment of legislation to provide for the continuation of the improvement of the Big Dalton and San Dimas Washes in the State of California for flood control purposes; to the Committee on Public Works.

A memorial signed by Mrs. F. L. Manning, and sundry other citizens of the State of Ohio, remonstrating against the enactment of legislation to change the east front of the Capitol Building in the District of Columbia; to the Committee on Public Works.

RURAL ELECTRIFICATION ADMINISTRATION FINANCING—RESOLUTION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD Resolution No. 2 of the James Valley Electric Cooperative, relating to rural electrification administration financing.

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

RESOLUTION NO. 2, RURAL ELECTRIFICATION ADMINISTRATION FINANCING

Wheras the present interest rate charged rural electric cooperatives is a fair rate to all interests concerned; and

Whereas financing future rural electric cooperative needs as proposed, through private sources does not represent a feasible method of providing for the future needs of rural electric cooperatives: Now, therefore, be it

Resolved, That the James Valley Electric Cooperative oppose the passage of measures now before Congress increasing interest rates and proposing rural electric cooperative financing through private sources, and that copies of this resolution be sent to all members of the North Dakota delegation in Congress.

OPPOSITION OF NORTH DAKOTA FARMERS UNION TO SENATE BILL 4071

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram which I have received from the officers and directors of the North Dakota Farmers Union, in connection with the farm bill (S. 4071) recently reported by the Senate Committee on Agriculture and Forestry. I may say that personally I agree fully with the sentiments expressed in the telegram.

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

JAMESTOWN, N. DAK.,
July 8, 1958.

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

We have carefully analyzed Senate Agricultural Committee bill S. 4071.

This bill is unbelievably bad. It greatly weakens existing price-support programs for corn, cotton, rice, sorghum grain, rye, oats, and barley. It adopts the Benson-Eisenhower concept that the so-called free market, rather than parity is the goal of farm programs.

Price support levels based on parity are replaced by dollars and cents floors and the ever-falling support level of 10 percent below the average market price of the immediately preceding 3 years, unless this bill can be amended by the Senate to completely reverse its direction away from dependence on and relation to the so-called free market and so as to strengthen rather than further weaken existing price-support programs. We strongly urge you to fight for and vote for its defeat on Senate floor.

OFFICERS AND DIRECTORS,
NORTH DAKOTA FARMERS UNION.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BYRD, from the Committee on Finance, without amendment:

H. R. 13130. An act to extend for 2 years the existing authority of the Secretary of the Treasury in respect of transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense (Rept. No. 1809).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BYRD, from the Committee on Finance:

Arthur S. Flemming, of Ohio, to be Secretary of Health, Education, and Welfare; and

Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C.

BILLS INTRODUCED

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

By Mr. TALMADGE:

S. 4109. A bill for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; to the Committee on the Judiciary.

By Mr. GREEN (by request):

S. 4110. A bill to provide standards for the issuance of passports, and for other purposes; to the Committee on Foreign Relations.

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

STANDARDS FOR ISSUANCE OF PASSPORTS

Mr. GREEN. Mr. President, by request, I introduce, for appropriate reference, a bill to provide standards for the issuance of passports by the Secretary of States. This bill was transmitted to the Congress by the Secretary of State to carry out the recommendations made by the President in his message to the Congress of July 7, 1958, on the subject of passport legislation.

The Committee on Foreign Relations will hold hearings on this subject on July 16 and 17. I understand Deputy Under Secretary of State Robert Murphy will make a presentation for the executive branch. A number of private witnesses and representatives of national organizations are scheduled to testify. It is my hope that information will be presented to the committee covering every aspect of the subject of passports, including the relationship of passports to foreign relations, individual civil rights, internal security, and economic policy. It is further my hope that all witnesses will address themselves to the various bills on the subject which have been introduced in the Congress, whether or not pending before the Committee on Foreign Relations. If action on passport legislation is to be completed during this session it would be most helpful to the committee to have the comments of interested persons on the many legislative proposals which have been made.

I wish to make clear that I am not endorsing the bill which I am now introducing, nor any other bill on the subject. I desire that the executive branch bill be before our committee in order that we may hear informed opinion on it. We shall also be receiving comments on other bills, one of which was introduced by the Senator from Arkansas [Mr. FULBRIGHT] nearly a year ago, but which has not been considered heretofore by the committee because the executive branch comments thereon were not received until last May 19.

The Committee on Foreign Relations is going to proceed in this matter expeditiously, but also very carefully. All sides of the question will be examined.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4110) to provide standards for the issuance of passports, and for other purposes, introduced by Mr. GREEN (by request), was received, read twice by its title, and referred to the Committee on Foreign Relations.

IMPROVEMENT OF HOUSING AND RENEWAL OF URBAN COMMUNITIES—AMENDMENTS

Mr. BYRD submitted amendments, intended to be proposed by him, to the bill (S. 4035) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, which was ordered to lie on the table, and to be printed.

AGRICULTURAL ACT OF 1958—AMENDMENT

Mr. TALMADGE submitted an amendment, intended to be proposed by him, to the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities, which was ordered to lie on the table, and to be printed.

Mr. JORDAN submitted an amendment, intended to be proposed by him to Senate bill 4071, supra, which was ordered to lie on the table and be printed.

INCREASED USE OF AGRICULTURAL PRODUCTS FOR INDUSTRIAL PURPOSES—AMENDMENT

Mr. CURTIS submitted an amendment, intended to be proposed by him, to the bill (S. 4100) to provide for the increased use of agricultural products for industrial purposes, which was ordered to lie on the table, and to be printed.

TECHNICAL CHANGES IN FEDERAL EXCISE-TAX LAWS—AMENDMENT

Mr. MARTIN of Iowa (for himself and Mr. HICKENLOOPER) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, which was referred to the Committee on Finance, and ordered to be printed.

IMPROVEMENT OF ALASKA HIGHWAY—ADDITIONAL COSPONSOR OF BILL

Mr. NEUBERGER. Mr. President, on July 2, I introduced the bill (S. 4097) to authorize paving the Alaska Highway, which is the only overland link between Alaska and the other 48 States. This bill is cosponsored by eight Senators from both parties. The junior Senator from California [Mr. KUCHEL] has asked me whether he might add his name to the list of cosponsors of this proposal. The Senator from California is a member of our Territories Subcommittee of the Committee on Interior and Insular Affairs, and he was in the very forefront of the long fight which has just culminated in the successful admission of Alaska to full statehood in the Union. I am very glad, therefore, to ask unanimous consent that the name of the able junior Senator from California may be added to the list of cosponsors of S. 4097.

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

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. WILEY:

Article entitled "United States Airline Industry Faces Global Threat," written by him and published in the Legionnaire Review for June 1958.

STUDY OF CONFLICT-OF-INTEREST LAWS BY NEW YORK CITY BAR ASSOCIATION COMMITTEE

Mr. IVES. Mr. President, lately there has been considerable discussion about the necessity for study of the so-called conflict-of-interest laws of the Federal Government.

I believe it should be known that a distinguished bar association in my home State, the Association of the Bar of the City of New York, saw the necessity for this kind of study over a year ago, and obtained a grant of $47,500 from the Ford Foundation to undertake such a study. In May of this year a distinguished committee was appointed by the president of the association. The committee consists of 10 lawyers from different parts of the country, almost all of whom have had experience in high office in the Federal Government. The committee is strictly bipartisan, and has members who served under both Democratic and Republican administrations. I am informed by the chairman of the committee that it has already begun its work, and this summer will complete what perhaps will be the most exhaustive legal research ever done on the subject of the conflict-of-interest laws. Commencing in the fall, the committee proposes to examine all phases of the operation of the statutes in practice, and will then consider proposals for their possible change, if found advisable.

In order that the Congress may be aware of the existence of this committee, I ask unanimous consent to have printed in the body of the RECORD the text of the press release issued by the Association of the Bar of the City of New York on the occasion of the appointment of the committee. I feel confident that the work of this committee will be an important contribution to this field.

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

Louis M. Loeb, president of the Association of the Bar of the City of New York, today announced the appointment of a special committee of 10 lawyers—most of them former Government officials—to make a "comprehensive and balanced study" of the Federal "conflict of interest" laws. The study will be financed by a grant of $47,500 from the Ford Foundation.

Mr. Loeb said that preliminary study by the association has shown that "as presently drawn, these laws are inadequate for their task of protecting modern government against certain subtle forms of corruption while, at the same time, they seem unreasonably to discourage able persons from accepting Government employment.

"Most of them," he said, "were passed in earlier, simpler days. Now, they provide loopholes for the unscrupulous and traps for the honest but unwary."

Mr. Loeb appointed Roswell B. Perkins, a practicing New York lawyer and former Assistant Secretary of the Department of Health, Education, and Welfare, as chairman of the special committee.

Other persons appointed by Mr. Loeb to the special committee are:

Howard F. Burns, of Cleveland, Ohio, a practicing lawyer and member of the Council of the American Law Institute;

Charles A. Coolidge, of Boston, a practicing lawyer, special assistant to the Secretary of Defense for reorganization, and formerly assistant to the Secretary of Defense for legislative affairs;

Paul M. Herzog, of New York, executive vice president of the American Arbitration Association and former Chairman of the National Labor Relations Board;

Alexander C. Hoagland, Jr., of New York, a practicing lawyer and former fellow of the Association of the Bar of the City of New York;

Everett L. Hollis, of New York, corporate counsel to the General Electric Co. and former general counsel to the Atomic Energy Commission;

Charles A. Horsky, of Washington, D. C., a practicing lawyer and former assistant prosecutor at Nurnberg with the Chief of Counsel for War Crimes;

John V. Lindsay, of New York, a practicing lawyer and former executive assistant to the Attorney General of the United States;

John E. Lockwood, of New York, a practicing lawyer, and former general counsel for the Office of Inter-American Affairs; and

Samuel I. Rosenman, of New York, a practicing lawyer, former justice of the supreme court of the State of New York and former special counsel to Presidents Roosevelt and Truman.

Bayless A. Manning, associate professor of law at Yale University Law School, has been appointed staff director.

The following is the text of the statement by Mr. Loeb, announcing the appointment of the special committee on the Federal conflict-of-interest laws:

"I have this day appointed a special committee of 10 distinguished members of the association to make a comprehensive and balanced study of the conflict-of-interest laws of the Federal Government. These laws, most of which date back to the 19th century, forbid present and former officials of the Government from having personal interests that conflict with their duty to the public. They have been passed piecemeal in response to specific instances of corruption in our Nation's history.

"These laws and the ethical principles that they express are a keystone of honest, impartial government. For proof of their importance one need look no farther than the daily press of this or any other era. Increasingly, however, they have come under attack. Come critics say that they do not adequately protect today's government against corruption. Others charge that they unreasonably discourage the Nation's best people from entering the public service. President Eisenhower stated last summer that these laws, among other factors, have made it difficult to recruit able men for important tasks, and he has suggested that the Congress review the laws on this subject.

"This association, through its regular committee on law reform, has found after considerable preliminary study that, as presently drawn, these laws are inadequate for their task of protecting modern government against certain subtle forms of corruption, while, at the same time, they seem unreasonably to discourage able persons from accepting government employment. Most of them were passed in earlier, simpler days. Now, they provide loopholes for the unscrupulous and traps for the honest but unwary. I am persuaded that we can render a real public service by bringing order into this highly confused state of the law; by determining in what way the law fails to guard against corrupt practices; by evaluating the impact of these laws upon the recruitment of personnel by the Federal Government, and by publicizing our findings for the benefit of the public. However, such thorough study and evaluation is a very large undertaking, not only because of the age and complexity of the laws themselves, but also because of their obviously far-reaching implications on the orderly and efficient operation of the government establishment. Such a study is not within the association's normal resources, but the association has been enabled to proceed by virtue of a grant of $47,500 from the Ford Foundation. We have successfully carried forward other important studies, such as our examination of the Federal loyalty-security programs, under similar arrangements.

"Accordingly, I have today established a special committee to undertake this work. Owing to the nature of the problem, I have selected the members on the basis, in addition to their general high qualifications, of their government service and their acquaintance with and concern for the problems of ethics in government. Mr. Roswell B. Perkins, of New York City, will be the chairman. The other members of the committee are: Howard F. Burns, Cleveland, Ohio; Charles A. Coolidge, Boston, Mass.; Paul M. Herzog, New York City; Alexander C. Hoagland, Jr., New York City; Everett L. Hollis, New York City; Charles A. Horsky, Washington, D. C.; John V. Lindsay, New York City; John E. Lockwood, New York City; Samuel I. Rosenman, New York City.

"Associate Prof. Bayless Manning, of the Yale University Law School, will be the staff director. I should at this time like to express my personal gratitude, as well as that of the association, to these men who are undertaking a long and arduous task in the public interest.

"The special committee will shortly begin work. I earnestly hope that it will receive the full cooperation of the Government and of the public in its difficult but important enterprise."

The so-called conflict-of-interest laws are sections 216, 281, 283, 284, 434, and 1914 of the United States Criminal Code (title 18) and section 99 of title 5 (Executive Departments and agencies) of the United States Code. Five of them apply to the conduct of all Government employees during their public service, and two restrict their activity after they have left the Government. Only one of the laws applies to Members of Congress.

Briefly described, the statutes forbid present and former Government employees from engaging in certain activities that might lead to a conflict between their duty to the public and their private interests.

Two of the laws prevent Government employees from receiving certain forms of nongovernment income. Section 1914 forbids the receipt by a Government employee from an outside source of "any salary in connection with his Government service." Section 434 forbids a Government employee from transacting business on behalf of the Government with any firm in which he has a "pecuniary interest."

Section 216 forbids a Government employee from receiving compensation for procuring a Government contract for an outside interest. Section 283 forbids a Government employee from prosecuting claims against the Government, gratuitously or for pay. Section 281 forbids Congressmen and employees of the executive and judicial branches from receiving money for performing any services of any kind before the Government for an outside interest in any matter in which the Government itself has an interest. For a period of 2 years after Government employment has ended, an official is forbidden by section 284 of title 18 and section 99 of title 5 from prosecuting certain claims against the Government.

In addition to these laws covering all employees of the Government, there are a number of special statutes that apply only to particular positions and officers. Furthermore, most departments and agencies have adopted their own rules on the subject. Conflict of interest principles also are applied by the Senate and its committees in approving Presidential appointments.

Criticisms of the present law have appeared in the following:

1. Personnel and Civil Service, a report to the Congress by the Commission on Organization of the Executive Branch of the Government (Hoover Commission) (1955).

2. Ethical Standards in Government, report of a subcommittee of the Committee on Labor and Public Welfare, United States Senate, (Douglas subcommittee) (Washington: United States Government Printing Office, 1955).

3. Investigation of Department of Justice, report of a subcommittee of the Committee on the Judiciary, United States House of Representatives, pursuant to House Resolution 50, 83d Congress, 1st session (Washington: United States Government Printing Office, 1953).

4. Federal Conflict of Interest Legislation, a staff report to subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, (Washington: United States Government Printing Office, 1957).

5. National Planning Association, Special Committee on Manpower Policy, Needed: A Civilian Reserve (1954).

6. Paul T. David and Ross Pollock, Executives for Government (the Brookings Institution, 1957).

The Department of Justice has suggested repeal of section 99 of title 5 of the United States Code, and expansion of section 284 of title 18. In his press conference on August 1, 1957, President Eisenhower suggested that the conflict of interest laws be revised by the Congress. Some 30 bills have been pending in Congress on this subject recently.

VISIT BY MONTANA GOVERNOR OF BOYS STATE TO BADGER BOYS STATE IN WISCONSIN

Mr. MANSFIELD. Mr. President, I am in receipt of a letter from Mr. George Woerth, of Prairie du Sac, Wis., which I wish to call to the attention of the Senate.

In the letter Mr. Woerth tells of the fine impression made by the Montana

governor of Boys State when he visited Badger Boys State, in Wisconsin. I am delighted that Bob Frisbie, of Cut Bank, Mont., was able to accomplish the results he did, and we of Montana are proud of him as our representative.

I know Bob's parents well, and I can imagine how pleased they are with their son. To Bob, I extend best personal greetings, and I want him to know we think he did his county, our State, and our Nation proud on his visit to Badger Boys State, in Wisconsin.

I ask unanimous consent that the letter from Mr. Woerth be printed at this point in the RECORD, in connection with my remarks.

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

PRAIRIE DU SAC, WIS.,
July 6, 1958.

Hon. MIKE MANSFIELD,
United States Senator,
Washington, D. C.

DEAR SENATOR: Last August, I spent a week working with Ted Hazelbaker at Dillon, in conjunction with Montana Boys State.

As you undoubtedly know, Bob Frisbie of Cut Bank was elected as governor of your Boys State.

I have now just returned from Badger Boys State, where Bob was our guest for 3 days. He was accorded every honor and courtesy there, that the staff and citizens could tender to him.

I know that the Governor of the State of Montana himself would not have been received as graciously as Bob was. In part, this was due to the dignity and humbleness with which he conducted himself while there.

The 1,400 boys there accorded him a tremendous ovation. Greater than that given to the Governor of the State of Wisconsin, with whom Frisbie shared the platform on Friday evening.

Montana should be very proud of this young man, for in him, Badger Boys State found personified those traits we most admire in our youth today.

Badger Boys State was pleased to have so fine a young gentleman as their guest.

Sincerely yours,

GEORGE J. WOERTH.

SIGNATURE OF THE ALASKAN STATEHOOD BILL, AND STATEHOOD FOR HAWAII

Mr. MANSFIELD. Mr. President, I am happy to note that on the Double Seventh—July 7—the President affixed his signature to the Alaskan statehood bill. I should like to take this significant occasion to pay tribute to the untiring efforts of our former colleague in the Senate, Secretary of the Interior Fred Seaton, for his unrelenting efforts in behalf of statehood for this newest addition to the Union. To Governor Michael Stepovich, congratulations are extended for a fine job well done. He has represented his Territory in the finest traditions of his office.

I would also recall to the Senate the great effort put forth by a former delegate from Alaska, the late Anthony Dimond, with whom I served in the House of Representatives when I first came to Washington 16 years ago. The work begun by Tony Dimond has been carried forward with vigor, enthusiasm, and devotion to duty by his successor, the present delegate, E. L.—BOB—BARTLETT, with whom I also served in the House of Representatives. BOB BARTLETT has been a dedicated public servant, and his efforts in behalf of Alaska's development and Alaskan statehood have also been untiring and continuous. No one knows the workings of the Congress of the United States better than does BOB BARTLETT because he has been on the inside of the Alaskan situation during his 14 years as Alaska's Delegate in Congress. BOB BARTLETT'S great value to Alaska has been here in Washington, in the Congress, in interpreting, analyzing, and making the case for Alaska's objectives. I am sure the people of Alaska are aware of his great contributions in the Congress, and I am certain that the ability, faithfulness, and hard work of this dedicated public servant will not be forgotten, and will be recognized by those who have sent him to represent their Territory for 7 full terms.

Mr. President, I should also like to say a word of commendation in behalf of Delegate JOHN BURNS, of Hawaii, who displayed statesmanship, good sense, and sound understanding in furthering the cause of Alaskan statehood, to the end that if this was accomplished, statehood for Hawaii would not be too far behind. It was not an easy course for Delegate BURNS to pursue; but it was the course of wisdom and, in my opinion, will redound in favor of Hawaii's becoming a State sooner than would otherwise be possible.

Mr. President, in opening my remarks today I referred to the Double Seventh, or July 7, signing of the Alaska statehood bill by the President. In closing, I should like to call to the attention of the Senate the fact that on another Double Seventh—July 7, 1898, 60 years ago—President McKinley signed the Joint Resolution annexing Hawaii to the Union. With the ice broken, so to speak, as far as Alaska is concerned, I express the hope that it will not be too long before the sea is spanned and Hawaii will be admitted to the Union as the 50th State.

THE PRIVILEGE OF A SOUND EDUCATION—ADDRESS BY SENATOR SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. President, during this year I have had opportunities to address my constituents on subjects which appear to be of current interest, and particularly in the fields I have specially studied, namely, foreign affairs and labor and education. Recently, I had the honor of being invited to address one of the oldest private schools in the United States the Newark Academy in Newark, N. J.

On the occasion of their commencement, I was invited to speak to the boys on the subject of education. My address was entitled "The Privilege of a Sound Education," and was delivered at the Newark Academy commencement exercises on the evening of Wednesday, June 11, 1958.

Because it seems to me to be relevant to the pending nationwide concern over the educational system in America, I ask unanimous consent that my address be printed in the body of the RECORD, in connection with my remarks.

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

THE PRIVILEGE OF A SOUND EDUCATION

(Address by Senator H. ALEXANDER SMITH, of New Jersey, at Newark Academy commencement exercises on Wednesday, June 11, 1958)

I feel deeply honored to be here tonight to take part in your commencement exercises. As New Jersey's senior Senator, I am glad to pay this visit to New Jersey's senior independent school, which I know to be one of the finest, as well as one of the oldest, in the country.

For many years I was an intimate friend of the late beloved Dr. Wilson Farrand, who so ably guided this school from 1901 to 1935. Therefore, I am well aware of Newark Academy's historic standards and traditions, which are now being carried on with such distinction by your own headmaster, Mr. Butler.

It is meaningful tonight to recall these standards and traditions, which had their origins in the challenging period leading up to the Revolutionary War. It was less than 3 months after the Boston Tea Party when the academy was founded in early 1774, and down through the years the school has shared all the growing pains of our Republic.

As your first building was rising, the Colonies were rapidly being whipped into a fever pitch against the injustices of English rule. The first Continental Congress, meeting in Philadelphia, was taking a bold stand against the Crown in behalf of colonial rights. In every village, citizens were storing arms and forming companies of militia.

In early January 1775, opening ceremonies were held at the academy against a background of insecurity. The whole new world was being drawn closer toward the historic conflict whose first shot was fired at Lexington some 3 months later.

I am quite certain that the founding fathers of this academy, in their formal orations at that first academic ceremony, were able to expound on the difficulties and complexities of the world with greater eloquence than I could summon today, despite the troubled pages of our newspapers. Therefore I find it impossible to rely upon the usual formula for commencement addresses; I will not attempt to convince you that the world you face today is any more difficult than it was for your fathers and forefathers.

I might say parenthetically that, after reading the history of your school, I stand before you uncomfortably aware of the fact that Congress never met its responsibility to recompense the academy for its services during the Revolution.

In 1792, during George Washington's first term in office, the citizens of Newark sent a committee to obtain of Congress an indemnification for the academy in this town, burnt by the British troops, and also to transmit to those gentlemen documents respecting the experiences of said building and its being burnt as aforesaid because it was occupied as a guardhouse by the American troops.

As you know, Congress rejected the academy's claim. I can say nothing to excuse this longstanding injustice, except that it occurred under a previous administration. I can only suggest that perhaps Newark Academy deserves recognition, not only as a pioneer in the field of education, but as one of the earliest proponents of Federal aid for school construction.

I. EDUCATIONAL STANDARDS AND NATIONAL SECURITY

I am sure you all appreciate the educational principles which this academy has stood for

throughout its history. The fact that your parents have made the sacrifice necessary to send you here is sufficient witness to their own belief in the overriding value of a truly sound liberal education which trains the mind and develops the character. I commend their wisdom.

The objectives of the academy were once described by Dr. Farrand as being:

"To develop the whole boy; to teach him to think straight in lessons and in life; to enable him to attain bodily health through physical training; to instill high ideals of character—honesty, thoroughness, industry, independence, courage and fair play."

Dr. Farrand was concerned with educating the whole boy, not with training specialists for any particular field. I am reminded of the views of my own father who was a physician—a general practitioner. He saw real danger in the tendency, even as early as the second decade of this century, toward too exclusive specialization in medicine. He recognized that specialization was necessary due to the rapid development of medical science and the accompanying growth of knowledge about the human body. But he deplored the passing of the general practitioner who studied and knew the whole patient, and was concerned with the health of his outlook on life and his personality as well as the health of his body.

Your great academy has held to the same tradition in the field of education. As one who has been closely associated with the theory and practice of education for many years, both as a college preceptor and administrator and, for the last 14 years, as a member of the Senate Committee on Labor and Public Welfare which deals with education legislation, I firmly believe in the soundness of these objectives.

I have long been convinced that schools such as this, which carry such a heavy responsibility in the training of future leaders, are a vital bulwark of the national security.

Unless we greatly expand the existing opportunities for this kind of education, our country simply will not have enough highly trained highly educated men in future years to meet the demands of our growing economy or maintain the vitality of our democratic processes or uphold our position of leadership in the struggle of the Free World against communism's atheistic totalitarianism.

For these very important reasons, it should be a matter of prime concern to all Americans that a top-quality education is readily available to all who have the capacity for it. Therefor I think it is fitting today to pay tribute to this Academy and the excellence of its standards.

II. THE PRIVILEGE OF A SOUND EDUCATION

I wonder, though, how many of you realize just how privileged and fortunate you are to have such a firm educational foundation?

It occurs to me that, in your accustomed pace of strenuous study, work and play, you may never have stopped to consider that all too few boys your own age in this country have fully shared your experience. Too many of them finish school without having really learned how to apply their minds, without having actually discovered for themselves the excitement and the challenge of intellectual achievement.

These are the most important things you have learned here, where the primary academic function is college preparation.

These are the things which must be learned in order to meet the demanding pace of college life successfully; yet too few are so well equipped as you.

Since the shock caused by Russia's Sputnik I, we in Washington have been endeavoring to explore the weaknesses in our educational system in this country as compared with Russia, and to work out a plan which would provide greater opportunities for boys and girls with outstanding talents. Our hearings have provided impressive and sometimes startling testimony as to the areas which need strengthening in our public schools. Let me cite some of the statistics which were presented in order to point out how you students in this excellent institution have been particularly privileged:

1. I learn from your catalog that all Newark Academy graduates have had at least 2 and generally 3 years of a foreign language. Many of you have had experience with a second language, but less than 15 percent of the students in our public schools take any foreign language at all.

2. You have all taken at least 4 years of mathematics, up through intermediate algebra, and many of you have probably had trigonometry and solid geometry, but 2 out of 3 high-school students never advance far enough in mathematics to take intermediate algebra, and 7 out of 8 never take trigonometry or solid geometry.

3. You have all had 2 years of general science, and you have very likely taken physics and chemistry or biology, but 3 out of 4 high-school students never take physics, and 2 out of 3 never take chemistry.

4. You have also had 5 required years of English, which should have given you a love of literature and equipped you with the tools of self-expression. From all the history you have studied, you have gained a knowledge of the past to help you understand the present. Your elective courses have introduced you to the profound pleasure of music and the arts.

5. In September, every one of you will go on to college to continue your education, but you are all in a decidely privileged minority here, too. Only about a third of the 1,400,000 graduating seniors in the public and private high schools of this country will enter college this fall.

Of those who do not go to college, a shocking number are perfectly able to do college-level work. Each year there are about 200,000 of them—boys and girls in the top 30 percent of their senior class, who will never matriculate at college despite their proven ability.

Yes, you are indeed privileged.

Of course, you may not have had the opportunity to take some of the courses which some of your less academically-privileged friends may have had. The offerings which have been denied you and which are available in other curricula include such intellectually stimulating subjects as co-educational cooking, problems in dating, and personality adjustment.

The fact that such extras have often been allowed to take the place of basic, academic subject matter injects an odd, Alice-in-Wonderland quality into the serious examination of present-day educational problems. Appropriately enough, that remarkable book accurately portrays the same sort of overemphasis on electives taken to the point of absurdity. Here we find the Mock Turtle proudly boasting that he has had "the best of educations":

"I've been to a day-school too," said Alice. "You needn't be so proud as all that."

"With extras?" asked the Mock Turtle, a little anxiously.

"Yes," said Alice: "We learned French and music."

"And washing?" said the Mock Turtle.

"Certainly not," said Alice indignantly.

"Ah, then yours wasn't a really good school," said the Mock Turtle.

Even though you may have been denied a good schooling according to the Mock Turtle's standards, I imagine you have been able to pick up washing and a number of other extras on your own time at home, or during the time allotted for extracurricular activities.

You have worked hard at your studies, both at school and in your own homes: the catalog states that homework assignments average at least 2 hours a day, and many of you probably feel this to be an understatement. Here again, you have not been permitted to fall victim to the all-too-prevalent Alice-in-Wonderland attitude toward school work:

"And how many hours a day did you do lessons?" said Alice.

"Ten hours the first day," said the Mock Turtle: "nine the next, and so on."

"What a curious plan," exclaimed Alice.

"That's the reason they're called lessons," the Gryphon remarked: "because they lessen from day to day."

Please do not mistake my remarks for another one of those overgeneralized and underinformed attacks on American public schools. I make no attempt to belittle the tremendous job the great majority of our schools are doing. I firmly believe in the American public-school system and its great aim of education for all. However, it is clear that the number of students who never go on to college to develop their talents more fully represents a considerable waste of brainpower in our educational system.

III. THE OPPORTUNITIES FOR THE FUTURE

You are unusually fortunate, then, that your parents and teachers have provided you with such a splendid preparation for college. If you do not take full advantage of the opportunity and the challenge which higher education offers, they cannot be blamed. How are you going to use your opportunity, and what are your plans to meet the challenge?

You may have read reports of a tightening job market for college graduates, or heard rumors of an oversupply of men in this or that field. Possibly you think you had better forget about a particular field of study which interests you, and choose courses in one of the more practical departments to prepare yourself for a career which happens to be in current demand.

I must advise you to discard such thoughts. Unless you are already committed to a field which requires rigid academic preparation you can only dilute your education by concentrating on the narrow vocational subjects.

It is true that the job market has some temporary surplus areas. At the same time, we know that the growth of our population and our economy in the years immediately ahead will produce an unprecedented demand for highly trained, highly educated personnel of all kinds—not in just a few categories of specialists like science and engineering, but in teaching, law, medicine, and all areas of knowledge. The shortages which already exist in some of these fields are serious enough to handicap the national security effort.

It is also true that due to the decline of the birth rate during World War II, the total supply of manpower from which the Nation must make up its shortages in the next 1 or 2 decades is smaller, in proportion to the total population, than at any time in recent generations.

The example of your own age group dramatizes this situation in a startling way:

Our 1958 population of 171 million includes about 2,300,000 18-year-olds. Consider that this is 400,000 less than the number of 18-year-olds in the United States in 1940, when the population was only 131 million.

Twenty-two years from now, in 1980, it is estimated that our population will have grown to 250 million. Those 2,300,000 persons who are 18-year-old students today will then be 40—roughly the age at which men are expected to assume positions of leadership.

This means that there will be an almost inconceivable scarcity in the leadership age groups 20 to 25 years from now.

This also means, of course, that you are privileged in another way that I am sure you

never suspected. By the time you reach the age of peak performance in the competition for positions of leadership, the opportunities created by our national growth will be greater than ever before, while the number of top competitors will be considerably smaller than they are today.

Your special privileges of age and education should give you special reason to make the most of your education in college. Expand your knowledge and explore your academic interests as broadly and deeply as you are able. You have served your intellectual apprenticeship and acquired the necessary mental tools; now you must learn to master them and use them to develop your full potentialities.

I believe this is what Thomas Jefferson meant when he declared that all the "higher degrees of genius" should receive a higher education. I am not inferring that you all fall into this category, although it is truly said that there is some genius in all of us. Nevertheless, what he said is appropriate here:

"I do most anxiously wish to see the highest degrees of education given to the higher degrees of genius, and to all degrees of it, so much as may enable them to read and understand what is going on in the world, and to keep their part of it going on right, for nothing can keep it right but their own vigilant and distrustful superintendence."

Jefferson was emphasizing the Nation's need for an informed citizenry, but I am particularly interested here in his phraseology stressing the duty of this citizenry to exert on behalf of their country a "vigilant and distrustful superintendence."

The word "distrustful" is used not in the sense of negative suspicion, but in the positive sense of an inquiring and investigative mind, insistent on forming and expressing its own opinions rather than accepting uncritically the prevalent or official opinion. The point is that Jefferson could only rely upon truly educated men to perform this service.

The investigative mind is, after all, the unique product of a successful education. Education is not a matter of pumping a given quantity of information into a given number of students. It is a matter of developing the investigative mind, the mind which understands that learning does not end in college, but continues throughout life.

The development of the investigative mind is an academic achievement which is independent of the honors lists, and is more important than any extracurricular, athletic or social success you may have at college. It spells the difference between mental stagnation and inspiration.

But let me add one further and more important word. The training of the investigative mind alone, as vitally important as it is, is not the final answer to life's problems. Our forefathers came to this country to find freedom and to govern themselves under the guidance of Almighty God. It was their underlying spiritual faith which spurred them on. It was their faith which gave them the inspiration and the strength to establish this great Nation. Their faith was the foundation of their freedom.

My warm congratulations go out to you privileged young people. Use your privileges to help guide your generation to the basic truths that make man free.

PROGRESS WITH THE SALINE WATER CONVERSION PROGRAM

Mr. CASE of South Dakota. Mr. President, in the New York Times of June 15, 1958, appeared an article entitled, "Gains Made in Desalting of Sea Water," written by Richard Rutter.

The article tells what America is doing to meet its growing water problems. One course of action is to convert sea water into fresh water, and Mr. Rutter points out the progress which has been made in that regard.

The Senate recently passed a joint resolution, cosponsored by the Senator from New Mexico [Mr. ANDERSON] and myself, which would authorize the construction of five desalination plants to process sea and brackish water. Because they recognize the importance of such a program to our future survival, I am sure all Members of Congress will be interested in Mr. Rutter's article. Therefore, I ask unanimous consent that it be printed in the RECORD, following these remarks.

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

[From the New York Times of June 15, 1958]

GAINS MADE IN DESALTING SEA WATER

(By Richard Rutter)

In the future—not so long, as time is measured—Americans will be taking the "water cure" on a mass scale. That does not, however, presage a large drop in the intake of hard liquor.

Rather, it means that many communities, industrial plants and other organizations probably will be using fresh water distilled from the sea. This is already the case in certain areas of the world, notably the water-short Middle East and West Indies. But in this country the process is still largely in the experimental stage.

Such tests are being stepped up—with good reason. The supply of fresh water, like other natural resources, is not limitless. The day must come when other sources must be tapped.

Some telling statistics underscore this. The United States is consuming between 250 billion and 265 billion gallons of water a day. Within 20 years, according to Government estimates, this consumption will have doubled as the economy and the population grow apace. By then, there will be a major decrease in local water reserves, and, in some areas, supplies will have been exhausted.

The solution? Conservation is part of the answer. But all the experts agree that converting sea water into fresh will play an important role, too.

That was why, in 1952, Congress passed the Saline Water Act, which set up the Office of Saline Water in the Department of the Interior. In 1955, the program was extended by amendment and the agency is now in the midst of a 10-year, $110 million research and development program.

BIG PROBLEM IS COST

The big problem is one of cost. The Interior Department's present goal is to bring that for distilled water down to about 60 cents a thousand gallons, compared with the present range of about half that for fresh water.

Progress is being made. Recently, for instance, a huge centrifugal compression still was installed at the International Nickel Co.'s plant in Wrightsville Beach, N. C. Built by the Badger Manufacturing Co., 100-year-old Cambridge, Mass., engineering concern, the installation towers 30 feet and can convert 50,000 to 75,000 gallons of salt water a day into 25,000 gallons of pure distilled water.

The still was conceived in principle by Dr. Kenneth C. D. Hickman, a chemist of Rochester, N. Y. In tests at Cambridge, it produced 1,000 gallons of distilled water an hour from an input of 3,000 gallons of salt water. Robert E. Siegfried, a Badger engineer, reports:

"Ten years ago we were able to desalt 1,000 gallons of ocean water for $5. Today, we can do the job for close to $1.50.

"In the next 10 years, we hope to narrow the cost gap between distilled ocean water and the 33 cents a thousand gallons a suburban Boston family pays for household water, or the 15 to 30 cents a Western farmer pays for irrigation water."

There are at least a dozen known methods of converting salt into fresh water, but all involve energy—usually heat or electric power.

At the North Carolina still, salt water at a temperature of 125° F. is sprayed on the inside of a rotating drum. The drum's centrifugal force spreads the water over the surface as a thin, turbulent film. Some of the water evaporates, while unevaporated brine is drawn off through a scoop. The water vapor leaves the drum by a pipe, where a blower compresses it. It is then circulated to the outside of the drum where it condenses and gives up its heat. The condensed vapor is collected as distilled water.

Research is being conducted on flash evaporators. In this system, water at a given pressure and temperature is released into a chamber of slightly lower pressure, where the liquid flashes into vapor and is then condensed. The Cleaver-Brooks Co., of Milwaukee, and the Griscom-Russell Co., of Massillon, Ohio, among others, are working on flash evaporators.

A New York University scientist, Prof. Maria Telkes, has developed a 10-stage still that operates entirely on solar heat. It is a sandwich-like arrangement of alternate absorbing and condensing layers.

SYSTEM IN BERMUDA

The Maxim Silencer Co. of Hartford, Conn., is a pioneer in high-efficiency evaporating plants. One has been installed in the Castle Harbour Hotel in Bermuda, where it produces fresh water from sea water at a rate of 15,000 gallons a day. An added feature is that the hotel's hot water is heated in the plant.

The Westinghouse Electric Co. has completed what is said to be the world's largest sea-water evaporator plant. It is in the Sheikhdom of Kuwait on the Persian Gulf and produces 2,500,000 gallons a day by the flash-evaporator method. The capacity is expected to be doubled by the end of this year.

Another Cambridge, Mass., concern, Ionics, Inc., removes salt from water by an electrical process. Molecules of salt and minerals are broken into particles or ions and then strained out through plastic membranes.

Other desalting processes involve ultrasonics, osmosis, nuclear fission, and freezing.

Salt-water-conversion units are in use on ships, at Armed Forces bases, in cooling atomic reactors, and in the manufacture of chemicals.

But the great potential—for transforming arid stretches of this country and for solving a coming serious water problem—remains to be realized. Undoubtedly, it will be.

Mr. CASE of South Dakota. Mr. President, under the provisions of the basic Saline Water Conversion Act of 1952—Public Law 448, 82d Congress, second session, as amended—the Department of the Interior was given the responsibility of carrying forward the saline water conversion program. David S. Jenkins, director of the saline water conversion studies, has been in direct charge of the program, under the supervision of Assistant Secretary of the Interior, Fred G. Aandahl.

An article giving the current information on the program to date was prepared

in the Office of the Assistant Secretary, and has just been made available to Reclamation News, the monthly publication of the National Reclamation Association.

I ask unanimous consent that the review of the program be printed in the RECORD, following my remarks.

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

SALINE WATER CONSERVATION PROGRAM SHOWS PROGRESS

The intriguing possibilities of using converted sea water to support life in plants and animals have engaged the interest of men for many years. The first successful use of sea water for drinking water is lost in antiquity, but probably antedates by 200 years or more the Rhyme of the Ancient Mariner:

"Water, water everywhere
Nor any drop to drink."

Evidence of the use of distillation appears as early as 1593, when Sir Richard Hawkins is said to have used a still for fresh water supply while en route to the South Seas. Other references trace the development of the simple still for shipboard use down through the 18th century.

Some 167 years ago, Thomas Jefferson, then Secretary of State, wrote a treatise on the subject of distillation. To determine the merit of the process by experimentation, he asked the help of the American Philosophical Society, the College of Philadelphia, and the University of Pennsylvania. A certain Mr. Isaacks, as the story goes, "fixed the pot, a small caboose, with a tin cap and straight tube of tin passing obliquely through a cask of cold water; he made use of a mixture, the composition of which he did not explain, and from 24 pints of sea water, taken up about 3 miles out of the Capes of Delaware, at floodtide, he distilled 22 pints of fresh water in 4 hours, with 20 pounds of seasoned pine, which was a little wetted by having lain in the rain."

Such scholarly and historical interest in salt water conversion was abruptly put to the test of urgent practicability by the onslaught of World War II. The many cases of persons afloat in small boats brought about by the aircraft and surface-ship casualties resulted in a surge of experimental work in this field. British and American investigations explored a number of possibilities and the Armed Forces adopted the use of cans of fresh water and plastic bags for chemical freshening of sea water.

Meanwhile, the exploitation of mineral deposits in arid areas such as Chile, the concentration of population in semiarid regions such as Palestine and our southern California, and the heavy pollution of our rivers have at various times further stimulated the consideration of demineralizing saline waters.

In 1929, for example, we find mentioned the use of condensate from a coal mine powerplant in Kentucky. This installation is reported to have produced about 40,000 gallons per day of distilled water. A triple-effect plant for Kuwait on the Persian Gulf was fabricated in 1949 with a capacity of about 700,000 gallons per day.

An extended drought in California aggravated the water problem in that semiarid State during the 1930's and 1940's and resulted in the introduction of proposals to the Congress for appropriations of funds to study the various methods of demineralizing sea water.

Thus, we find scattered instances of man's earlier endeavors in this field.

Reflect for a moment on some of the published statistics on our water uses in this modern age. Eighteen thousand gallons of water to make a ton of ingot iron; 65,000 gallons to convert this ton of iron into steel; 7,000 gallons for a barrel of gasoline; 160 gallons for a pound of aluminum or a pound of synthetic rubber; 3,600 gallons for a ton of coke. On the farm, a pound of beef on the hoof has required 3,750 gallons of water for the steer and the grass he eats; and a slice of bread including the growing of the grain has used 37 gallons of water. In our homes and farms and factories, the use of water amounts to 1,500 gallons a day for each man, woman, and child.

By 1975, with a population of 220 million, we may be withdrawing for use as much as 440 billion gallons a day of this precious resource—almost double our present use. The present upper limit of our water supply is the average runoff, nearly 1,200 billion gallons a day.

On the whole, then, the water supply of the country is adequate. But because the supply is variable in time, in place, and in quantity, national and yearly averages do not reveal the cold fact that many localities and regions have serious supply problems. The recent drought in the Southwest made it dramatically clear that water shortages may have a devastating effect upon the people and the economy of a region. The social and economic distress caused by failing public supplies is another painful reminder that our people must maintain an alert interest in their local water supplies, present and future.

The consumption of natural resources has increased out of all proportion to our increase in population. From 1900 to 1950 the population of the United States doubled, but the consumption of power increased 11 times, the production of all minerals increased 8 times, and the consumption of electrical energy about 60 times.

In addition to the growing deficiencies in the quantity of readily available water, the natural salinity of many of our inland streams and underground waters together with the effects of expanded irrigation, industry, and population have created a national problem of water quality. While acute localized shortages had been suffered in certain locations, it was not until the need for improvement of the many brackish inland waters arose in addition to the possibility of converting ocean water that the problem was viewed as a national one.

In 1952, the 82d Congress enacted Public Law 448. This act authorized the Secretary of the Interior to provide for the development of low cost processes for converting saline water to fresh water for agricultural, industrial, municipal, and other uses. This program is under the Office of the Assistant Secretary of the Interior for Water and Power Development and is administered through a small administrative and scientific staff in the Office of Saline Water. The information being presented here is derived from the reports and publications of that office.

The authorized program was designed to encourage private research and development in this general area and to assist such private effort by means of a program of Federally financed research and development contracts where private activity alone did not seem to be making sufficient progress. Public effort both local and Federal was to be coordinated for the purpose of accelerated research and development.

In 1955 by amendments to the 1952 act, the original small program was extended in time to a total of 14 years from the date of the original act and expanded in scope through increasing of the authorization from $2 million to $10 million over that period, 1952–66. So far, $2,850,000 has been appropriated. It is evident that this program, which has cost about one-half million dollars annually for 6 years, cannot be compared with large Federal programs that the Congress has authorized on a basis of urgency. Moreover, the present program is restricted to serving needs within the United States.

With a view of obtaining the greatest practicable participation of private knowledge and skill, an active campaign was developed at the outset of the program to bring together all existing and new ideas on conversion methods for research and development, and to enlist the cooperation of engineers, scientists, and organizations in exploring these ideas and methods. A brochure, Demineralization of Saline Waters, was compiled and distributed, outlining all known phenomea or processes that might be considered for saline water conversion. Interests so developed was further stimulated by publications, addresses and other contacts with scientific groups.

Some results of this stimulation of technical interest became apparent. At the recent International Symposium on Saline Water Conversion, held in Washington in November 1957, more than 300 scientists and engineers, working in this field, from 16 countries in addition to the United States, took part, presenting 39 scientific papers, which brought out a large number of scientific ideas and views.

Experience has shown the need for a proper perspective on the costs of conversion of saline waters. At the outset of our program, we analyzed the cost estimates made by advocates of the various processes. It was found that few of these early estimates, if any, included all actual costs. Further, many such estimates of 5 or 6 years ago represented optimistic extension of laboratory results to future large-scale application. Thus, for example, it was estimated that projected large-size distillation plants utilizing processes then in commercial production could convert sea water to fresh water at a cost of $1.25 to $1.50 per thousand gallons of product. Overlooked by some was the fact that such large-scale operation had not been actually accomplished. The actual cost of large output conversion of sea water today by conventional processes is from $2 to $3 per thousand gallons. Even in recent months, optimistic announcements of conversion costs running as low as 20 cents per thousand gallons have been made, but these also have been carefully investigated by the Department and have been found to represent only a minor portion of the total costs.

The most promising of the conversion methods now under development include several distillation and membrane separation processes, and one form of salt-water separation by freezing. For these, pilot-plant work is needed, and in part is already in progress, to explore their economic feasibility and potential fields of application. Other processes, still in the laboratory, are recognized as justifying further investigation. Still other approaches to conversion have on investigation been found to lack sufficient promise of practical value.

Laboratory and economic study to date has narrowed the field from some 20 phenomena or processes to 5 broad groups: (1) Distillation through artificial heat; (2) solar heat distillation; (3) separation of salt water by membrane processes, of 2 or possibly 3 kinds; (4) freezing; and (5) other chemical or electrical means of separation, including solvent extraction.

It has been ascertained that the various potential processes are suited to different conditions, as they offer partial answers to the complex overall problem of providing fresh water from different saline sources, in different locations, for different uses, and in different quantities. Some processes may be best adapted to supply of an individual farmstead or home, others to furnishing millions of gallons per day to a city or an industry.

As one result of the work under the Saline Water Conversion Act, 3 new or improved

distillation methods are under pilot plant development or ready therefor, and several leading industrial companies are taking part in further development. Electrodialysis using ion-exchange membranes, which 5 years ago was little more than a laboratory phenomenon, is now a commercial reality, and other membrane processes are about to enter the pilot plant phase. The possibilities of separation by freezing had received some attention at the beginning of the program, but entrapment of brine in the ice crystals was an unsolved difficulty; since then, research had developed a successful ice-washing process, and a composite freeze-evaporation cycle has been sufficiently tested for pilot plant design. One of the attractive features of this process is the smaller quantity of energy required for freezing as compared to that for evaporation.

Two modified distillation processes, one based on vapor-compression, the other on multiple-effect evaporation, progressed to initial field testing in December 1957. The former is represented by the Hickman rotary still as designed to produce 25,000 gallons of distilled water per day. The other test is directed toward scale prevention, for application to a distillation cycle proposed by W. L. Badger utilizing long tube vertical evaporators. Test units have been installed at a seashore location at the test station of the International Nickel Co., Harbor Island, N. C. There is strong indication that the conversion cost will be less that $1 per thousand gallons.

Membrane processes became increasingly important, particularly for conversion of brackish waters, with the availability of improved membranes at lower cost for electrodialysis. Field tests in Arizona and South Dakota had shown a year ago that electrodialysis equipment can be operated satisfactorily on several types of brackish water, but it is now clear that it will be necessary to develop lower cost equipment. Work to this end is being undertaken at the Bureau of Reclamation laboratories in Denver, where evaluation tests of membranes are also under way.

Solar-heat distillation, which has demonstrated its feasibility and its usefulness as a conversion process under appropriate conditions, is also circumscribed by high costs of installation and maintenance, and will depend for extension of use on reduction of these costs.

Separation of salt water by freezing has been found most promising when embodied in a conversion process which uses vacuum evaporation in combination with ice formation. Results so far obtained are sufficiently promising to warrant pilot-plant development. Several other potential conversion processes are still in the laboratory state.

Private industrial firms have been developing and improving distillation equipment for a considerable period without Government assistance. Many such conversion units are in use on shipboard and several much larger land-based installations are supplying potable water to industry and populations in over a dozen locations throughout the world.

Private industry has furthered the conversion of saline water more recently by improving distillation processes, developing electrodialysis equipment, and in producing greatly improved ion-selective membranes. Many firms have also contributed advice, cost information, new ideas, data on fabrication costs, and similar aid to the Department in its evaluation of equipment and practical application of new processes and devices.

A number of manufacturers have announced their intention of developing processes in the future that might produce potable water for about $1 to $1.50 per thousand gallons, although present costs of the most recent commercial conversion plants using sea water range from about $2 to $3 per thousand gallons.

As we view the broad field of salt-water conversion, we question whether any radical or sudden advances in technology can be expected that would bring about a drastic reduction in the cost of conversion. We look instead for a gradual reduction in costs—through the development of new or improved processes by way of the pilot-plant stage, and through much more basic and exploratory research.

Progress so far has been most encouraging. The next step in our work, in addition to the continuation of basic research and small pilot-plant experimentation, is the construction of large pilot plants for the more promising processes. We are confident that with the continuing support of the saline-water conversion program by the Congress and the continuing activity of the numerous non-Federal interests in this field, the age-old objective of obtaining fresh water from salt water will surely be attained.

DECORATION OF LT. COL. JESS A. VILLAMOR, UNITED STATES AIR FORCE, BY PRESIDENT GARCIA, OF THE PHILIPPINES

Mr. GREEN. Mr. President, the visit of President Garcia, of the Philippines, to Washington has done a great deal to further the common interest between our country and this important young Republic. A particular event which occurred on June 19, last, at the Pan American Union during the course of a reception for President Garcia highlights the unity of history and friendship which bind us in a close relationship, one with the other. On that evening President Garcia conferred upon Lt. Col. Jess A. Villamor, United States Air Force, an American citizen and local resident, the Philippine Medal for Valor and the Distinguished Conduct Star for heroic services rendered during the course of our mutual war against tyranny and aggression in the Pacific in 1941 and thereafter.

The war exploits of Colonel Villamor are well known in the Philippines and twice earned for him the award of the Distinguished Service Cross from the United States. That the Government of the Philippines chose to award this high honor, comparable to our Congressional Medal of Honor, to him here in Washington through the agency of its President is a symbol of the good will which marks our relationship with one another.

I congratulate Colonel Villamor and his family. I offer for inclusion in the RECORD the official citation for these awards which appropriately recites the achievements of this truly great Philippine and American soldier.

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

AWARD OF THE MEDAL FOR VALOR

By direction of the President, pursuant to paragraph 2 a, section I, AFPR G–131051, this headquarters, dated January 21, 1954, the Medal for Valor is hereby awarded to: Lt. Col. Jesus Antonio Villamor, O888172, United States Air Force, for conspicuous courage and extraordinary heroism above and beyond the call of duty during the period from December 27, 1942, to November 1943. With the fall of Bataan and Corregidor to the Japanese Imperial Army Forces early in the summer of 1942, radio communication with other parts of the Philippines by General MacArthur's Headquarters in Australia was rendered impossible. But the few men who escaped from the Philippines and were able to reach Australia brought the welcome news that the guerrillas were operating against the Japanese all over the Philippines. Although in the summer of 1942 General Headquarters Southwest Pacific, began to receive messages from guerrillas in the Philippines, General MacArthur was not sure that the messages actually came from the guerrillas. To clear all doubts, General MacArthur decided to get in touch with members of the resistance movement in the Philippines, and for this purpose he enlisted the services of Lt. Col. Jesus Antonio Villamor to return to the islands. Notwithstanding the knowledge that such a mission was fraught with hardships, difficulties, and risks to his own life, Lieutenant Colonel Villamor nevertheless volunteered to lead the first Allied Intelligence Bureau mission to the Philippines on December 27, 1942, aboard the United States submarine *Gudgeon*. Despite the heavy hand of the Japanese all over the Philippines at the time, Lieutenant Colonel Villamor had successfully established an intelligence and secret service net throughout the islands; established a chain of communications, both local and to Australia, many of whom were still in direct contact with General MacArthur's Headquarters during the Philippine landings in 1944; coordinated with guerrilla leaders, and as a result an eventual escape route to Australia to accommodate evacuation of selected individuals in the interest of future planning was arranged, while petty differences among guerrilla leaders were settled amicably; was able to develop and train a potent organization for subversive activities, propaganda, limited resistance and sabotage against the Japanese; established the rudiments of the intelligence and secret service set up the cell system for mutual protection; and successfully made an intelligence survey throughout Luzon, Visayas, and Mindanao to obtain information about Japanese political, military, and civil intentions, strength and dispositions. Altogether, these accomplishments of Lieutenant Colonel Villamor had enabled General MacArthur's Headquarters to map out the strategy that was to be employed later in the liberation of the Philippines from the enemy. In accomplishing these tasks of incaluable strategic importance, Lieutenant Colonel Villamor had once again manifested daring resourcefulness and long-sustained courage in the face of tremendous odds that had characterized his exploits in Philippine skies during the early phase of the war. By these achievements, Lieutenant Colonel Villamor had earned for himself the enduring love and respect of his countrymen and had rendered service of inestimable value to the allied cause.

By order of the Secretary of National Defense:

ALFONSO ARELLANO,
Lieutenant General, Armed Forces of the Philippines, Chief of Staff.

AWARD OF THE DISTINGUISHED CONDUCT STAR (WITH BRONZE ANAHAW LEAF EQUIVALENT)

By direction of the President, pursuant to paragraphs 9 and 10, section I, AFPR G–131051, this headquarters, dated January 21, 1954, the Distinguished Conduct Star with Bronze Anahaw Leaf is hereby awarded to Lt. Col. Jesus Antonio Villamor, O888172, United States Air Force, for acts of conspicuous courage and extraordinary heroism in action in the face of a numerically superior enemy. This officer, then captain in the Philippine Army Air Corps, led a flight of three pursuit planes to engage in aerial combat a strong Japanese Air Force over the former Zablan Field, Quezon City, on December 10, 1941. By his conspicuous example of courage and leadership, and at great personal hazard beyond the call of duty, his

flight was able to rout the attacking planes, thereby preventing appreciable damage to materiel in Zablan Field.

Lieutenant Colonel Villamor is also awarded the First Bronze Anahaw Leaf to the Distinguished Conduct Star for extraordinary heroism in action against a numerically superior enemy air force over Batangas Province on December 12, 1941. During the attack by some 54 Japanese bombers on the airdrome at Batangas, on that day, Lieutenant Colonel Villamor (then a captain) took off from that field leading a flight of six pursuit planes and engaged the enemy. By this heroic action against enormous odds part of the attacking planes were driven off, one enemy plane was destroyed by fire from Lieutenant Colonel Villamor's plane.

For these daring achievements, Lt. Col. Jesus Antonio Villamor was conferred the Distinguished Service Cross with an Oak Leaf Cluster by the United States Government.

By order of the Secretary of National Defense:

ALFONSO ARELLANO,
Lieutenant General, Armed Forces of the Philippines, Chief of Staff.

BINATIONAL CULTURAL CENTERS IN LATIN AMERICA

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a letter sent to me on May 17, 1958, by Clifford Neal Smith, an American citizen who resides in Caracas, Venezuela. I also ask unanimous consent to have printed a letter sent to me by the Honorable George V. Allen, Director, United States Information Agency, commenting on Mr. Smith's letter to me. Both of these letters will, I know, be of interest to my Senate colleagues.

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

UNITED STATES INFORMATION AGENCY,
Washington, June 16, 1958.

The Honorable THEODORE FRANCIS GREEN,
United States Senate.

DEAR SENATOR GREEN: Because I consider the binational cultural center activity such an important and effective part of our program in Latin America, I have read with special interest the letter from Mr. Clifford Neal Smith which you forwarded to me for comment.

Early last month during a short visit to Caracas a member of the USIA/Washington Latin American division met with Mr. Smith, who is the locally hired American director of the branch center in question. At that time Mr. Smith reiterated his belief that the new branch should reach more people in the Catia section of Caracas by offering elementary Spanish and some social work. Before commenting directly on this proposal, I would like to say a few words about the Caracas center and the way we work with these binational cultural organizations throughout Latin America.

Over many years the Centro Venezolano-Americano has developed an outstanding reputation for effective cultural contribution. This is a private organization, and we are proud to be associated with it in stimulating closer ties between the two countries. After successful operation in its downtown headquarters, the Centro established a branch in the eastern part of the city and later a second branch in Catia for the specific purpose of reaching the less-privileged population of that area. The Centro has now agreed in principle to establish a third branch, this one to be located near the Central University to facilitate the participation of university students in English language courses and a varied cultural program.

In each of these major efforts we have worked closely with the Centro, providing advice, materials, and two professional American teacher-administrators to help the board of directors in running the centers. In this connection, you will be interested to know that our USIS staff in Caracas is now negotiating with a group of people in Maracaibo for the establishment of a new binational cultural center in this second-ranking city of Venezuela. The latest statistics we have here show nearly 3,700 students enrolled in the existing three centers in Caracas. This figure should increase sharply with new centers at the university and in Maracaibo.

Our long-range purpose in assisting binational centers is simply this: by working together with like-minded local citizens and resident Americans we help create and maintain an essentially cultural organization, private in character and nonprofit, which over the years can grow into a respected institution of influence serving the community in ways which enhance good relations between its own country and the United States. We are now cooperating with 72 such centers in as many different cities throughout Latin America. Approximately 125,000 people are now studying at these centers. There are between 30 and 40 new centers being developed.

English teaching is a prime activity not only because of the great demand for such instruction but also because modest student fees accumulate into substantial income, eventually enough to make the organization self-supporting in local expenses. Over many years of experience we have found that this is essential to the further sound growth of a binational center. The income of these 72 centers in local currency is the equivalent of about $2 million a year.

Class instruction and participation in many cultural activities, including use of the library of American books in the center, are not limited to any particular class of people. We do not seek out the country-club set or comfortable white-collar workers. A professor of economics recently on tour through a number of Latin American countries was tremendously impressed with binational centers, especially by the effective manner in which they reach the emerging middle class, which is the political force of the future.

Location, of course, has much to do with the type of person who participates in a center. For this reason many centers are purposely located in midtown to be as accessible as possible to a wide range of people. In a typical classroom or lecture group one finds the daughter of a well-to-do family seated beside a young store clerk who is studying English in order to get a better job. However, the decision to establish a branch in the poorer section of Catia, away from the downtown area, was made deliberately in order to facilitate reaching in Caracas the group described by Mr. Smith as the critical masses of poor Venezuelans.

I am sure that Mr. Smith is correct about the need in Catia for teaching the ABC's in Spanish and providing some social work. The question is whether the binational center is the best device for this purpose. In spite of the poverty and illiteracy of the area, we estimate that there is in Catia more demand for English instruction, cultural pursuits, and information about the United States than the branch center can handle. We believe it wiser to concentrate a tested device on this segment of the Catia population, which is past the ABC stage and above the need for basic social work, rather than to divert the center into different pursuits for which it was not designed.

The present deep resentments in Venezuela are due in part to the plain fact that in a country of great wealth the average Venezuelan has not had a fair shake. First and foremost, however, this is a problem for Venezuelans and the Venezuelan Government. We in USIA and other agencies of this Government can help and stimulate, but to little avail unless leaders in public life and in business recognize their own responsibilities.

I do feel strongly, however, that the United States in its foreign relations can and should do more to identify itself with the aspirations and constructive efforts of peoples abroad who are moving into positions of influence. As I am sure you agree, this is a very long-range task requiring steady persistent work.

Sincerely,

GEORGE V. ALLEN, *Director.*

CARACAS, VENEZUELA,
May 17, 1958.

The Honorable THEODORE F. GREEN,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: I write to you as a longtime American resident of Venezula and one who has been active in the furtherance of friendly relations between the United States and Venezuela through teaching and television. I have been deeply shocked by Mr. NIXON'S reception in this country.

Perhaps as disturbing as this evidence of unfriendliness toward the United States has been the protestation on the part of responsible Venezuelans that only a small sector of the population was involved. My own observation is, rather, that this sector was passively supported by a very large segment of Venezuelans.

What has actually gone wrong between our two countries? Have the recent import restrictions on Venezuelan oil caused such resentment to the people of this country? Have the activities of the American companies been so contrary to the interest of the country? Or have the individual relationships of their American employees with Venezuelans been so arrogant and unfriendly? In all cases, and after an examination of my conscience, I can truthfully say no in each case.

Nonetheless, I do feel that the official organs of cultural relations between our two countries have failed—and failed in a way which is typically American. We, as Americans, make our appeals and gestures of friendship not to the critical masses of poor Venezuelans but to the thin upper crust of Venezuelans who, at any rate, are already committed to us for their own economic reasons.

The Centro Venezolano-Americano, the United States Information Agency's binational center in Caracas, after 17 years of service to the country-club set and the comfortable white-collar workers of Caracas, only recently set up a branch in one of the poor sections of the city. When it was suggested that this branch could reach more people not by our traditional teaching of English but by the teaching of the ABC's in Spanish accompanied by some social work, the idea was indignantly turned down by local United States Information Agency officials as not meeting the program objectives of the Centro. It might be added that these officials remained adamant even though the suggestion was approved by the Cenatro's board of directors, which includes some of the most distiguished Venezuelan citizens and resident Americans.

Nor can the North American Association or the American Chamber of Commerce show a better record. The American Church (interdenominational), although a powerful moral force in the English-speaking colony and a somewhat desultory purveyor of old clothing to needy immigrants, cannot honestly say that it made a concerted effort to help even the poor in the creek bottom immediately behind the church.

And so it is that the very sincere American effort to make friends abroad ends only in something akin to incest—in an appeal not to the poor and untouched but to the rich who are already related to us by family ties of wealth and intellect.

Is this not the secret to our failure abroad and to the success of the Communists?

Very truly yours,

C. N. SMITH.

PROHIBITION OF REMOVAL TO DISTRICT COURTS OF ACTIONS COMMENCED IN STATE COURTS

Mr. JOHNSON of Texas. Mr. President, if there are no Senators who desire to address the Senate——

Mr. CASE of South Dakota. Mr. President, has morning business been concluded? I desire to make a statement about an amendment to the housing bill, but it will take more than 3 minutes.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Morning business has not been closed.

Mr. JOHNSON of Texas. Mr. President, if there is no further morning business, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, morning business is closed, and the Chair lays before the Senate the unfinished business, Senate bill 1615.

The Senate resumed the consideration of the bill (S. 1615) to prohibit the removal to district courts of the United States of actions commenced in State courts under State workmen's compensation laws.

HOUSING AMENDMENTS

Mr. CASE of South Dakota. Mr. President, the subject of military housing is one which comes under the purview of two different committees. The Committee on Banking and Currency has been interested in the subject of military housing as a part of a national-housing program. There have been two different programs instituted. One was called the Wherry housing program, which has been succeeded by the so-called Capehart housing program.

The same matter necessarily has been one of concern to the Committee on Armed Services, because the committee has the responsibility of dealing with military housing and any program which provides housing that takes the place of military housing.

I understand in section 704 of a bill which has been considered and reported by the Committee on Banking and Currency it is proposed to amend section 404 (c) of the housing amendments of 1955, Public Law 1020, 84th Congress. If my understanding of the proposed amendments is correct, they would impose a very serious change in the procedure of the United States district courts in dealing with the acquisition of so-called Wherry housing.

Under the amendments previously made to the housing law, and particularly under the housing amendments of 1955, the law requires that before a Capehart housing project can be approved or authorized, existing Wherry housing still owned by private corporations must be acquired.

In 1955 and subsequently the Congress established a formula for the acquisition of such housing. First of all, it was expected there would be an attempt to negotiate with the owners of Wherry housing, and that a price might be agreed upon which would be satisfactory to both the owners and the Government. Then we provided an alternative, whereby if a satisfactory price were not agreed upon, the taking of the housing would come to pass and the fixing of the compensation would be made by the Federal court, the same as is done in an ordinary condemnation proceeding.

Now, however, stated simply, the amendment proposed to the bill, to which I have made reference, would, as I understand, require the District Court, instead of considering the matter directly, to name a commission of 3 members, 1 of whom would be selected from a panel to be submitted by the owners of the Wherry project.

That, Mr. President, would institute a drastic change, not merely in the acquisition of Wherry projects, but a drastic change in the operations of the United States District Courts.

I have had prepared a memorandum relative to this amendment by the Department of Justice, which is greatly concerned by these proposals because of what it would do to the practice of the United States District Courts. I must say my initial concern grew out of what it would do in the matter of acquiring Wherry projects on a basis which would adequately protect the interest of the Government.

The changes the amendment proposes are three: First, when the Department of Defense has exhausted its efforts to acquire a Wherry project by negotiation and institutes condemnation proceedings, the court will appoint a commission to determine just compensation. Second, the commission would have to include 1 person from a panel submitted by the Secretary of Defense, and 1 member from a panel submitted by the owner of the property. Third, the commission would be directed and required to give full consideration to replacement costs and fair depreciation. Apart from these provisions, the commission would be governed by the Federal Rules of Civil Procedure.

I am told this amendment was adopted by a subcommittee of the Committee on Banking and Currency during an executive session, and that there have been no hearings on it, although there have been written comments by the Department of Justice and the Department of Defense.

The Department of Justice, in its comments, points out that under the rule-making statute of 1934, title 28 United States Code Annotated section 2072, the Supreme Court has the power to prescribe the practice and procedure of the district courts of the United States, subject to the approval of Congress, and that this proposed amendment has not been considered by the court or any of its advisory committees. Thus, a Congressional policy which has been followed for more than two decades would be abandoned in this one type of case. I believe that this complete disregard of an established and workable procedure should be undertaken only after the most careful consideration.

In my own State of South Dakota we have a number of land-taking cases growing out of the land required for construction of several large dams on the Missouri River. The cases have presented such a load to the court that it, on its own motion, in some instances has designated a commission to operate under the direction of the court for evaluating the land to be taken; but in each instance the commissioners are named by the court as the agents of the court and are not named as the representatives of any of the parties to the taking.

The objectivity of that Commission is maintained in strict accord with the principle of objectivity which is presumed to exist in the case of an action by the district court itself. Further than that, the findings of the Commission are subject to review by the Federal judge of the district court.

In this housing matter, however, if I correctly understand the purport of the proposed amendment, the three commissioners would make a final determination under the direction of the amendment, although two of the commissioners would be representatives of the parties in interest rather than being objective commissioners selected for their objectivity and ability to decide impartially.

In its comment upon the amendment, the Department of Justice further indicates that the proposed amendment would completely eliminate the right to a trial by jury. While it has been the practice in some cases for the determination of just compensation to be left to a commission, as I have indicated, a jury trial is so widely accepted as the best method of determining this issue that it should not be abandoned casually. Indeed, apart from the fact that the exclusive use of a commission in these cases would constitute a drastic innovation, it would not, in the view of the Department of Justice and a number of courts, including the Supreme Court of the United States, reduce delay and expense, but on the contrary would substantially increase them.

I might say in this connection, Mr. President, that I asked the Corps of Engineers a year or so ago to give me a comparative study showing the relative differences between the appraisals of the Corps of Engineers or their agents and the findings of the Commission, as contrasted with the findings of the court itself, where takings took place in the Missouri River cases. Almost without exception the findings of the Commission resulted in giving a higher award than was given by the court. Since that has been the actual practice as a result of using a commission which was objective, I have grave fear that if there is used a commission which is representative of the parties the cost to the Government may be even greater.

The increased cost to the Government as a result of using a Commission was one of the factors I cited when the Sen-

ate had before it for consideration the bill to provide for a second Federal judge in South Dakota. It was my belief at the time that the creation of authority for a second judge would eliminate the necessity for using a Commission in many instances, and consequently would save money for the Government.

The Department of Justice in its memorandum states that the transcripts of Commission hearings contain much improper evidence a court would not have received, that the reports frequently could be expected to base awards on improper findings of fact, and the proceedings would be exceedingly long and costly.

The Department of Justice also objects to the manner of selecting the commissioners; and a procedure under which parties to a lawsuit can determine who shall hear the case is certainly a novel one. However, the most important objection to the proposal lies in the fact that the Commission is directed to give full consideration to replacement costs and fair depreciation.

Mr. President, the Wherry housing projects for the most part were built a number of years ago. To require now that a special commission shall give full consideration to replacement costs would provide for a built-in escalator clause for the cost to the Government. It would be a built-in direction, despite the fact that in the first instance the Wherry housing sponsors had the benefit of an insured or guaranteed loan by the Federal Government, with practically a built-in guaranty of profit. It would now provide a guaranty that the sponsors of the original Wherry housing projects should get a benefit, by selling the projects for more than the cost to them of construction of the project at the time it was built plus a fair consideration for any cost of maintenance less depreciation. The sponsors of the Wherry housing project would receive a directed benefit from any inflation which may have occurred in building costs since the project was built. It could become windfall by legislative direction.

That is the provision which particularly alarmed me. It ignores the question of what is a proper measure of compensation in a given case under the rules ordinarily obtaining in a Federal Court, and utterly disregards the principle that the determination of just compensation is a judicial rather than a legislative question.

In this instance, Mr. President, the provision would take the determination of just compensation from the court and make it a legislative matter, by a directive to the Commission which is to be created by parties in interest.

The Supreme Court of the United States has repeatedly and consistently held, as in the case of the *United States* against *New River Collieries* (292 U. S. 341, in 1923), that—

> The ascertainment of compensation is a judicial function, and no power exists in any other department of the Government to declare what the compensation shall be or to prescribe any binding rule in that regard.

The amendment in the housing bill would provide for upsetting what has been regarded as a proper judicial function, and would seek to legislate a rule with regard to just compensation. Accordingly, I cannot acquiesce in the adoption of a proposal such as this, and I hope that the section will be deleted by the Committee on Banking and Currency from the bill, either when the bill is called up for consideration or before it is called up for the consideration of the Senate.

Furthermore, with respect to the merits of the whole matter, Mr. President, I invite attention to the fact that when the Committee on Armed Services arrived at the original formula and inserted it in the law, the committee provided that either party could take the matter to court under a condemnation procedure. This allowed the courts to decide the fair market value in the event of an argument, which procedure was consistent with the time-honored method of Government acquisition of property under eminent domain in accordance with the principles of the fifth amendment to the Constitution.

At the time this matter was considered, or at the time the military construction bill was reported to the Senate a year ago, I invited attention to the fact that we had observed some windfall profits and something of a scandal in connection with some of the Wherry housing construction. I expressed the hope that we would have no more occasion for public concern on that point. I myself was not enthusiastic about providing that the cases might go to court. I thought if the Wherry projects were to be sold to the Government the formula provided for their acquisition was fair, and that if the sponsors did not want to sell the projects they could retain them and get the profit which would accrue from their administration.

However, when the formula was proposed it seemed to me that perhaps the court would provide what might be considered an equitable alternative, so I did not object, knowing that at least the courts would proceed to consider the matter objectively.

I have this memorandum which was prepared by the Department of Justice, which challenges the new proposal on different points. First, it is stated that the proposal is outside the framework of the rulemaking statute of 1934.

Second, the mandatory requirement for the appointment of a Commission ignores the right of the parties to the proceeding to obtain a trial by jury.

Third, the delay and expense which the Department has encountered in the trial of condemnation cases before commissions makes it doubtful that the mandatory references would be in the interest of expedited action.

Fourth, there is a directive that the commission "shall give full consideration to replacement costs and fair depreciation."

In concluding its observations the Department of Justice had this to say:

> Since replacement costs or reproduction costs less, depreciation may be proper subjects for consideration in a Wherry condemnation, but cannot under the fifth amendment be made the sole test of just compensation, such language would not serve any useful purpose in an acquisition statute. The use of such standards is a matter to be determined by the courts in each case on its facts. Furthermore, if such provision were considered to be the sole measure of compensation, it might result in a commission ignoring other proper measures of value, such as comparable sales of similar property, capitalization of income, etc.

I ask unanimous consent that the memorandum prepared by the Department of Justice be printed in the RECORD at this point as a part of my remarks. I earnestly commend the memorandum to the consideration of members of the Banking and Currency Committee, as well as Members of the Senate as a whole.

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

MEMORANDUM RELATIVE TO A PROPOSED AMENDMENT TO SECTION 404 (c) OF THE HOUSING AMENDMENTS OF 1955 RELATING TO CONDEMNATION OF WHERRY ACT HOUSING PROJECTS

There is now pending before the Senate Committee on Banking and Currency a proposal which has been adopted by the committee's Subcommittee on Housing which would amend section 404 (c) of the housing amendments of 1955, Public Law No. 1020, 84th Congress, 70 Stat. 1091, which authorizes the acquisition of Wherry projects by the Secretary of Defense, or his designee. The drastic changes which this amendment would make in the rule 71A (h) of the Federal Rules of Civil Procedure are of such nature that its enactment should be strongly opposed.

The proposed amendment would be accomplished by the insertion of additional language between the second and third sentences of section 404 (c) without changing any other provisions of the section. It reads as follows:

"In any such condemnation proceedings, and in the interest of expedition, the issue of just compensation shall be determined by a commission of three persons to be appointed by the court. One of the persons to be appointed shall be selected from a panel of qualified, disinterested persons submitted by the Secretary of Defense, or his designee, and one of the persons so appointed shall be selected from a panel of qualified, disinterested persons submitted by the owner of the property with respect to which the proceedings are instituted. Any commission appointed hereunder shall give full consideration to replacement costs and fair depreciation."

This amendment would be applicable to any proceeding in which a final adjudication had not been made on the date of the enactment of the proposed amendment.

There are several serious objections to the instant proposal. First, the proposal is outside the framework of the rule-making statute of 1934, act of June 19, 1934, as amended (28 U. S. C. A. sec. 2072), which provides that the Supreme Court shall have power to prescribe the practice and procedure of the district courts of the United States, subject to the approval of Congress. The instant proposal has not been considered by the Court or any of its advisory committees. Thus, Congressional policy which has been followed for more than two decades would be changed by the enactment of the proposed amendment to rule 71A (h).

Second, the mandatory requirement for the appointment of a commission ignores the

right of the parties to the proceeding to obtain a trial by jury. Since the adoption of rule 71A (h) the courts have recognized that litigants in a condemnation proceeding have the right of trial by jury of the issue of just compensation except only in extraordinary and exceptional cases. (*United States* v. *Cunningham* (246 F. 2d 330, 332 (C. A. 4, 1957)); *United States* v. *Bobinski* (244 F. 2d 299 (C. A. 2, 1957); *United States v. Chamberlain Wholesale Grocery Co.* (226 F. 2d 492 (C. A. 8, 1955), cert. den. 350 U. S. 989 (1956)).) Prior to the adoption of rule 71A (h) and pursuant to the Conformity Act and the Condemnation Act of 1888, jury trials were the rule in the district courts sitting in approximately 41 States either in the first instance or on appeal from the award of commissioners. In four other States and in many instances in others, the judge either would impanel a jury or would hear the case himself. Since the determination of just compensation by a jury is so widely accepted as the best method of determining just compensation, the rights of the litigants who would be affected by the instant proposal should be preserved. Certainly the discretion which is now vested in the courts to refer a case to a commission where there are strong reasons for such a reference should be maintained. Only a judge with knowledge of the facts and circumstances of a particular case can decide if the circumstances are so unusual that a litigant should be denied his right to a trial by jury.

Third, the delay and expense which the Department has encountered in the trial of condemnation cases before commissions make it highly doubtful that the mandatory references to a commission will be, as stated in the proposed amendment, in the interest of expedition. As stated by Chief Judge Clark, a member of the committee which drafted rule 71A, concerning references to commissioners which were made in *United States* v. *Bobinski* (244 F. 2d 299, 301 (C. A. 2, 1957)):

"Unwarranted use of commissioners, like similar use of masters, is an effective way of putting a case to sleep for an indefinite period. *La Buy* v. *Howes Leather Co.* (352 U. S. 249, 253, note 5), quoting Chief Justice Vanderbilt. Certainly the misadventures of this case and of *United States* v. *44.00 Acres of Land* (2 Cir., 234 F. 2d 410), certiorari denied, *Odenbach* v. *United States* (352 U. S. 916), do not speak well for a course substantially repudiated in the State as well as Federal procedure."

The "putting to sleep" and the "misadventures" characterization is well supported by the lengthy records and delay in the *Bobinski* and *44.00 Acres of Land* cases. These two cases have their counterparts in *United States* v. *Cunningham, supra,* and *United States* v. *Buhler* (decided April 29, 1958, C. A. 5). In the two latter cases commissioners were appointed in 1955, and are still in litigation with no prospect for an early conclusion. All of these cases and several others which have been tried to a commission indicate that it is very difficult to obtain a judicial determination as required by rule 71A by such a body. The transcripts of commission hearings are invariably encumbered by much cumulative and otherwise improper evidence which never would have been received over appropriate objections if offered in the presence of the court, and too frequently the reports which are made do not contain proper findings as to basic facts and principles of law which were applied in arriving at the award. Also, there is a tendency on the part of commissions to adjourn their sessions to attend to their private affairs. Such a procedure invites long protracted hearings which result in excessive costs for commissioners and increased costs to the Government on deficiency judgments.

The fourth objection is to the provision which states that any commission appointed "shall give full consideration to replacement costs and fair depreciation." This is a mandatory provision. It is open to the interpretation that it is to be applied as a measure of compensation in every case. This ignores whether or not such measure is a proper legal standard in a given case, and the principle that compensation for the taking is a judicial question. The courts have held the necessity for the taking a legislative question, the use being public, but that the compensation for the taking is a judicial question. In *Monongahela Navigation Co.* v. *United States* (148 U. S. 312, 327 (1893)), the Supreme Court said, with reference to the measure of compensation (p. 327):

"But this is a judicial and not a legislative question. The legislature may determine what private property is needed for public purposes—that is a question of a political and legislative character; but when the taking has been ordered, then the question of compensation is judicial. It does not rest with the public, taking the property, through Congress or the legislature, its representative, to say what compensation shall be paid, or even what shall be the rule of compensation. The Constitution has declared that just compensation shall be paid, and the ascertainment of that is a judicial inquiry."

And in *United States* v. *New River Collieries* (292 U. S. 341 (1923)), the Supreme Court said (pp. 343–344):

"The ascertainment of compensation is a judicial function, and no power exists in any other department of the Government to declare what the compensation shall be or to prescribe any binding rule in that regard."

Since replacement costs or reproduction costs less depreciation may be proper subjects for consideration in a "Wherry" condemnation, but cannot under the fifth amendment be made the sole test of just compensation, such language would not serve any useful purpose in an acquisition statute. The use of such standards is a matter to be determined by the courts in each case on its facts. Furthermore, if such provision were considered to be the sole measure of compensation, it might result in a commission ignoring other proper measures of value, such as comparable sales of similar property, capitalization of income, etc.

A fifth objection to the instant proposal is the novel panel method of selecting two of the members of the commission. The very nature of such a procedure which enables each party to the proceeding to place a person of its own selection on the commission invites difficulties. A commissioner selected by such a method would naturally feel an obligation to the party which named him, and this might lead such a member to be partisan not only in his judgment, but in the conduct of the proceeding. Such a procedure is not calculated to lead to the judicial determination of just compensation as presently required under the law.

Sixth, the proposed amendment is clearly special legislation for one class of property owners and, in view of its far-reaching effect upon existing law and procedure for the determination of just compensation, constitutes a bad precedent.

GEORGE JUDSON KING

Mr. MURRAY. Mr. President, late last Friday afternoon, George Judson King, a close personal friend of many Members of the Senate through the years, and a friend of people everywhere, passed away.

Judson King was the director of the National Popular Government League, established in 1913 after a national conference on popular government, by George Norris, Gifford Pinchot, and a Committee of Fifty who stood on the so-called liberal side of issues.

As director of the league, Judson was best known as the careful researcher and lucid writer who "passed the ammunition" in the fight for public power, for TVA and REA. His work and his services were far broader than that, as is pointed out in a splendid biographical article which appeared in the Nashville Tennessean on July 15, 1951. The article, By Bill Woolsey, showed that Judson King covered the fields of government, economics, literature, and philosophy, as well as the electric power field, in which he accomplished so much for the people of this land.

George Judson King was born in Waterford, Pa., on April 19, 1872. Left an orphan at 6 years of age, he was placed on a farm, leaving at age 17 to seek an education. He went first to a sectarian school in Pennsylvania and then to the University of Michigan. He founded the Denison, (Tex.) Morning Sun in 1902. Three years later he went back to Toledo, Ohio, to work with mayor "Golden Rule" Jones. When Jones died in 1905, King became an associate and advisor of Brand Whitlock, the lawyer- novelist-reformer who succeeded him.

King's interest in government reform and improvement led to several trips abroad, and ultimately to his work as director of the National Popular Government League, which continued for 35 years from 1913 until his death.

Judson King's home at Takoma Park, Md., has long been a most important information center for persons interested in the power issue. Judson and his wife, Bertha Hale King, his longtime partner in the league's work, collected a library of materials on the electric power industry, probably unrivaled anywhere. Out of it, Judson drew facts and supplied the ammunition for the fight to save Muscle Shoals, for TVA, for REA, and later against the liquidation schemes of the Hoover Commission, Adolph Wenzell, and the Eisenhower administration.

Judson was a tireless worker. He carefully documented his works and arrayed facts with such effectiveness that his bulletins were for years front-page news in the press of the Nation, effectively advancing the causes for which he worked. His research reports, given to many who served in the Congress, were, without exception, thorough, accurate, and effective.

Public power policy, especially as formulated during the administration of Franklin D. Roosevelt, reflected the work, thought, and guidance of Judson King.

Judson King's passing is a great loss; a loss to the people of the Nation, for whom he fought without compromise throughout his life; and an additional, personal loss to those of us who knew and loved him.

Mr. President, I ask unanimous consent that the Nashville Tennessean article, entitled "He Passed the Ammunition," be printed in the RECORD at this point.

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

HE PASSED THE AMMUNITION

(By Bill Woolsey)

That the private power lobby should still be scheming and spending to thwart publicly owned power systems nearly 20 years after the advent of the Tennessee Valley Authority may strike the new generation in TVA territory as surprising folly.

The activities of well-heeled lobbyists are an old story, however, to the man who knows, perhaps better than anyone else now living, how bitter was the battle to establish TVA.

Probably only a handful of Tennesseans have ever heard of Judson King and his 40-year service to the cause of public power.

"No one alive today was so important in bringing about the passage of the act which established the Tennessee Valley Authority in 1933," a friend in the Department of the Interior said of him recently.

"Jud King is the unsung father of TVA," another friend has stated flatly.

And the secretary and son-in-law of the late Senator George W. Norris paid this tribute to the 79-year-old King not long ago: "I know that Judson King's assistance to Senator Norris during the long Muscle Shoals fight was invaluable. Judson is rightly entitled to a great deal of the credit for the passage of that legislation; and that is only one of the many battles he has fought in behalf of the people. He is a valiant soldier."

For nearly half a century King has concerned himself with popular government. His concern became his profession; writing and lecturing—the vocations he ascribes to himself in Who's Who in America—have been his tools. "Probably no leader of the liberal movement in America today * * * has for so many years continuously battled for the rights of the common man as Judson King," says Barrow Lyons, chief field representative for the Interior Department's Bureau of Land Reclamation.

The long compaign, which King even at his most optimistic would not call an unqualified success, has brought him great prestige among a comparatively small but distinguished group of United States citizens; Members of Congress, including Senators Kefauver and Douglas; a President; conservationists like the late Gifford Pinchot; and such scholars as the late Charles A. Beard, Charles E. Merriam, and Edward Ross. It has not, however, brought him much money. At times, according to his friends, King's annual income has been less than $1,000. His admirers contribute that much or more to him each year at a birthday party. On the combined sum King and his wife, Bertha Hale King, live very modestly in a small frame house in Takoma Park, a Washington, D. C., subdivision.

The garage beneath the house has been remodeled as a library for King's books—including what may be the largest privately owned collection of information on public power in the Nation.

By the time of the 1932 presidential election, Senator Norris and King, the latter through the National Popular Government league which he founded in 1913 as an organ of research and a reservoir of statistics pertaining to government and conservation, had been involved in the Muscle Shoals controversy since 1921. Three of Norris' attempts to legislate developments at Muscle Shoals had met defeat; the last attempt had been vetoed by President Hoover.

A few weeks ago Judson King described the strategy that followed this veto. "In January of 1932," he recalled, "I had a long conference with Senator Norris. We concluded that if President Hoover were reelected, Muscle Shoals most certainly would be turned over to the power trust. It seemed to us that Franklin D. Roosevelt, Governor of New York, was the only possible aspirant to the Presidency who could be trusted on that issue.

"We * * * made up our minds to set out to help him become the (Democratic) candidate. I got out a bulletin of the National Popular Government league in which I made it clear that F. D. R. stood out like the Washington Monument * * * above all the men in the running. I went up to Hyde Park to talk with him and to assure myself that this was true and got his unqualified promise of support for public power.

"I'm not taking credit for the nomination of F. D. R., but I feel very certain that the Popular Government League as well as Senator Norris contributed substantially to his nomination by making his stand on the power issue known to the delegates."

Although King's command of facts and figures relating to public power and the growth of popular government (i. e. the initiative, referendum, recall, and direct election of Senators) is such that even in his 79th year he is called on to, as one friend has put it, "pass ammunition to the fighters on the Hill," the scholarly side of his nature is often the major impression carried away by new acquaintances.

A Tennessean from the heart of TVA country went to see him a few months ago. "We talked for two hours and didn't mention public power once," the visitor reported later. "He wanted to discuss Walt Whitman."

On other occasions King's callers have found their host eager to talk about religion, or the tragedy of Servetus, the 16th century physician who incurred the wrath of John Calvin and was burned at the stake for heresy, or the writings of Ralph Waldo Emerson.

Five shelves of King's library are devoted to books by or about the author of Self-Reliance. His partiality for the New England essayist is not surprising. Like Emerson, King wrestled with himself and his environment longer than most before his path was clear. He was born George Judson King in Pennsylvania in 1872 and orphaned by the time he was 6 years old.

As a youth he drifted to Michigan and for a time, while a student in a sectarian college, he thought of being a preacher. His interest in doctrinal theology waned. King decided to be a journalist. He took some courses at the University of Michigan, then went down to Texas in the earliest years of this century. He founded the Denison (Tex.) Morning Sun in 1902. Three years later he was back in the Middle West, this time in Toledo, Ohio, where "Golden Rule" Jones was mayor and advocating good labor relations for management.

King was 32 years old, "still in search of myself and * * * studying social problems." Jones died and in the campaign of 1905, Brand Whitlock, the lawyer-novelist-reformer, was elected to succeed him.

"We became intimate friends," King told an interviewer a few weeks ago. "I was a member of Whitlock's administration as secretary of the then incipient Toledo University."

As his preoccupation with governmental reform grew, King came into contact with other men of similar interests: Lincoln Steffens, Herbert Quick, and William Allen White. He edited the Independent Voter in Toledo. In 1913 he organized the first national conference on popular government measures, out of which grew the National Popular Government League. Among the men who have served on its executive committee have been Senator Norris and Gov. Gifford Pinchot, of Pennsylvania.

He went to Europe twice, in 1908 and 1916, to study political systems and city management. He was in Switzerland, where the initiative, referendum, and recall originated. He traveled through Germany, Belgium, England, and Scandinavia. In the latter countries, he interrupted his observation of the cooperative movement to lecture at the University of Christiana and in Sweden and Denmark on the progress of democratic government in the United States.

It was all a part of his self-education. ("He could tie Winston Churchill for the booby prize when it comes to earned degrees," his friend Barrow Lyons has commented.) King had learned, at firsthand in the cities of Ohio how the great public utilities corporations tended to subvert democratic politics; in Switzerland he learned how the people could control the power companies. His awareness of the importance of "white coal"—hydroelectric power—stems from his study of the Swiss Government's move in 1908 to federalize control of that power. Not until 1921, however, did the opportunity come to apply his knowledge at home.

By that time he had spent several years traveling through the United States speaking, organizing, encouraging—all on behalf of the new tools of democratic government, the initiative, referendum, recall, direct election of Senators, publicity for campaign contributions, and so on. In the end, 26 States placed laws for the initiative, referendum, and recall on their statute books. Something like 230 bulletins from the NPGL helped spread his stand on these issues, public ownership of power, and civil liberties.

In 1921 the question of the disposition of the World War I Muscle Shoals project suddenly made many Members of Congress and a sizeable number of voters interested in the issue of public power.

The steam plants and the partly completed Wilson Dam at Muscle Shoals were idle. Furthermore they were useless, or so many experts held, insofar as their original purpose was concerned—to produce cheap nitrates for explosives and, in peacetime, fertilizers. Postwar revelation of the German Haber process for extracting nitrogen from the air showed it to be cheaper and better than the cyanamide process for which Muscle Shoals had been developed.

Many good Democrats supported the stand that the Government had better lease the development and get out of both the power and fertilizer businesses. The private power companies were not much help. Muscle Shoals was too big for them, they protested—but they advised the Government to get rid of it somehow.

In July 1921, Henry Ford unexpectedly made his offer to lease Muscle Shoals, and the fight was on. That was when I got into the fracas, King says.

According to Senator Norris, "It was not * * * one struggle; * * * it was two * * * that irreconcilable conflict between those who believed the natural wealth of the United States can best be developed by private capital and enterprise and those who believe that in certain activities related to the natural resources only the great strength of the Federal Government itself can perform the * * * task in the spirit of unselfishness, for the greatest good to the greatest number."

Norris was chairman of the Senate Agricultural Committee. Because the Ford bid involved the manufacture of nitrates for fertilizer the proposal was referred to his committee.

The Nebraska liberal said years later, "I found myself confronted with a responsibility which I did not want." But whether or not he wanted it, the question of what to do with Wilson Dam was his; he went to work.

King, of course, was deeply interested. "I had seen," he says, "how the conservation movement in Switzerland had made use of the great water resources of that country and thus had saved coal. I knew that the ownership of American waterpower must be preserved * * * for the people."

In the course of a recent interview, the elderly public servant leaned back in his chair and fixed his eyes on the ceiling. Apparently he was summoning to mind the men and issues of those days.

"It was 'Cotton' Ed Smith, of South Carolina, who introduced the bill in 1916 which dedicated Muscle Shoals to the making of nitrates for explosives in the war and to making fertilizers for the American farmer in peacetime. In 1921, when bids on Muscle Shoals were asked for by Secretary of War John W. Weeks, I studied Smith's proposal carefully. I found he hadn't done a bad job.

"But Senator Wadsworth, of New York, didn't want this referred to his Military Affairs Committee because it was a hot potato. So it was tossed into Senator Norris' lap."

What King obviously regards as a regrettable defection by Newton D. Baker, Secretary of War under Wilson (a very interesting commentary on human nature, King says) was the former Cabinet member's appearance on the other side of the fence in the fight for Government ownership of the project that he, Baker, had for 4 years supported.

"It seemed strange that a leading liberal Democrat should be found representing the utility interests * * * while the Republican, Norris, was fighting for Government ownership. In the election of 1924, Muscle Shoals became a national issue and it was Norris who persuaded many of our good southern Democrats to stand fast * * * and support his power program."

One day Judson King hopes to write a history of the fight to establish TVA. He has already set down, at the request of the first TVA board, The Legislative History of the TVA. In the book he hopes to write, these words of his or something close to them, will undoubtedly appear: "* * * at critical times when bills giving away the Shoals either to the power trust or the great chemical companies without proper return to the Government were before Congress, they (the southern Senators) came to Norris' aid: McKellar, of Tennessee, Simmons, of North Carolina, Black and Hill, of Alabama, and Ransdell, of Louisiana."

He recites the list with pride but with a hint of disappointment in his voice as if he fails to understand why, when the issue is so clear and urgent to him, there are not more men for him to compliment as cohorts. One notices the same attitude among many tall men: they somehow don't believe that the rest of the world cannot reach as high as they can.

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement by the distinguished senior Senator from Tennessee [Mr. KEFAUVER] on Mr. King's death.

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

STATEMENT BY SENATOR KEFAUVER

I desire to associate myself with the Senator from Montana [Mr. MURRAY] in the sentiments he has expressed about the late Judson King.

I have known and worked with Mr. King, from time to time, for almost 20 years, ever since I first entered the House of Representatives as a Representative from Tennessee's Third District.

His devotion to the public interest was as great as that of anyone I have known in all the time I have been in Washington. I particularly found him to be an invaluable aid to me in connection with public-power matters. As a Representative from Tennessee, and then as a Senator, I have always taken a great interest in the Tennessee Valley Authority. In the early days, when we were charting new courses in the TVA, Judson King offered counsel which helped to carry us over the shoals.

I know that even before my time, he was working with the late Senator George Norris on this very matter.

It is inspiring to find a citizen so dedicated to the public interest as was Judson King. And when he is gone—when a good man dies—it leaves a void in the hearts of all of us.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The present occupant of the chair wishes the RECORD to show that he was a friend of Mr. King, and that he would participate in this tribute were he not presiding temporarily over the Senate.

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

Mr. MURRAY. I yield.

Mr. HILL. I wish to join the distinguished Senator from Montana in the tribute which he has paid to the late George Judson King. I was privileged to know Mr. King. I know how able, how thorough, how indefatigable, and how dedicated he was in waging the battle not only for the preservation of Muscle Shoals, that we might have the TVA, but also in waging the battle for REA, that the benefits and blessings of electricity might be carried to the farm homes of America, in waging the battle for the preservation of all our great water resources, and the battle for the conservation of all of America's God-given natural resources—water, land, minerals, forests, and all that touches and concerns human life.

Judson King worked tirelessly. He labored incessantly. The article from the Nashville Tennessean, which refers to him as "the man who passed the ammunition" is indeed a most accurate description of Judson King.

No general can fight a battle and no general can win a battle or win a war without having behind him an efficent and capable and devoted quartermaster. When the great and indomitable Senafor George W. Norris and his associates were fighting the battle to have Muscle Shoals, the Tennessee River and the mighty resources of the Tennessee Valley, not only for the people of that region but also for the benefit and the strength of the whole United States, it was Judson King who supplied the ammunition and who worked day and night, week after week, month after month, and year after year, that the soldiers on the firing line might have the ammunition which they desperately needed and which they had to have in order to win the battles and, in the end, the war.

We in Alabama have ever been grateful to Judson King for all he did for TVA and for the Tennessee Valley and the people who live in that valley and I emphasize that in working for the Tennessee Valley he was also working for all the people of the United States.

America has lost a great and devoted public servant. We shall miss him. But we shall carry in our hearts to the end a deep sense of appreciation of the courageous and dedicated Judson King, who fought so hard to the very last in the struggle to preserve America's great resources and in behalf of her welfare and the strength and happiness of her people.

Mr. NEUBERGER subsequently said: Mr. President, I was presiding over the Senate at the time, earlier today, when tributes were paid by the distinguished Senator from Montana [Mr. MURRAY] and the distinguished Senator from Alabama [Mr. HILL] to the late Judson King, of the National Popular Government League. Like these able Members of the Senate, I, too, was a friend of the late Judson King. I should like to have the RECORD show that if I had been on the floor of the Senate at that time, rather than presiding temporarily over the Senate, I would have joined the Senator from Alabama and the Senator from Montana in everything they said in tribute to the late Judson King.

Judson King was a citizen of foresight, wisdom, and courage.

Mr. MORSE subsequently said: Mr. President, every man, woman, and child in the United States who uses electric power owes a debt of gratitude to the late Judson King.

Judson King and his library have been an important arsenal for 35 years in the fight against extortionate electric-power rates and for the public-power yardstick operations like TVA, Bonneville Power Administration, and the Nebraska public-power system. His studies and reports on the Ontario hydroelectric system, his dissemination of facts about the power monopolists in the United States, his aid and advice to lawmakers and, during the Roosevelt administration, to the executive agencies, have benefited every citizen of this land.

Judson King has served two full generations of lawmakers and he will yet serve another generation for he has left an unpublished work, The Genesis of the Tennessee Valley Authority which is to be published soon. This book is in reality a review of Federal power policy, and the men who have made it, from Theodore Roosevelt through the administration of Franklin Roosevelt.

Judson King will be missed across this continent but his works, reflected in TVA, REA, and our public-power program, and his many written documents will live on for many generations. We shall miss him.

Mr. SPARKMAN subsequently said: Mr. President, earlier today some of my colleagues on the Senate floor paid tribute to the memory of the late Judson King. It was my good fortune to know Mr. King when I first came to Congress. I had the privilege of sitting in many conferences at which he was present. Mr. King had a masterful control of facts and figures as they related to conservation, flood control, power development, river improvement, and matters of that kind.

A great deal of the success which has come to our Nation in the development of its natural resources is due to the fine work of and the careful study and

planning given by Mr. Judson King, and by him transmitted to the President of the United States, members of his Cabinet, persons in the executive departments, and Members of Congress.

Mr. King rendered great service to his country; and I, along with my colleagues, deplore his passing.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REVERCOMB. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

THE PROBLEM OF INFLATION

Mr. BENNETT. Mr. President, the Senate Finance Committee recently completed its hearings on the financial condition of the United States. The sessions, held from June 18 through August 19 last year and during April of this year, were intended to be the first full-dress examination of our fiscal and monetary policies since the one conducted by the Aldrich Monetary Commission in 1908. As a member of the committee, I sat through almost every session of the hearings and heard most of the testimony.

In the absence of a formal report, I wish to present my own personal impressions of the material presented to the committee and the ideas developed in the questioning. I do this in the belief that the material covered in these hearings should be of interest to every Member of the Senate. The hearings shed light on some of the most basic problems of our economy, problems with which we in Congress are concerned every day, and which affect every person in the United States. Rather than summarize these hearings in one long statement, I shall make several, of which this is the first.

The purpose of the study was outlined by the chairman of the committee, the Senator from Virginia [Mr. BYRD] in his introductory comments last year:

> To study the existing credit and interest situation and, more important, inflation which has started again with its ominous threat to fiscal solvency, sound money, and individual welfare. * * * This committee can never lose sight of the fact that the Government's integrity depends upon a stable currency * * *.[1]
>
> It is the committee's purpose to conduct an objective examination to clarify the situation and be helpful in the effort to avoid further inflation, and to establish sound fiscal principles flexible enough to meet possible recessions as well as increasing prosperity.[2]

The study as announced was to examine:

> 1. The revenue, bonded indebtedness, and interest rates on all public obligations, including contingent liabilities;
>
> 2. Policies and procedures employed in the management of the public debt and the effect thereof on credit, interest rates, and the Nation's economy and welfare; and
>
> 3. Factors which influence the availability and distribution of credit and interest rates thereon as they apply to public and private debt.[3]

The list of witnesses, both last year and this, was an imposing one. Last year George M. Humphrey and Randolph Burgess, then Secretary and Under Secretary of the Treasury, respectively, were the main witnesses; and Federal Reserve Board Chairman William McChesney Martin also appeared. This year the committee heard from elder statesman Bernard Baruch; Marriner S. Eccles, former Chairman of the Federal Reserve Board; William McChesney Martin again; Profs. Sumner Slichter and Seymour Harris, of Harvard University; and Dean Charles Abbott, of the University of Virginia, in that order.

In addition to verbal testimony, the committee sent a list of 17 questions on basic economic questions to outstanding economists, businessmen, and public leaders. Replies have been received—and published—from the presidents of the 12 Federal Reserve banks, the presidents of 28 United States corporations, 12 trade association leaders, and 17 economists. The questionnaire was also sent to veterans' organizations and to labor leaders John L. Lewis and George Meany, but they did not respond.

It is interesting to note that the two sessions of the hearings, last year and this, were held under entirely different economic conditions. The setting last year was one of inflation, characterized by full utilization of the labor force and a capital goods boom. Since that time we have experienced a business downturn, characterized by a slump in private capital investment and some unemployment.

In setting for itself the problem of investigating so many aspects of the financial condition of the United States, the committee left the door open for a discussion of a wide variety of issues. Therefore, it is not surprising that virtually every question or topic bearing on the Nation's finances was encountered and discussed. Nevertheless, in reviewing the printed record, I have been impressed by the fact that running through all the discussions was a single unifying thread, namely, the problem of inflation.

During last summer's sessions, when prices were rising fairly rapidly and most of our resources were fully utilized, much of the discussion centered around two questions: First, how could inflation be stopped; second, was the anti-inflationary action then being taken necessary or harmful? Concern over inflation did not diminish during the hearings this spring, despite the business downturn and a slowing down of the rate of the price rise. A scrutiny of the testimony and questioning during these later sessions will indicate that the major issues were, first, whether the anti-inflationary policy of 1957 was primarily responsible for the current business downturn; second, the extent to which antirecession action should take into account the danger of further inflation.

Because the general problem of inflation ran through all the hearings, it has naturally become the central theme of these reports. In fact, I am convinced that it has become our basic, long-time economic problem, and that until we, as a people, understand the danger it creates and take the necessary steps to stamp it out, we cannot count on a future of sound growth and prosperity.

The committee gathered a great variety of material on the general nature of the problem of inflation. I shall begin by reviewing this background information. Without such a review, it seems pointless to consider the separate, basic issues developed at the hearings.

To me, the most serious aspect of inflation is the moral one. Inflation is essentially a process by which someone attempts to get something for nothing, a disguised form of theft, in which the poor and helpless are the first victims, but which can eventually engulf a whole economy. It is a narcotic which produces the illusion of prosperity and growth, and conceals the real damage. The committee devoted little or no time to this aspect of the problem, probably because most of its members are in agreement that inflation is an evil, whether it be judged on moral or on economic grounds. Instead, most of the time was devoted to the definition and mechanics of inflation.

In its search for information in this field, the committee literally began at the beginning. Throughout the entire course of the hearings, the committee sought to find a workable definition of inflation. Most of the witnesses were asked for, or volunteered, a definition. In addition, a request for a definition was included among the questions sent to business and university economists and to the presidents of the Federal Reserve banks. The committee never attempted to make a final selection from all the answers; but I think it probably true that by the end of the hearings the simplest of all the definitions gained the most acceptance; namely, that inflation is simply a general rise in prices.

In looking over all the definitions of inflation suggested at the hearings, I am impressed by the fact that many of the witnesses agreed that inflation is basically a phenomenon of money. For example, Mr. Baruch defined inflation as an abnormal and disproportionate increase of money and credit in relation to the production of goods and services. At other times during the hearings, inflation was defined as a flow of spendings in excess of the flow of goods and services, or too much money for the goods and services offered, or too many dollars chasing too few goods. On the other hand, it should also be noted that inflation was described by some witnesses as being a result of pressure on costs, particularly wage pressures. Thus, Professor Slichter, of Harvard, rejected the monetary definition as inaccurate, and added that the recession is helping the public see more clearly than ever that rising wages are a principal cause of

[1] Investigation of the Financial Condition of the United States, hearings before the Committee on Finance, United States Senate, 85th Cong., pp. 1–3.

[2] Ibid., p. 5.

[3] Ibid., p. 1.

rising prices.[4] Similarly, Dr. Abbott, dean of the graduate school of business administration, of the University of Virginia, emphasized that our current problem is a wage-push inflation.

Personally, I believe it is possible to oversimplify the statement of any specific cause of inflation. For that reason, I was impressed with the statement on the inflationary process, which was made by Chairman Martin, of the Board of Governors, in his appearance before the committee last summer. It was supplemented by an excellent account of inflationary processes, given by Mr. Edward Wayne, first vice president of the Federal Reserve Bank of Richmond. Neither of these presentations attempted to attribute the blame for inflation to one specific element. As Chairman Martin pointed out:

> Inflation is a process in which rising costs and prices mutually interact upon each other *over time* with a spiral effect. At the same time, demand must always be sufficient to keep the spiral moving.[5]

Although they were greatly concerned with the causes of inflation, the committee members spent very little time on questions having to do with its consequences. It is precisely here that its greatest danger lies. All of us are against it in theory, as we are against sin; but in practice some of us think we can profit by it. Too often Pope's lines on vice can also be used as an accurate description of our attitude toward inflation.

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

It is a simple fact that inflation results in a transfer of economic resources. Perhaps in theory we can imagine a situation in which as prices rise, all incomes rise at precisely the correct rate, and all money contracts change to just the right degree, so no loss is suffered by anyone. But in real life, such a situation does not, and could not, exist. There is simply no way to avoid the fact that in an inflationary process, some gain, on net balance, while others lose; and the losers are those least able to protect themselves or to make their voices heard: pensioners, savers, white-collar workers, small-business men, the great body of unorganized workers. One great trouble is that the transfer is involuntary. Resources are literally stolen from those who have no way of protecting themselves, and they are left without any claim to future output, or even the satisfaction of knowing that, if the levy had been in the form of a tax, others would also be sharing the burden.

If the only consequence of inflation were the slow, but insidious, transfer of resources from one group to another, some of us might possibly resign ourselves to the process, and might provide for relief, by way of legislation, for those affected by it. But inflation has other consequences. It provides a misdirected stimulus for business. Anyone who has been in business knows that sound business decisions are made within a framework of price stability; and that the principal beneficiaries of inflation in the business world are speculators and gamblers. Also, by destroying the use of money as a store of value, inflation stimulates the production of other items which can serve the same function. Thus, we must devote a part of our energies to the production of articles which we would not have needed in the absence of inflation. A good current example is the concentration of investment in partly filled office and apartment buildings in some Latin American countries—which capital is withheld from productive industry.

Finally, a creeping inflation must, in the absence of specific controls or other unwarranted interference by Government, become a runaway inflation. Even the inflationists fear this. When the times comes that a majority of the people throw up their hands in resignation and accept the inevitability of rising prices, inflation will immediately cease to creep, for just as soon as those who have a stake in inflation can be absolutely certain that society has become resigned to the process, we see the inevitable development of a completely destructive wage-price spiral. Said Ralph J. Cordiner, president of General Electric, in his reply to the committee:

> If creeping inflation were accepted as a permanent feature of American economic life, it would not create jobs; it would only feed on itself in a rising spiral of costs and prices. To accept creeping inflation, instead of using every possible means to combat it, would be to apply to our economy the greatest of all inflationary pressures—the pressure of inflation psychology. Expecting continued price increases, businesses and individuals would have a continuing incentive to spend their money before its value depreciated further, and would thus be tempted into a flight from money. The inadequate volume of purchasing characteristic of the current recession would be replaced by an increasingly excessive rate of spending, with far more destructive effects. The volume of savings would continually diminish, cutting off the only real source of investment funds. The efforts of businesses to continue expanding the volume of production and improving the attractiveness of their products, so as to maintain high levels of employment, would require continued expansion of money and credit. Thus the inflationary spiral and the profitless prosperity would be accelerated toward inevitable collapse.[6]

Professor Haberler, of Harvard University, had this to say regarding the dangerous creeping inflation:

> I admit that the present method of wage fixing and the attitude of the powerful trade unions, which expect every year a large wage rise exceeding the average annual increase of labor productivity, poses a serious dilemma. But the problem cannot be solved by acquiescing in a continuous rise in prices. The trouble is that when prices rise by only 2 or 3 percent per year for a few years in succession, more and more people become alarmed and take steps to protect themselves. The labor unions themselves, whose policy is largely responsible for the continuing rise in prices, will ask for larger wage increases (or insist on escalator clauses) when they see that their wage rises are swallowed up by rising prices. Hence soon the price creep will become a trot and the trot a gallop. This is simply an application of the homely truth that while you may fool all people some of the time and some (though not the same) people all the time, you cannot fool all people all the time.
>
> It has been objected to that argument that a galloping inflation is impossible in the United States. I am inclined to accept this proposition, but I submit that it misses the point. Why is galloping inflation impossible? Because the Federal Reserve will keep money sufficiently tight to prevent inflation from galloping away. But what the advocates of creeping inflation overlook is that after a while the mere attempt to keep inflation at a creeping pace (to prevent the creep from becoming a trot or a canter) will be suffering [sic] to bring about unemployment and depression. This is after all what happened last year. The advocates of creeping inflation themselves blame the tight-money policy for the present depression. I personally would say that it was a contributing factor—but let me, for argument's sake, accept the proposition that it was the main cause. Then it is indeniable that a policy which held the inflation at a creep—it did not do more than that—brought on unemployment and depression. If money had been less right, prices would obviously have risen even faster. Sooner or later the price rise had to be stopped or slowed down. It should be observed that if it had been stopped by fiscal measures (tax increases or lower Government expenditures) as some experts had recommended, the reaction would have been the same. In that respect monetary and fiscal policies are not different in their operation. If demand is controlled either by monetary or fiscal measures and wages continue to be pushed up, the consequence must be unemployment.[7]

When I say there seemed to be general agreement over the proposition that inflation is a situation which must be avoided, I do not mean to be understood as saying that there was total agreement on the degree to which it should be avoided. For example, the testimony of Professors Harris and Slichter quite clearly indicated only slight concern over inflation so long as the rate was slow. In addition, questioning by some of the members of the committee suggested a similar attitude. I shall expect to discuss this issue in more detail later.

To return now to the consideration of the general nature of inflation as it was developed during the hearings, I must say that one of the most significant conclusions I drew from the testimony is that inflation today as a problem is a great and increasing threat to our economy, with several new aspects.

I do not mean that the present inflation itself is of some hitherto unknown variety, but, rather, that the conditions under which we must combat inflation today are very different than anything we have faced before in this country.

The conclusion that our present inflation is dangerous was reinforced, in my opinion, by the testimony of Bernard Baruch. In the midst of a business downturn, when he could easily have been expected to direct his attention to-

[4] Ibid, pp. 1842–1843.
[5] Ibid, pp. 1262–1263.
[6] Investigation of the Financial Condition of the United States, Comments of Executives of Corporations in Response to the Questionnaire of the Committee on Finance, United States Senate, 85th Cong., ch. 2, p. 197.
[7] Ibid., ch. 5, p. 624.

ward other matters, Mr. Baruch made the flat statement:

> Inflation, gentlemen, is the most important economic fact of our time—the single greatest peril to our economic health.[8]

I think it is important that we look behind this statement to see why inflation remains our No. 1 problem.

If there is one thing which stands out above all else with respect to our recent history, it is the persistency of inflation and inflationary pressures. This development must reflect the fact that we are now facing new economic problems, for, contrary to some opinions, this country has not had a continuing and persistent inflationary condition until recently. I was happy to see this point developed by Chairman Martin during his questioning by the Senator from Oklahoma [Mr. KERR]. Mr. Martin placed in the record information on prices which reveal that over the period from 1800 to 1930, the trend of prices was generally downward. In other words, during the major portion of the life of this Nation we have had stable or declining prices. I refer my colleagues to page 1938 of part 6 of the hearings.

Although we did not have a persistent inflationary problem during the most of our history, I do not mean to imply that we had no problems at all. The basic difficulty was that the price level changed too suddenly and swiftly—first in one direction, and then in another. The erratic movement of prices was terribly serious. On some occasions price increases and consequent declines were so sharp as to stimulate the wildest and most reckless kind of economic activity. When this happened long periods of depression and economic distress always followed and we had panics, of which the years 1873 and 1893 are tragic examples.

It is noteworthy that during those periods prior to 1930 when we had price stability—and there were a number of such periods—as well as during some of the periods in which the price level drifted downwards, this Nation enjoyed a remarkable rate of economic growth. Today we hear much loose talk about the necessary relationship between inflation and growth, as if we needed the first in order to have the second. I challenge any one to find any period in the history of this country when we had price stability which was not accompanied by substantial economic growth.

If it is true—as I believe it to be—that we are today facing the old problem of inflation in a new and more dangerous setting, let us see what this setting consists of. In the first place there is the role of organized labor, a factor not present to any important degree before the 1930's, and which has only become really significant since World War II. Because of the growth in size and power of labor unions, we are now faced with continuous upward pressure on wage costs and thus prices, regardless of productivity increases. This development was cited by most of the committee's witnesses. For example, Dean Abbott noted that wage increases in excess of productivity "push up prices when, as is the case in this country, there is a flexible money supply."[9] Professor Slichter also took note of this situation, as did former Chairman of the Board of Governors of the Federal Reserve, Marriner Eccles, who said:

> The main cause of rising prices has been the use which labor union monopolies are making of their power to force up wages and numerous costly fringe benefits far in excess of increased productivity.[10]

There are several other aspects of this problem which, I believe, warrant notice. For example, it is important to note that if organized labor were required to depend only on its bargaining power to force wage increases in excess of productivity, the program would eventually fail. That is to say, costs and prices can be pushed up only so far before the public would become unable to purchase all the output and there would be resulting unemployment. Recognizing this, much of organized labor has placed itself squarely in the camp of the new inflationists, supporting monetary programs which will validate higher wages. Thus we have a two-pronged attack on price stability on the part of organized labor; and I think that we have perhaps paid less attention to labor's devotion to inflation than we should have done.

I do not wish to give the impression that all the blame for the wage-price spiral must rest with organized labor. Industry pricing policies and attitudes must also carry their part of the responsibility. As Mr. Eccles pointed out:

> Business generally has been willing to grant excessive demands of labor rather than face a strike, so long as it was able to pass on to the public the increased costs.[11]

Also, we must recognize that some business firms, because of their dominant positions, have the power to set prices which, within limits, are not immediately subject to traditional competitive forces.

It goes without saying that the entire question of the relationship between wages and prices deserves more attention than I can give it today. I am concerned only with the development of relatively new factors which have made inflation a major problem, and one such factor is the rise in the economic power of organized labor, unchecked by the traditional rules applied to business. This is a most significant new development.

Second among the factors contributing to our new inflationary problem is the changed role of Government. In many quarters the Employment Act of 1946 is interpreted as a virtual commitment on the part of the Federal Government to undertake expansionary programs at the first sign of a downturn. The act quite naturally reflected the fears of many people that the long depression of the 1930's would be resumed in the post-war period. Unfortunately the goal of price stability was not included in the objectives of the act, and because this was not done, the act seems to have had the effect of requiring the Government to act more vigorously when prices need to be raised, and less vigorously, if at all, when prices need to be lowered. As Dean Abbott put it:

> It seems clear that both these objectives (maximum employment and price stability) will not be achieved so long as one has the blessing of the Federal Government and the other does not.[12]

Another facet of the changed role of Government is the large place which Government expenditures occupy in the stream of our total national expenditure. Because so much Government spending is of a nature which cannot easily be changed, a business downturn always results in disproportionately lower tax receipts, and automatically produces a substantial Government deficit. On the other hand, during periods of prosperity in which inflationary pressures may be strong, it is difficult for the Government to have much of a surplus, since there are always strong pressures for still larger Government expenditures of tax reductions.

The third factor in our new inflationary problem is in many ways the most important, for it relates to the public attitudes which, in a democracy, ultimately determine our course of action. To put it plainly, inflation seems to be becoming acceptable. We had several illustrations of this attitude during the hearings held by the Committee on Finance. For example, Professor Slichter argued that inflation—as long as it proceeded at a slow rate—was not a particularly worrisome problem. As he put it:

> I do not think it is very dangerous. I think we are likely to have it and I think it is an important problem, but I would not use that expression "very dangerous." I would describe it as unfortunate.[13]

Professor Harris went even further when he appeared before the committee, indicating that he would be more or less content with a slow inflation so long as there was a larger proportional increase in output. His words were:

> I would be very happy with a 1-percent rise of prices and a 5-percent rise in output.[14]

On another occasion he made it clear that he was unconcerned over the loss which will be suffered by savers in inflation when he said:

> I wouldn't be unhappy about a 1-percent inflation, even if it does, say over 40 years, wipes out 50 percent of your savings, as it would.[15]

I might remark that although such a development might not make Professor Harris unhappy, the same cannot be said for the millions who depend on fixed incomes, many of them already at minimum levels. I am reminded of a remark

[8] Investigation of the financial conditions of the United States, hearings before the Committee on Finance, United States Senate, 85th Cong., p. 1635.

[9] Ibid., p. 2061.

[10] Ibid., p. 1695.

[11] Ibid., p. 1695.

[12] Ibid., p. 2062.

[13] Ibid., p. 1844.

[14] Ibid., p. 2030.

[15] Ibid., p. 2038.

made recently by Malcolm Bryan, president of the Federal Reserve Bank of Atlanta:

> If a policy of active or permissive inflation is to be a fact, then we can secure the shreds of our self-respect only by announcing the policy. This is the least of the canons of decency that should prevail. We should have the decency to say to the money saver, "Hold still, little fish. All we intend to do is gut you."

The importance of this changing attitude toward inflation was reflected in many ways during the course of the hearings. I am sure that I do injustice to no one when I say that the Federal Reserve Board was quite severely criticized by some of the Senators during the questioning last summer. Many of these criticisms reflected legitimate differences of opinion, but it was, nevertheless, quite apparent that in the eyes of some members of the committee the major fault of the Federal Reserve Board was that it was even attempting to fight the inflationary price rise which was then occurring, using the only means at its disposal. It is significant, also, that during the most recent committee sessions the only criticism which we heard from these same people with respect to the present policy of monetary ease now being followed by the Federal Reserve is that it had not gone far or fast enough. Thus, we had the ironic situation of hearings, held to determine what could be done to stop inflation, which devoted a large part of the time to criticism of a responsible agency which was attempting to do exactly that.

The increasing acceptability of inflation, or the opposition to any anti-inflationary program, was also illustrated by the frequent discussion during the hearings of the question of the compatibility of a policy of price stability and a policy of maximum employment. For my own part, I am of the firm opinion that the two goals are not only compatible, but go hand in hand; that we cannot have one without the other. I would agree, for example, with former Chairman Eccles, who said:

> I think they are equally important. * * * I would undertake to maintain a stable economy rather than having runaway inflation which will wreck employment and production * * * you have got to use such tools as you have through monetary and fiscal policy to prevent inflation * * * in the long run [this] will create more production and employment than if you do not do it.[16]

I believe that this viewpoint is shared by most of the witnesses and most of the persons submitting answers to the written questions prepared by the committee. Nevertheless, it was quite evident that there were some members of the committee, and perhaps one or two witnesses, who assign a secondary role to the goal of price stability and who believe that any attempt to achieve price stability will result in frequent or continuous unemployment. I merely observe that if one believes that price stability can only be achieved at the cost of unemployment and also believes that maximum employment should be the only goal towards which we should be striving, it must follow that one also is willing to accept inflation as a permanent fact of our economic life.

As I come near the end of this opening statement, I realize that I have not given a complete list of all the factors which have appeared in recent years to give the old problem of inflation a new face. One which was raised by some witnesses, and partially developed in limited questioning, referred to the role of the modern financial intermediaries outside the banking system; savings and loan associations, insurance companies, and finance companies. Dr. Abbott described these generally as "important financing institutions often governmentally sponsored, not subject to the credit policies or influence of the Reserve System." [17] Dr. Abbott also called our attention to the problem created by the fact that a large segment of the huge Federal debt has found lodgment in the banking system.

In other statements like this, I plan to discuss the role of the Federal Reserve Board in dealing with inflation through its responsibility for monetary policy, the effects on inflation of the policies of organized labor, and the impact of the present recession on the continuing inflation.

As I conclude this, the first statement, I want to say again, that the one thing that concerns me above all others is the apparent belief on the part of so many Americans that "easy money" which encourages "easy debt" is a sound and constructive policy. Those who are attracted by this idea denounce any attempt to control inflation by restraining the too rapid growth of the money supply, particularly if it coincides with the heady exuberance of an inflationary boom. The resulting recession is then blamed on the restraint, which actually had dulled its potential damage, rather than on the boom, which had made recession inevitable.

The sad fact is that inflation is no economic fairy godmother. There is no magic in money to produce something for nothing, and when government creates money faster than its citizens create value, it does not create wealth, it only creates inflation, which is the illusion of wealth. While inflation may seem at first to provide some people something for nothing, it is only transferring value from one group to another, and if continued, eventually robs everyone—even the "smart" boys.

When the American people can courageously face up to the fact that there is no such thing as something for nothing; that there is no real security without risk; that money cannot be manipulated to produce wealth; that there is no substitute for human endeavor and individual wisdom and responsibility; then, and only then can we bring America back to economic reality, which in turn will put our feet on the path to sound growth and true prosperity.

That concludes my formal statement, as a partial report on the hearings of the Finance Committee.

Mr. President——

[16] Ibid., pp. 1777–1778.

[17] Ibid., p. 2064.

The PRESIDING OFFICER. The Senator from Utah.

PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

Mr. BENNETT. Mr. President, the first volume of an extremely valuable, worthwhile new series of books entitled "Public Papers of the Presidents of the United States" has just been published by the National Archives and Records Service of the General Services Administration. This series of great historical import, was begun in response to a recommendation by the National Historical Publications Commission that the public papers of the Presidents be published in annual, indexed volumes.

The first volume, designated "Dwight D. Eisenhower, 1957," contains transcripts of all Presidential news conferences held during the year, speeches, messages to the Congress, and other materials issued as White House releases. To be more specific, in this first volume there are 251 items comprising formal addresses to the Congress, joint statements with heads of state, radio, and television messages to the people, statements covering subjects of interest to the Nation—indeed, to the whole world. Also included are remarks of welcome made to visiting dignitaries; toasts to Queen Elizabeth, President Diem, and others; and the famous Cracker Barrel letter. There is dignity, wisdom, humor in this book. It is one to be proud of; one that will grow increasingly valuable with the years.

This series will continue with Presidential papers published annually in future years. Publication of similar volumes covering years prior to 1957 will also be undertaken from time to time after consultation with the National Historical Publications Commission.

The first extensive compilation of the messages and papers of the Presidents were published under Congressional authority between 1896 and 1899 and included Presidential materials from 1789 to 1897. Since that time there have been various private compilations but no uniform, systematic publication comparable to the CONGRESSIONAL RECORD or the United States Supreme Court Reports.

In a foreword to the first volume, President Eisenhower states:

> There has been a long-felt need for an orderly series of the public papers of the Presidents. A reference work of this type can be most helpful to scholars and officials of government, to reporters of current affairs and the events of history.
>
> The general availability of the official text of Presidential documents and messages will serve a broader purpose. As part of the expression of democracy, this series can be a vital factor in the maintenance of our individual freedoms and our institutions of self-government.
>
> I wish success to the editors of this project, and I am sure their work through the years will add strength to the ever-growing traditions of the Republic.

The planning and editorial work on this series is carried out by the Federal Register Division. Members of Congress are entitled to one copy of each volume

upon application in writing to the Director of the Federal Register Division.

Mr. ALLOTT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield to me with the understanding that he shall not lose the floor?

Mr. ALLOTT. I am very happy to yield to the distinguished acting majority leader.

ISSUANCE OF AVIATION REVENUE BONDS, AND LAND EXCHANGES, TERRITORY OF HAWAII

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1835, House bill 10347.

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

The LEGISLATIVE CLERK. A bill (H. R. 10347) to amend section 73 (q) of the Hawaiian Organic Act; to approve and ratify joint resolution 32, session laws of Hawaii, 1957, authorizing the issuance of $14 million in aviation revenue bonds; to authorize certain land exchanges at Honolulu, Oahu, T. H., for the development of the Honolulu airport complex; and for other purposes.

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

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

Mr. MANSFIELD. Mr. President, the purpose of the statute enacted by the Hawaiian Legislature is to authorize the issuance of $14 million in aviation bonds, and for other purposes connected with aviation. The bill is unanimously reported from the committee, and it has the approval of the leadership on both sides.

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

The bill was ordered to a third reading, read the third time, and passed.

APPLICATION OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT TO CERTAIN CIVILIAN EMPLOYEES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1826, House bill 10504.

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

The LEGISLATIVE CLERK. A bill (H. R. 10504) to make the provisions of the Longshoremen's and Harbor Workers' Compensation Act applicable to certain civilian employees of nonappropriated fund instrumentalities of the Armed Forces, and for other purposes.

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

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

Mr. MANSFIELD. Mr. President, this bill has been cleared on both sides of the aisle. It is unanimously reported from the committee.

This measure is designed to solve a problem which has arisen in connection with claims for compensation for death or disability by employees of nonappropriated fund instrumentalities of the Armed Forces.

I ask unanimous consent that an explanation of the bill be incorporated in the RECORD at this point as a part of my remarks. I may say in addition that the bill is recommended by the executive department.

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

EXPLANATION

Existing law requires certain nonappropriated fund instrumentalities of the Armed Forces to provide their civilian employees with insurance covering disability and death. However, the law provides that such employees "shall not be held and considered as employees of the United States for the purpose of the * * * Federal Employees Compensation Act."

Ordinarily, employees not subject to the Federal Employees Compensation Act may have their death and disability claims adjudicated by the appropriate State compensation commission. In this instance, however, the State commissions have declined jurisdiction on the grounds that the employees are employed by instrumentalities of the Federal Government.

Thus, a situation results wherein such employees can look neither to the State nor to the Federal Government for the adjudication of their claims.

The bill corrects this impossible situation by providing for adjudication by judicial tribunals established by the Secretary of Labor pursuant to the Longshoremen's and Harbor Workers' Compensation Act. This judicial procedure is working well for the determination of similar claims for longshoremen and harbor workers employed in private industry and is readily adoptable to settle the claims of these employees. Enactment of the bill is recommended by the Department of Labor and others having an interest in the problem.

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

The bill was ordered to a third reading, read the third time, and passed.

RELINQUISHMENT OF OFFICE OF CHIEF JUDGE OF FEDERAL COURTS AT AGE 75

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1815, House bill 985.

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

The LEGISLATIVE CLERK. A bill (H. R. 985) to provide that the Chief Judges of circuit and district courts shall cease to serve as such upon reaching the age of 75 years.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 2, at the beginning of line 1, to strike out "been a member of the court" and insert "served as a circuit judge", and in line 12, after the word "has", to strike out "been a member of the court" and insert "served as a district judge."

Mr. DIRKSEN. Mr. President, the bill was passed by the House on the 23d of May this year. The principal purpose is to relieve the chief judges of our district and circuit courts of administrative duties when they reach the age of 75.

The bill also contains a Senate amendment to the effect that a person must have served in a judicial capacity in either a circuit or district court for a year before he can become a chief judge. Any difficulty which may rise with respect to age is taken care of by allowing the youngest of a group of judges to serve as chief judge until a younger man can be appointed to the bench. This subject has had thorough consideration in the Judiciary Committee, and the bill is unanimously reported.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. I thank the distinguished Senator from Colorado for his courtesy and consideration, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

STATEHOOD FOR HAWAII

Mr. ALLOTT. Mr. President, in March of 1954, Hawaii seemed closer to statehood than it appears today. Yet its sister applicant for statehood has yesterday, by action of the President of the United States, been admitted to Statehood, subject only to her own vote of ratification. Let me review for a moment some of the actions that have led Hawaii to the brink of statehood; then I would like to comment upon the situation as I see it today. Here are the events of the 83d Congress:

On February 23, 1953, the House Interior and Insular Affairs Committee began hearings on Hawaii. Realizing that every Hawaiian Delegate to Congress since 1919 had introduced a bill to bring Hawaii into the Union as a State, the committee acted quickly. On March 3, 1953, it ordered the bill reported; on March 5 the Rules Committee of the House granted a rule; on March 10, after 2 days of debate, the House passed the Hawaii bill by a vote of 274 to 138.

Senate hearings on Hawaii statehood in the 83d Congress were longer. They began in March of 1953, continued in June and July, and were renewed again with vigor in January 1954. The Senate Interior and Insular Affairs Committee reported its bill on January 27, 1954.

Debate started in the Senate on this statehood measure on March 3, 1954. Sentiment, apparently, was running quite high. Hawaii knew it had opposition in this body, but with the firm stand taken by President Eisenhower in his Message to Congress in 1953, a position that has not wavered, and the leadership of the distinguished majority leader, the senior Senator from California [Mr. KNOWLAND], success appeared assured.

However, repeated statements were made on this floor which indicated a fear that the Republican majority backed Hawaii's plea because it would result in a partisan advantage. And because of that fear, an mendment ws offered to join the Alaska bill with the Hawaii bill.

We all know the result: by almost a party line vote, the Alaska and Hawaii bills were joined together. The joint Hawaii-Alaska bill passed this body by a vote of 57 to 28. It was killed by the House.

Now we have passed the Alaska bill. The President has signed it, and Alaska has but a few preliminary steps to complete before final admission as a State. We have eliminated the reason given in 1954 by Democrats for opposing statehood for Hawaii.

Mr. President, what can be the reason of the majority in this body today for not taking up the Hawaii bill? I would venture to assert that all the 33 Republicans who voted for Alaska statehood last week would vote to admit Hawaii.

I have heard several comments purporting to justify the position of the majority leader that the House must act upon the Hawaii bill before this body will consider it. Not one of these justifications appears sound to me. We are told that there is not enough time to consider Hawaii—yet we consumed but a week in debate upon the Alaska bill. For myself, I would be willing to stay in Washington an extra week—an extra month—to complete this statehood job, a job which this Congress cannot shirk. I call the attention of my colleagues to a similar offer made by the distinguished Senator from Utah [Mr. WATKINS], my friend and associate on the Interior and Insular Affairs Committee. Senator WATKINS has announced for reelection. He is a candidate for reelection, and when he offers to stay in session for whatever time it takes to complete the Hawaii action, each of us knows what this offers means to him and his personal plans.

I have also heard it stated that Hawaii's chances for statehood are slim—that there are not enough votes to pass the bill. If just a handful, less than one-third of the majority party Members, will join with those of us on this side of the aisle the Hawaii bill will pass this body quickly. And let me hasten to point out that 18 Senators on the other side of the aisle have previously voted for such a measure.

Mr. President, Hawaii became an organized Territory 13 years before Alaska. She has served a sound apprenticeship. No argument can be made that she has not enough population—with the 50,000 military stationed in Hawaii, her population is over 600,000.

No argument can be made that her economy cannot support statehood. We all know the facts. Hawaii has a sound financial base. Her dynamic development continues to attract industry.

No longer can the argument be made that noncontiguity is a bar to statehood. We settled that issue last week when we admitted Alaska, if, indeed, it had not been settled by the admission of California in 1850, 108 years ago.

But there is communism in Hawaii; that is the argument repeatedly raised by Hawaii. I am not one to look lightly upon the malignancy of communism. Whenever it occurs, it should be exposed and ruthlessly stamped out. Many States have known Communists today, and the number of Communists in Hawaii is not alarming in proportion to those in some of our own States. Communism is a disease which spreads in an area of discontent—it will not spread where free men control their own destiny.

The fact that Hawaiian law enforcement could operate more effectively to regulate subversion is but one of the many advantages of statehood. Hawaiians would also have responsible local government, courts with judges responsible to the local electorate, and, above all, Senators and Representatives with the power to vote in national affairs.

And, lest we forget, let me remind my colleagues that the 1949 Communist-inspired dock strike in Hawaii was resolved by action of the Hawaiian Legislature. That action alone should demonstrate the determination of Hawaiians to resist the menace of communistic control.

STATEHOOD IS THE DESTINY OF HAWAII

Hawaiians can well assert that statehood has been the destiny of their islands for over a century. In 1854 the Hawaiian people first petitioned their monarch to seek annexation to the United States. Hawaii became an integral part of the United States in 1898. In 1900, during debate on the Hawaiian Organic Act, Congress was given an opportunity to demonstrate that statehood was not eventually in the cards for Hawaii. This fact was related to the Senate Committee on Interior and Insular Affairs in a statement for the distinguished Secretary of the Interior Fred A. Seaton:

On April 6, 1900, when the House debated S. 222, a bill to provide a civil government for Hawaii, Congressman Ebenezer J. Hill offered the following amendment:

"SEC. 105. Nothing in this act shall be construed, taken, or held to imply a pledge or promise that the Territory will at any future time be admitted as a State or attached to any State."

Mr. Hill said, defending this amendment:

"No harm whatever can come from the passage of the amendment I have just offered. It commits Congress to nothing. It simply says that this bill and the admission of this Territory shall not be taken or construed as a pledge for the admission of the Territory to statehood either in the immediate or the distant future.

"Mr. CANNON. Whether the amendment be adopted or not, is there anything in this bill which commits the Congress of the United States or the people of the country to admit this Territory to statehood?

"Mr. HILL. I think there is, so far as the sentimental side of the question is concerned. The American people look upon the authorization and full organization of a Territory as the first step toward statehood. It has always been so construed; it always will be so construed. By the adoption of this amendment we shall simply put ourselves on record as declaring that this legislation is not adopted with that end in view."

A similar amendment presented to the Senate during debate on the same bill was not considered because of a point of order. The House amendment was defeated. While it was ably pointed out by Congressman John S. Williams, of Mississippi, that the amendment was either unnecessary because it could easily be repealed, or unconstitutional if every Territory was necessarily in process of formation for statehood, the very fact that the gentleman from Connecticut proposed the amendment demonstrates that, prior to the annexation of Hawaii, no Territory has been acquired by the United States, the manifest destiny of which was not to become a State.

Mr. President, if Hawaii fails to get statehood this year, it will only fail because the majority refuses to bring up the bill for consideration. The decision that we should await action in the other body merely invites a filibuster. If we take the Hawaiian bill up now, it will pass: if we wait for a House-passed bill, which we could not get for several weeks in view of the House situation today, it will never pass this year. Since the House Interior Committee already has a heavy schedule, we will find ourselves debating Hawaii statehood on the eve of adjournment, if we wait for House action. Every aspect of the Hawaii question demonstrates the necessity for prompt action by this body on the Hawaii bill.

The House has passed the Hawaii bill three times. This body has passed such a bill only once—and then only after Alaska was tied to it. Why should the House consume its time to debate Hawaii before we act upon the measure when we have three times previously frustrated the attempts of that body to confer statehood on Hawaii?

Are we to signify to the Asiatic peoples of the world that Hawaii is not to become a State because a minority of the Congress questions the racial complexion of Hawaii? Do not the Americans in Hawaii—and 85 percent of Hawaiians are native-born American citizens—deserve the same full rights of citizenship which we have just conferred upon Alaskans, Caucasians, Indians, Eskimos, and Aleuts? Does not the fact that Hawaii, the symbol of freedom in the Pacific, and the bastion of our own defenses in the west for more than 100 years, suffered the indignity of Pearl Harbor mean anything to Americans in the present 48 States—almost 49?

Mr. President, the statehood fever has reached a high temperature. Our citizens are becoming more interested in what it means to witness the birth of a State. The press of the country is devoting much attention to this subject.

If Hawaii is not admitted this year, pledges mean nothing. Both major parties pledged statehood for Alaska and

Hawaii. Alaska has received statehood; Hawaii should also—during this Congress. Our job is truly only half done.

On April 2, 1957, the chairman of the Democratic National Committee stated:

I think the greatest message that we in this year of 1957 could send to the peoples throughout Asia and beyond the Pacific in this troubled world of ours would be that the United States has granted first-class citizenship to our fellow Americans in the Territory of Hawaii, and has admitted Hawaii as the 49th or 50th State of the Union.

He made that statement as a witness before the Senate Interior and Insular Affairs Committee. Oddly enough, this was the same gentleman who, when addressing the 29th Hawaiian Legislature in Honolulu in February 1957, had said:

I am confident that a vast majority of Democrats, both in the Senate and in the House, will support the bills. I am frank enough with you to say that Democratic votes alone will not be sufficient to pass the bills.

A few Republican votes will be needed in each House of Congress. It is to be hoped that the President will give more than lip service to the cause of statehood this year and will see to it that members of his party vote for statehood.

Following his statement to the Senate Interior Committee, appears this colloquy from the same chairman of the Democratic Party:

We hope this will be from here on out completely bipartisan. If that is the case, we should have statehood before the Fourth of July for both.

Mr. BUTLER. Maybe Independence Day would have greater meaning for approximately three-quarters of a million citizens.

Independence Day had a significant meaning in Alaska, because the Senate of the United States, by the votes of 33 Republicans and 31 Democrats, kept faith and fulfilled one-half of the pledge of the two parties. The Republican Party is ready and anxious to fulfill its pledge to Hawaii also.

In a speech on the Alaska statehood bill, I said there should be no fewer than 70 senatorial votes for Alaska. In fact, 72 Members of this body cast affirmative votes on the question of statehood for Alaska. Those 72 votes should demonstrate to the majority that debate upon the Hawaii statehood bill would not be interminable.

Mr. President, on February 2, 1953, President Eisenhower requested enactment of Hawaii statehood legislation, and stated "the people of that Territory have earned that status." The President has repeated his request every year for 6 years. Only yesterday, when he signed the Alaska statehood bill, the President said:

While I am pleased with the action of Congress admitting Alaska, I am extremely disturbed over reports that no action is contemplated by the current Congress on pending legislation to admit Hawaii as a State. My messages to Congress urging enactment of statehood legislation have particularly referred to the qualifications of Hawaii, as well as Alaska, and I personally believe that Hawaii is qualified for statehood equally with Alaska. The thousands of loyal, patriotic Americans in Hawaii who suffered the ravages of World War II with us and who experienced that first disastrous attack upon Pearl Harbor must not be forgotten.

Mr. President, only political expediency could prevent the fulfillment of that request. We Republicans have been called upon for aid, help, and assistance to make statehood for Hawaii a reality. That help is available here. Let us pass the Hawaiian statehood bill.

THE DEPARTMENT OF DEFENSE REORGANIZATION BILL, H. R. 12541

Mr. DOUGLAS. Mr. President, on Friday, June 27, in company with my colleague the distinguished junior Senator from Missouri [Mr. SYMINGTON] I discussed rather extemporaneously some of the problems having to do with the proposed reorganization of the Department of Defense. It soon became apparent that there were strong differences of opinion between us concerning the pending legislation.

It was clear that both of us believed that the House-passed bill, H. R. 12541, needed to be amended. However, it appears that the junior Senator from Missouri believes that the bill does not go far enough, whereas the Senator from Montana [Mr. MANSFIELD] and I and, we believe, many other Members of the Senate believe the bill goes entirely too far.

BASIS OF CONSTITUTIONAL PROVISIONS

During that colloquy, the Senator from Missouri took exception to our belief that the House-passed bill would surrender such a significant portion of our Congressional responsibility that, in effect, it would amount to an abrogation of the constitutional duties which we are required to discharge. He argued, in a letter which he placed in the RECORD at that time, that the factors which gave rise to these constitutional provisions are now different, because at the time when the provisions were formulated, the civilian population was then distrustful of the military, resentful of the quartering of troops upon the populace, and suspicious of the efforts of commanders to discipline military personnel. He argued that it was as a result of those sentiments that there was made the constitutional determination that the Congress should control the size of the military forces and should regulate certain aspects of their discipline and behavior.

Mr. President, therein I believe lies one basis of the difference between those of us who are disturbed about the implications of this proposed legislation and those who support it.

It seems to me that they are saying that the constitutional system of checks and balances, which since the formation of our country has prevented difficulties from arising between our civilian and our military, should be abandoned. Thus, Mr. President, they argue, in effect, that because the system has worked so well, there is no longer present among our people the same sentiment which led to the Congressional restrictions which were placed on our military by the Constitution, and that we may as well discard them. I do not share this view.

The Senator from Missouri stated the point somewhat more narrowly in his letter, when he wrote:

In fact, the background of these constitutional provisions does not relate to the distinction between the legislative and executive branches of the Government; but rather to the relationship between the military and the civilian communities.

But I believe he is in error in that interpretation of the basis of the constitutional provisions.

In the analysis and interpretation of the Constitution prepared by the Library of Congress, and published in 1953, it is authoritatively stated, to the contrary, that the precise reason for the provision giving Congress that power was so that the Executive would not have the sole power to raise armies. The annotation—page 283—is as follows:

THE POWER TO RAISE AND MAINTAIN ARMED FORCES

PURPOSE OF SPECIFIC GRANTS

The clauses of the Constitution which give Congress authority "to raise and support armies, to provide and maintain a navy" and so forth, were not inserted for the purpose of endowing the National Government with power to do these things, but rather to designate the department of government which should exercise such powers. Moreover, they permit Congress to take measures essential to the national defense in time of peace as well as during a period of actual conflict. That these provisions grew out of the conviction that the Executive should be deprived of the "sole power of raising and regulating fleets and armies" which Blackstone attributed to the King under the British Constitution [1] was emphasized by Story in his commentaries. He wrote: "Our notions, indeed, of the dangers of standing armies, in time of peace, are derived in a great measure from the principles and examples of our English ancestors. In England, the King possessed the power of raising armies in the time of peace according to his own good pleasure. And this prerogative was justly esteemed dangerous to the public liberties. Upon the revolution of 1688, Parliament wisely insisted upon a bill of rights, which should furnish an adequate security for the future. But how was this done? Not by prohibiting standing armies altogether in time of peace; but (as has been already seen) by prohibiting them without the consent of Parliament. This is the very proposition contained in the Constitution; for Congress can alone raise armies; and may put them down, whenever they choose." [2]

So the grant of power to Congress did, in fact, relate directly to the distinction between the legislative and the executive branches.

Few nations in the world that have adopted the policies of greatly expanded executive power over the military, as espoused by the principal long-time proponents of this proposed legislation, have survived as democracies. Equally true, Mr. President, many of them have not even survived as nations, because the military system implicit in this bill has never stood up under the tests of modern war.

SUMMARY OF DEFICIENCIES IN H. R. 12541

The House-passed bill in my opinion is deficient in four major areas.

1. POWER OF CONGRESS WOULD BE CUT DOWN

First, the power of Congress over the assignment of military roles and functions is cut down, and the power of the

[1] Blackstone, Commentaries 263 (Wendell's ed. 1857).

[2] II Story, Commentaries, paragraph 1187 (4th ed. 1873).

Secretary of Defense and the President are increased, in the following manner:

(a) In section 3 (a) the bill gives the Secretary of Defense the authority and mandate to provide for more effective, efficient, and economical administration, including steps to transfer, reassign, abolish, and consolidate functions other than "major combatant functions." The only limitation on this power is that in case of functions established by law, he shall report pertinent details to Congress 30 days before the change—amended, section 202 (c) (1).

(b) In the case of "major combatant functions" assigned to the services by specified sections of the law, transfers, reassignments, abolition, or consolidation may be effected by the Secretary unless within 60 days of continuous session Congress passes a concurrent resolution of disapproval. This means a resolution passed by both Houses. It would be necessary for both Houses to disagree, if the action were to be invalidated. And under the express terms of the bill, a combatant function is considered a "major combatant function" subject to this relatively difficult Congressional check only when one or more members of the Joint Chiefs of Staff disagree with the proposed action—amended, section 202 (c) (3). If no one of the Joint Chiefs differed openly with the Executive, to whom he owed his appointment, and who would make the selection in large part on the basis of whether the prospective appointee agreed with the Executive, there would be no chance whatsoever of a Congressional check.

(c) In the case of hostilities or imminent threat of hostilities, the President may determine that transfers, and so forth, of any functions be made without any notice to Congress or Congressional veto power whatsoever—amended, section 202 (c) (2). Let me make it clear that I do not object to this latter power.

But under the other blank check powers in the executive departments, the United State Marine Corps, for instance—or naval aviation—could be virtually stripped of its functions as a major combat unit without any effective Congressional restraint. That this is not a remote possibility is clearly shown by the past recommendations of President Eisenhower himself and other noted military figures, whose counsel in this respect Congress has consistently rejected.

A few days ago I had printed in the RECORD a memorandum which was contained in the so-called Joint Chiefs of Staff memorandum which was published by the House Committee on Expenditures in the Executive Departments—Report No. 961, 80th Congress—under date of July 16, 1947.

I shall not ask that the full text be reprinted again at this point, although later I shall ask that it be done. I merely say that at that time the Chief of Staff of the United States Army was Gen. Dwight D. Eisenhower, the present President of the United States, and that on no less than two occasions he stated that the Marine Corps should be maintained solely as an adjunct of the fleet; that it should not participate in major shore combat operations; that its functions should be primarily confined to those of the movement of goods and personnel from ship to shore and to working parties on the shore; that it size should not exceed from 50,000 to 60,000 men; and that in effect it should cease to be a combat force. This is historical. I have seen no real indication that this point of view has been changed.

2. POWERS ENLARGED FOR CHAIRMAN OF JOINT CHIEFS AND FOR JOINT STAFF

The second objection which I make to the House bill is that the powers of the Chairman of the Joint Chiefs of Staff and the Joint Staff are substantially increased in the following manner:

(a) The Chairman of the Joint Chiefs of Staff is given power to select the Director of the Joint Staff—section 5 (a), amended section 143 (b)—though consultation with the other members and approval of the Secretary of Defense are also required.

(b) The Chairman is given coordinate authority to prescribe the duties of the Joint Staff—section 5 (a), amended section 143 (c).

(c) The Joint Staff is increased in size from 210 to 400 officers—section 5 (a), amended section 143 (a).

(d) The functions and organization of the Joint Staff are not specifically provided, aside from the noble injunction not to be a General Staff, followed by a vague permission to be organized and operated "along conventional staff lines"—section 5 (a), amended section 143 (d).

(e) In carrying out the new provisions for unified combatant commands—section 5 (b)—the Joint Staff and corporate body of the Joint Chiefs of Staff will provide a single, central command post for transmission of the Secretary's directives to the unified commands—See House report, page 24.

It seems almost inevitable that under these provisions we shall in fact create an operating general staff—not merely a planning general staff, but an operating general staff—which will be too far removed from the combat units to be able to make the most practicable plans for successful field operations, and will possess too highly concentrated power to be either efficient or sufficiently subject to civilian controls.

In my judgment there is one principle we need to follow in all proposals for military reorganization: We should not divorce planning from execution, for when there is too great a separation, the plans which are drawn become too difficult for the field units to execute.

Another dangerous consequence of these provisions increasing the power of the Chairman and of the Joint Staff may be that, in view of the generally predominant attitude in higher military circles that we must prepare primarily for all-out war, there may be a neglect to prepare our Nation adequately for the more limited, or brush-fire wars which seem to some of us the more likely threats in the years just ahead. I may say I think our military policy of the past 5 years has erred precisely in that direction.

3. ARMED SERVICE SECRETARIES' POWER REDUCED

Third. The power of the Secretaries of the different services is substantially reduced by:

(a) The removal of the service Secretaries from the chain of command for the unified and specified combatant commands, making them little more than Secretaries of supply commands, in effect. This is accomplished by making these unified commands directly responsible to the President and Secretary of Defense—section 5 (b). As the House report puts it:

> The President proposed and the proposed legislation recognizes, that the Joint Chiefs of Staff, acting as a corporate body, will replace the former executive agents (the military departments) in order to provide more centralized direction of the unified commands.

4. INCREASED BURDENS OF SECRETARY OF DEFENSE

Fourth. The Secretary of Defense will be more heavily loaded with responsibilities and more insulated from the day-to-day problems by the military staff, and civilian control of the Defense Establishment will thereby be weakened by:

(a) The added burden of the unified commands directly responsible to the Secretary of Defense—section 5 (b).

(b) The removal of the civilian secretaries of the different services from the chain of command of the unified commands, previously referred to.

(c) The strengthening of the Joint Staff of the Joint Chiefs of Staff previously referred to and the substitution of these military advisers for civilian service secretaries who have previously served as executive agents for the unified commands.

In commenting on these new arrangements, the House committee report stated, "Indeed the monolithic implications of this development, if left unbridled, could be alarming."

HOUSE RESISTED FURTHER CONCENTRATION

The House most wisely, in my opinion, resisted the efforts of the administration to increase even further the dangerous reductions of power in Congress and concentrations of power in the Secretary of Defense, Chairman of the Joint Chiefs, and their Joint Staff, which I have outlined.

It refused to permit Congressional action of disapproval only in cases where two members of the Joint Chiefs of Staff disagreed with a proposed shift of roles and functions. It refused to hog-tie the rights of the separate service secretaries and members of the Joint Chiefs of Staff to make recommendations on their own initiative to Congress. It refused to take from the general provision concerning the power of the Secretary of Defense over each department the explicit statement that it should be exercised through the respective secretaries of such departments.

I may say the administration has been bending every effort toward getting each and every one of those provisions restored to the bill, and is making them must objectives.

But despite this wise resistance by the House to the further pressures for

greater centralization of executive and military power, I believe the bill as passed by the House goes too far in the respects which I have noted.

I do not argue that every one of the provisions I have listed should be deleted from the bill or modified, though a number of them should. But in their totality they represent a surrender to the Executive of our constitutional obligation, a threat to the maintenance of ready combat units like the Marine Corps, an undue concentration of military power in the Chairman of the Joint Chiefs of Staff and the Joint Staff, and a weakening of civilian control which I believe the Congress should not approve.

FULLER ANALYSIS OF DEFICIENCIES

The arguments concerning these four deficiencies are to a great extent interrelated and inexorably intertwined.

The major flaw in this bill is the fact that it substantially surrenders the responsibility placed by the Constitution upon Congress to regulate our Military Establishment. In a larger and more general sense, it decreases the civilian control over our military through reducing Congressional control and also by certain internal changes within the Department of Defense.

THE CONSTITUTIONAL RESPONSIBILITIES OF CONGRESS

Article I of the Constitution is quite specific in several instances on this point. In general terms it provides in section 8–1 that the Congress shall "provide for the common defense"; and, in section 8–12, it says that the Congress shall have power "to raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years." Incidentally, this latter provision is, of course, being constantly violated at the present time. Then, in section 8–13, it is set forth that the Congress shall have power "to provide and maintain a navy"; and, in section 8–14, it is provided that the Congress shall have power "to make rules for the government and regulation of the land and naval forces." Section 8–16 provides that the Congress shall have power "to provide for organizing, arming, and disciplining the militia," and the same section reserves to the States the appointment of officers and the authority to train the militia.

The President, to be sure, has a vital, coordinate responsibility. Article II, section 2, provides that the President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States. But under the Constitution his is not a dominant authority over the obligations laid upon Congress; it is only coordinate.

Mr. President, in one respect I agree with the distinguished junior Senator from Missouri [Mr. SYMINGTON] when he says that it was the sentiment of the times which made such restrictions important. Our forefathers had known through their own experience what happens to nations where there is little control over the military forces. In England, the responsibility for providing, maintaining, and regulating the forces had always been vested in the Crown or the executive branch of the Government. The framers of our Constitution rejected that principle. And the plan they established has worked.

EXPERIENCE OF OTHER NATIONS CONFIRMS WISDOM OF OUR SYSTEM

The wisdom of their conclusions has been borne out by the experience of other nations as well. Even today, we find in those areas of the world where military men become dominant, either through filling vacuums which may exist in the normal political or economic structure of a country, or through chicanery or force of arms, they soon control or supersede the governments of the people which had been established by constitutions or traditions.

It is surely not necessary to enumerate all the nations in which this has happened, but I think, with all justice, I can point out that within prewar Germany, where its general staff system had become the epitome of the armies of the world, it was the force of this army along with some of the financial leaders of the country which helped to install a rabble-rousing civilian as the chief political figure in that nation. Thereafter this leader, through his own means of controlling the individual members of the military establishment, created one of the most despotic and despicable regimes in the world.

Even today in France, in one of the truly democratic nations of the world, we find that the military men through their strength have insisted that the head of the civil government be replaced by an individual of their choice. Even today he is struggling with the conflicting points of view within rival military camps. It is clear that force, not reason, may well be the dominant factor and determine the immediate future of France.

Mr. President, I think that the framers of our Constitution were correct in their fears. Certainly in our country we have not been plagued by such problems as these. But surely every thoughtful citizen must want us to continue to avoid these dangers.

CENTRALIZATION DRIVE HAS DEEP ROOTS

Mr. President, I cannot find anything new in the arguments which are being advanced to support the proposed legislation. It is, in fact, startling to find that the same persons who were making the arguments a dozen years ago based on the problems in existence at that time now advance exactly the same solutions for what all of us readily agree are new and vastly changed problems.

What then is the genesis and source of these recommendations? We know that the United States Army created a general staff structure within the old War Department as early as 1903, and following World War I developed it to its present status. We know that traditionally, through public proposals, as in the so-called Collins plan (for a single chief of staff and a national general staff), and through statements made from time to time in the press or other media by such distinguished gentlemen as General Bradley, General Spaatz, and others, they have consistently believed in broad terms in a single service, a national general staff, and a single chief of staff. And the present President of the United States was also raised in the same school and apparently has embraced the same philosophy.

CONGRESS HAS RESISTED COMPLETE CENTRALIZATION

Fortunately, Mr. President, the Congress has repeatedly disagreed with these individuals over the years. I profoundly hope the Congress will continue to do so. In 1946, the original effort made along this line was to incorporate into the law the so-called Collins plan. This was rejected by the Congress. In 1947, when the so-called Unification Act was adopted, the merger of the services was specifically forbidden, as was the creation of a single operating general staff and a single chief of staff.

Very reluctantly, in 1949, the Congress went along with certain changes in the Unification Act by creating a Chairman for the Joint Chiefs of Staff, but once again we rejected representations made at that time as to the need to "tie in" the military control over all the services. In 1952, over the opposition of the Army, Congress temporarily guaranteed the continuation of the Marine Corps by prescribing a minimum strength of three divisions.

Then in 1953, many of the same experts who are now continuing the organizational struggle within the Department of Defense, came to us with the support of the President. They convinced us that we should not refuse Reorganization Plan No. 6, which the President himself said was designed to increase civilian control over the military by placing more authority in the hands of the service department Secretaries.

It was under this plan that we created the numerous under secretaries, deputy under secretaries, assistant secretaries, deputy assistant secretaries, assistants to deputy assistant secretaries, deputies to assistants to deputy assistant secretaries, and so on. Such is the organizational monstrosity which now inhabits the Pentagon, and those responsible for it did such a terrible job they now come to us and say, "We did a poor job, but now you must take our word for it that we know how to do the perfect job."

Yet, within a period of 5 short years, we find that this plan is declared to be inadequate. It is now urged that the service Secretaries have too much authority; that it is necessary to specify greater powers for the Chairman of the Joint Chiefs of Staff and thus almost set him up as a separate entity, and that there is need to create a greatly enlarged general staff at Department of Defense level, which will probably become an operating general staff, and may either carry with it, on the one hand, a complete disruption of the separate operating staffs of the highly technical separate services, or, on the other hand, result in tremendous overlapping and duplication with a corresponding decrease in efficiency.

We may have to enlarge the Pentagon to an octagon in order to provide for the additional Secretaries, Assistant Secretaries, and staff officers.

DEFENSE DEFICIENCIES DO NOT RESULT PRIMARILY FROM LACK OF EXECUTIVE AUTHORITY

What, Mr. President, is wrong with the present organization that supports the present demands for more authority?

I think the best way to get efficiency would be to eliminate at least two-thirds of the superstructure which was built up in 1953 by the very same experts who are now coming forward and telling us what we should do.

I believe I can tell Senators one of the troubles with the Department of Defense—and it is not the lack of authority which this bill seeks to confer.

First, I refer to the fact that insofar as the Department of Defense is concerned, there is no lack of legal authority to accomplish changes desired within the Department. Under date of March 17, 1953, Mr. H. Struve Hensel, Counsel for the Committee on Department of Defense Organization, rendered a legal opinion to the Secretary of Defense which was also signed by Mr. Roger Kent, General Counsel for the Department, and Mr. Frank X. Brown, the Assistant General Counsel for Departmental Programs within the Department of Defense. This legal opinion was prepared at the request of the Secretary of Defense. I quote from its conclusion:

In our opinion, the Secretary of Defense now have by statute full and complete authority, subject only to the President and certain specific restrictions subsequently herein listed, over the Department of Defense, all its agencies, subdivisions, and personnel. To make this statement perfectly plain, there are no separately administered preserves in the Department of Defense. The Secretaries of the military departments, the Joint Chiefs of Staff, all officers and agencies and all other personnel of the Department are under the Secretary of Defense. Congress has delegated to the Secretary of Defense not only all of the authority and power normally given the head of an executive department, but Congress has in addition expressly given the Secretary of Defense even greater power when it made the Secretary of Defense the principal assistant to the President in all matters relating to the Department of Defense.

To repeat, subject to the President and certain express prohibitions against specifically described actions on the part of the Secretary as contained in the National Security Act as amended, the power and authority of the Secretary of Defense is complete and supreme. It blankets all agencies and all organizations within the Department; it is superior to the power of all other officers thereof; it extends to all affairs and all activities of the Department; and all other authorities and responsibilities must be exercised in consonance therewith.

Now, the six specific areas which were mentioned as limitations on the supreme power of the Secretary of Defense involve:

First. That he may not transfer, reassign, abolish, or consolidate the combatant functions of the military services. In general terms, those functions were carefully spelled out in the law.

Second. That he could not accomplish this indirectly through the handling of personnel or appropriations.

Third. That he could not merge three military departments or deprive the Secretaries of those departments of their legal rights to administer the organizations;

Fourth. That he could not use his power to establish a single command—single Chief of Staff—or an operating military supreme command over the Armed Forces;

Fifth. That he could not without first reporting to Congress transfer, reassign, abolish, or consolidate other types of specific functions; and

Sixth. That this law did not prohibit the Secretary of the Department of Defense or a member of the Joint Chiefs of Staff from presenting to the Congress on his own initiative recommendations that he deemed proper.

These were all reasonable and necessary limitations.

BUT ADMINISTRATION SEEKS GREATER EXECUTIVE AUTHORITY AND WOULD VIRTUALLY CREATE A GENERAL STAFF

Yet, Mr. President, despite this broad interpretation of their powers under existing law, which has not been challenged by anyone that I know of, the administration is now insisting that many of these Congressional limitations be removed. What they would have us do is to decrease the authority of Congress and at the same time decrease the authority of the several services' Secretaries with a further consolidation of authority in the Office of the Secretary of Defense. That is specific in this legislation.

They would also insulate the Secretary of Defense from the normal operations of either the military or the civilian system by the force and effect of an increased operating general staff headed by the Joint Chiefs of Staff—the officer personnel is to be virtually doubled—but from which the Chairman is being singled out and given superior powers by some of the language of the law. In this regard, notwithstanding the worthy statements of policy expressed in section 2 of this bill—which says among other things "but not to establish a single Chief of Staff of the Armed Forces nor an overall Armed Forces general staff"—section 5 of the bill does move rather far in the direction of establishing a de facto single Chief of Staff and increases the size of the Joint Staff to give it the necessary implementing power.

Mr. President, is there any question that this staff will be organized along conventional staff lines, and will be an operating general staff for all of our military services?

It may be argued by some that this bill does not elevate the Chairman of the Joint Chiefs of Staff, or make him a single Chief of Staff. Indeed, the House committee report warned of the dangers of any such result, but declared the safeguards in the bill adequate to prevent it. But I point out such language in the bill as "the Chairman of the Joint Chiefs of Staff in consultation with the Joint Chiefs of Staff shall select the Director of the Joint Staff," and, later, "the Joint Staff shall perform such duties as the Joint Chiefs of Staff and the Chairman shall prescribe." These new powers, when added to his existing powers to prepare the agenda for meetings, report to the Secretary, and manage the Joint Staff, go a long way toward separating the Chairman of the Joint Chiefs from the corporate body of the Joint Chiefs of Staff and making him superior to them.

By such legislation we shall have moved close to the final step of creating the same single Chief of Staff which in the past the Congress has specifically forbidden by law, but which has always been the premise supported by our present President and a relatively few but persistent individuals within our country, most of whom have either served in a military or civilian capacity with the United States Army.

Further evidence that this is their objective, and that they look upon this objective as one worthy of their sustained efforts over the years, was provided by some of the testimony given before the Senate Committee on Armed Services. In that regard, a former major general of the Army, Otto L. Nelson, Jr., testified as a representative of the United States Chamber of Commerce. Under questioning by the distinguished senior Senator from North Carolina [Mr. ERVIN] it developed that General Nelson had written a book describing the development of the general staff structure within the Army and their single Chief of Staff. This book was entitled "National Security and the General Staff." It was perfectly clear that General Nelson was one of the architects within the Army of their present staff structure, and believed fully that this was the best system for a combination of all our military services. The last paragraph of his book is most revealing:

THE GENERAL STAFF CONCEPT AND THE FUTURE

The general staff concept has come a long way since Elihu Root persuaded the Congress to establish it in 1903. It has abundantly justified its usefulness in extending the directing arm of leadership. Over a long peacetime period and during two World Wars, the general staff has come to be recognized as an effective instrument for planning, coordination, and supervision. As the complexities of modern warfare and the problems of command become more difficult, the greater is the need for an improved general staff organization with more effective techniques of control. The general staff concept still has a long way to go in reducing the top-level job of integrated national security to manageable proportions. This can be its most important contribution, but it need not stop there. The application of such an instrumentality enlarging the capacity of the chief to direct is not inherently restricted to military use but is applicable to any organization whose size and complexity require that the directing head have something strong on which to lean.

Earlier, in his final chapter, General Nelson discussed the importance of an overall general staff for what he referred to as "the Secretary of a Department of National Defense." He wrote, "the crucial need is for a general staff or some similar organization at the very top level." In this discussion, he pointed out that the influence and competence of the staff would be strengthened if a certain percentage of its members could be appointed for a 6- or 8-year period, or even permanently.

The one thing that is missing from the general's book is any discussion of the effect of such a military structure upon the framework of a free nation operating under a constitutional form of government.

In response to questions as to whether he might have changed his mind, General Nelson stated, in substantial part, that he believed all these steps were an orderly evolution within a rapidly changing world, and that Congress ought to go ahead and enact this legislation, and, after the Joint Chiefs of Staff had operated under the new law for a period of a year or two, we should then take another look at it to determine the next step.

HOUSE COMMITTEE OUTLINED DANGERS OF NATIONAL GENERAL STAFF

In this connection I invite attention to the report of the House Committee on Armed Services which accompanied H. R. 12541, which contains some very good comments on this point. I read from page 27:

On the other hand, there has been little or no development of the reasons why an Armed Forces general staff, at national level—whether "Prussian" or native—is dangerous.

The general staff is the essential staff organization required to permit rapid and successful conduct of combat operations on the field of battle. The reasons for the effectiveness of the general staff as an instrument for decision making in combat are two:

1. It is an axiom of war that, in battle, any decision, however faulty, is better than no decision.

2. The general staff is an effective decision-making machine because its principal faculty is the swift suppression, at each level of consideration, of alternative courses of action, so that the man at the top has only to approve or disapprove—but not to weigh alternatives.

Such an organization is clearly desirable in battle, where time is everything. At the top levels of government, where planning precedes, or should precede, action by a considerable period of time, a deliberate decision is infinitely preferable to a bad decision. Likewise, the weighing of legitimately opposed alternative courses of action is one of the main processes of free government. Thus a general staff organization—which is unswervingly oriented to quick decision and obliteration of alternative courses—is a fundamentally fallible, and thus dangerous, instrument for determination of national policy.

I may say in this connection that the entire country has been suffering from a staff concept under which alternatives are not fully stated to the President of the United States but under which he merely receives a staff paper recommending a certain course of action, with perhaps an argument or two against it, but in connection with which all he needs to say is yes or no—and is shielded from the pressures and conflicts of interested persons in making a decision.

I continue reading from the House report on page 28:

As a corollary, it is the nature of a general staff at national level to plan along rigid lines for the future. This creates rigidity of military operations and organization and historically has led general staffs to attempt to control all national policies involved in war—notably foreign and economic policy, both of which lie far beyond the proper sphere of military planners.

Moreover, when structurally placed over all the armed services and military departments, an overall Armed Forces general staff serves to isolate the politically responsible civilian official from all points of view but its own, so that, while he, in theory at least, retains all power, this power becomes increasingly captive to the recommendations of the general staff.

NEW EXECUTIVE AUTHORITY ASKED IS LARGELY A BLANK CHECK

In essence then, Mr. President, the Congress is being asked to reverse its position on the form of our military structure, divorce itself from most of its responsibilities for future control and turn its constitutional authority over to the Secretary of Defense.

Furthermore, the proponents of the bill in the administration do not even bother to tell us how they propose to organize or operate. So far as I know, no witnesses have told the Congress how they propose to organize within the Department of Defense to exercise this new authority if we should give it to them. The distinguished chairman of the Senate Armed Services Committee has asked that they suggest specific plans. So far, to my knowledge, this has not been done.

Moreover, the present Chairman of the Joint Chiefs of Staff was asked if the Joint Staff would be organized on conventional staff lines or whether an operational section would be established within the present framework of the Joint Chiefs of Staff. General Twining testified in response to that question that it would be one or the other, but they had not yet made up their minds.

There is reason to believe, however, Mr. President, that not only have they made up their minds, but that the organization of an operational general staff is in process, and officers are being earmarked for duty on that staff.

Yet, in the face of this lack of candor, or knowledge, on the part of the perennial experts in the executive branch as to what will be filled in on the blank check, we are asked to surrender our Congressional control over these matters to an extent which will make it relatively impossible in the future for the United States Congress to discharge its constitutional responsibilities in this field, or to preserve the assignments of combat functions which we have carefully guarded in the past.

NORMAL CONGRESSIONAL RESTRAINTS ON EXECUTIVE REORGANIZATIONS SHOULD BE PROVIDED

Mr. President, perhaps we should give the Secretary of Defense a little more authority to accomplish desirable reorganizations within the Department of Defense.

If so, I would suggest that we follow the normal reorganization procedures established for other executive departments, as proposed by the Hoover Commission and adopted by Congress. These would require that proposed changes within the Department of Defense be subject to disapproval by Congress within a fixed time period by a simple majority of those voting in either House, instead of the requirement of a majority of both Houses, as is contained in the bill.

This has been recommended by several witnesses, including Mr. Ferdinand Eberstadt, an outstanding authority in this field. The House-passed bill is markedly deficient in that it requires a concurrent resolution for this purpose—a resolution passed by both the Senate and House—which would make it much more difficult and would reverse our normal legislative procedures.

Furthermore, the House-passed bill limits application of even this limited Congressional control to what are described as major combatant functions. And as I pointed out in the Senate 10 days ago, Mr. President, under the terms of the bill a function would only become a major combatant function when a member of the Joint Chiefs of Staff would object to its transfer, reassignment, consolidation or abolition.

I submit it is unreasonable to assume under this definition that many matters would ever come to the Congress, in view of the fact, as has been stated, that any promotions above two-star rank are to be conditioned upon prior agreement with the general defense policies of the Executive. This would tend to produce a group of general officers who would abdicate individual responsibility and who would accept the dominant theories of the group which happened to be in control of the Defense Department. Therefore, we would under this bill sharply restrict the number of cases in which Congress would have any modicum of control.

Mr. President, I would recommend amendments—if the Senate committee does not anticipate me in this respect—to insure that the Congress maintains control over all functions, roles, and missions which have been established by statute; that proposals for change in these areas should come to the Congress for 60 legislative days, and that during that time they could be defeated by a simple majority of either House. This would make changes within the Department of Defense subject to the same controls by Congress that it has established in less important fields.

REQUESTED ADDITIONAL EXECUTIVE AUTHORITY WILL NOT AID QUICK REACTION TO ATTACK

A great deal of the advocacy for this measure stems from casual acceptance of the premise that it is designed to give us a fast reaction in the event of attack. So that there may be no misunderstanding as to this conception which has been so carefully nurtured by the proponents of this bill, I wish to discuss whether these prompt decisions and this alleged quick action are in fact likely to be advanced by the proposed measure.

All of the peacetime and much of the wartime business of the Secretary of Defense consists of the day-to-day handling of administrative matters arising in this complex governmental department. In fact, this Department comprises—in size and in funds expended—the largest single entity within America. The proponents of this legislation are striving to place more of the details of the actual administration of this vast organization in the hands of the Secretary of Defense. By so doing, it is clear that they would defeat their stated purpose to improve the efficiency and administration of the Department.

I said earlier I believed I could tell in part what is wrong with the present defense structure. In his testimony before the Senate committee, Mr. Ferdinand Eberstadt stated, "The larger the

Secretary's Office, the greater the confusion and the less the efficiency. What is lacking, in my opinion, is not more authority but more decision." He believed it unwise and vigorously opposed any further centralization of authority within the Office of the Secretary of Defense because he thinks it simply cannot be administered by one man, no matter how able he may be. He pointed out that there will have to be logical subdivisions of the problem, or it cannot be solved.

Now, Mr. President, it becomes clear that these matters which seem to vex the President and the Secretary of Defense to the greatest extent have nothing to do with the split-second reaction time which the proponents of this bill are using as one of the main theses in supporting their request for its passage. They would lead us to believe that what we need at the top of our military structure is a battlefield command post from which instantaneous, military decisions will be promulgated in times of crisis.

Many of my distinguished colleagues know the fallacy of these views. One lesson we learned in World War II—and while we continually decry the experience of previous wars in the light of advancing technology, I still submit that the problems of World War II were to those who fought it as advanced as the ones we now project as problems of new world conflicts—we learned you simply do not fight battles from Washington.

UNIFIED COMMANDS ALREADY MAKE SPLIT-SECOND REACTIONS POSSIBLE

We learned to establish unified commands in the field. During World War II and up to and including today, as we stand here debating this subject, we have had operational commands throughout the world, prepared to move on a moment's notice in the event of an attack on the forces within these commands or any part of the United States. Believe me, if the Sixth Fleet has to wait for a meeting of even the proposed streamlined staff suggested in this bill, they will have little effect on the outcome of any future world war. The unified commander in the theater of operations must control. He does now. He will under any law.

We also have another great command in our military system known as our Strategic Air Command. This is a unified command, or to be more exact, it is called a specified command. It takes its broad plans and policies from the Joint Chiefs of Staff and then, under the Chief of Staff of the Air Force and the Air Staff, prepares itself for instantaneous reaction to any enemy aggression. It will not wait for staff direction from Washington.

I believe it is clear that they should not make any nuclear air strikes on their own initiative, but only on orders from the Commander in Chief himself. But I understand that arrangements have already been made so that this can be done, and without delay.

Mr. President, these entities are in being now. There is no reasonable basis for stating that we have been completely negligent in preparing ourselves to meet these problems of today or tomorrow. The facts are to the contrary. The demonstrated need for stepping up the research and development of weapons does not justify all of the proposed centralization of our military and executive authority. We cannot look for better instantaneous, split-second decisions from our Joint Chiefs of Staff as a result of the new authority proposed in the bill.

Mr. President, it is an old military saying that in tactics a bad decision is better than no decision. But with regard to broad strategy planning as distinguished from tactics, and the broad, national policies on which our Joint Chiefs of Staff must pass judgment, that axiom must be reversed, as the passage which I read from the House committee report suggests.

It is my belief that at that level no decision would be preferable to a bad one. A bad decision would commit us to set courses of action, the development of given weapons, the focusing of our foreign policy along given lines, none of which could be readily changed once the error was discovered. I frankly want our Joint Chiefs of Staff to continue to serve as the focal point for debate and discussion of legitimately opposed, alternative points of view. The gentlemen who achieve this rank are not individuals to dispute matters for shallow or minor cause. Each is skilled in his element of our total military structure. Together they can give us the soundness of decision which we require.

I do not want to replace the collective judgment of these men by the single judgment or predominant judgment of even the wisest man in the world—and we cannot be sure we would get the wisest man in the world in any case. Nor, as I have said earlier, do I want to substitute for the collective judgment of Congress, the judgment of the best Secretary of Defense that the world has ever seen.

It has been said many times that ours is a government of laws, not of men. Men, even Presidents and Secretaries, change with political vicissitudes and by natural law. Our laws, however, must be such as to endure so long as they are required for the good of our Nation as a whole. Therefore, it is difficult for me to understand why or how we shall improve our national security by giving such authority to any President or any Secretary of Defense, however skilled in these matters the present incumbents may be. Their successors might not possess the same skills and virtues.

NOT MORE AUTHORITY, BUT MORE DECISION IS THE NEED

I am sure by now my colleagues recognize that many of the proposals in H. R. 12541 are the basis of some suspicion and great concern on my part. We have good laws on the books today. We were beguiled in 1953 by the same experts who now condemn the system erected at that time, to create more Assistant Secretaries of Defense and in the several service departments in order to improve military operations. Their own lawyers have told them that they have all the authority in the world to do anything that needs to be done, subject only to the restrictions placed on them by Congress. Yet they press us for added centralized authority.

Even if we gave them the type of blank check which President Eisenhower seems to demand, the crux, the heart, the lifeblood of the Department of Defense will still be proper leadership and willingness to make decisions.

For the President of this country and the Secretaries of Defense appointed by him to say that they cannot control the individuals within the Department of Defense without added authority, gives patent proof of the lack of positive leadership, which is, I believe, the real source of the trouble within the Pentagon. I have had some reports—which I believe to be accurate—that the Joint Chiefs of Staff will frequently unanimously agree upon a matter which must be approved at a higher level, and will then have to wait for as long as 2 years without receiving a decision. How would the proposed new law help this?

It may well be time for the Congress to determine whether or not we have not gone too far in permitting the five sides of the Pentagon to encompass many times the personnel and responsibilities that they themselves asked for in 1947, and to which we intended to limit them.

The memory of many Senators runs back to the debate on the Unification Act, in which it was stated that the total number of persons working in the Office of the Secretary of Defense would be in the vicinity of 100 and that the total appropriation to support them would be around $663,000. Contrast that with what we have today. The latest report of the Secretary for January–June 1957, lists 1,511 civilian employees and 695 assigned military personnel in the Secretary's Office alone. The 1959 budget estimate for 1,261 of these civilian employees in the Secretary's Office is $10,100,000, with other expenses bringing the total to $15,900,000.

Yet those who today under the slogan of economy and efficiency are pleading and even demanding that the Congress give up many of its constitutionally required controls over the military are much the same as those who in 1947 made the representations to which I have referred. I, for one, have reached the point of asking to see at least a prototype model of the military structure and not simply to have it described to me in very general terms by the alleged experts in this field. What do they propose to write into the blank check if we give it to them?

It is worthwhile to recall that the House of Representatives heard no testimony in opposition to the President's proposals. The distinguished chairman of our Armed Services Committee—and I commend him for it—has seen fit to hear both the pros and cons of the issue. It has been interesting to me that while editorial comment has not materially changed, the news reporting has become more objective, and now reports are published that there are at least two sides to this problem.

Moreover, many columnists and some editors have begun to question whether or not the House bill has not gone too far. Therefore, I feel that each of us

should be alert to the fact that we have so far been presented with a wealth of carefully sponsored material largely on one side of the case. The opposition is only now beginning to be heard from.

UNCHECKED EXECUTIVE POWER TO ASSIGN ROLES AND FUNCTIONS THREATENS CONGRESSIONALLY APPROVED COMBAT ROLE OF MARINE CORPS

Obviously I have strong feelings that the proposed legislation raises serious constitutional questions.

I would be less than frank with my colleagues, however, if I did not state that under this legislation I am concerned that it would be possible for any segment of our military organization to be done away with as a combat unit, with Congress having little opportunity to speak in the matter.

I do not pretend that Congress is perfect in its judgment on all matters. I think that in the framing of specific schedules of a complicated tariff, the major portions of its work must of necessity be delegated to other bodies. But in the field of military judgment, I submit that Congress has had an extremely good record, and that its record has been very good in comparison with that of the executive branch of the Government.

In the past, within a given service where one man determined the form and structure of the organization, many gross mistakes have been made. Frequently Congress alone has forced the acceptance of a concept which had theretofore been unacceptable to the Chief of Staff of a particular service.

Probably there never would have been an Air Force if it had not been for Gen. Billy Mitchell and for Congress. There might never have been a Naval Air Force if it had not been for Congress. We have had to have our military martyrs to give us an Air Force, to bring about an air arm within the Navy, to give us an amphibious force capable of carrying out that highly specialized type of operation.

If it had not been for Congress and the work of the Truman committee, there would have been the grossest abuses in the arming and in the supplying of our forces during World War II.

More recently, we have found Congress forcing an acceptance of the concept of nuclear energy for submarines, which was being resisted by some within the military services.

If it had not been for Congress, Admiral Rickover would not have been promoted, and the *Nautilus* would not have been commissioned.

This is on the affirmative side. But in a negative manner, the role of Congress is equally important. Witnesses have testified before the House and Senate Armed Services Committee that under this bill the United States Marine Corps could be reorganized into complete obscurity. I note that Secretary McElroy says that has changed his views on this point.

I believe that if any such endeavor were ever undertaken, it is possible that Congress might find some way to undo the harm done by this law and force the maintenance of the Marines as the ready combatant force of our Nation. But the important point to me lies in the principle that the Congress must not be willing to give up such authority, so clearly vested in it by the Constitution, to a member of the executive branch of our Government.

This is particularly true when, as I recalled in the Senate 10 days ago, and earlier today, the President and other close advisers of his are known to have proposed just such a breakup of the Marine Corps' central function as long ago as in 1946.

Mr. President, I ask unanimous consent that excerpts from two memorandums from General Eisenhower, then Chief of Staff of the United States Army, and another from General Spaatz, commanding general of the Air Force, which appeared in House Document No. 961, 80th Congress, be printed at this point in the RECORD.

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

In the memorandum forwarded by General Eisenhower, then Chief of Staff, United States Army, among other things we find this:

"The conduct of land warfare is a responsibility of the Army. Operationally, the Navy does not belong on the land; it belongs on the sea. It should have only technical and administrative functions on land in connection with its headquarters, bases, or other naval installations. The emergency development of the marine forces during this war should not be viewed as assigning to the Navy a normal function of land warfare, fundamentally the primary role of the Army. There is a real need for one service to be charged with the responsibility for initially bridging the gap between the sailor on the ship and the soldier on land. This seems to me properly a function of the Marine Corps. I believe the Joint Chiefs of Staff should give serious consideration to such a concept. The need of a force within the fleet to provide small readily available and lightly armed units to protect United States interests ashore in foreign countries is recognized. These functions, together with that of interior guard of naval ships and naval shore establishments, comprise the fundamental role of the Marine Corps. When naval forces are involved in operations requiring land forces of combined arms, the task becomes a joint land-sea, and usually Air Force mission. Once marine units attain such a size as to require the combining of arms to accomplish their missions, they are assuming and duplicating the functions of the Army and we have in effect two land armies. I therefore recommend that the above concept be accepted as stating the role of the Marine Corps and that marine units not exceed the regiment in size, and that the size of the Marine Corps be made consistent with the foregoing principles."

To that view, Admiral Nimitz, under date of March 30, 1946, replied:

"The basic and major issues considered in J. C. S. 1478/10 and J. C. S. 1478/11 comprise a proposal on the part of the Army (a) to eliminate the Marine Corps as an effective combat element, reducing it to the status of a naval police unit with possibly certain ancillary service functions in respect to amphibious operations, and (b) to abolish an essential component of naval aviation which operates from coastal and island shore bases. To those ends these papers propose to discard agreements on these matters which have been arrived at between the Army and the Navy from time to time over a period of more than 20 years, and which have resulted in a responsibility for functions proven highly effective in World War II.

"In matters so vital both to the Marine Corps and to naval aviation, I consider it appropriate and desirable that the Joint Chiefs of Staff should have the benefit of the views of General Vandegrift, the Commandant of the Marine Corps, and of Vice Admiral Radford, the Deputy Chief of Naval Operations for Air. Their comments are attached as enclosures A and B, respectively."

* * * * *

"I agree with the Chief of Staff, United States Army, that further exchange of papers on the subject of the missions of the land, naval, and air forces will serve no useful purpose. It is further apparent that the question is part of the larger one of the merger of the War and Navy Departments, which proposal was, at the Army's insistence, referred to the President and which is now before the Congress. Thus, the matter now under consideration has already reached levels higher than the Joint Chiefs of Staff."

General Spaatz, commanding general, Army Air Forces, wrote:

"I recommend therefore that the size of the Marine Corps be limited to small, readily available and lightly armed units, no larger than a regiment, to protect United States interests ashore in foreign countries and to provide interior guard of naval ships and naval shore establishments."

General Eisenhower, Chief of Staff, United States Army, also wrote:

"The following is proposed for consideration: * * *

"(1) That the Marine Corps is maintained solely as an adjunct of the fleet and participates only in minor shore combat operations in which the Navy alone is interested.

"(2) That it be recognized that the land aspect of major amphibious operations in the future will be undertaken by the Army and consequently the marine forces will not be appreciably expanded in time of war.

"(3) That it be agreed that the Navy will not develop a land army or a so-called amphibious army; marine units to be limited in size to the equivalent of the regiment, and the total size of the Marine Corps therefore limited to some 50,000 or 60,000 men."

Report by Army members of Joint Staff planners (proposal):

* * * * *

"Provide landing parties with the fleet to protect United States interests ashore in foreign countries in operations short of war, and in time of war to conduct raids and small-scale amphibious demonstrations.

* * * * *

"Perform necessary functions aboard ship, at naval installations, and in the ship-to-shore phase of amphibious operations."

Mr. DOUGLAS. Mr. President, from the record, therefore, it appears that the blank check may be filled in quite to the contrary of the judgment of Congress concerning our national-defense and security needs.

In this connection we should remember that powerful elements within the Army's general staff have for a long time believed that the Marine Corps should be eliminated as a combatant force. That was nearly carried out, I believe, in 1930 and 1931; and certainly it was a part of the plan of 1946 and 1947. If it had not been for the legislation which Congress passed in 1952, and which I had the honor to sponsor, the Marine Corps might well have been eliminated then as a combatant force. So we are not conjuring up nonexistent possibilities.

Mr. President, I know that many persons believe that my position on this issue is dictated by emotion and by service loyalty. The St. Louis Globe-Democrat, a very excellent newspaper, published, on July 2, an editorial in which it virtually made that charge itself, and

accused me of being guilty of "old school tie" allegiance, and of voting for the Marine Corps first and for the United States second. It took the position that my loyalties are partial; that I put that service above my country.

Of course a favorite argumentative device is to try to discredit the motives of one who is in opposition.

It is true that I am attached to the Marine Corps. It is true that I feel loyal to the best traditions of that Corps. If that is a sin, I suppose I must plead guilty to it.

Let me say that I do not think I need apologize for the fact that, with all the somewhat varied experiences of my life, my membership in the Marine Corps is perhaps the one I cherish most, aside from my family and church relationships. Although I am not of a very bellicose or military disposition, I may say that I found in the Marine Corps a degree of bravery, technical skill, loyalty, and willingness to endure hardships which draws out the best there is in a man and gives him great pride in being a part of a chain of tradition. If devotion to those principles amount to giving loyalty to that service, I am guilty. But I submit that these principles are not in opposition to the interests of the Nation.

Some persons believe that the wars of the future will be pushbutton wars in which human bravery and human skill will not count for much; that the wars will be waged by scientists at long distance, using nuclear weapons of destruction.

I doubt very much whether that will be the case. I believe that the new weapons of destruction are so terrible that they may either destroy the world or else each side may be deterred from using them, so that the greater danger which we face is that of probing operations on the part of Soviet Russia and its allies which would give rise to so-called brush-fire wars. If we do not have the means to fight such brush-fire wars, but are compelled to use nuclear weapon deterrents, it seems to me that almost inevitably what might have been confined to a local conflict would expand into a terrible, worldwide war, with all the elements of destruction which that would bring; and therefore I believe we should be properly armed and ready to fight brush-fire or limited wars efficiently and well.

If we accept that as a thesis, then the question is, How is that best to be done? Some persons say—and I do not question their sincerity—that it can be done by only one land army and by the obliteration of the traditions and organization of the Marine Corps.

In this connection, let me say that traditions are not dead things. Instead, they influence men and affect their conduct. In the Marine Corps there is a degree of technical skill and fighting morale which I believe is of great service to our Nation and which should not be summarily dismissed; and Congress should have the right to decide whether that should be done. In fact, fundamentally the American people should have the right to decide whether it should be done.

Let me say most solemnly that if it were in the interest of the Nation that the Marine Corps be stripped of its combatant functions, I would not hesitate a moment to vote to have that done. No institution is an end in itself. It has value only insofar as it serves a general cause.

Yet, Mr. President, I submit that the history and capacities of the Marine Corps are such that we should not meekly allow the reorganizers and the theoretical experts to administer the Marine Corps out of existence, in the name of a false uniformity.

So, Mr. President, were any such dismantling of the combat capacity of the Marine Corps to succeed, the damage to the Nation's defense structure, not only to the Marine Corps, would be incalculable. Contrary to the view held in some high military circles, Congress has rightly, in my opinion, determined that we must maintain our readiness to fight small wars, which are the most probable conflicts, in view of the present state of capacity for mutual extermination. To deter the launching of such probing attacks and such brush-fire wars is vital to national security. The essential deterrent is the capacity to resist and successfully defeat such thrusts.

The combat-ready United States Marine Corps is a key unit in any such plan. To dismantle it, or to place the power to do so, as this bill provides, in the hands of those who in the past have recommended it, would be a dangerous reversal of our prior Congressional determinations concerning both the formulation and the substance of defense policy.

I notice that the Governor of the State of Wyoming appeared before the Senate Armed Services Committee and said that in his opinion under this bill it would be possible to abolish the National Guard Bureau without recourse to Congress, and that it is quite possible that the Reserves and National Guard of our country could also be abolished, with little or nothing said by Congress. That shows how broad this bill is.

Mr. President, I do not see how we can approve such a bill; nor do I believe that the people we represent, if they properly understand all the implications of the bill, will wish us to surrender the responsibilities which they elected us to discharge.

APPROPRIATION CONTROL ALONE IS INSUFFICIENT

I have heard much made of the argument that the Congress will continue to control the military through the appropriation channels.

Mr. President, I do not see how anyone can seriously advance such a thesis. It is true, the Congress can reduce appropriations and thereby can exercise some form of negative control. However, it should be borne in mind that when the President sent to the Congress his original message on this subject, he recommended that he be given authority to receive a lump-sum appropriation, and that thereafter he be given authority to determine the best use of those funds. Although this proposal has not been advanced so far in legislative form, which I attribute solely to the prompt and vigorous Congressional reaction against it, I am firmly convinced at a later time we shall hear more of this proposition.

When the Congress endeavors by the addition of funds to the appropriation acts to start programs affirmatively or to keep programs at given levels, the executive branch has never hesitated to impound those funds and to refuse to carry out the mandates of Congress. I recall quite clearly under a Democratic administration when we added about $900 million to the Air Force appropriation in an endeavor to keep it at a size commensurate with what Congress believed necessary—namely, 70 air groups—our President at that time impounded those funds. I am certain that within a very short period of time he bitterly regretted this decision because of the inadequacies of many aspects of our air arm when Korea came upon us.

Today, Mr. President, in this very Congress funds have been added to the Department of Defense appropriation to prevent a reduction in the size of the Army and to bring about a slight increase in the size of the United States Marine Corps. This stems in substantial part from the belief within the Congress that small wars will present a continuing threat for many years to come. Notwithstanding this action, public announcement has already been made that the executive branch has no intention of paying any attention to this Congressional mandate.

Where, then, is our Congressional control through appropriation? It simply is not sufficient.

SUMMARY

Therefore, Mr. President, in summary, may I say that I believe the House-passed bill to be deficient in that, first, it surrenders too much of our constitutionally specified responsibilities to the Executive, and if enacted, Congress will have little or no control over the size, shape, form, and general manner of operation of the military; second, it moves a long way toward the creation of a national general staff, headed by a single Chief of Staff; third, it would reduce the control of our civilian Secretaries over the military by reducing the authority of the Secretaries of the service departments and by placing added authority in the hands of the Secretary of Defense; and, fourth, under this bill the Secretary of Defense will be so insulated from the normal day-to-day problems by the enlarged military staff surrounding him that civilian control will have been weakened and made much less effective.

These are the areas of concern I have about this legislation. I am, therefore, first, opposed to the amendments being demanded by the President to further carry out his objectives of centralization; second, strongly in support of amendments to—

(a) Maintain at least the same degree of control over military reorganizations as exists over reorganizations generally, and that is that any military reorganization plan be subject to defeat by a simple majority of those voting in either House of Congress, and that all changes in statutory functions and missions must come to the Congress;

(b) Assure that the civilian service Secretaries continue to administer their departments and function in the chain of command to the unified and specified commands assigned to them; and

(c) Make certain that the Joint Chiefs of Staff continue to function as a long-range strategic and policy-planning group, supported by an adequate family of committees to give them the necessary advice and guidance in arriving at their decisions, and not become a national general staff.

Mr. President, I hope it may be possible to achieve these objectives by proper amendments to H. R. 12541. With these safeguards, the legislation would seem to me markedly better.

It is most unfortunate that, on the other hand, the military cries for more authority from Congress because they cannot accomplish their missions, and at the same time the record shows they do not even exercise that authority which they already possess. As Mr. Eberstadt has declared, the answer is not more authority, but more decision. There is no justification for the blank-check provisions of H. R. 12541 which are being pressed upon us.

I ask unanimous consent to have printed in the RECORD an editorial from the St. Louis Globe-Democrat criticizing me.

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

SURPRISING STAND OF SENATOR DOUGLAS

Senator PAUL DOUGLAS, of Illinois, has long been known as a chief advocate of low taxes. During the recent debate on the tax bill, Senator DOUGLAS introduced no less than 4 major amendments to repeal or reduce taxes in amounts varying up to $6 billion.

He has been similarly known for his desire to save the Government money on spending. There is very little question as to his sincerity on these two scores.

But Senator DOUGLAS has a blind spot—the United States Marine Corps, in which he served with considerable distinction. Where the Marines are concerned, the Senator is frequently prone to vote for the Marine Corps first and for the United States second.

Last week Senator DOUGLAS, in concert with Senator MANSFIELD, of Montana, addressed a letter to Democratic Senators urging resistance to the President's reorganization of the Defense Department.

This letter was brilliantly answered by Senator SYMINGTON, who, though a Democrat, has been one of the stanchest supporters of the President's reorganization plan.

The original Douglas-Mansfield letter expressed fear of the adverse effect of the President's plan on the National Guard and Marine Corps, adding that the Marine Corps has served as a vital and useful military service only because of the safeguard the corps carefully places on existing laws.

Senator DOUGLAS stated that the legislation in his opinion sharply reduces the abilities of the Congress to control the future availability of the Marine Corps and National Guard.

Senator SYMINGTON in his reply quoted the law which specifically mentions the Marine Corps as being "under the direct authority and control of the Secretary of Defense." He urged prompt action to modernize our defense structure as vital to the security of this country, and expressed the hope that special interest or regard for any particular service would not continue to prevent the long overdue reorganization of the Defense Department.

He added that the National Guard was not affected as it is not a component of the Defense Department within the meaning of the legislation.

It is perfectly astonishing the extent to which the Navy and the Marines have been able to rally Congressional and private opinion to their defense, completely surpassing in concept the requirements of the Defense Department as a whole.

Senator DOUGLAS is a good case in point, for his "old-school-tie" allegiance to the Marine Corps transcends his normal instincts for proper organization and the considerable economies which can arise out of the President's defense reorganization bill.

In other words, he is for economy every place except when the Marine Corps is involved.

Senator DOUGLAS' concern for the Marines is understandable. We share his enthusiasm for this incomparable body which has added such luster to its name over the years, but we do not place it above country itself.

Admiral Radford is an excellent case contrary to Senator DOUGLAS. When the Navy first joined action in the reorganization battle a decade or more ago, Admiral Radford was so outspoken in opposition that he was banished from Washington because his testimony was so at variance with the ideas of the President and many within his own service.

Since that time, Admiral Radford has resumed his rise in the Navy and finally became the first naval officer to serve as chairman of the Joint Chiefs of Staff, our highest military position. This service gave him the broad rather than the narrow approach of one branch only. As a result of his experience, Admiral Radford, along with Senator SYMINGTON, is now one of the most outspoken proponents of the President's reorganization plan.

We wish Senator DOUGLAS would similarly see the light. He is ordinarily a constructive thinker whose stature should not be jeopardized by his taking the narrow view when the Nation so desperately needs a broad approach in the interest of the whole country and all its Armed Forces.

Time is running out for the United States. If we are to have an effective control of our Armed Forces, competent to meet any challenge, we cannot delay much longer in giving the President the authority he needs to keep America strong and free.

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

Mr. DOUGLAS. I yield to the Senator from Montana.

Mr. MANSFIELD. I wonder if the Senator from Illinois can give us any information of the extent to which the civilian bureaucracy in the Pentagon and the Department of Defense has increased in the past 6 or 7 years.

Mr. DOUGLAS. I can say that originally they expected to add about 100 additional personnel.

Mr. MANSFIELD. That is in the office of the Joint Chiefs of Staff.

Mr. DOUGLAS. No; that was in the Office of the Secretary of Defense. Does the Senator mean in the entire Pentagon?

Mr. MANSFIELD. Yes.

Mr. DOUGLAS. Those figures can be obtained for the RECORD. Year after year I have noticed how the number has been swollen, so to speak, until it runs into the thousands.

Mr. MANSFIELD. Can the Senator tell us what the increase in the number of Assistant Secretaries and Under Secretaries in the Department of Defense has been during the past 6 years?

Mr. DOUGLAS. The number has been about 31; and that is only the beginning, because then there are assistants to the Assistants, assistants to the Deputies, and so on.

Mr. MANSFIELD. Can the Senator from Illinois furnish for the information of the Senate the approximate number of committees and commissions which have been in existence in the Department of Defense during the past 4 or 5 years?

Mr. DOUGLAS. Hundreds.

Mr. MANSFIELD. I believe the figure is somewhere between 700 and 800.

Mr. DOUGLAS. Yes; and the sponsors of all this are the very persons who now pose as experts. The same group who put over the 1953 reorganization plan is now trying to put over the 1958 reorganization plan.

Mr. MANSFIELD. Does the Senator have any information at his disposal as to how many civilians the Chiefs of Staff of the different Armed Forces have to go through before they can reach the Secretary of the military department of which they are a part, or the Secretary of Defense?

Mr. DOUGLAS. No; I do not.

Mr. MANSFIELD. I think it should be interesting to learn that the Chief of Staff of the United States Army, Gen. Maxwell D. Taylor, has to go through 16 civilians before he can reach the Secretary of the Army Brucker. I think there are a good many activities within the Department of Defense and the Pentagon which could be reorganized without additional legislation—not that I do not think legislation is needed, but I would certainly hope to see the number of Assistant Secretaries reduced by half and the number working in the Pentagon reduced by half.

Mr. DOUGLAS. The number of officers also.

Mr. MANSFIELD. The number of generals, admirals, and the like, and the number of commissions and committees. I would like to see Parkinson's law work in reverse in the Pentagon and in the Defense Establishment.

I want to commend the Senator from Illinois for bringing this vital subject to the attention of the American people.

Mr. DOUGLAS. I thank the Senator from Montana.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 832. An act for the relief of Matilda Strah;

S. 1524. An act for the relief of Laurance F. Stafford;

S. 1593. An act for the relief of Elizabeth Lesch and her minor children, Gonda, Norbert and Bobby;

S. 1975. An act for the relief of Peder Strand;

S. 2638. An act for the relief of Nicholas Christos Soulis;

S. 2665. An act for the relief of Jean Kouyoumdjian;

S. 2944. An act for the relief of Yoshiko Matsuhara and her minor child, Kerry;

S. 2950. An act for the relief of Peter Liszczynski;

S. 2965. An act for the relief of Taeko Takamura Elliott;

S. 2984. An act for the relief of Taka Motoki;

S. 2997. An act for the relief of Leobardo Castaneda Vargas;

S. 3019. An act for the relief of Herta Wilmersdoerfer;

S. 3080. An act for the relief of Kimiko Araki;

S. 3159. An act for the relief of Cresencio Urbano Guerrero;

S. 3172. An act for the relief of Ryfka Bergmann;

S. 3173. An act for the relief of Prisco Di Flumeri;

S. 3175. An act for the relief of Giuseppina Fazio;

S. 3176. An act for the relief of Teofilo M. Palaganas;

S. 3269. An act for the relief of Mildred (Molka Krivec) Chester;

S. 3271. An act for the relief of Souhail Wadi Massad;

S. 3272. An act for the relief of Janez (Garantini) Bradek and Franciska (Garantini) Bradek;

S. 3358. An act for the relief of John Demetriou Asteron; and

S. 3364. An act for the relief of Antonios Thomas.

PUBLIC WORKS APPROPRIATIONS, 1959

Mr. BIBLE. Mr. President——

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senator from Nevada.

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of H. R. 12858, the public works appropriation bill for 1959.

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

The LEGISLATIVE CLERK. A bill (H. R. 12858) making appropriation for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes.

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

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 12858) making appropriation for civil functions administered by the Department of the Army certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes.

ORDER FOR RECESS UNTIL 11 A. M. TOMORROW

Mr. BIBLE. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 11 o'clock a. m. tomorrow.

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

STATEHOOD FOR ALASKA

Mr. MARTIN of Pennsylvania. Mr. President, now that Congressional action has been completed on statehood for Alaska, it behooves every one of us, in all the 48 States, to welcome the new State and its people to equal and sovereign membership in the indivisible Union of States—one Nation under God.

It is, of course, known to my colleagues and to the public that my vote was cast in opposition to statehood for Alaska at this time. I reached a decision to vote against the bill after giving careful consideration to the arguments, pro and con, which were submitted during the debate.

Since the vote was taken, I have had numerous communications from constituents, some of whom agreed with the position I had taken and others who did not agree and inquired as to my reasons for voting as I did.

I appreciate these inquiries, and in order that my reasons for voting against statehood for Alaska may be clearly understood, I have set them forth, as follows:

First. The population of Alaska is about 200,000. Of these, almost one-fourth are military personnel, civilian military employees and their dependents whose residence in Alaska for the most part is temporary. This population is less than that of 15 counties of Pennsylvania. It is also below the number required for a State to be allocated a seat in the House of Representatives.

Second. The people of Alaska are by no means unanimous in the desire for statehood. A substantial percentage of Alaskans do not want statehood, recognizing that the responsibilities of statehood would create many difficult and complex problems.

Third. Only a small portion of the vast area of Alaska is privately owned. The great percentage is owned by the United States Government.

Fourth. The Territory is dependent upon the Federal Government for two-thirds of its income. It is deficient in the basic elements for a stable and self-supporting economy—population, agriculture, transportation.

Fifth. There is grave doubt in my mind whether we should ever admit as a State any Territory which is not contiguous to the present Union of States.

Sixth. Federal employees in Alaska now receive salaries 25 percent higher than those in the continental United States. If we should increase the salaries of employees in the continental United States to the same level as those in Alaska, the additional cost would be from $2 to $3 billion a year, which we cannot afford in the present financial condition.

But, Mr. President, the historic decision has been made in the American way. Upon the completion of certain specified requirements Alaska will be admitted to the Union by proclamation of the President and a new star will be added to Constellation which illuminates our flag.

INCIDENTS OF THE VICE PRESIDENT'S TRIP TO SOUTH AMERICA

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter to the editor written by a very distinguished scholar and professor of law at Willamette University, at Salem, Oreg., which deals with the action taken by the President of the United States some weeks ago in ordering American troops to American bases close to Venezuela. Professor Reginald Parker is recognized throughout the country as a keen student of international law, and I am pleased to have his letter printed in the RECORD.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there objection to the request of the Senator from Oregon?

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

STATES TROOP ACTION ILLEGAL

To the EDITOR:

It is reassuring that Senator MORSE—an outstanding legal scholar—has assumed the leadership of the committee that is to investigate the causes of the recent events in South America that accompanied Vice President NIXON's journey. "Armed missionaries are not liked," said Robespierre, and I am sure Senator MORSE and his committee will find this truism, plus decades of overbearing conduct toward our Latin American neighbors, at the root of the humiliating treatment our Vice President had to endure.

No doubt the Senate committee under its able leadership will also address themselves to another question, viz., just what form of international law authorized the United States Government to mass troops near Venezuela with the intent to invade that country if harm should befall Vice President NIXON?

If a citizen of the United States, Vice President or otherwise, is molested or attacked in a foreign country, that is a matter for the local police to deal with. What would we say if, for instance, Mexico would display readiness to attack us because one of her citizens or even her Vice President had been mobbed in an American city? Since the action of the United States was not based on any provision of international law, it was illegal; and being illegal it must be regarded as a "threat to the peace" in violation of article 39 of the United Nations Charter.

REGINALD PARKER,
Professor of Law,
Willamette University.

EDITOR'S NOTE—It is presumptuous for a mere editor to question a law professor on matters of law; but since United States troops were moved only to United States bases we fail to see where there was anything "illegal" about it. Whether it was a "threat to the peace" is a different question. Also different is the question of policy. Most of the press comments were critical of the President's action from the standpoint of public policy.

URBAN RENEWAL

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

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Pennsylvania?

Mr. MORSE. Mr. President, I ask unanimous consent that I may yield to the Senator from Pennsylvania without losing my right to the floor.

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

Mr. CLARK. I thank my friend from Oregon for his typical courtesy in per-

mitting me to make a brief comment and insertion in the RECORD.

Mr. President, in yesterday's CONGRESSIONAL RECORD, under the heading "Title III, Urban Renewal—Omnibus Housing Bill," a statement was inserted on behalf of the Senator from Connecticut [Mr. BUSH] in which statement the Senator urged that when the omnibus housing bill comes before the Senate, as it will later this week, the Senate should adopt an amendment which he sponsors, to reduce the share of urban renewal to be paid for by the Federal Government.

I hope very much that those of my colleagues who read the argument of my friend from Connecticut to that effect will also have an opportunity to read these very brief words.

My friend the Senator from Connecticut speaks as a friend of urban renewal, and points out the enormous cost of the program which will be necessary in order to clear American slums. He states:

> The total of $2.1 billion is a large sum, but it represents only a fraction of the staggering costs of slum clearance and urban renewal which face the cities of America. The job will be tremendously expensive, requiring large expenditures of public funds, as well as far greater expenditures of private capital.

Where is this money coming from? The second article in a series which is appearing in the Christian Science Monitor, written by Earl W. Foell, entitled "An American Slum Tragedy" gives the answer. This article points out that more than 15 million Americans, about 1 out of every 4 city dwellers, live in slums, and that more than 12 million urban dwelling units are considered deficient in some major respect. The article also points out that the estimated cost of remedying this situation will be somewhere between $75 billion and $90 billion of Government and private funds, of which $15 billion would have to come from various agencies of Government.

In a moment I shall ask unanimous consent to have the article entitled "An American Slum Tragedy," printed in the RECORD as a part of my remarks. I point out preliminarily that a very small part of the total of $90 billion needed to clear our slums is called for by the bill which we shall shortly consider. Yet my friend from Connecticut wishes to cut the Federal share of that amount, and to reduce it from two-thirds of the total grant for urban renewal to only 50 percent.

The distinguished Senator from Connecticut points out that his State of Connecticut, the State of Pennsylvania, the State of New York, and 1 or 2 other States have finally arrived at the point where they contribute some State money to urban redevelopment, and he concludes that because of that fact we should decrease the Federal contribution. Yet, if we do so, we can rest assured that to clear up our slums will require not 20 years, but nearer 50 years.

I believe that each Senator should search his own heart to determine whether his State is likely to make a substantial contribution to slum clearance and urban redevelopment. What with legislatures gerrymandered against city interests; what with the lack of interest in urban problems shown by far too many of our State legislators; and what with the relatively poor status of the tax revenues left to the States, as opposed to those usurped by the Federal Government, I hazard the prediction that in the foreseeable future not more than half a dozen States, at the most, will make a contribution to urban renewal.

So I hope my colleagues will give careful thought to the very real danger that if the proposal of my friend from Connecticut is adopted, it will mean an end to urban renewal and slum clearance in all save a handful of States; and that States like Connecticut—and to a lesser extent my own State of Pennsylvania—which are willing to make a modest contribution to the enormous overall cost of the undertaking will be encouraged to do so, as, indeed, they should be, but the result will be merely that the slums in the richer States—and there are plenty of them—will be cleared more quickly than in States where economic resources are not adequate.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the article entitled "An American Slum Tragedy," written by Earl W. Foell, and published in a recent issue of the Christian Science Monitor.

I hope my colleagues will give careful and prayerful consideration to this question when it comes before us in a few days, and that they will do nothing to upset the present, long-established and sound ratio between Federal and local contributions to urban redevelopment.

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

AN AMERICAN SLUM TRAGEDY

(By Earl W. Foell)

"I view the great cities as pestilential to the health, the morals, and the liberties of man."—Thomas Jefferson.

"Yaahuh, man, you think that was purty good? Just watch me clip the top windah." One of the four young boys stooped down in an exaggerated windup and hurled a piece of brick squarely through the remaining unsmashed pane in a 3-story house. There was a short tinkle of glass. A few passers-by on the street looked up. No one stopped the game. The four boys, out of targets for the moment, began to saunter off. One whacked an orange crate in an alley with a chair slat he was carrying.

The scene was Baltimore. But it could have been anywhere, particularly in the jumbled older sections of the eastern cities.

None of the boys realized, of course, that they had just caused the premature death of a solid red-brick building which otherwise might have displayed its homely mansard-roofed facade for another 3 or 4 generations, given proper care. To the boys it was just a target.

Actually, such brick slingers simply deliver the coup de grace. The causes of the premature decay of buildings in downtown areas lie in a complex chain of social and financial occurrences which will be traced below.

Baltimore has been one of the more active cities in the Nation in attacking blight in its downtown area. Today it is working on a huge new plan to remake the very heart of its business district and raise tax revenues five times in doing so.

SLUM PARADOX

But in an area not far from the scene of the rock-throwing incident there is another slum paradox. James W. Rouse, an active Baltimore planner and Mortgage Bankers' Association officer, reports that "at Johns Hopkins we bring people from all over the world to study sanitation, yet just a block or so away 15 people from 3 families are living crammed together in 4 rooms served by only an outdoor privy."

The tragedy of America's slums, existing in the midst of one of the most prosperous civilizations the world has known, is a tragedy of the family—and it is extensive.

Consider these national statistics:

More than 15 million Americans live in slums—about 1 out of every 4 city dwellers.

More than 12 million urban housing units are considered physically deficient in some major respect.

Of these, some 7 million are classified as substandard. About 4 million are badly dilapidated.

Richard L. Steiner, Director of the Federal urban-renewal program, states categorically that there is "no solution but demolition for some 5 million of these."

His estimate is that it would cost the Nation some $70 to $95 billion in Government and private funds to rebuild these decayed buildings. Other estimates top $100 billion. Mr. Steiner's cost figure is based on the Government's experience in dealing with some 525 projects which are razing, or will raze, strategic but only token slum areas to make way for new buildings in more than 317 American cities. Broken down, it assesses the Government share at $15 billion; private investors at $60 to $75 billion.

PRESSURES FEED ON ONE ANOTHER

Even in this day of the glib billion, that is a lot of money, most of it destined to come from private investors. And private risk capital for this field is dwindling at the moment, as was shown in the first article in this series June 24.

Areas of building decay come in many sizes, as urban-renewal projects indicate. These range in area from a few blocks to 1,200 acres in Atlanta, 2,000 acres in Nashville, Tenn., and 2,500 acres in Eastwick, Pa. (near Philadelphia).

A typical slum is formed through the coincidence of many pressures, most of which feed on one another.

Socially, the process is roughly this: Immigrants (southern rural Negroes and whites, for instance) arrive, want inexpensive rooms near factory jobs. Real estate speculators chop up existing houses into single rooms, get up to 50 percent return on investment. (Examples from Chicago, Los Angeles, and New York reached this high. Average return on converted tenements ran over 22 percent.)

Soon other neighborhoods are deserted because of fear or speculators' offers to buy at a good price. Even middle income, good housekeepers among the older immigrant groups are forced out by unassimilated newcomers. Mortgage money for improvements of remaining good houses becomes almost nonexistent. Deterioration of buildings is speeded by unconcern of both renters and absentee owners.

The financial forces that help produce a slum are extensions of the social forces:

High tax rates arise in cities, partly because they are forced to serve people from outside their taxation limits, partly because of the slum growth caused by social pressures. As buildings decay and house up to six times the number of tenants originally intended, they cost more and more to police, to give fire protection to, and to serve with utilities, schools, etc.

At the same time their assessed valuation is so low that tax revenue sinks slowly below cost of city services. High taxes, in turn, force other homeowners to flee to the suburbs: new slums. Businesses flee to join their customers and their employees.

This typical process of slum formation can be stopped. But spot clearance and rebuilding alone will not do it.

Even if the money is found to demolish 5 million substandard dwellings and replace them with modern, spacious housing, the surface of the problem has only just been scratched.

For the 7 million remaining deficient dwellings, for neighborhoods with random spots of decay, for the almost untouched industrial slums, other weapons are needed.

All of these are really tough problems to manage.

Federal urban-renewal law provides for rehabilitation of areas which don't need to be razed, yet should be renovated. This should be a virtually essential process for the areas adjacent to a redevelopment project, lest, once the gleaming new buildings are in place, they be engulfed by the near-slum neighborhoods around them.

Although some 17,000 acres in 100 projects across the Nation are now scheduled for the rehabilitation process—which involves 100 percent Federal insurance of mortgage money for repairs—officials in Washington are far from satisfied with progress in this area. For one thing, only some 106,000 dwellings are involved in rehabilitation in the 100 projects.

The other relatively untouched area of urban blight is the industrial slum. Many such downtown factories simply have been made obsolete by mechanical progress. Others have been left to marginal manufacturers when the original tenant moved to the suburbs.

DOWNTOWN AREAS CLOGGED

Whatever the cause, industrial slums clog most downtown areas. Many lie along the former transportation routes of the cities—the rivers and harbors, old highways and rail spurs.

Current Federal law allows for only about 10 percent industrial redevelopment in the predominantly housing-oriented urban-renewal legislation. Almost every city official or planner interviewed for this series expressed strong interest in amendments to make the law more flexible on this score.

In Detroit, Mayor Louis C. Miriani, backed by a strong coalition of civic and business leaders, has laid plans to rehabilitate at least 1,000 acres of industrial slums into modern industrial parks with adequate parking and expansion room. In order to convince the Federal Government of the need for such rehabilitation, Detroit has undertaken a 17-acre pilot project, using only its own funds. The city has reason for concern. In 20 years its downtown area declined in assessed value by some $100 million.

Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, probably the chief Congressional backer of urban legislation, throws one note of caution into this clamor for Government aid in demolishing industrial slums.

"If local planners are given carte blanche on this matter," he says, "the whole urban-renewal program would turn into a gigantic race to see which city can lure the most manufacturers away from which other cities—all at the expense of the drive to rid us of slum housing."

HIGHER RATIO URGED

The Senator suggests that the legal proportion of industrial redevelopment allowable in the renewal program be upped to 15 percent to provide more flexibility, and that Washington make easy loan money available for manufacturers who want to rehabilitate or rebuild.

However discouraging the prospect for solution of these problems may seem, there is ample evidence that a kind of carrot-and-stick logic is going to force progress.

Most of these slum and near-slum areas are what Mayor Richard C. Lee, of New Haven, calls Tiffany real estate with Bowery buildings. The stick end of the logic is that they are costing the cities more than they are bringing in in taxes. The carrot end is that where renewal has been completed it has skyrocketed tax revenues from 2 to 7 times what they were.

Mayor Lee's city provides a good example. New Haven's Oak Street redevelopment area—44 acres in the heart of town—was a slum with, among other things, an estimated 10,000 rats. It was costing the city $200,000 a year for fire, police, health, and other services, while bringing in only $105,000 a year in property taxes.

H. Ralph Taylor, urban-redevelopment director for New Haven, estimates that when the project is completed tax revenues will have tripled and the cost of services may be cut by as much as one-half.

RETURN CALCULATED

Washington, D. C.'s Southwest renewal area, when its proposed new buildings are completed, is expected to jump its tax yield from $451,000 to $3,430,000 per year. This gain, projected to Washington's other renewal projects, gives hope of a total increased tax yield of $7 million a year, which would mean the amortizing of the District's own cost for urban renewal in a period of 10 years.

Nashville officials calculate a 10-percent return on money the city has invested in urban renewal again because of increased tax revenues.

Similar gains are reported in every section of the country.

The sticking points that keep cities from jumping into this bonanza are: (1) antiquated debt limits which restrict them from raising money to initiate projects; (2) the lack of private capital to follow through in many cities; (3) slowness of the governmental process; and (4) the enormous social and legal problem involved in transplanting thousands of slum dwellers to other areas.

Some promising experiments are being carried on in various cities. In Philadelphia, for example, the local housing authority is buying private, single-family houses for use as public housing. Officials in the Urban Renewal Administration in Washington see this as a possible strong assist to the rehabilitation process. Using it as a tool, local authorities could help solve the problem of where to put displaced families at the same time they were taking over and keeping up key dwellings in rehabilitation areas.

BUILDING CODES ENFORCED

Chicago, Baltimore, and St. Louis are fighting to prevent building decay before it starts with tough licensing laws. These laws require owners of tenements, flophouses, and other substandard housing to register or be subject to fine and jail sentence. Absentee owners remain absentee but are at least easily identified when building codes are enforced.

Officials in every one of the 22 cities surveyed for the Christian Science Monitor reported increased enforcement of building codes. Most cities now are regularly demolishing substandard buildings and charging razing costs to the owner's tax bill. Despite this, city officials almost without exception state that slum- and new-building code violators manage to get one jump ahead of undermanned code inspection staffs.

It is for this reason that Boston's South End and Roxbury districts harbor some 8,000 buildings, most of which are uninsurable under regular fire policies. And it is for this reason also that only 48 out of 600 buildings in downtown Providence, R. I., were scored "good" in a recent planning department survey.

Even the newer cities of the country are not immune. A Los Angeles planner estimates that that sprawling city should renew its buildings on an average of once every 80 years. Some new developments are likely to become slum bait long before that period of time has elapsed. A Willow Run, Mich., housing subdivision, built during World War II, was recently declared a slum—after less than two decades of existence.

POLITICAL IMMORALITY

Mr. MORSE. Mr. President, in a few moments I shall discuss some aspects of the problems of political morality raised by the Sherman Adams-Goldfine case. Then I wish to relate that case to criticisms of the senior Senator from Oregon now being written by reactionary editors in the State of Oregon, who seek to divert attention away from the unconscionable conduct of Mr. Adams by attempting to smear the entire Congress, including the senior Senator from Oregon, with the charge that there is no difference between campaign contributions and borrowed rugs—if they are borrowed—or $2,000 hotel bills which were concealed until they were dug out, and the other evidence of the conflict of interest which has come to honeycomb the Eisenhower administration.

My major premise today is based on what I consider to be the most penetrating and keen analysis of the basic principles and issues involved in the Adams case that I have read to date. I refer to the remarkable analysis in the Walter Lippmann column of this morning. Although I understand that it has been inserted in the CONGRESSIONAL RECORD, I intend to read it into the RECORD line by line, with a digression now and then by way of personal comment.

In this column Walter Lippmann has presented to the American people the moral issue involved. As I have been heard to say previously on the floor of the Senate, after all, the basic principles of good morals and good ethics constitute the code which should be followed in the Congress as well as in the other branches of government. If such principles are good for one's private life, they are good for one's public life. I believe that the American people elect candidates to office with the expectation that in carrying out their appointive powers they will insist upon the same code of moral and ethical conduct that they represent to the voters they themselves intend to follow as elected officials.

Mr. Lippmann had this to say this morning:

Thus far, the defense of Sherman Adams, as managed from the White House, has silenced the President on a moral issue about which it is his special and peculiar duty to speak out and give the country a lead. The crucial question about Governor Adams is not in the field of statutory law. It does not turn on whether there was a corrupt relationship between Adams and Goldfine which could be dealt with in a court. The question posed by the hotel bills is in the field of manners—that is to say, what conduct is becoming to a gentleman who sits at the right hand of the President of the United States.

It is the special duty of any President to answer such a question. And in view of all that he has had to say about leading a crusade to clean up Washington, it is the peculiar duty of this President to answer the question. But Mr. Eisenhower has evaded it. As matters stand after his public statements, his moral judgment is that it was imprudent

of Adams to accept Goldfine's contributions to his living expenses, but since there is no evidence that any law has been violated, the incident ought to be considered as closed.

Mr. President, I digress to say that the evidence is replete that a law was violated. There can be no question, in my opinion, about the fact that the supplying to Mr. Adams of confidential information from the Federal Trade Commission by Mr. Howrey involved a violation of the law. I believe Mr. Adams was an accomplice to that action.

I believe there was another violation, if not of the letter of a law, certainly of good ethical conduct. Mr. Adams well knows, as I have said in another speech on the floor of the Senate, that, when he picks up the telephone and calls the chairman of a commission whose appointment is dependent upon the White House, he does not have to do more than express an interest in a case in order, in fact, to bring undue influence to bear upon that Commission.

It is said by the apologists for the Eisenhower administration that there is no showing that Mr. Goldfine in fact received any special favors from the Commission. What has that to do with the issue? There is involved the basic ethical problem of whether the man who speaks for the President in the White House picked up that telephone and made the inquiry that he made about the Goldfine case. They can use all the printer's ink they want to, and they can use all the Madison Avenue public-relations experts they want to, to try to becloud the issue. The fact is that Mr. Adams on the record participated in an attempt to get information for a friend, who paid $2,000 in hotel bills for him and made a rug available to him, either by loan or by gift—it does not change the moral issue whether it was loan or gift—and, as the record of the House committee has shown and as other records will show if they are disclosed, Mr. Adams had misused his office. But the President says he needs him.

I am perfectly willing to let the American people be the judges of the ethics of the President in regard to the position he has taken. I hope he will read the Lippmann column. It would be interesting to know what the President's answer to the Lippmann column would be. Mr. Lippmann goes on to say:

In accepting Goldfine's money no serious offense has been committed, so we are asked to believe, as long as there is no legal proof that Adams repaid Goldfine by obtaining special favors from a Government agency.

Mr. President, I digress again to point out that he got a confidential memorandum from the Chairman of the Commission, and that confidential memorandum made clear who the people were who were complaining against Goldfine's alleged unethical business practices. The record is perfectly clear that Goldfine obtained that information through the intervention of Mr. Adams. It is important that we bring the American people back—after the reactionary press of this country gets through trying to do a "snow" job in the Adams-Goldfine case—to this very simple basic principle of morality which is involved in the conduct in the Adams case.

Mr. Lippmann goes on to say:

It is not possible to close the incident on this point and at this level. For that would mean that on the authority of the President and with the consent of the country, the standard of official conduct in the White House had been greatly lowered and loosened. The rule would be that money can be accepted from interested parties provided nothing is done to repay them. This is not good enough for the President in the White House, and it impairs the dignity of his office to have to discuss it at all.

The most compelling reason for refusing to let the incident be closed is the moral damage which is being done by the defense and the apologies that are being inspired from the White House.

The argument that money may be accepted provided nothing is given in return is an attempt to befuddle the real issue. It conceals the main point which is that what is customary and perhaps tolerable elsewhere may be intolerable in the close official family of the President. Of those who are at the top, the country has a right to demand a self-imposed standard of conduct which is much higher than the laws against bribery and graft. That was in essence the principle on which General Eisenhower ran for President in 1952.

The ultimate power of the state cannot be entrusted to men whose conception of public virtue is that their integrity is adequate if they cannot be convicted of crime. It is not asking too much that in the highest places men must be an example of what ought to be the general practice. They cannot excuse themselves by saying that in fact they have done only as many others have done.

There is a very simple rule by which we can test the rightness or wrongness of a course of action or a proposed course of action. In one of my recent speeches on this general subject I called attention to a problem we parents have in trying to instill in our children a sense of ethical values. There is not a parent in America who has not been confronted with that very perplexing and sometimes stumping point raised by a child who says: "Well, dad, why can't I do it? Susan does it." Or as we used to say as youngsters, "I don't see why I can't go swimming in the pond. Jim and Harry and Mary and Ellen do." Mother knew that it had several dangerous traps in it.

The same principle applies to public life. The apologists for Adams, seeking to reflect upon Congress, say: "What is wrong with what Adams did? Some Members of Congress do what may be worse." I shall deal with that later. But what has that got to do with this question of the morals of Mr. Adams' or lack of them?

What has that to do with the failure of the President of the United States to take a stand consistent with his preachment of 1952, when he was a candidate for office? As I said the other day, in 1952, the Republican candidate for the Presidency rode into office on a white charger labeled "political morality." His principal slogan was that it was "time for a change." But the American people have discovered that the horse was painted to cover up the political immorality of conflict of interests which has honeycombed the Eisenhower administration from the time of the appointment of his first Cabinet.

No; the President of the United States must be held to an accounting, just as Walter Lippmann does in a devastating fashion in his unanswerable column in today's Washington Post and Times Herald. Mr. Lippman goes on to say:

It is a very demoralizing argument, which has been urged since the disclosures, that everybody is doing it, and so why set up a hypocritical outcry because one more official is found to be doing it. This cynical policy is not in fact true.

Lippmann then says, and I want to stress it:

Everybody in the Government is not doing it. In politics and in business there is, as we all know, a big trade in influence, and a great deal of loose conduct. But once we adopt the view that loose conduct can be tolerated by the President in the White House, we have surrendered and we have quit in the unending struggle for good government.

The line taken by the defense is a greater injury to the country than the original offense itself—than the hotel bills and the telephone calls. Governor Adams, having confessed to imprudence, to what is undeniably loose conduct, can only be retained in the White House by tearing down the higher standards of conduct. Such a defense, if it prevailed, would be a moral disaster.

I do not know how it could be put more clearly than Walter Lippmann has put it. I am so glad he stressed—because it is one of the things I want to stress this afternoon—the fact that everybody is not doing it. It is most unfortunate that some of the writings and some of the public statements by the press and in and out of Congress have given the impression—and they were bound to give the impression because of the phraseology used—that conflict of interest is rife in Congress. I said on the floor of the Senate the other day, and I repeat today, that those who make that charge should either put up or shut up.

Undoubtedly there is malfeasance in office within Congress; but after 13 years in the Senate, I express again my exceptionally high opinion of the integrity and the morality of the overwhelming majority of the Members of Congress as I have known them.

Some apologists for Adams seek to give the impression that campaign contributions from members of unions, members of farm organizations, members of small business groups, teachers, doctors, and other individuals in all walks of our economic life are on the same level as undisclosed, concealed, conflict-of-interest gifts which may be given to a Government official, including a Member of Congress.

The reactionary press in my State is having a field day as it seeks to divert attention from what is taking place in the Eisenhower administration by seeking to plant the idea in Oregon that because the senior Senator from Oregon, in 1956, received campaign contributions from members of unions, as he did from many other individuals, that puts him in the same class as Mr. Adams. To give the Senate a little example of the nature of the criticism of the senior Senator from Oregon, I shall offer for the RECORD an editorial from the Capital Journal of

Salem, Oreg.—which is no Morse newspaper—dated June 28, 1958. The editorial is entitled "MORSE and Morality."

The editor fails to point out to his readers the great differences between a concealed, undisclosed gift and campaign contributions made under the law, within the law, and publicly disclosed to the voters of the State, and made not to the candidate, but to a campaign or finance committee of a candidate.

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in my remarks.

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

MORSE AND MORALITY

A Washington Associated Press dispatch says "Senator WAYNE MORSE, Democrat, of Oregon, told the Senate Wednesday that he has asked Attorney General William Rogers to investigate Sherman Adams." "In the Adams case we have a clear case of wrongdoing," he said, alluding to gifts Adams accepted from Bernard Goldfine, Boston industrialist. The dispatch said:

"MORSE quoted newspaper columnist Roscoe Drummond as saying some Members of Congress were concealing their own gifts, campaign contributions, conflict-of-interest habits which dwarf those they so piously deplore.

"The Senator said no one would fight any harder than he to 'clean out any proven conflict of interests on the part of any Member of Congress.

" 'The immorality of Sherman Adams is no justification for an attempt to besmirch Congress.' "

MORSE stated that in 1956 "an individual of some wealth sought to give him some livestock," and, though the offer was refused, sent the livestock to his Maryland farm. He continued:

"The proposed donor was notified that unless he got the livestock off the farm within 3 days it would be delivered at his expense to the Meadowbrook Saddle Club at Rock Creek Park, because I did not accept gifts, and I wanted the livestock off the farm forthwith. The livestock was taken off immediately."

David Lawrence, in his Washington column in Thursday's Capital Journal, correctly states the issue raised by the Adams episode, as follows:

"The issue, in a nutshell, is not just the gift of a $200 coat or a $2,000 hotel bill, but the gift of $725,000 to elect a United States Senator and the known and formally reported expenditure of $2,200,000 by labor unions to elect a Democratic Congress." He quotes the speech printed in the CONGRESSIONAL RECORD by Representative RALPH W. GWINN, Republican, of New York, who said:

"In the 1956 elections organized labor was active in 300 of the 435 Congressional District elections, and were successful—that means that their man got elected—in more than 175.

"In 1954 a total of $725,000 was spent by the United Automobile Workers, CIO, in support of Senator MCNAMARA in Michigan. If the unions spent only one-half as much in the 30 senatorial contests in 1956 as they spent in Michigan in 1954, it would amount to $150 million. * * *

"At least $62 million is spent for political purposes annually, or a total of $124 million for each biannual election of Members of Congress.

"Is it any wonder that few pieces of legislation pass contrary to the recommendations of the leaders of organized labor?"

As Lawrence says, "it is, of course, only an assumption that Members of Congress are influenced in their voting on labor subjects by gifts their campaign funds received from unions, but the critics in Congress are assuming the same thing with respect to Sherman Adams, notwithstanding the testimony of the members of these commissions that no improper influence was exerted."

Senator MORSE, who is always attacking the Republicans, who twice elected him United States Senator from Oregon, and then betrayed them, viciously assails the "immorality of Sherman Adams," but sees no immorality in accepting $58,012 campaign contributions from labor unions during his campaign for reelection in 1956.

All that Congress has to do to end attempts to purchase elections is to amend the antitrust law by including labor organizations. All that States have to do to restore the constitutional rights of citizens to a job is to pass a right-to-work law eliminating compulsion. (G. P.)

Mr. MORSE. Mr. President, the Port Umpqua Courier, of Reedsport, Oreg., has reprinted an editorial published in the Corvallis, Oreg., Gazette-Times, and entitled "Vicuna Coats: Campaign Contributions Different?" In that editorial, a reactionary editor likewise seeks to give the impression to the readers of his newspaper that there is no difference between concealed, conflict-of-interest gifts and open-campaign contributions.

I ask unanimous consent that the editorial from the Corvallis Gazette-Times be printed at this point in my remarks.

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

VICUNA COATS: CAMPAIGN CONTRIBUTIONS DIFFERENT?

We have already expressed ourselves on the terrible judgment of Sherman Adams in his relationship with Bernard Goldfine. It is in no way excusable in a man of his many years of public service.

But this again brings up the question of campaign contributions. Is there any correlation in the action of Mr. Adams and, say, that of Senator WAYNE MORSE?

The latter in his campaign, according to Congressional Quarterly, received $24,150 in 1957 to help pay off the campaign debts incurred in his 1956 race against Douglas McKay. MORSE had reported a $34,340 campaign fund deficit and about two-thirds of this was wiped out by gifts from the AFL-CIO, textile, railway, auto, and steel unions.

Now, after he gets into office, is Mr. MORSE expected to ignore these labor people and never make a phone call or an appointment in their behalf?

Getting even closer to home we find that in the last gubernatorial campaign Gov. Robert Holmes received among others $2,500 from the Oregon Labor Council and $500 from the United Steel Workers of Los Angeles. Does this mean nothing to Mr. Holmes?

In order to be fair we must also advertise that all the Republican candidates who opposed the two above mentioned Democrats also received generous financial support from various private sources.

Now, we want to know, what is the difference between Sherman Adams and his $700 vicuna coat and any successful candidate who receives campaign contributions?

Maybe it is time the whole field of public conduct and campaign contributions be examined.

Senator NEUBERGER has been suggesting for some time that perhaps it would be wise to make some sort of Government subsidy for political parties so that the candidates wouldn't be beholden to any particular self-seeking group. Mr. NEUBERGER also has a bill before the Senate which calls for new conflict-of-interest laws for Congressmen (but our chances of catching a 75-pound salmon are better than its chances of passage).

Lawmakers are screaming the loudest about Sherman Adams and certainly the squawks are justified, but lawmakers and all elected officials should be willing to abide by the same standards of morality and ethics they want to impose on others.

There are those who have been heard to ask, What about $30 million campaign funds to elect Presidents and $500,000 treasuries to put Senators into office? Is not this a real evil? Why is it wrong to take a coat, mink or vicuna, but right to take $10,000? Senators heavily in debt to labor unions for campaign funds have berated Sherman Adams for accepting a rug. Senators far more heavily indebted to oil companies or utilities once berated General Vaughan for accepting a deep freeze. Does it all add up?

As a former teacher of law, one of my first tasks in determining whether a student had the intellectual ability to handle law-school work was whether he could deal with distinctions. If he could not deal with distinctions and could not handle basic, abstract problems, I discouraged him from the further study of the law.

Part of this drive to give the American people the impression that Congress is honeycombed with conflicts of interest growing out of campaign contributions is exemplified in a recent article written by the Associated Press news analyst James Marlow, whose article was published in my hometown newspaper, the Eugene Register-Guard, of June 30. That newspaper periodically dips its editorial pen into my blood and scratches out anything but a complimentary editorial. It indulges in the same kind of propaganda that Mr. Marlow included in his article of June 30, which makes the fodder for the kind of propaganda that the Eugene Register-Guard disseminates about me.

So I have written to that newspaper a little epistle, by way of a letter to the editor, which relates to the subject matter of my remarks this afternoon; and I propose to read at this time a part of that letter. In my letter to the editor, I said:

The Associated Press news analyst, James Marlow, whose column appeared in your paper on June 30, and other news articles on the subject in your paper, have missed the boat in their discussion of conflicts of interest in government, because the difference between campaign contributions and the Adams gift is the difference between public knowledge in the first case and secrecy in the second.

The Morse bill requiring full disclosure of all sources of income by both elected and appointed Federal officials receiving salaries over $10,000 has been before the Congress since 1946. It would supplement existing laws which now make public the sources and amounts of contributions to political campaigns. I have reintroduced the bill in each Congress since 1946.

For years I have pointed out the need for reform in our Federal election laws, including the financing of political campaigns.

In fact, Mr. President, it has been my position that our method of financing political campaigns is probably the No. 1 cause of corruption in American politics. I have said so on many occasions. I repeat the statement today. But it does not follow that campaign contributions have corrupted a majority of the politicians of the country. Yet when

when we read the article, we are left with the impression that all politicians are corrupted by campaign contributions.

One of the reasons why for many, many years I have urged the enactment of my full public disclosure bill and have on more than one occasion appeared before Senate committees and there urged the adoption of amendments to the Corrupt Practices Act is that I believe it is important that there be eliminated from public office those who have been corruptly influenced. But what I protest now, and what I have been protesting for the past several days, Mr. President, is the result of some of the innuendoes and some of the writings and statements which leave the impression that all politicians are corrupted by campaign contributions. One obtains that idea by implication from some of David Lawrence's writings. It is too bad that he does not take the time to point out what is required by way of public reporting in connection with campaign contributions. It is too bad that the writers and speakers who are so strenuously criticizing Members of Congress in regard to campaign contributions are not fair enough to tell the American people the legal requirements that a candidate has to meet in connection with campaign contributions.

So, Mr. President, for the benefit of the Eugene Register-Guard, I called attention to the distinction between a secret gift and a campaign contribution, in the following words:

> It does not follow that when a candidate's campaign committee receives contributions from a member of a union, or from a teacher, or a doctor, or a farmer, or a businessman, he becomes unethical and crooked. Undoubtedly there are politicians who seem to represent political machines and financial interests that support those machines; but it is a great disservice to give the impression that all politicians are under obligation to contributors to their campaigns simply because there are some politicians who are not free men. * * * It is also contrary to fact to give the impression that labor unions contribute to the campaign funds of candidates for Congress. It is illegal for them to do so, and there is no loophole in the Federal Corrupt Practices Act that permits them to do so. The law requires that political contributions for Federal campaigns must come from individual workers on a voluntary basis; and not out of the union treasury.

Mr. President, if we want a good example of bad journalism, both in editorials and in news columns, I call attention to this point, because a great many newspapers have been publishing articles about union contributions to political campaigns of candidates for Federal office, without notifying their readers that, of course, a union cannot contribute to a political campaign. But some of these superficial newspaper writers say, "Oh, but there are loopholes that permit it." I ask them to name the loopholes, Mr. President. Any successful candidate for election to Congress who accepted so-called unfree money—that is to say, union-treasury money—would be subject to having his right to a seat in Congress challenged under the Corrupt Practices Act; and I say as a lawyer that if he were a party to a subterfuge, in that connection, he would be subject to having his right to such a seat challenged.

This tactic has been a part of the anti-labor smear, too, Mr. President. It has been a part of the attempt by certain forces to besmirch the part that labor has played in carrying out its rights of citizenship in connection with such campaigns. The trouble is that such forces would like to disfranchise labor. If they could have their way, they would not have a union member participate in a political campaign.

But, Mr. President, as I have been heard to ask before, Who are these labor people? They are the ones who live next door to us, and attend the same churches that we attend, and send their children to the same schools that our children attend, and participate in the same civic activities in which the rest of us participate. I say to working people that they should participate in more political activities, not less, for the simple reason of the direct relationship between the way the Government operates and the economic freedom of every group of citizens—be they teachers, or farmers, or doctors, or the members of any other group, including union members.

Thus, in my letter to the editor of my hometown newspaper, I wrote:

> I shall always be proud of the fact that in my 1956 campaign, more than 18,000 individual workers made contributions to my campaign.

They were small contributions, Mr. President. They were part of the so-called Bucks-for-MORSE drive, in which an individual worker would make a contribution of $1 or $2 or $5 on his own, individually—as, may I say, did many teachers and many farmers, and a surprisingly large number of small-business men, whose contributions, on the average, were larger than $5 or $10, although I am sure that if in 1954 I had been running for reelection to the Senate, the overwhelming majority of the small-business men in my State would have been against me. But by 1956 they understood the consistent fight I had made in the Senate during my years here to protect the principle of competition in the American private enterprise system, without which there can be no private enterprise.

So, as I said to my local editor, "I am proud of the fact that in my 1956 campaign more than 18,000 individual workers made contributions to my campaign. I shall also always be proud of the fact that a very large number of individual farmers, teachers, small-business men and individuals from all walks of life made contributions to my 1956 campaign, which made history with respect to political independence."

I ask unanimous consent to have printed at this point the entire letter to which I have referred.

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

JULY 8, 1958.

The EDITOR,
Eugene Register-Guard,
Eugene, Oreg.

DEAR SIR: The Associated Press news analyst, James Marlow, whose column appeared in your paper in June 30, and other news articles on the subject in your paper, have missed the boat in their discussion of conflict of interest in government, because the difference between campaign contributions and the Sherman Adams gifts is the difference between public knowledge in the first case and secrecy in the second.

The Morse bill requiring full disclosure of all sources of income by both elected and appointed Federal officials receiving salaries over $10,000 has been before the Congress since 1946. It would supplement existing laws which now make public the sources and amounts of contributions to political campaigns. I have reintroduced the bill in each Congress since 1946.

For years, I have pointed out the need for reform in our Federal election laws, including the financing of campaigns. In his July 7 newsletter, my colleague quotes, for example, from a speech of mine in July 1956, to the effect that I consider the problem of political financing as the number one cause of corruption in American politics. So I do. But it does not follow that when a candidate's campaign committee receives contributions from a member of a union, or from a teacher, or a doctor, or a farmer, or businessman, he becomes unethical and crooked.

Undoubtedly there are politicians who seem to represent political machines and financial interests that support those machines; but it is a great disservice to give the impression that all politicians are under obligation to contributors to their campaigns simply because there are some politicians who are not free men.

Those who call attention to the need for election law reforms and for making conflict-of-interest laws applicable to Members of Congress are performing a public service. I have myself advocated such reforms for years.

But they do a disservice to public confidence in the integrity of the overwhelming majority of Members of Congress and officials in the executive branch when they fail to point out the distinction between campaign contributions, which by law have to be made a matter of public record, and concealed conflict-of-interest gifts to Government officials. A blanketing of publicity made campaign contributions with concealed conflict-of-interest gifts carries with it the innuendo that campaign contributions are evil.

It may be that some politicians feel obligated to contributors to their campaign funds in carrying out their work in the Senate. If so, they should speak only for themselves, and not for others.

Any campaign contributions I have received in my three campaigns for the United States Senate, for example, have been accepted by my campaign committees without any commitments and without any obligations on my part. Their sources and amounts are a matter of public record.

It is also contrary to fact to give the impression that labor unions contribute to the campaign funds of candidates for Congress. It is illegal for them to do so, and there is no loophole in the Federal Corrupt Practices Act which permits them to do so. The law requires that political contributions for Federal campaigns must come from individual workers on a voluntary basis, and not out of the union treasuries.

I shall always be proud of the fact that in my 1956 campaign, more than 18,000 individual workers made contributions to my campaign. I shall also be proud of the fact that a very large number of individual farmers, teachers, small-business men and others from all walks of life made contributions to my 1956 campaign, which made history with respect to political independence.

The day may come when the general public will come to pay, either by such mass contributions or from the Federal Treasury, the large amounts spent every 2 years

for Congressional election campaigns, and the huge sum spent every 4 years to elect a President.

But until then, full public disclosure answers the question of who is to police the policeman. The public can be counted on to police the policeman, once there is full disclosure of the facts. Give the voters the information, and let them judge whether or not a candidate is unduly influenced by his sources of income and campaign contributions.

But this problem has no bearing on the kind of immorality in the Sherman Adams case, where personal gifts to the second man in the White House were written off as a business expense, all unknown to the general public.

If the people let themselves be confused by the argument that gifts to men in high office should be ignored until we decide what to do about campaign funds, we will never make any progress toward improving either situation.

I realize that reactionary editors and Republican politicians in Oregon take comfort in any innuendo from which it may be implied that my actions in the Senate are in some way, somehow, influenced by campaign contributions. These reactionaries have certainly seized gratefully the opportunity to shift public attention away from Sherman Adams.

But I shall always be proud to stand on the record I have made in the Senate as the record of a free man who has exercised an honest independence of judgment on the merits of each issue as it has come before me, irrespective of who is for or against the issue. And I shall be proud of the record I have made in helping rout out of office the Talbotts, the Wenzells, and, I hope, the Adamses, who have not lived up to their ethical obligations.

Sincerely,

WAYNE MORSE.

Those contributions are a matter of public record. In fact, those contributed prior to 10 days before election had to be filed with the Senate of the United States, under the Federal Corrupt Practices Act, and a reference to them was made in the press of my State.

Mr. President, I shall continue to support legislation which seeks to reform the Corrupt Practices Act, and to require a public disclosure of all sources of income, including gifts, and the amounts thereof, of all public officials who receive $10,000 or more a year.

But if the American people let themselves be confused by the argument that we should not do anything about conflicts of interest, such as are involved in the Adams case, until we bring about reforms in the Corrupt Practices Act, then we shall never get anywhere with either reform.

My legal training taught me that when one has a case before the court, he should proceed to trial on that case, and not concern himself then with awaiting the determination of issues which are to be tried in other cases.

Mr. President, the problem, posed by the Adams case was brought out most effectively this morning by Walter Lippmann. I close this afternoon by asking the President, "What do you propose to do about it? The American people are not going to be satisfied with your statement that you need a man who stands before the American people, as Lippmann so clearly pointed out this morning, as one who has been guilty of political immorality in performing the duties of an appointed position of great public trust."

RECESS UNTIL 11 A. M. TOMORROW

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. MORSE. Mr. President, under the previous order, I move that the Senate take a recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 14 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, July 9, 1958, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 8, 1958:

TERRITORY OF HAWAII

Harry R. Hewitt, of Hawaii, to be fifth judge of the first circuit, Circuit Courts, Territory of Hawaii, for a term of 6 years. He is now serving in this office under an appointment which expires August 7, 1958.

IN THE NAVY

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy, subject to qualifications therefor as provided by law:

William M. Akers
Ellis C. McCullough

The following-named (civilian college graduates) to be lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Robert F. Faulkner
Louis A. Finney

The following-named Reserve officers to be lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

John R. Boname	Michael A. Gass, Jr.
Ercil R. Bowman, Jr.	Glendall L. King
Paul D. Cooper, Jr.	Franklin M. Roberts
Francesco DePaola	Raymond D. Scala
Richard G. Fosburg	Marlyn W. Voss

The following-named (Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Vernon H. Balster	Stanley D. Harmon
Fred O. Bargatze	William O. Livingston
Elbert L. Fisher, Jr.	Richard E. Menzel
Norman P. Goguen	Jacob R. Morgan
James B. Glover	Donald A. Schutt

Arthur C. Krepps II (Reserve officer) to be a permanent lieutenant (junior grade) in the Medical Corps of the Navy, in lieu of permanent lieutenant as previously nominated and confirmed, subject to qualifications therefor as provided by law.

Charles I. Ward (civilian college graduate) to be a lieutenant in the Dental Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named Reserve officers to be lieutenants in the Dental Corps of the Navy, subject to qualifications therefor as provided by law.

Alfred C. Billotte
Richard D. Ulrey

Larry H. Kennedy, Reserve officer, to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to qualifications therefor as provided by law.

Julian J. Thomas, Jr., Reserve officer, to be a lieutenant in the Dental Corps of the Navy, and to be promoted to the grade of lieutenant commander when his line-running mate is so promoted, subject to qualifications therefor as provided by law.

Clayton R. Adams, Reserve officer, to be a lieutenant commander in the line of the Navy (engineering duty) for temporary service, subject to qualifications therefor as provided by law.

Charles W. Halverson, Reserve officer, to be a lieutenant (junior grade) in the Medical Service Corps of the Navy, for temporary service, subject to qualifications therefor as provided by law.

Hans W. Lunder, to be a lieutenant (junior grade) in the line of the Navy, limited duty only, classification "aviation electronics" for temporary service, subject to qualifications therefore as provided by law.

Fred A. Butler, United States Navy retired officer, to be a permanent commander and a temporary captain in the Medical Corps of the Navy, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Joseph H. Scanlon, United States Navy retired officer, to be a permanent commander and a temporary captain in the Dental Corps of the Navy, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Leanna A. Ruth, United States Navy retired officer, to be a permanent lieutenant and a temporary lieutenant commander in the Nurse Corps of the Navy, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Tony G. Vandagriff, retired officer, to be a chief warrant officer, W–4, in the United States Navy, for temporary service, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

The following-named line officers of the Navy for temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law:

Thomas T. Cole, Jr.
Merrill E. Critz
James J. Hill

The following-named line officers of the Navy for transfer to and appointment in the Supply Corps of the Navy in the permanent grade in lieutenant:

Edward E. Peterman
Oscar C. Shealy, Jr.
James R. Turnbull

The following-named line officers of the Navy for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade) and in the temporary grade of lieutenant:

Robert L. Brewin
Roland A. Petrie

Ronald C. Hudgens, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of ensign.

Joan L. White, Supply Corps, United States Navy, for transfer to and appointment in the line of the Navy in the permanent grade of lieutenant.

James W. Ross, Supply Corps, United States Navy, for transfer to and appointment in the line of the Navy in the permanent grade of ensign.

The following-named line officers of the Navy for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade):

Robert M. Mielich	Stephen E. Speltz
Matt C. Mlekush	Thomas F. Stallman
James W. Shumate	

The following-named line officers of the Navy for transfer to and appointment in

the Civil Engineer Corps of the Navy in the permanent grade of ensign:

Salvatore J. Angelico
Robert N. Brannock
Sterling M. Brockwell, Jr.
Robert F. Goodman
Darrell E. Jones
Malcolm J. MacDonald
Thomas F. Mosher
Douglas C. Potter

The following-named officers of the Navy for permanent promotion to the grade indicated:

Lieutenant, line

Earl C. Bowersox
Savas Hantzes
Henry S. Palau
Forrest A. Miller
James W. Wassell
Andre V. Ajemian
Peter F. H. Hughes
Alexander W. Rilling
John P. Leahy
Charles F. Rushing
William J. Pototsky
Donald L. Angier
James E. Foley
David M. Cooney
Lowe H. Bibby III
Joseph A. Fitzpatrick
Claude R. Stamey, Jr.
William T. Harvey
Bradford S. Granum
Donald S. Wills
Russell L. Moffitt
Frank L. Etchison, Jr.
Carl R. Pendell
Willard R. Olson
Norman R. Gearhart
Ralph N. Whistler, Jr.
Glen R. Sears
Quentin E. Wilhelmi
Peter K. Cullins
Charles G. Harnden
Richard B. Howe
Charles H. Sassone, Jr.
Gordon R. Voegelein
Carl W. Huyette, Jr.
Alexander M. Sinclair
Robert H. Heon
Harry L. Fremd
Samuel L. Chesser
Robert F. Campion, Jr.
Lawrence P. Treadwell, Jr.
Hugh S. Sease, Jr.
Robert W. Arn
Ralph W. Tobias
Eric A. Nelson, Jr.
Peter M. Moriarty
Richard J. Edris
James P. Barnes
Roy S. Reynolds
Donald A. Miller
Hal R. Crandall
Porter E. May
Edwin R. Schack, Jr.
Albert M. Hunt
Donald H. Jarvis
Thomas R. Overdorf
Albert S. Bowen III
James F. Hossfeld
Charles H. Garner
Earle R. Callahan
Harrison F. Starn, Jr.
Donald J. Maynard
Charles K. Naylor
Clifford M. Sims, Jr.
John F. Stader
Owen H. Ware
Searcy G. Galing
Frank G. Hiehle, Jr.
Edward A. Broadwell
Charles R. Irby
Wallace A. Burgess
Edward J. Condon, Jr.
John L. Smeltzer, Jr.
Chester C. Edwards
Samuel P. Ginder, Jr.
William J. Hennessy
Samuel O. Jones, Jr.
Richard M. Stafford
Forrest R. Johns
James J. Strohm
Donald A. Still
John M. Liston
Glenn M. Brewer
John M. Stump
Charles W. Streightiff
Donald M. Sheely
Samuel H. Applegarth, Jr.
Charles K. Williams
Robert A. Owen
John M. Redfield
Herbert E. Wilson, Jr.
Robert C. Brogan
John L. Head
Robert L. Miller
William C. Earl
Richard K. Fontaine
John E. Jarvies
Gordon J. Schuller
William R. Phillips
Herman C. Quitmeyer
Robert R. Boone
Grafton R. McFadden
Francis R. Willis
Daniel H. Evans, Jr.
Donald W. Knutson
Ralph W. Hooper
Arthur T. Ward
Richard T. Thomas
Irwin Patch, Jr.
Armen Chertavian
Donald A. Kilmer
Robert H. Laighton
John P. Papuga
Charles I. Garrett, Jr.
Richard B. Cunningham
Russell D. Kaulback
James M. Leiser
Michael A. Iacona
Donald L. Caskey
Francis L. McGeachy
Hilliard B. Holbrook II
Nevin L. Rockwell
George K. Derby
John E. Reeder
Angus Macaulay
Robert B. McCoy
David L. Jones, Jr.
Harold F. Sigmon
Clyde R. Welch
Rodney L. Stewart
Edward H. Wood
Carol W. Jones
Jay K. Davis
William J. McBurney
James A. Burnett
John R. Kemble
Searle F. Highleyman
John W. Ingram
Michael A. Patten
Oliver A. Reardon, Jr.
Donald E. Swank
Leland E. Bolt
Archibald S. Thompson
Robert A. Baldwin
Thomas E. Lukas
Miles R. Wilkerson
Paul A. Gallagher
Lawrence T. Cooper
Robert A. Wheeler
Edwin H. Vrieze III
Frederic C. Caswell, Jr.
James A. Bacon
Loren I. Moore
John D. Scull
Raymond A. Madden
Oliver J. Semmes III
Gordan Van Hook
William W. Parks
Peter S. Shearer
Harland J. Rue II
Frank A. Liberato
Robert L. Pfeiff
James G. Baker
David W. Weidenkopf
Thomas W. Watson
Freeman L. Lofton
Henry C. Whelchel, Jr.
William J. Thompson
Victor C. Wandres
George E. Yeager
Floyd Holloway, Jr.
Matthew J. Breen
Donald E. Jubb
John P. Cromwell, Jr.
Maxwell F. Leslie, Jr.
Earl L. Caldwell, Jr.
Joseph F. Friend

Lieutenant, Supply Corps

James S. Patterson
Gary C. Leighty
Kenneth E. Hill
Darrell S. Chapman
Gerald H. King
Richard N. Dreese
Frederick H. Keefer
Charles H. Samuelson
Emerson M. Harris
Thomas A. Boyce
Richard C. F. Kerwath
Walter H. French, Jr.

Lieutenant, Chaplain Corps

Walter "B" Clayton, Jr.
Joe A. Davis
Harry W. Holland, Jr.

Lieutenant, Civil Engineer Corps

Louis Huszar, Jr.

Lieutenant, Medical Service Corps

Newell H. Berry
Francis W. McIntosh
Philip R. Ragle
Edward D. Mateik
John T. Holcombe
Marvin J. Brown
Charles M. Hine
Betty D. Bair
Ezra F. Ferris
Billy M. Edwards
Paul J. Sherin
Hulot W. Haden
LaVern E. Nichols
William E. McConville
Lloyd A. Watts
Mason A. Nelson, Jr.
Daniel N. Williams
Rodger F. Schindele

Lieutenant, Nurse Corps

Celine A. Finn
Helen M Rigsby
Clara A. Garbutt
Mary L. Steele
Ruth G. Pampush
Elinor B. Sterling

The following-named officers of the Navy for permanent promotion to the grade indicated:

Lieutenant commander, line

Edwin M. Leidholdt
Charles W. Postlethwaite
Harold M. Yelton
Joseph W. Gray
Roy E. Clymer, Jr.
John F. Pierce
Charles H. McMakin, Jr.
Harold J. Shapard
Kenneth B. Brisco
Craig M. Coley
Claude E. Hale
Philip M. Dyer
George Hamilton

Lieutenant commander, Medical Corps

Frank "R" Preston

The following-named (Naval Reserve Officers Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps subject to qualification therefor as provided by law:

Michael de Harne Dwyre

The following-named officer for permanent appointment to the grade of first lieutenant in the Marine Corps pursuant to the provisions of title 10, United States Code, section 5788:

Richard M. Condrey

The following-named for temporary appointment to the grade of first lieutenant in the Marine Corps subject to qualification therefor as provided by law:

Richard C. Ossenfort

The following-named officers of the Navy for permanent promotion to the grade of chief warrant officer, W-2, subject to qualification therefor as provided by law:

Adams, George C.
Austin, Ellis E.
Carter, Charles S.
Glover, Fred B.
Guthrie, William C.
Moore, James A.
Riley, Joseph F.

The following-named officer of the Navy for permanent promotion to the grade of chief warrant officer, W-3, subject to qualification therefor as provided by law:

Shepherd, Aldon A.

The following-named officers of the Navy for permanent promotion to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law:

Andrews, David J.
Bernhardt, James L.
Bond, Robert E.
Branson, Franz W.
Bussey, Joseph O.
Crocker, Ralph J.
Dias, Paul E.
Dowler, Frank E.
Fariss, William A.
Fenn, Frank L., Jr.
Hudson, Edward S.
Huston, Maynard F.
Mandzak, Nicholas
Marsh, William O.
McCaskill, Jesse M.
Nalls, Nathan C., Jr.
Nelsen, Norman
Pravecek, Frederick
Ray, Ewart G., Jr.
Taylor, John W.

POSTMASTERS

ALABAMA

Edith E. Bowden, Honoraville, Ala., in place of A. R. Morgan, deceased.

ARIZONA

Ethel V. Rogers, McNeal, Ariz., in place of A. T. Murphy, retired.

ARKANSAS

Samuel J. McGraw, Austin, Ark., in place of M. B. Adams, retired.

Dan C. Griffin, Crawfordsville, Ark., in place of C. P. Harman, retired.

CALIFORNIA

Kerg B. Key, Alameda, Calif., in place of F. E. Samuel, retired.

William A. Thorne, Irvington, Calif., in place of H. J. Kohler, resigned.

Walter C. Whitman, Pittsburg, Calif., in place of H. A. McBride, retired.

Ulis C. Briggs, Ukiah, Calif., in place of J. W. Harding, resigned.

CONNECTICUT

Arthur R. Cleary, Bethel, Conn., in place of F. E. Goodsell, Sr., retired.

Leslie S. Mallinson, West Cornwall, Conn., in place of W. M. Hart, deceased.

GEORGIA

William Leroy Hogue, Carrollton, Ga., in place of O. L. Spence, retired.

Leo J. Russell, Rome, Ga., in place of W. E. Wimberly, retired.

IDAHO

Richard E. Payne, Elk River, Idaho, in place of C. M. Friend, retired.

Victor T. Uria, Homedale, Idaho, in place of I. M. Helton, retired.

ILLINOIS

John W. Dehmlow, Algonquin, Ill., in place of M. W. Struwing, removed.

Rex H. Carter, Berwyn, Ill., in place of J. J. A. Borkovec, retired.

William M. Toland, Browning, Ill., in place of M. E. Bader, resigned.

Lee H. Clark, Glenarm, Ill., in place of M. L. McCraner, retired.

Hester Lee Kaufman, Harristown, Ill., in place of C. C. Brown, resigned.

Robert Harvey McCaherty, Hillview, Ill., in place of P. A. Brickey, resigned.

Richard D. Michael, LeRoy, Ill., in place of W. J. Strange, retired.

Kathryn L. Wallrich, Mossville, Ill., in place of C. M. Long, retired.

Aileen Harriet Adams, Rapids City, Ill., in place of C. E. Hancock, retired.

James E. Hill, Streator, Ill., in place of C. E. Erler, deceased.

Leslie R. Stein, Trivoli, Ill., in place of O. L. Glasford, deceased.

INDIANA

Clara G. Langley, Stroh, Ind., in place of K. L. Kenyon, retired.

Verlo Christner, Topeka, Ind., in place of R. J. Clark, deceased.

Arno J. Kuhn, Waldron, Ind., in place of T. H. Cartmel, retired.

IOWA

George G. Hendricks, Fort Dodge, Iowa, in place of R. J. Gilday, retired.

KANSAS

Chloe E. Huffman, Englewood, Kans., in place of E. J. Lee, retired.

George Paul Gerardy, Hanover, Kans., in place of R. J. Munger, retired.

Jack D. Warnock, Stafford, Kans., in place of W. L. Kent, retired.

KENTUCKY

Minnie M. Staley, Lackey, Ky., in place of Mike Staley, retired.

LOUISIANA

Ivy M. Lytton, Gilliam, La., in place of S. H. Reid, resigned.

Billy R. Johnson, Harrisonburg, La., in place of J. L. Beasley, retired.

Roberta G. Landry, Mathews, La., in place of B. A. Gautreaux, retired.

Ora G. Thomas, Mooringsport, La., in place of A. H. Barre, retired.

William A. Bulcao, Slidell, La., in place of C. D. Block, resigned.

MAINE

Chandler Byrant Paine, Bar Harbor, Maine, in place of T. L. Roberts, deceased.

Raymond M. Flynn, Sanford, Maine, in place of F. C. Creteau, resigned.

Donald L. Lapointe, Van Buren, Maine, in place of L. N. Poirer, retired.

MASSACHUSETTS

Katherine C. Brown, Littleton Common, Mass., in place of R. C. West, retired.

James H. Bradley, Woburn, Mass., in place of J. H. Murphy, retired.

MICHIGAN

Budd A. Goodwin, Adrian, Mich., in place of P. F. Frownfelder, retired.

James Patejdl, Harbert, Mich., in place of O. W. Tornquist, retired.

MINNESOTA

Edward J. Shega, Babbitt, Minn., in place of R. J. Slade, resigned.

Arthur Peter Hein, Excelsior, Minn., in place of F. J. Mason, retired.

Orlin A. Ofstad, Orr, Minn., in place of A. M. Rude, retired.

Sylvester V. Zitzmann, Vesta, Minn., in place of T. C. Kline, deceased.

MISSISSIPPI

Maxie A. Grozinger, Crowder, Miss., in place of O. B. Jones, transferred.

Hobert Riley, Jr., Pattison, Miss., in place of J. D. Burch, transferred.

George W. Benson, Webb, Miss., in place of L. A. White, retired.

MISSOURI

Kenneth C. James, Gravois Mills, Mo., in place of M. L. McKinley, retired.

Wilhelmine E. Jacobi, Martinsburg, Mo., in place of F. J. Jacobi, Jr., deceased.

Willard H. Dowden, Pickering, Mo., in place of J. L. Bosch, deceased.

MONTANA

Virgil S. Davis, Anaconda, Mont., in place of F. J. J. Finnegan, removed.

NEBRASKA

James C. Dowding, Bellevue, Nebr., in place of J. H. Schaller, resigned.

Edward W. Divis, Brainard, Nebr., in place of Fred Hlavac, retired.

Malcolm E. Jensen, Emerson, Nebr., in place of R. L. McPherran, resigned.

Ruth E. Fouts, Maxwell, Nebr., in place of R. C. Dolan, retired.

NEW HAMPSHIRE

Clyde H. Seavey, Candia, N. H., in place of R. B. Dinsmore, retired.

NEW JERSEY

Ellen E. Benson, Lawnside, N. J., in place of Helen Davis, removed.

Lawrence H. Emmons, Sergeantsville, N. J., in place of L. J. Myers, deceased.

NEW YORK

Peter S. Tosi, Boiceville, N. Y., in place of M. D. Robeson, retired.

Grace E. Pfeiffer, Middle Island, N. Y., in place of E. H. Pfeiffer, deceased.

Minor J. Leonard, Odessa, N. Y., in place of H. H. Rundle, retired.

Alice B. Larsen, Peconic, N. Y., in place of W. E. Way, resigned.

Clarence B. Wilmot, Rushford, N. Y., in place of M. E. Austin, removed.

Berta R. Fellows, South Salem, N. Y., in place of J. R. Reilly, retired.

NORTH CAROLINA

Lexine G. McCarson, Balfour, N. C., in place of L. R. Geiger, retired.

James Howard Crowell, Concord, N. C., in place of B. E. Harris, resigned.

OHIO

Quindo A. Belloni, Brewster, Ohio, in place of Kathryn Schott, retired.

OKLAHOMA

Frank M. Hippard, Okeene, Okla., in place of A. M. Farhar, deceased.

Earl Dale Allee, Quapaw, Okla., in place of C. E. Douthat, retired.

OREGON

Allan T. Ettinger, Brookings, Oreg., in place of W. G. Thompson, resigned.

Wayne F. Ball, Huntington, Oreg., in place of B. K. Harvey, resigned.

PENNSYLVANIA

Charles A. Mensch, Bellefonte, Pa., in place of E. B. Bower, retired.

William R. Mundell, Birdsboro, Pa., in place of P. F. Petrillo, removed.

Richard L. Altemose, Brodheadsville, Pa., in place of M. L. Serfass, retired.

Emma Jane Kimmel, Dalmatia, Pa., in place of P. L. Tressler, retired.

Clifford C. Mills, Freeland, Pa., in place of Neale Boyle, retired.

Julia M. McCluskey, New Bedford, Pa., in place of N. R. Akens, deceased.

Charles S. Borem, Sewickley, Pa., in place of S. V. Webster, deceased.

Robert W. Kramer, Valencia, Pa., in place of T. M. Perry, retired.

PUERTO RICO

Angel Cesar Benitez Lopez, Aguas Buenas, P. R., in place of F. G. Gonzales, retired.

SOUTH CAROLINA

Urban G. Milhous, Jr., Denmark, S. C., in place of M. R. Mayfield, resigned.

Willie C. Maxwell, Inman, S. C., in place of J. G. Waters, retired.

SOUTH DAKOTA

Maynard G. Hatch, McLaughlin, S. Dak., in place of Freda Haberman, retired.

TENNESSEE

John L. Sanders, Somerville, Tenn., in place of W. A. Rhea, retired.

TEXAS

Vernon C. Johnson, Alvin, Tex., in place of B. A. Borskey, retired.

Ruby D. Cummings, Barstow, Tex., in place of A. J. Hayes, resigned.

Benedict M. Kocurek, Caldwell, Tex., in place of R. A. Bowers, transferred.

Grace M. Duncan, Crandall, Tex., in place of K. H. Jorns, resigned.

Homer R. Granberry, Douglassville, Tex., in place of E. E. McMillian, Jr., removed.

Leslie Fulenwider, Uvalde, Tex., in place of J. P. Molloy, deceased.

UTAH

Roger A. Clark, Emery, Utah, in place of J. R. Sorenson, deceased.

Daniel Clair Whitesides, Layton, Utah, in place of R. H. Barton, deceased.

VERMONT

Harold B. Wright, White River Junction, Vt., in place of C. A. O'Brien, retired.

VIRGINIA

Arthur P. McMullen, Hot Springs, Va., in place of F. L. Thompson, retired.

Elmer H. Kirby, Stanleytown, Va., in place of M. C. Stanley, resigned.

WEST VIRGINIA

Dempsey Dale Lilly, Coal City, W. Va., in place of L. L. Lilly, retired.

Franklin N. Phares, Valley Bend, W. Va., in place of A. K. Crawford, deceased.

WISCONSIN

Ruth M. Bergstrom, Comstock, Wis., in place of N. O. Peterson, deceased.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 8, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Job 5: 8: *Unto God would I commit my cause.*

Eternal God, who art the source of all our blessings, grant that daily we may commit ourselves and our way unto Thee.

Inspire us with a vivid sense of Thy presence and power as we face duties and responsibilities which are far beyond our own finite wisdom and strength.

We humbly confess that there are days when the ideals, which we cherish, seem so visionary and the outlook for a nobler civilization appears so gloomy.

May men and nations everywhere give their allegiance to the King of Kings, who rules not with the rod of iron but with the scepter of justice, righteousness, mercy, and love.

Hear us in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 7349. An act to amend the act regulating the business of executing bonds for compensation in criminal cases in the District of Columbia;

H. R. 7452. An act to provide for the designation of holidays for the officers and employees of the government of the District of Columbia for pay and leave purposes, and for other purposes;

H. R. 9285. An act to amend the charter of St. Thomas' Literary Society;

H. R. 12643. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as "the municipal court for the District of Columbia,' to create 'the municipal court of appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended; and

H. J. Res. 479. Joint resolution to designate the 1st day of May of each year as Loyalty Day.

The message also announced that the Senate had passed, with amendments in