will be financed directly from title I, Public Law 480, funds.

FRANCE

The initial project of 2,700 units of housing at 19 locations in France was financed with the proceeds of a barter sale conducted by the Commodity Credit Corporation under the authority of its charter act. This construction is proceeding satisfactorily and is expected to be completed in the fall of 1958. An additional project for 400 units of family housing in France is planned for execution during fiscal year 1959. This project will be financed from the proceeds of a Public Law 480, title I sale of agricultural commodities to France.

MOROCCO

A project for 500 units of family housing is planned for the 3 Air Force bases in Morocco. Bids were taken on this project in the fall of 1957 and it is expected that award will be made within the next 60 days. This project will consist of prefabricated houses purchased in Austria with the proceeds of surplus commodity sales to Austria under title I of Public Law 480. Site costs will be paid from Austrian currency and from appropriated dollars. An additional project for 330 units of housing at the Naval Air Station, Port Lyautey, Morocco, will make use of prefabricated houses purchased in Finland with the proceeds of title I, Public Law 480 sales to Finland. The cost of site development and erection will be paid partly through the use of appropriated funds (not to exceed 25 percent) and will be accomplished partly through the use of seabee labor.

ICELAND

A project of 300 units of family housing is planned for Keflavik Air Force Base, Iceland. It is planned that prefabricated houses for this project will be purchased in Finland with Public Law 480, title I finnmarks and that erection costs will be paid partly with title I Icelandic currency and partly with appropriated dollars.

BERMUDA

Three hundred units of family housing are planned for construction during fiscal year 1959 at Kindley Air Force Base, Bermuda. The cost of this housing will be paid from British pounds sterling obtained through a title I, Public Law 480, sale to the United Kingdom. This project also will be supported (not to exceed 25 percent) with appropriated dollars.

PORTUGAL (AZORES)

It is planned to proceed during fiscal year 1959, with a project of 306 units of family housing at Lajes Air Force Base, Azores. The first increment of 135 units in this project will be supported with existing title I funds which have accrued from the sale of surplus commodities to Portugal. Financing of the remainder of these houses will be developed through further surplus commodity sales.

JAPAN

The original project of 1,700 units of family housing to be built at Army, Navy, and Air Force installations in Japan has now been reduced to 1,350 units as a result of the redeployment of United States Forces in Japan. No further housing construction is planned in Japan and plans are now under way to arrange for the use of the remaining local currency earmarked for housing to support housing construction in the Philippine Islands. It is expected that approximately $3 million will remain from the first Japanese agreement which can be added to the $8 million of housing funds created through the second Japanese agreement. This $11 million is expected to provide most of the necessary financing for the housing program in the Philippines described below.

PHILIPPINE ISLANDS

It is planned that 450 units of family housing will be built at Clark Air Force Base in the Philippines with the cost of construction to be paid from Japanese yen accrued from Public Law 480, title I, sales to Japan, plus approximately $1.5 million in pesos obtained through title I sale to the Philippine Islands. Additional support will be provided from appropriated dollars (up to 25 percent) if required.

Department of Defense—Surplus commodity housing program

[Status as of Feb. 28, 1958]

	Completed and occupied		Under contract		Current execution program		Total	
	Units	Cost [1]	Units	Costs [1]	Units	Costs [1]	Units	Cost [1]
United Kingdom	1,500	$15,000			2,895	$43,425	4,395	$58,425
Italy					493	7,395	493	7,395
Spain			[2] 2,007	$15,742	1,161	23,220	3,168	38,962
France			2,700	50,000	400	8,000	3,100	58,000
Morocco					830	19,920	830	19,920
Iceland					300	6,000	300	6,000
Bermuda					300	6,000	300	6,000
Portugal (Azores)					306	6,120	306	6,120
Japan	830	8,300	520	5,200			1,350	13,500
Philippines					450	9,000	450	9,000
Total	2,330	23,300	5,227	70,942	7,135	129,080	14,692	223,322

[1] In thousands of dollars.
[2] Includes 1,581 units leased for a period of 7 years:

426 at $17,000	$7,242,000
1,581 leased for	8,500,000
Total, 2,007	15,742,000

SENATE

MONDAY, JUNE 16, 1958

Rabbi Chaim U. Lipschitz, D. D., Congregation Ohev Sholom, Brooklyn, N. Y., offered the following prayer:

Our God, and God of our fathers, grant wisdom, understanding, and blessedness to the men commissioned to formulate the laws of this blessed country, the United States of America. Teach them what to say; instruct them how to speak; grant their petitions; and show them the way to glorify Thee. May they walk in the light of Thy favor, invoking Thy own blessings upon all Thy people. O grant a life of happiness, grace, and kindness. Bless us all alike, our Father; and with the light of Thy countenance lead us to a life of uprightness, mercy, and peace. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, June 14, 1958, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Secretary of State, transmitting, pursuant to law, a report on overobligation of an appropriation in that Department (with an accompanying report); to the Committee on Appropriations.

REPORT ON MILITARY PRIME CONTRACTS AWARDED TO BUSINESS FIRMS FOR WORK IN THE UNITED STATES

A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, a report on military prime contracts awarded to business firms for work in the United States, during the first 9 months of fiscal year 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, Washington, D. C., transmitting, pursuant to law, a report of that Council, for the period July to December 31, 1957 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON SAN LUIS VALLEY PROJECT, RIO GRANDE AND WEMINUCHE PASS DIVISIONS, COLORADO

A letter from the Assistant Secretary of the Interior, informing the Senate that due to a request for delay by the organization of water users on the San Luis Valley project, Rio Grande and Weminuche Pass divisions, Colorado, a report would not be submitted on the above project at this time; to the Committee on Interior and Insular Affairs.

REPORT OF RECEIPT OF PROJECT PROPOSALS UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of of the Interior, reporting, pursuant to law, that the Roosevelt Water Conservation District of Higley, Ariz., had applied for a loan of $2,780,000 for project works estimated to cost $3,030,000; to the Committee on Interior and Insular Affairs.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Vaios Constantinos Lampos from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on April 1, 1957 (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

Resolutions adopted by the Pennsylvania Department of Veterans Affairs, I. B. P. O. E. of W., at Beaver Falls, Pa., relating to an increase of income limitation of veterans and widows, and so forth; to the Committee on Finance.

The petition of Jodie Aldridge, of Nashville, Tenn., favoring the enactment of legislation to repeal the law creating the Civil Rights Commission; to the Committee on the Judiciary.

Petitions signed by sundry citizens of West Covina, and Baldwin Park, both in the State of California, relating to the Presidential veto of the omnibus rivers and harbors bill, and the completion of the comprehensive plan for conservation and control of floodwaters in the county of Los Angeles; to the Committee on Public Works.

A letter in the nature of a petition from May Haseltine, of Springfield, Mo., relating to the pending labor bill now before the Senate; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 3894. A bill for the relief of Joseph H. Lym, doing business as the Lym Engineering Co. (Rept. No. 1711).

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

S. 3137. A bill for the relief of Mathilde Gombard-Liatzky (Rept. No. 1712); and

S. 3475. A bill for the relief of Florentino Bustamante Bacaoan, yeoman, second class, United States Navy (Rept. No. 1713).

By Mr. CLARK, from the Committee on Banking and Currency, with amendments:

H. R. 7963. An act to amend the Small Business Act of 1953, as amended (Rept. No. 1714).

DISTRICT OF COLUMBIA CHARTER ACT—REPORT OF A COMMITTEE—MINORITY VIEWS

Mr. CLARK. Mr. President, from the Committee on the District of Columbia, I report favorably, with amendments, the bill (S. 1846) to provide for the District of Columbia an appointed governor and lieutenant governor, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes, together with minority views, and I submit a report (No. 1715) thereon. I ask unanimous consent that the minority views may be printed with the committee report.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Pennsylvania.

BILLS INTRODUCED

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

By Mr. MURRAY (for himself, Mr. HAYDEN, Mr. CHAVEZ, Mr. MALONE, Mr. WATKINS, Mr. ANDERSON, Mr. BENNETT, Mr. GOLDWATER, Mr. MANSFIELD, Mr. BIBLE, Mr. MCNAMARA, Mr. ALLOTT, Mr. O'MAHONEY, Mr. BARRETT, and Mr. CARROLL):

S. 4011. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSTON of South Carolina:

S. 4012. A bill to amend the Civil Service Retirement Act with respect to Members of Congress and Congressional employees; to the Committee on Post Office and Civil Service.

By Mr. HUMPHREY:

S. 4013. A bill to provide an export program for dairy products; to the Committee on Agriculture and Forestry.

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

By Mr. JACKSON:

S. 4014. A bill to require that a certain tract of land in Walla Walla, Wash., be disposed of on an individual lot basis; to the Committee on Government Operations.

S. 4015. A bill for the relief of Harry J. Forsberg; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 4016. A bill for the relief of San Han Ming; and

S. 4017. A bill for the relief of Woo Nauh Liang; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 4018. A bill for the relief of Dr. Chung Hyun Cho; to the Committee on the Judiciary.

EXPORT PROGRAM FOR DAIRY PRODUCTS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to protect the export markets for manufactured dairy products.

The purposes of the bill are to encourage continuation and maintenance of customary and historical manufacturing milk markets of dairy farmers, by halting the rapid decline in number of condenseries and plants processing evaporated milk, dry whole milk, and other dairy products which have been historically exported from the United States.

The bill provides for a monetary payment, by the Commodity Credit Corporation, to exporters of evaporated milk, dry whole milk, and other dairy products containing substantial amounts of milk and butterfat components, in the same amount, including any freight or handling cost adjustments, as would accrue to an exporter of an equivalent amount—in milk and butterfat content—of butter and nonfat dry milk under the policies and practices of the Department of Agriculture.

The bill provides further that the export price of any product exported thereunder, plus costs of exports included therein shall not exceed the domestic selling price of products of like type or brand less any payment granted under the bill.

The bill provides further that no product exported thereunder shall be exported for reentry into the United States.

Mr. President, I ask unanimous consent that the text of the bill and a more detailed statement explaining it be printed at this point in the RECORD.

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

The bill (S. 4013) to provide an export program for dairy products, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That in order to maintain and improve markets for producers of manufacturing milk, the Commodity Credit Corporation is hereby directed to use its existing powers and authorities, immediately upon the enactment of this act to: (a) encourage the export of products containing substantial amounts of milk components to markets which have, prior to the enactment of this act, imported such products, and (b) insure the continued availability of processing establishments providing the dairy farmer an ultimate market for milk through customary and historical commercial channels of trade, by the making of monetary payments to exporters of products, containing substantial amounts of milk components, which payments shall be in respect of such milk components, and in such amounts as will enable exports of such products to be made at competitive world prices, in accordance with the terms and provisions hereinafter set forth.

DEFINITIONS

SEC. 2. (a) "Product" as used herein, shall mean any processed dairy product, whether or not packed or sold under brand name, made from milk produced in the United States, including but not limited to such products as nonfat dry milk, dry whole milk, evaporated milk, sweetened condensed milk, butter, anhydrous butterfat and all types of cheeses including processed cheese, provided that all processing of any such product shall have taken place in the United States.

(b) "Corporation" as used herein, shall mean the Commodity Credit Corporation or any successor thereto.

(c) "United States" as used herein, shall mean and include the continental limits of the United States and Alaska, Puerto Rico, and Hawaii.

(d) "Exporter" as used herein, shall mean an individual, partnership, corporation, or other legal entity, including cooperatives, whether or not the processor of an exported product, maintaining a permanent business establishment in the United States, who shall cause a product to be exported from a port of export in the United States to a destination outside the United States for purposes not involving entry or reentry of such product into the United States.

SEC. 3. The Corporation shall make monetary payments to exporters, in respect of any exported product, in an amount which shall stimulate and encourage the export of such product at competitive world prices, provided that any such payment shall not be less than an amount equal to the financial differential, including freight cost differentials, which would accrue to a vendor of a quantity of U. S. Extra Grade nonfat dry milk and/or U. S. Grade A butter, located at the processing point of the product, having the same nonfat milk solids and/or butterfat content as that of the product, if such nonfat dry milk and/or butter had been sold to the Corporation under the farm price support program and repurchased by such vendor for export from the point of export of the product.

SEC. 4. The export payments provided for herein shall not be construed to affect any existing program in respect to the export of any product purchased from or processed in whole or in part from any dairy product purchased fom the Corporation, at competitive world prices, for export or as a component of any product to be exported.

SEC. 5. If the Corporation shall determine that the export price, or (if no price is involved in export) the first selling price of any exported product, increased by the amount of any payment to be made hereunder and decreased by costs of exports including export pack, not reimbursed to the exporter, is in excess of the selling price range of such exporter and vendors of similar market level, on the domestic market, for a product of similar quality and brand name (if such product is exported under brand name) the payment to be made hereunder shall be reduced by the amount of such excess.

The statement presented by Mr. HUMPHREY is as follows:

STATEMENT CONCERNING BILL TO PROVIDE EXPORT PRICE ASSISTANCE FOR EVAPORATED MILK AND DRY WHOLE MILK POWDER

The United States Department of Agriculture has, for many years, through the Commodity Credit Corporation, supported the price of manufacturing milk and butterfat by the general purchase of nonfat dry milk, butter and cheese at support prices. Since 1954, the Department has attempted to sell these products for export at so-called competitive world prices, much lower than cost, through commercial channels. Actually, in many, if not virtually all instances, the products sold at export were never actually physically held in a Goverment warehouse. They were purchased or processed by a prospective exporter, sold to the Department at support price and immediately repurchased by the exporter at the lower export price. Checks were exchanged. In this way, the exporter obtained the exact type of product that he desired, costs of needless transportation and storage were avoided, and the exporter received a subsidy for export of the dairy products, which technically and legally went into the Department inventory, but never left the physical possession of the vendor. This type of subsidy has been extended, by one variation or another of the purchase-sellback device to dairy products, which are not of a type which would ever be held physically in the Department inventory, including nonfat dry milk of noninventory types, packed in consumer size pack, anhydrous butterfat, a cream-type product in consumer pack, processed cheese, and so forth. Most of these products, whether consumer size or not, have been exported under brand name, unless they were exported for reconstitution by the exporter himself. Unless such methods are used, there would be few, if any, export commercial sales of these products.

This procedure is perfectly legal and well within the powers of the Department despite the rather complicated method of the handling of such subsidies. From a study of reports of the Senate and House committees involved with agriculture and appropriations, such a type of subsidy certainly appears to have been intended by Congress.

Despite these subsidies and the very capable and efficient efforts of those Department employees charged with obtaining the most in dairy products sales from the subsidy program, commercial sales have remained at a very low level compared to donations of dairy products, both foreign and domestic.

The apparent failure of the Department to cause commercial sales of dairy products apparently stems from three factors:

1. The items which have been subsidized for commercial export are not such items as have historically had an export market from the United States.

2. Although brand names have been almost universally used in this subsidy program, the products exported, with some exceptions, are not those which have been historically associated with United States brand names.

3. The so-called world prices which result from present subsidy amounts are not competitive with the prices of other countries in the export market.

Despite repeated requests from the evaporated-milk industry and the dry-whole-milk industry, no export price assistance of any nature has been granted by the Department, and as as result of this refusal, in past years, processor after processor has either gone out of the export business or transferred processing facilities to Denmark or Holland, or some other country, which in effect subsidizes exports of such products. The United States share of the world market of these products has steadily declined.

For years these products have been the major commercial channels of United States dairy products exports, and the United States has always been a leading exporter of these products. In 1957, due to price disadvantage, other markets disappeared and the Philippines accounted for 75 to 80 percent of United States evaporated milk exports and Venezuela was the major export market for dry whole milk. The United States share of these markets has consistently declined since 1952, and in 1958 through March, the Philippine evaporated milk United States export market dropped 40 to 50 percent from the previous year, although since the establishment of certain filled milk plants, the Philippine consumption of genuine evaporated milk has actually increased. The Venezuelan whole milk United States export market dropped substantially in pound volume in 1958 through March.

In 1957, the United States exports in pounds of milk equivalent of these two products far exceeded the so-called commercial subsidized sales made by the Department of products, which it has chosen to subsidize, despite the exports and promotion of a heavy staff of personnel in the Department, Public Law 480 benefits and other costly efforts to market the present subsidized products.

It appears rather incongruous that presently existing, but rapidly declining, markets for evaporated milk and dry whole milk should be permitted to waste away and be transferred to other exporting countries with no price assistance in any form from the Department. The United States evaporated milk export market alone in 1957 amounted, in milk equivalent, to 17,500,000 pounds of butter and 31,620,000 pounds of nonfat dry milk.

The United States processors for export that have not already transferred operations to low-cost countries employing methods of subsidizations have cut their United States export prices as far as is possible. For instance, United States exporters of evaporated milk to the Philippines realize 85 cents to $1 less per case than on domestic sales and even with this reduction, the cheapest United States milk in the Philippines sells for about $1.80 per case more than the most expensive Dutch milk. No trademark, promotion effort, advertising or reputation can overcome a price differential of this amount. The same situation is generally true as to dry whole milk and in a matter of months or even weeks, these markets will follow the trend and be lost to other countries, by trademark licensing transfer of processing facilities or other means and the milk formerly utilized in export will flow into actual warehouse inventories of the Department of Agriculture in the form of butter, cheese and nonfat dry milk, which must be given away and at times even processed by the Department for donation or sale at nominal prices.

The industries involved have requested the same export price assistance in the same amount, as though an equivalent amount of butter and nonfat dry milk was exported. No assistance has been requested for containers, such as tin cans and cartons or processing costs. The aid requested could not possibly enable the undercutting or even meeting of Dutch export prices.

These industries have not requested that the general price-support program be extended to such products because this would be most costly to the public and impractical due to the nature of the products involved.

AMENDMENT OF TITLE II OF SOCIAL SECURITY ACT—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (S. 3086) to amend title II of the Social Security Act to raise the amount of insurance benefits payable thereunder, provide full benefits for women at age 62, raise the maximum amount of annual earnings with respect to which benefits thereunder may be based, provide for hospitalization insurance, eliminate any age requirement for eligibility for disability insurance benefits, provide insurance benefits for dependents of disabled individuals, and to otherwise revise, improve, and liberalize the insurance system established by such title, and for other purposes, which were referred to the Committee on Finance, and ordered to be printed.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958—AMENDMENT

Mr. ERVIN submitted an amendment, intended to be proposed by him, to the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which was ordered to lie on the table, and to be printed.

EXTENSION OF TRADE AGREEMENTS ACT—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of June 12, 1958, the names of Senators CLARK, NEUBERGER, MCNAMARA, and DOUGLAS were added as additional cosponsors of the amendment submitted by Mr. HUMPHREY on June 12, 1958, to the bill (H. R. 12591) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes.

EXTENSION OF TRADE AGREEMENTS ACT—ADDITIONAL COSPONSORS OF AMENDMENTS

Under authority of the order of the Senate of June 14, 1958, the names of Senators NEUBERGER and MCNAMARA were added as additional cosponsors of the

amendments submitted by Mr. HUMPHREY (for himself and Mr. DOUGLAS) on June 14, 1958, to the bill (H. R. 12591) to extend the authority of the President to enter into trade agreements under Section 350 of the Tariff Act of 1930, as amended, and for other purposes.

TRANSPORTATION ACT OF 1958—PRINTING OF S. 3778

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the bill (S. 3778) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, and for other purposes, be printed as passed by the Senate. I have consulted with the Joint Committee on Printing, and they have agreed to this request. There is a wide demand for the bill from Senators.

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

REDEFINING THE TERM "STATE" UNDER VETERANS' READJUSTMENT ACT AND WAR ORPHANS' EDUCATIONAL ASSISTANCE ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1738, House bill 7251.

The VICE PRESIDENT. The bill will be stated by title, for the information of the Senate.

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

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

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

Mr. JOHNSON of Texas. Mr. President, the Senator from Alabama is prepared to make a brief explanation of the bill; and I yield to him.

Mr. HILL. Mr. President, the bill was unanimously reported by the House committee to the House of Representatives, and was unanimously passed by the House of Representatives.

Now the bill has been unanimously reported by the Senate committee to the Senate.

The bill will make clear that a person living in the Panama Canal Zone who is entitled to any benefits under the Veterans' Readjustment Assistance Act or the War Orphans' Educational Assistance Act may take the training provided under those acts within the Panama Canal Zone. The bill also provides that any orphan of a deceased soldier who is entitled to the benefits of the War Orphans' Educational Assistance Act of 1956 may take his or her training in the Philippines.

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

The bill (H. R. 7251) was ordered to a third reading, read the third time, and passed.

USE OF CERTAIN REAL PROPERTY FOR RECREATIONAL PURPOSES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1680, House Joint Resolution 427, which has been cleared.

The PRESIDING OFFICER. The joint resolution will be read by title, for the information of the Senate.

The CHIEF CLERK. A joint resolution (H. J. Res. 427) to permit use of certain real property in Kerr County, Tex., for recreational purposes without causing such property to revert to the United States.

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

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in regard to the purpose of this measure.

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

PURPOSE

The purpose of this joint resolution is to grant to Kerr County, Tex., the reversionary interest of the United States in certain real property which was sold by the Government to the Texas Hill Country Development Foundation under authority of Private Law 480, 83d Congress, and which subsequently was conveyed by the foundation to Kerr County, Tex., under provision of Public Law 291, 84th Congress.

BACKGROUND

This joint resolution pertains to realty consisting of approximately 90 acres which was formerly part of a veterans hospital reservation. In 1952, after determination as surplus to Government needs, the property was advertised for competitive sale and a high bid of $15,287.50 was received. The sale was not consummated pending Congressional consideration of House Joint Resolution 476, 82d Congress, which would have directed conveyance without consideration to the Texas Hill Country Development Foundation, Inc., a nonprofit organization. This resolution was not enacted, but House Joint Resolution 300, 83d Congress, a similar resolution, was amended to provide for conveyance on payment by the foundation of a purchase price of $16,500 (Private Law 480, 83d Cong.). The pursuant deed conveyed the land subject to certain reservations, conditions, and covenants which generally restricted use of the property to the promotion of agriculture for a period of 25 years, during which time the property could not be sold or leased without the consent of the Administrator of General Services.

Shortly after the aforementioned conveyance, Kerr County, Tex., expressed a willingness to provide funds to the foundation for its agricultural activities, but was prohibited by State law because legal title to the land was not held by the county. Therefore, Public Law 291, 84th Congress, was passed which authorized transfer of title from the Texas Hill Country Development Foundation to Kerr County, Tex.

The author of the joint resolution, Mr. FISHER, pointed out that the county has recently constructed a dam and the resultant lake, which adjoins the property, offers excellent recreational opportunities. The present use restrictions on the land, however, prevents the utilization by the county of the shoreline for park, amusement, and other recreational purposes. This joint resolution would authorize such utilization.

STATEMENT

Kerr County and the Texas Hill Country Development Foundation appear to have evidenced their good faith in developing the property for the purposes for which acquired. Over $88,000 has been expended by the county on improvement and development of the property for agricultural and related educational training purposes.

A portion of the subject property fronts on a lake recently created by the county, and now the county is anxious to utilize the resultant recreational opportunities. No Government agency has objected to such utilization; however, the Bureau of the Budget and the Veterans' Administration recommended that only additional uses for recreational purposes be authorized, thereby retaining for the Government its reversionary interest so as to assure the property will not be used in a manner incompatible with the nearby Veterans' Administration hospital.

The committee feels that the intended additional uses of the property are in the public interest and that the joint resolution is an adequate method for authorizing such uses.

FISCAL DATA

The enactment of this joint resolution into law will not result in loss of revenue or expenditure of Federal funds.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 427) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the joint resolution was passed be reconsidered.

Mr. McNAMARA. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958

Mr. GOLDWATER. Mr. President, as we approach the end of a long and involved debate on a measure ostensibly designed to prevent, by law, any recurrence of the abuses discussed by the McClellan committee, it is well to give serious attention to just what we have created, thus far, on the floor of the Senate. As of this moment, we have provided financial reporting requirements and procedures, together with sanctions for noncompliance. While the sanctions imposed are not, in my opinion, of a strong enough nature, nevertheless, they are considerably better than the even weaker ones proposed in the original committee bill.

It is interesting to note that about the only provision of the original committee

bill which has not come in for criticism on the floor is title II, dealing with trusteeships. It is an amendment which I offered to the original committee bill. My amendment was taken from an earlier bill introduced by the Senator from Massachusetts [Mr. KENNEDY]; but he did not include it in the measure which was offered to the Labor and Public Welfare Committee for consideration.

These are the only two provisions which could be considered as being on the plus side. While we are at it, let us look at the minus side, because we should be concerned with our failures.

After nearly a year and a half of expensive and exhaustive hearings, the Select Committee on Improper Activities in the Labor or Management Field made several legislative recommendations. In the two areas discussed above, we have generally met those recommendations, but in other actions taken by this body, we have not, in my opinion—and I am a member of both the select committee and the Labor Committee—faced squarely our responsibilities.

To be specific, we have failed to impose fiduciary responsibilities on union officers. We have not provided as completely as I know the McClellan committee expected, guaranties of democratic processes. The action of this body in saying to the individual union member, "No, we don't think it is necessary to impose fiduciary relationships on union leaders," is bad enough; but what we did when we adopted the Ervin amendment last weekend was even worse. That amendment—which, as I stated on the floor, is nothing but a substitute amendment in the nature of a powder puff—was proposed under the guise of guaranteeing democratic processes. The Senate apparently expects this sham, this unworkable hoodwink, to satisfy the thousands of working men and women who have written to us and have asked that their democratic rights be established and protected.

Mr. President, may I ask those who are conversing in the group near me to move farther away, if they wish to continue to talk. It is hard for me to speak in opposition to them.

The PRESIDING OFFICER. The Senate will be in order.

Mr. JOHNSON of Texas. Mr. President, I call for order.

Let me ask whether the Senate is now proceeding in the morning hour.

The PRESIDING OFFICER. Yes.

Mr. GOLDWATER. Mr. President, I realize that the Senate is now proceeding in the morning hour, and that I have spoken for perhaps 2 minutes. I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I have no objection. I simply wished it understood that the Senate is still proceeding in the morning hour, and that the consideration of the unfinished business has not yet been resumed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, the Senator from Arkansas [Mr. MCCLELLAN], who has every reason to understand the problem, wrote, in an article published in the Saturday Evening Post of May 3, 1958:

> The grim fact is that in recent years there has grown up among us a new form of slavery—insidious, semisecret, and sinister. Today's captives are those rank-and-file union members who have fallen in helpless thrall to crooks and gangsters disguised under the title of "labor leaders" or "employer representatives."

Frankly, Mr. President, I do not think we have fooled anybody. I think the union members, as well as many Members of the Senate, recognize the shallowness of this feeble gesture.

The main thing, however, I desire to call to the attention of my colleagues today, as we approach the finish line, is the underlying philosophy which has attended the entire debate.

I had always understood that the bill we are debating was designed to protect the union member. But throughout our deliberations his name has been buried because of the fear that we might hurt the very person who has been hurting the member; namely, the union boss.

What is wrong, Mr. President, with requiring a union official to handle union funds as a fiduciary, the same as the officials of any other organization must do? What is wrong with allowing a union member a say about the way his dues are used, and the way his union is run? What is wrong? The objection seems to be that we might infringe on the power of certain power-mad union bosses.

No, the man this bill was supposed to help has become the forgotten man. We have not talked about him. Some of us have concerned ourselves with not hurting the feelings or the power of the union bosses who have inflicted these outrages on their members.

Mr. President, we have seen on this floor a continuation of the pattern which began in 1932. It is a dangerous pattern, because if it continues there will be no constitutional free Republic; instead, we shall become a nation with all power centralized on the banks of the Potomac. What is the pattern? It is this: When there is a problem, solve it by vesting more power in Washington. That is what this bill does. It does not say to the States, "Solve your own problems." Instead, it takes more power from them. Frankly, Mr. President, I was amazed to see Senators from States which have strong feelings about their rights, vote States rights down the drain when we voted on the Watkins amendment.

That vote, incidentally, was against the recommendations of both the McClellan committee and the administration.

This pattern certainly does not allow us to say to the individual union member, "solve your own problem." Instead it says, "You can't solve your problems—so let old Uncle Sam do it for you, with your money."

This whole performance the past few days has so disgusted me that I took occasion to reread the excellent book written by our colleague, the eminent Senator from Massachusetts [Mr. KENNEDY] entitled "Profiles in Courage." I particularly noted the following passage:

> Some of my colleagues who are criticized today for lack of forthright principles—or who are looked upon with scornful eyes as compromising politicians—are simply engaged in the fine art of conciliating, balancing and interpreting the forces and fractions of public opinion, an art essential to keeping our Nation united and enabling our Government to function. Their consciences may direct them from time to time to take a more rigid stand for principle—but their intellects tell them that a fair or poor bill is better than no bill at all, and that only through the give-and-take of compromise will any bill receive the successive approval of the Senate, the House, the President and the Nation.

Compromise is, indeed, a necessary adjunct of the legislative process, but let us not compromise our responsibilities to union members or compromise the recommendations of the McClellan committee.

Last Saturday I mentioned on the floor that the minions of labor leaders were using the offices of the Senate Labor Committee for their intensive lobbying. To paraphrase a line from an old song, it seems that the Senate has been too anxious to "See what the boys in the back room will have and tell them that I will have the same."

RIVERS AND HARBORS BILL—LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, a few weeks ago the President sent Congress a message vetoing the rivers and harbors authorization bill. After careful consideration, the leadership decided that the President's message should be referred to the Committee on Public Works for careful, analytical study, and urged that committee to proceed promptly to study not only the President's recommendations but the recommendations of any person affected by the bill.

The wisdom of that action, which was criticized in some quarters as being very unusual, political—I have forgotten what other reasons they criticized it for—has been demonstrated by the fact that the committee has now reported a bill unanimously to the Senate. The committee called before it representatives of the executive agencies and those interested in the projects. They reasoned together. The committee has reported a bill which, I am informed, meets with the approval of the members of the committee, as well as those in the executive department who were consulted, and, generally speaking, those who are interested in the projects involved.

Therefore, I should like to give notice that the Senate will proceed to the consideration of S. 3910, Calendar No. 1744, the rivers and harbors authorization bill, at an early date. We hope we can today conclude the consideration of the unfinished business, which is Calendar No. 1715, S. 3974. Then we will proceed to the consideration of Calendar No. 1735, S. 3609, the space bill. Then perhaps the Senate will consider

Calendar No. 1744, S. 3910, the rivers and harbors authorization bill, provided agreement can be reached on the timing of the bill. Then the Senate will proceed to the consideration of Calendar No. 1685, S. 3912, the atomic-energy bill. We have not decided yet whether it will come ahead of the tax bill or after. I wanted all Senators to be on notice of that schedule.

RUSSIAN CHALLENGE IN THE FIELD OF EDUCATION AND CULTURE

Mr. FULBRIGHT. Mr. President, in spite of the fact that the Congress and the administration refuse to recognize the seriousness of the Russian challenge in the field of education and the cultural field generally, I can only say again, as I have on so many other occasions, this is the field in which the ultimate victory will be won or lost.

Again I say it is shameful, it is stupid, to neglect the education of our children. Why Congress appropriates $45 billion for armies and does practically nothing for education is beyond my comprehension.

I ask unanimous consent to have printed in the RECORD an article from the Washington Post and Times Herald entitled "Inside Russia Today: Education and Culture," written by John Gunther.

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

INSIDE RUSSIA TODAY

(By John Gunther)

EDUCATION AND CULTURE

(This is the 8th of a series of 12 articles based on the book Inside Russia Today, by John Gunther, published by Harper & Bros., New York.)

Moscow University, an imposing structure done in "Russo-modern" architecture, is known officially as the M. V. Lomonosov State University, and is the proudest skyscraper in the city. It rises to a height of 787 feet; only seven buildings in the entire United States are higher, and it is the highest structure in Europe except for the Eiffel Tower.

The university has 1,900 laboratories, 15,000 rooms, 113 elevators, and 110 kilometers of corridors. Physics and chemistry each have large buildings of their own, wings of the main structure. There are 8 candelabra overhead in the assembly hall; each weighs 5 tons.

The skyscraper division of Moscow University was built between 1948 and 1953, and cost 3 billion rubles, 1 billion of which was for equipment. This, at the official exchange, is $750 million, more than the total endowments of Harvard, Yale, and Princeton put together, and is about five times the total value of the plant of the University of Chicago. Money is no object in the Soviet Union; when the government wants to spend something, it spends it. Moscow University's annual budget is 250 million rubles, without counting new construction.

The university has a teaching staff of 1,800, for approximately 17,000 students not including 6,000 correspondence and night-school students and 1,500 graduates working for advanced degrees. Those in the main building, about 13,000, are all science students—in the faculties of physics, chemistry, biology, geology, and geography (which includes such fields as oceanography and meteorology). A student can spend his entire 5 years here majoring on a single aspect of geography. The emphasis is on pure science and research. The aim is to train specialists, moreover specialists in theoretical work.

A teacher starts with a salary of about 3,300 rubles ($825) a month, and a full professor, who has served 10 years gets 5,500 ($1,375) a month, but many earn a great deal more than this, up to even 30,000 rubles.

Some comparisons to higher educational processes in the United States are relevant. For one thing, entrance into college is, by and large, pretty much of a routine phenomenon on the American scene, but not in Russia. Whether or not a Russian boy or girl passes into the university is probably the single most important event to take place in his or her whole life.

Every Russian student is paid to go to college. There is no economic problem for him or his parents. He receives stipend, or salary, from the state. This starts at 300 rubles ($75) a month, and rises to 500 ($125) in the fifth year. Particularly good students are rewarded with substantial bonuses.

Again, most Russian university students are exempted from military service. The Soviet authorities would not dream of taking a promising young physicist away from his studies and interrupting his education by service in the armed forces.

Still again, Russian standards are severe. The number of hours of instruction is between a thousand to thirteen hundred per school year, many more than in the United States. In contrast to the pampering that goes on in a great many American schools, the regime is harsh.

Finally, the university graduate in the Soviet Union is, of course, assured of a job at once, and his prestige and earning power will, like as not, bring him substantial economic rewards more quickly than these come to run-of-the-mill university graduates in the United States.

Moreover, an intellectual in the Soviet Union is envied, not scorned, and has an honored place in the community from the moment he gets out of college.

In the United States a bricklayer or a plumber may earn more than an assistant professor of a university. But an assistant professor in Moscow is paid roughly three times what a skilled worker gets.

The main thing to say about education in the Soviet Union, next to its stress on science, is that it is universal. Illiteracy has been wiped out, except among a few surviving old people; since the beginning of the Soviet regime, more than 100 million people have been taught to read and write. There are 213,000 schools in the country today and they operate in more than 60 different languages. The Government has fulfilled its promise to give education to the entire Nation, where little education existed before.

But what is all this education good for if it does no more than teach citizens to become obedient robots? The purpose of education, as we see it, should be to make minds free. Immense areas of knowledge are cut off from the Russian people and they are fed lies incessantly.

The Soviet system of education does not produce a well-rounded human being. A young man may know everything there is to know about marine biology, but this does not mean that he is educated. The Russians have the most formidable educational machine in the world, but they are also the most ignorant people about affairs outside their own country.

Still, it would be unwise to minimize the Soviet accomplishment. The U. S. S. R. graduated in 1956 about 70,000 engineers; the corresponding figure for the United States is 30,000. Moreover, the Russian curve is going up; the American curve is going down.

After the Presidium of the CPSU and the Council of Ministers, the Academy of Sciences is probably the most influential body in Russia. It directs, supervises, and stimulates the work of some 250,000 Soviet scientists.

The Academy of Sciences is a small body, as far as its leadership is concerned, with fewer than 200 full members and about 300 corresponding (candidate) members. These are the elite of the elite among scientists and scholars in the Soviet Union. To become a full academician is the very top. Members are chosen by invitation, and tenure is for life.

The range of activity is, indeed, astonishing. The aim is to give a centralized, systematized approach to all scientific and associated problems in the Soviet Union. At the moment, as an example, the academy has out in the field no fewer than 117 expeditions. They range from prospecting teams looking for mineral resources in the Turkmenistan desert to icefarers investigating what goes on underneath the Arctic ice cap.

The academy publishes about 28,000 important scientific papers a year.

One scientific field in which the Russians are particularly strong is abstracting. Their service in this regard is admitted to be incomparably the best in the world, even by people who hate to admit it. Years ago in the United States, students of chemistry were obliged to learn German, in order to read scientific papers and keep up with German chemical literature, which was without peer. Similarly today a great many students in the Free World, particularly of physics, biology and mechanics, wish that they knew Russian, even if they are not obliged to learn it. Russian abstracting is so copious and skillful that a point has been reached where American scientists have found out about new developments in their field by fellow Americans in Russian scientific journals.

Most present-day Soviet movies are pretty terrible. The note of stirring experimentation and freshness they once communicated has altogether disappeared. Nothing is being produced even remotely comparable to the early Soviet films.

One reason why the current crop of Soviet films is so dismal is that most really bright people in the movie business were, as in other countries, Jewish. These fell into disfavor during the Stalin anticosmopolitan campaign and, even if not actually shot or purged, lost their jobs. Some have come back, but the quality of films has not. Socialist realism rules, and nobody dares to make pictures with artistic zeal or point.

The age of TV, like that of the automobile, is just beginning in the Soviet Union. There are only 13 or 14 regularly functioning TV stations, and probably not more than 1,500,000 sets. On the other hand more antennas are sprouting on the roofs of buildings in Moscow and the other big cities day by day; very large expansion of the industry is hoped for.

The Moscow station transmits programs for 4 hours a day as a general rule from 7 p. m. till 11 on weekdays, 8 to 12 on Saturdays, and 2 till about 6 on Sundays. This may not seem like much but is average for continental Europe. Telecast times are not always adhered to strictly, and programs can go on or off at almost any time. The Moscow station has two channels, but one is still experimental.

The largest screen now being manufactured for home users is 14 inches. One Soviet practice which the Western World might well imitate is to release new feature movies to TV 10 days after the first performance in a theater. In the United States, one may wait for 10 years.

There are no commercials, unless Government announcements can be considered to be commercials, no cheesecake, no diskjockeys, no soap operas, no adventure stories, no news shows like See It Now. Sixty percent of

all programs are live, and between 40 and 50 percent originate in the studio. Programing is carefully worked out on a yearly basis. Ten percent of annual telecast time goes to sports, 12 percent to theater, 20 to music (whole operas are often presented), and 40 percent to films. Children's programs get 10 percent, news 4 percent, and industry and science (including education) 2 percent each.

THE DAIRY SITUATION

Mr. FULBRIGHT. Mr. President, in mid-April the Department of Agriculture in its bimonthly publication, the Dairy Situation, reported that during 1957 the per capita civilian consumption of margarine for the first time exceeded the consumption of butter.

Last year the per capita consumption of margarine was 8.6 pounds compared with 8.5 pounds for all butter. Examination of the Department of Agriculture figures reveals that the gap is even wider than it appears since only 7.3 pounds of the consumption of butter represents commercial sales of creamery butter. The remaining amount of butter consumed was donated to the school-lunch program, State institutions, needy persons, and so forth, or was butter produced and consumed on farms.

Many Members of the Senate will recall the controversy in the Senate almost a decade ago when I sponsored legislation to repeal the discriminatory margarine taxes. Now that margarine has become the leading table spread, I became interested in reviewing what has happened since most of the Federal Government's restrictions on margarine were removed. I was pleased to learn that developments have justified my arguments at that time that the margarine taxes could be repealed without being harmful to the dairy industry, without misleading the consumer, and without undermining the foundations of our economy.

I shall not go into the history of the discriminatory legislation restricting margarine other than to state that the first antimargarine legislation was enacted by Congress in 1886, before there was any protective pure food legislation. These protective measures, which were unique as the only case in which Federal taxes have been used in an effort to put a domestic agriculture product out of existence, remained in effect until March 16, 1950, when President Truman signed Public Law 459, of the 81st Congress.

Ten years ago, when the margarine taxes were a controversial issue in the Congress, one of the claims made by the opponents of repeal was that due to the spread between the price of margarine and butter, manufacturers of margarine would increase their prices and profiteer at the expense of the consumer. I should first like to comment about prices and then will discuss briefly other arguments used in the futile effort to block the margarine tax repeal bill.

Recently, as we all know, the Bureau of Labor Statistics announced that the Consumer Price Index for April had reached a new high—123.5 percent of the 1947–49 average. However, the consumer price index for margarine in April was only 78 percent of the 1947–49 average; butter was 93.5 percent. In 1950, the year in which Federal margarine taxes were repealed, the average United States retail price of yellow margarine was 30.8 cents per pound. Last year it was only 29.9 cents a pound, and in April of this year the retail price of margarine had dropped to 29.8 cents a pound.

Does that sound like "profiteering"? Incidentally, it is interesting to notice that since 1950 the average United States retail price of butter has risen from 72.9 cents a pound to 73.9 cents a pound in April of this year. It is obvious that the repeal of the Federal margarine tax was a real victory for the consumers of this country, who demanded a nutritious spread at a reasonable price.

So much for the matter of price. Now, what about the accusations made during the debate in the Congress that repeal of the discriminatory Federal taxes on margarine would hurt the dairy industry and farmers generally?

The same issue of the Dairy Situation, to which I referred earlier, points out that cash receipts from the sale of milk products in 1957 reached a record high of $4,643,000,000. Farmers are expected to sell a record quantity of milk this year. The report also notes:

> The use of milk for production of farm-separated cream, for retailing by farmers, and for making farm butter has been on a steady downtrend for a number of years. As a result, sale of whole milk by farmers has increased even more rapidly than production. From 1956 to 1957, sales of whole milk to plants and dealers increased about 3 billion pounds, compared with an expansion in farm production of milk of about 1 billion pounds. Since 1948, sales of whole milk by farmers have increased each year, though total milk production declined in some years. From 1948 through 1957, sales of whole milk increased by 43 percent, while production of milk increased only 12 percent. * * * The shift from sale of farm-separated cream to whole milk enables farmers to realize a greater cash return per hundredweight of milk products.

Mr. President, I should like to remind the Senators who opposed the repeal of the margarine taxes that I said on the Senate floor on March 18, 1948, that "the real interest of the dairy industry—and of the country as a whole—would best be served by expanding fluid milk consumption." I think it is clear from the figures I have just mentioned that this has proved to be true.

Among the informed citizens of this country the old prejudice against margarine is vanishing rapidly, and, with it, the misconception that the lower-priced spread is against the best interests of the American farmer. Quite the opposite is, in fact, the case. In 1957, for example, margarine provided a $125 million market for American farmers.

In 1957 our margarine manufacturers used 874 million pounds of refined soybean oil and 235 million pounds of refined cottonseed oil. Margarine is today the largest single market for American soybean oil and the second largest for cottonseed oil.

The PRESIDING OFFICER. The Senator's time under the unanimous-consent agreement has expired.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may have sufficient time to complete my statement.

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

Mr. FULBRIGHT. Mr. President, the amount of soybean oil used in margarine during 1957 represents the equivalent of almost 4 million acres of soybeans. This exceeds the combined 1957 acreage of all soybeans harvested for beans in Arkansas, Mississippi, North Carolina, South Carolina, Virginia, Maryland, Georgia, Florida, Kentucky, Tennessee, Alabama, Louisiana, Oklahoma, and Texas. It is also greater than the combined acreage of soybeans harvested for beans last year in Arkansas and Minnesota.

Cottonseed oil used in margarine last year—235 million pounds—was equivalent to 2½ million acres of cottonseed—more than the combined 1957 acreage of Mississippi and Arkansas, or the combined acreage of California, Arizona, Alabama, and Louisiana.

Farmers profit from margarine in different ways: By the markets provided for their oils, by the indirect support this gives other fats and oils markets, by enabling protein concentrate to be made more available and at lower prices to dairy livestock and poultry feeders, by helping avoid what might well be a grave fats and oils surplus situation without the margarine outlet, and by providing farm families themselves along with all Americans with an economical, good, nutritious spread.

Margarine is more than a major market for oils and fats produced by American farmers. For several years, the Government has been attempting to encourage increased consumption of protein in the form of meat, milk, and eggs. The objectives of this policy are twofold. First, to improve the American diet; and, second, to increase farm income.

Margarine has become an essential balance wheel in the new economics of fats and protein production in this country. During the 1956–57 crop year, margarine provided a market for one-fourth of all soybean oil produced in the United States. As a result, the soybean meal—or protein fraction—was made available at lower prices for use as high quality feed by the dairy, livestock, and poultry industries. In other words, the end products of the new soybean-margarine economy are relatively low-cost food fat and food protein.

It will be recalled that another argument against the repeal of the margarine taxes was the old bugaboo that our country would be flooded with imported oil to the detriment of American agriculture. Senators will remember the picture of the coconut cow which was going to run bossy off the old homeplace. What has happened is quite the contrary, for as I have shown, American farmers have benefited by the repeal and such a small quantity of coconut oil has gone into margarine production that according to the Bureau of Census it was not even a fraction of 1 percent. It is estimated that about 100,000 pounds

of coconut oil was used in margarine lat year out of a total production of 1,461,000,000 pounds.

Another of the dire predictions made by opponents of the Federal repeal action in 1950, was that the fraudulent sale of margarine as butter and the illegal serving of margarine in public eating places would increase. The facts as reported by the Food and Drug Administration, demonstrate that this has not been the case. For instance, the number of inspections disclosing the illegal serving of margarine in public eating places, of which there are about 250,000 in the United States has decreased from 4,565 in fiscal year 1951 to 455 in fiscal year 1957.

The FDA report notes that many of the violations reported involve partial compliance with the requirements of the law and adds that warnings given by our inspectors to operators of public eating places have resulted in correction, in most instances, as revealed by follow-up inspections.

As a matter of policy, the FDA does not file criminal cases based on the illegal serving of margarine in public eating places except in those instances where violations continue after the operators have been afforded an opportunity for hearing. Only 5 such prosecutions are reported for the past 8 years.

During the same period, only 12 instances of prosecution for the fraudulent sale of margarine as butter are reported by the FDA. A 13th case is pending.

The FDA report also includes the following significant statement:

> The manufacturers and distributors of margarine support vigorously the efforts of the Food and Drug Administration to stamp out the fraudulent sale of their product as butter. The cases which are brought are dependent in part on their willingness to provide information and records of sale. As recently as January 31, 1958, the president of the National Association of Margarine Manufacturers advised us of their desire to assist in the discovery of such cases and further stated that the industry had been alerted to question purchases by previously unknown or unattached buyers.

I said a moment ago that the old prejudice against margarine is rapidly disappearing. Despite the progress that has been made, all of the discriminatory trade barriers against margarine have not disappeared in this country. In two States—Wisconsin and Minnesota—the consumer is still prohibited from buying yellow margarine. Wisconsin is the same State that complains about discrimination against its dairy products in certain Southern States.

The occasional predominance of ignorance and emotional over reason is illustrated by the findings of the University of Minnesota, located in a State which prohibits the sale of yellow margarine. In 1956, university officials published the results of a study which showed, in their words, that "Minnesota farmers are producing more raw material for margarine than for butter." Last year, Minnesota ranked third in soybean production; margarine was the number one market for soybean oil.

Many other States have restrictions of varying degrees on the sale of margarine. They range from license fees on wholesale of margarine to outright prohibition of the sale of yellow margarine in public eating places. Only last month, we were reminded of another form of discrimination against margarine when the House of Representatives was asked to amend the outdated Navy ration statute to permit the serving of margarine, in addition to butter, in the Navy's general messes. The bill was passed, but not before its intent had been largely nullified by the adoption of an amendment which prohibits the Navy from acquiring any margarine except in very special cases overseas as long as there is any surplus butter on hand.

This bill, H. R. 912, has been referred to the Senate Armed Services Committee, I trust that, before long, we will have an opportunity to debate this proposed legislation on the floor of the Senate, and that the issue will be decided on its merits, as it should be.

The struggle for equality and fair play did not end with the repeal of the Federal taxes in 1950. The remaining problems cannot all be solved at once, nor should their solution be sought at the expense of the welfare of agriculture generally. However, as sponsor of the margarine legislation which became law almost a decade ago, I am gratified that producers and consumers alike have benefited by the removal of Federal restrictions on the sale of this wholesome food.

THE ETHICAL PROBLEM OF GIFTS TO OFFICIALS

Mr. PROXMIRE. Mr. President, yesterday Mr. James Reston, of the New York Times, wrote the most significant interpretation I have read of the recent moral cloud that has descended on Washington.

In this interpretation Mr. Reston compared the present problems in the White House to the problems of Caesar and his wife. In one paragraph of this persuasive article, after Mr. Reston had referred to Caesar's famous statement that "the members of his family should be free from suspicion as well as from guilt," Mr. Reston writes this:

> Considering the record of Caesar, who was then getting rid of his third wife and who accepted more vicuna coats, rugs, tractors, golf clubs, and other gifts than all the members of the Eisenhower administration put together, this was one of the stuffiest statements in all history.

Mr. President, I ask to have printed in the RECORD at this point a list of the gifts which have been accepted by the President of the United States from January 1953 through December 1, 1955.

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

GIFTS PRESENTED TO PRESIDENT EISENHOWER FROM JANUARY 1953 THROUGH DECEMBER 1, 1955

(All citations are to the New York Times which was the basis for the compilation. The value of a gift is not indicated unless the news story states the figure specifically)

1953

Bottle of 152-year-old cognac, private stock of Napoleon Bonaparte. Presented by Max Blouet, manager, George V. Hotel, Paris, January 10, 1953, page 11.

Embroidered patchwork quilt, 81 by 108 inches from Women's division, New York State Citizens for Eisenhower Committee, January 17, 1953, page 6.

First two 9-volume sets of the collected works of Abraham Lincoln. Abraham Lincoln Association (one set sent to Library of Congress), February 13, 1953, page 13.

Duplicate of Bible used by George Washington in taking oath as first President from St. John's Masonic Lodge, New York City, March 22, 1953, page 55.

Gold-plated pass to American League baseball games from Clark Griffith, April 3, 1953, page 29.

Painting Adoration of Three Wise Kings by an unknown German artist of the 16th century. Presented by Chancellor Konrad Adenaeur of West Germany, April 8, 1953, page 5.

Season pass to National League baseball games. Presented by Warren C. Giles, president of the National League, April 9, 1953, page 35.

Two Pennsylvania Dutch shoo-fly pies. May Day presented by Robert S. Foust, member of Boy Scout Troop 48, New Holland, Penn., May 2, 1953, page 11.

Gold-plated 35 mm. reflex camera in behalf of Italian industry, presented by Alberto Tarchiani, Italian Ambassador, May 6, 1953, page 13.

Orange-colored High Glory canary. Easter present from Salt Lake City, May 6, 1953, page 35.

Gold medal denoting honorary citizenship of Athens, Greece, "3 other gifts * * * 1 of the gifts, a necklace of ancient Greek coins, was for Mrs. Eisenhower," May 8, 1953, page 22.

Bust of self, executed by Mrs. Margaret Paine, of Everett, Wash., presented by Representative JACK WESTLAND, of Washington, May 27, 1953, page 33.

Two crates of strawberries presented by Senator John Townsend, of Delaware, May 28, 1953, page 16.

Painting, depicting 1944 Battle of Monte Cassino, in Italy, done by Feliks Topolski, Polish artist and soldier. Presented by delegation made up of leaders of Polish veterans and Polish groups, headed by Representative ANTONI N. SADLAK, of Connecticut, May 28, 1953, page 16.

Three golf balls from Representative WILLIAM H. AYRES, of Ohio, May 29, 1953, page 10.

1953 edition of The Howitzer, West Point yearbook, presented by three cadets, members of the publishing board, May 30, 1953, page 17.

Pair hand made cowboy boots of alligator and calfskin from National Press Club, June 10, 1953, page 18.

Doll in Norwegian dress, gift of "Norwegian Republicans," Minnesota, June 11, 1953, page 20.

Gift to White House of painting of President and Mrs. Eisenhower, work of Henri Jouval, of Marseilles, delivered by chief boatswain's mate James E. Henderson, of Missouri, June 12, 1953, page 25.

Indian-headed cane from senior class, Dartmouth College, June 15, 1953, page 10.

Page of a typewritten manuscript from Theodore Roosevelt's Pastimes of an American Hunter presented by Hermann Hagedorn, biographer of Theodore Roosevelt, in behalf of Theodore Roosevelt Association, June 15, 1953, page 10.

Flyrod made and presented by Lou Williams, Chattanooga, Tenn., June 21, 1953, page 47.

Two dozen fish lures from Cabinet, anniversary of Eisenhower's nomination as Republican presidential candidate (July 10, 1952), July 11, 1953, page 7.

One of the fountain pens used to sign Korean armistice documents from Gen. Mark W. Clark, July 28, 1953, page 7.

Pair of matched official police, double-action .38 caliber revolvers with pearl grips. Presented by Graham Anthony, chairman of Colt's Manufacturing Co., accompanied by Senator WILLIAM A. PURTELL, of Connecticut, August 7, 1953, page 6.

Old golf club made by late Tom Morris (one-time British open champion) presented by former Senator Homer Ferguson, of Michigan, in behalf of George Cushing, of Detroit, August 7, 1953, page 6.

Two Korean bear cubs from South Korean President Syngman Rhee, September 4, 1953, page 2.

Print of movie Feast Day in Argentina from President Juan Peron presented by United States Ambassador Albert F. Nufer, September 8, 1953, page 15.

Colored silk screen, token of friendship from Emperor of Japan presented by Crown Prince Akihito, September 11, 1953, page 22.

Variety of gifts, including lasso from Argentina, records of national songs from Chile, an 1,800-year-old Peruvian stone carving in an ornate box, and a hat from Ecuador, presented by visiting Latin American teen-age diplomats, October 6, 1953, page 5.

Picture projector, birthday gift from White House staff, October 15, 1953, page 30.

Portrait of President Eisenhower by Dallas artist, John Moranz, to be presented to Mrs. Eisenhower, October 19, 1953, page 16.

First copy of the Columbia Historical Portrait of New York presented by a group from New York, November 4, 1953, page 24.

Collection of 78 Bibles and New Testaments in as many languages, from the American Bible Society, November 5, 1953, page 22.

Painting of little white schoolhouse where the Republican Party was founded in 1854, donated by the Republican Centennial Committee of Ripon, Wis., presented by Orville Splitt, November 5, 1953, page 22.

Two hundred books for the White House Library from American Booksellers Association, November 11, 1953, page 29.

Thanksgiving turkey from the National Turkey Federation and the Poultry and Egg National Board, November 17, 1953, page 32.

Lounging slippers, silk velvet, lined with kangaroo skin, presented by shoemaker, John Porio, New York City, November 24, 1953, page 33.

Seven-piece silver service for Augusta, Ga., cottage, from people of Augusta, November 25, 1953, page 26.

Thirty-eight caliber revolver, chromium plated, from National Sheriffs Association, December 17, 1953, page 22.

Deer meat from New Hampshire Development Commission, December 24, 1953, page 30.

1954

Souvenir sheet of Columbia University bicentennial commemorative 3-cent stamps presented by Assistant Postmaster General Robertson, January 5, 1954, page 20.

Crystal cup, engraved to depict President's rise from Kansas farm boy to President, from Cabinet, January 27, 1954, page 1.

Gaucho knife in gold and silver sheath from Joaquin Serratosa Ciblis, of Montevideo, Uruguay, president of Rotary International, February 4, 1954, page 14.

Seven-hundred-year-old suit of metal and cloth armor worn in Japan during the Shogun dynasty, presented in behalf of Matsutaro Shoriki, "father" of professional baseball in Japan, February 7, 1954, section 5, page 1.

Large brass sundial mounted on a 120-millimeter shell for Gettysburg farm, from Radio and Television Correspondents' Association, February 7, 1954, page 57.

Impressionistic painting of the towers and spires of Riga, Latvia, by Artist Ludolfs Liberta, gift from displaced Latvians, February 9, 1954, page 2.

Silver medal struck 50 years ago on occasion of the 25th anniversary of Jewish settlement in the United States, from delegation of American Jewish leaders, March 6, 1954, page 17.

Three-hundred-and-sixty-three carat aquamarine paperweight from Mieczyslaw Krymchantowski, former Polish aviator in Britain's Royal Air Force, who served under the President, March 9, 1954, page 13.

Small bronze model of an 18-foot statue entitled "Peace" from Ambassador Popovic of Yugoslavia, March 12, 1954, page 4.

Gold pass to Washington Senator's 1954 baseball games from Clark Griffith, April 6, 1954, page 38.

Collection of 117 volumes of the great books, from St. John's College, Annapolis, Md., April 10, 1954, page 13.

Two portraits of Mrs. Eisenhower and miniature of President's mother, from Mary Louise Wentworth, artist, of Fort Lee, N. J., May 2, 1954, page 7.

Lifetime pass to National League baseball games presented by Warren C. Giles, National League president, May 5, 1954, page 40.

Volume of history on World War II presented by author Forest C. Pogue and Maj. Gen. A. C. Smith, Army Chief of Military History, May 6, 1954, page 36.

Putting green for golf practice on White House lawn from United States Golf Association, May 9, 1954, page 20.

High fidelity recording by National Symphony Orchestra, presented by Composer Paul Creston, Conductor Howard Mitchell, and symphony officials, May 13, 1954, page 22.

Gold tie clasp with two Indian ornaments presented by delegation of the Army and Navy Legion of Valor, May 15, 1954, page 11.

Bible from members of the American Association of English-Jewish Newspapers, May 15, 1954, page 13.

Two-hundred-and-twelve-page leather-bound volume, Road to Recovery, presented by Netherlands Ambassador J. H. van Roijen, June 5, 1954, page 5.

Books of stamps, commemorating 100th anniversary of Kansas Territory, presented by Dr. Robert Taft, president of Centennial Commission, June 16, 1954, page 5.

Especially bound volume of The 4-H Story from 4-H Club group, June 18, 1954, page 15.

Bronze head of President, from Miss Florence B. Kane, Narragansett, R. I., sculptress, June 30, 1954, page 30.

White marble century-old fireplace for Gettysburg home, 38th wedding anniversary present from White House staff, July 4, 1954, page 1.

Large oil painting of the Mount Rushmore (S. Dak.) National Monument from artist Dr. E. Kenneth Baillie, of Aberdeen, S. Dak., July 7, 1954, page 14.

Copy of portrait of President by the late British artist Sir Oswald Birley (original to go to Smithsonian Institute) gift from friends presented by British Defense Minister, July 21, 1954, page 5.

Oil portrait of self, painted and given by Mrs. Vicky Karcher Siegel of Irvington, N. J., July 28, 1954, page 21.

Barrel of live lobsters from American Retail Federation at summer Colorado White House, September 15, 1954, page 20.

Photograph of Queen Mother Elizabeth in silver frame and a silver box presented by Queen Mother when visting the White House, November 7, 1954, page 21.

Forty-three-pound turkey donated by Perry Browning, turkey raiser, Winchester, Ky., presented by Mr. Browning and officials of the National Turkey Federation, November 17, 1954, page 22.

Book entitled "America's Spiritual Recovery," presented by author, Rev. Dr. Edward L. Elson, pastor National Presbyterian Church, Washington, D. C., November 21, 1954, page 61.

Ornate silver inkstand and calendar from Sir John Kotelawala, Prime Minister of Ceylon, December 7, 1954, page 4.

Christmas turkey, product of Hope, Kans., from J. J. Hartman, December 18, 1954, page 32.

One-hundred-pound cake, gift from Young Men's Republican Club of Niagara Falls, N. Y. (donated to Walter Reed Hospital by the President), December 23, 1954, page 21.

1955

Portrait of self from group of Sea Scout Explorers done by Mrs. Harold F. Pound of Plainfield, N. J., January 18, 1955, page 21.

Eight-volume set of Great Centuries of Paintings presented by Cabinet and Staff members on second anniversary of inauguration, January 21, 1955, page 9.

Silver Paul Revere bowl, patterned after the original, from executive committee of the National Association of Postmasters, January 27, 1955, page 20.

Three Department of Agriculture Yearbooks from Representative Victor Wickersham of Oklahoma, April 4, 1955, page 19.

Japanese dragon made of 9,000 tortoise shells located in Ryuhonji temple in Kyoto, Japan, offered by Keiko Honda who completed it in 1953 (item does not indicate whether or not gift was accepted) April 11, 1955, page 12.

Christmas gifts of drawings from 3 Japanese schoolboys, April 12, 1955, page 3.

Handmade gifts for home at Gettysburg by children of DAR-supported home, presented at time of DAR 64th Continental Congress, April 23, 1955, page 17.

Book, The Lonely Warrior, a biography of the late Robert S. Abbott, founder of 50-year-old Negro newspaper, presented by John H. Sengstacke, publisher of the Defender, May 6, 1955, page 13.

Two-hundred-and-fifty-pound Berkshire pig from 18-year-old Elden L. Holsapple, of Mitchell, Ind. (Nation's outstanding 4-H Club boy), pig to be delivered to Gettysburg farm in June, May 14, 1955, page 12.

Bluebonnet, 8-month-old Aberdeen Angus heifer from Women's National Press Club (gift "made possible through the courtesy of the Senate Democratic leader, LYNDON JOHNSON, and Speaker SAM RAYBURN," of Texas), May 20, 1955, page 27.

Fifty roses, gift of Chancellor Konrad Adenauer, transported from Germany on first westward transatlantic flight of Lufthansa airline, June 2, 1955, page 19.

Copy of United States Naval Academy's Yearbook, presented by three midshipmen, June 2, 1955, page 31.

Two-thousand-year-old oil lamp, presented by William Rosenwald, general chairman of the United Jewish Appeal, June 4, 1955, page 16.

Item cites trip to Gettysburg by President to "receive gifts of livestock, including an Aberdeen Angus cow and calf and a young Berkshire sow almost ready to farrow" (see items of May 14 and 20, 1955), June 4, 1955, page 4.

Eighteen-month-old Swiss brown heifer, split-bamboo fishing pole, and $300 worth of accessories, presented during President's trip to Vermont, June 23, 1955, page 4.

Year-old Aberdeen Angus heifer and a crate of New Hampshire chickens, presented during visit in New Hampshire, June 24, 1955, page 12.

Carved wooden eagle, presented at Skowhegan, Maine, by Gov. Edmund S. Muskie, June 28, 1955, page 1.

Ivory and silver gong for White House presented by Premier U Nu of Burma, June 30, 1955, page 1.

Large silver tray and sofa, 39th wedding anniversary presents from White House "family," July 2, 1955, page 1.

Antique conference table, 12 Chippendale chairs, and large Indian carpet from the English home in which he planned invasion of Europe; anonymous gift to the President and the Eisenhower Foundation, August 3, 1955, page 10.

Statuette representing Jacob wrestling with the angel, from Carl Milles, Swedish sculptor, August 7, 1955, page 14.

Thirteen-month-old heifer from Montgomery County Fair Association of Maryland. Berkshire hog from Glenwood All Breed Swine Association, Glenwood, Minn., August 10, 1955, pages 1 and 10.

Painting from Mrs. Elsie Patty of Grand Lake, Colo., fishing net, from Chris Hawver (age 4), Tulsa, Okla.; gifts on arrival at Fraser, Colo., August 17, 1955, page 35.

Fifteen-foot plywood skiff from citizens of Denison, Tex., September 1, 1955, page 15.

Family portrait photograph from Marshal Georgi K. Zhukov, September 3, 1955, page 3.

Birthday gifts from family; garden of flowering plants and shrubs for Gettysburg farm from White House staff; flowering quince trees, from Cabinet for farm; 48 young Norway spruce trees, 1 from each State's Republican committee; pajamas from newspaper, radio, and television correspondents who covered President's illness, October 15, 1955, pages 1 and 6.

Weimaraner puppy for farm from Johnny Street, Long Beach, Calif., October 21, 1955, page 16.

"Get well" message on a copper plaque from children of the arts and crafts department of the Jewish Memorial Hospital, New York City, October 30, 1955, page 76.

Putting green for Gettysburg farm from Professional Golf Association, November 8, 1955, page 21.

Blue, white and gold flag, bearing the United States Presidential seal, handmade by nuns of a Guatemalan convent, presented by President Carlos Castillo Armas of Guatemala, November 10, 1955, pages 1 and 18.

Forty-pound Virginia turkey from Poultry and Egg National Board and the National Turkey Federation, November 13, 1955, page 70.

Shetland pony and two-wheeled cart given to Eisenhowers "about 6 months ago," November 25, 1955, page 30.

Four thousand dollar 43-horsepower Black Hawk tractor and tillage plow, presented jointly by the Indiana, Ohio, and Pennsylvania Farm Bureau Cooperatives and the tractor manufacturer, December 1, 1955, pages 1 and 22.

Mr. PROXMIRE. Mr. President, this is only a partial compilation. It is based on news stories in the New York Times, and it seems to me that it speaks eloquently for itself. Of course, it covers only 3 years.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD a column by Mr. Reston entitled "Tam Suspicione Quam Crimine—Caesar."

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

"TAM SUSPICIONE QUAM CRIMINE"—CAESAR

(By James Reston)

WASHINGTON, June 14.—There has been a lot of talk around here this week about Sherman Adams and Caesar's wife.

Nobody has suggested that there was anything improper in the relations between Mr. Adams and Mrs. Caesar. The point was merely that he, like her, was close to the throne of power, and therefore must follow Caesar's dictate to be free not only of sin but of suspicion.

Some Democrats, after reading about Mr. Adams' free room and board in Boston, have even suggested that General Eisenhower should deal with Mr. Adams the way General Caesar dealt with his spouse, and since Caesar divorced her, this raises some serious questions.

The New York Times has no policy on Caesar's wife, but down here in Washington we think she was badly treated. Like Mr. Adams, she got herself involved in a somewhat dubious situation, the facts of which, according to our correspondent, Plutarch, were as follows:

Her name was Pompeia. She was, by all accounts, a recklessly beautiful woman, and, as sometimes happens in such cases, she attracted the attention of a man whose name in this case was Publius Clodius.

Plutarch describes Clodius as "patrician by descent, eminent both for his riches and eloquence, but in licentiousness of life and audacity exceeded the most noted profligates of the day." He was, in short, the kind of a man who might have used a suite in the Sheraton Plaza in Boston in ways which would not comport with the ideals of proper Bostonians.

MOTHER-IN-LAW TROUBLE

Publius Clodius, however, was having trouble. Pompeia had an apartment in Caesar's house, but Caesar's mother, Aurelia, lived with her, and Aurelia was apparently a watchful and even vigilant mother-in-law, though not as resourceful as Publius Clodius.

One night, during a religious festival of the Goddess Bona in Caesar's house, Clodius saw his chance. During this festival it was unlawful for any male to be in or near the premises. Caesar himself was banished, but Clodius dressed up in the ornaments and garments of a singing girl, and either with or without the connivance of Pompeia—Plutarch is unfortunately vague on this central point—got into the house.

Here, as they say in the ancient Roman tongue, he goofed. He could not find Pompeia, and during his wanderings through the halls was discovered. The outcry was appalling. Clodius was brought before the courts and tried for sacrilege, and the prosecutor summoned Caesar to testify against him.

Caesar, however, said he had no charge to make. "Why, then, did you divorce your wife?" the prosecutor asked. Whereupon Caesar replied (and we quote), "Quonium meos tam suspicione quam crimine indicio carere oportere." (Because I maintain that the members of my family should be free from suspicion as well as from guilt.

Considering the record of Caesar, who was then getting rid of his third wife and who accepted more vicuna coats, rugs, tractors, golf clubs, and other gifts than all the members of the Eisenhower administration put together, this was one of the stuffiest statements in all history.

Nobody produced any evidence against Pompeia. She confessed far less than Sherman Adams. She had her supporters. Cicero testifies that Clodius' affair with her was not coming off. Plutarch states that Clodius was in love with Pompeia, but adds merely that she had no aversion to him, which was almost an insult in those days.

Nevertheless, Caesar invoked the double standard dear to the hearts of most males and all politicians, and banished her to the minors.

JUDGE HAGERTY PRONOUNCES

We do not need to follow the philosophical guidance of Mr. James C. Hagerty (who has emerged in the strange role of judge and jury and keeper of our moral standards in this case) in order to conclude that this is not a sound procedure for passing judgment on Mr. Adams.

Like Pompeia, he set a poor example, and would have been the first to cry corruption if Harry Truman's first assistant were guilty of the established facts in his own case, but this is scarcely grounds for divorce.

He has added to the moral confusion of our times, through presumption rather than corruption, but even after studying the record most people here still think he is above suspicion.

Mr. PROXMIRE. Mr. President, this morning Mr. Reston followed up his comment of yesterday with a significant and thoughtful analysis entitled "More Blessed To Give: How Capital's Habit of Presents Can Lead to Predicament Like Adams'."

Mr. President, I think this is a superb analysis of the real moral problem which besets us. This goes far beyond any specific example. The article analyzes the problem of the kind of gift-giving, expense account moral economy in which we operate.

I ask unanimous consent that the article be printed in the RECORD at this point following my remarks.

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

MORE BLESSED TO GIVE: HOW CAPITAL'S HABIT OF PRESENTS CAN LEAD TO PREDICAMENT LIKE ADAMS'

(By James Reston)

WASHINGTON, June 15—The Capital was not condemning Sherman Adams today so much as it was psychoanalyzing him. How, it was asking, could he have accepted such favors from a prominent businessman under surveillance in the Federal Trade Commission? What is it about Washington and political power that produces evidence of this kind? The usual human motives seem to be absent in this case. The Assistant to the President is a thrifty man who is probably appalled, like many others, with the high cost of hotel rooms and food, but he has enough money to meet his simple tastes.

If somebody had given him a $700 hi-fi set this would have helped satisfy his love of music, but he needs room rent, expensive racetrack coats and oriental rugs about as badly as he needs publicity this weekend. So money and pride of personal possession are not the explanation.

The habits of Washington probably throw some light on the case. This is an expense-account town. It is full of people who are representing governments, businesses and trade associations and who are living well on "representation allowances."

THE HABIT OF GIFTS

Part of the habit of the Capital is the giving of gifts. Every head of state who comes here usually brings some elaborate present from his country to the President. These are received, not because the President particularly needs or wants the gift, but as a courtesy, which is repaid when the President returns the visit.

More important, industrial and commercial companies in our own country have also adopted the gift-giving habit, sometimes through hope of commercial gain—"the President uses our tractor on his farm"—but often merely as a token of respect.

The White House is flooded daily with such gifts, and these are usually regarded by employees of the Executive Mansion more as a problem than anything else.

Nevertheless, these gifts often have considerable value. Mrs. Eisenhower, for example, accepted a gift of brown beaver skins from the fur trappers of Maine, and had them made into a coat that was modeled to help that depressed industry. And the President has made no secret of the fact that many of the cattle and farm implements on his Gettysburg farm have been gifts from cattle breeders or implement makers.

WHERE IS LINE DRAWN?

Thus officials here are living in the atmosphere of constant invitations and gifts from all sorts of people, and the question has been up many times:

Where do you draw the line?

Secretary of State Dulles, for example, said it was bad judgment for the wife of a State Department employee to accept from King Saud, of Saudi Arabia, an expensive automobile.

Senator PAUL H. DOUGLAS testified during the last flurry here over gift-taking that he drew the line at gifts valued at $2.50. And during the hearings on improper practices in the Bureau of Internal Revenue, an official of that agency said he drew the line at a 12-pound ham. He would accept that, but not, he said, a 13-pound ham.

None of this explains the free room and board provided in Boston for Mr. Adams, not by Bernard Goldfine necessarily, but by one of Mr. Goldfine's companies. But it does help explain the atmosphere in which officials here live.

CENTER OF ATTENTION

They are constantly the center of attention. They are sought after to visit all the lands of the earth at the expense of the governments concerned. They are the objects of curiosity as the men who know what is going on, and many people seek them out, not only to be close to the sources of power, but because personal association with top officials adds to the hosts' social position and maybe to their business advantage.

Years of this kind of attention does encourage a kind of corruption of men's normal social customs and manners. They begin to accept gifts not as a favor to themselves, but to the given. For every man in Washington who trades Government favors for personal gain—an infinitesimal number—there are many who gradually and unconsciously accept invitations and gifts which they do not repay, not for private gain, but merely because they come to accept gifts as a kind of tribute paid to them by others for their company and friendship.

In his study of the ethical problems of administrators, Senator DOUGLAS put at the top of his list of temptations, first, gifts, and second, expensive entertainment.

In short, there is a kind of moral schizophrenia operating here. Dr. Theodore M. Greene, of Yale, testified on this before the Senate Committee on Labor and Public Welfare just 7 years ago this month.

DOMINANT MOTIVATIONS

He drew a distinction between what he called the dominant motivations of men, and the basic moral and religious convictions that they professed.

"I am not accusing them of hypocrisy," he said. "They are quite sincere when they talk about [their deep moral convictions], say on a Sunday in church, but which, in fact, do not operate through their lives very effectively. They are not dominant motivations. I think we have a sort of national schizophrenia that expresses itself in all sorts of normal people."

The case of Sherman Adams is being discussed here in terms such as these, rather than in terms of having a man exercising great power in the White House who might be preoccupied with his private rather than the public welfare.

Nobody here who knows Mr. Adams well is making any such charge. The Democrats are, of course, making political play with the incident, and it may, in fact, develop into an effective political issue. But the Boston incident is more significant as a study in psychology than as an issue in politics.

The problem is not that Mr. Adams is giving Government favors for personal favors, but that he has very largely cut himself away from his old associations and unconsciously replaced the New England code for the Washington code; namely, that it is all right to accept expensive favors, just so you don't pay them back.

Mr. PROXMIRE. Mr. President, recently I had made for me by the Legislative Reference Service of the Library of Congress a study of the ethical and historical standpoints of the problems of gift giving to employees and officers of the Federal Government. I ask unanimous consent that this study, prepared specifically at my request, be printed in the RECORD at this point.

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

A STUDY OF GRATUITIES AND THE PUBLIC EMPLOYEE

PREFACE

This report is an attempt to analyze from ethical and historical standpoints the problem of gift receiving as it relates to employees of the Federal Government. By "gift receiving" the report refers to the receipt of gifts by Federal employees from persons or organizations outside the Government service, though not those gifts received from foreign governments, since this area is well covered by statute.

In researching the problem for available material, it was found that the problem of gratuities is too minute to be widely treated in the literature. Therefore it had to be approached through more general problem areas which are given better coverage. It was found that the various authors in the field included the problem under such general headings as (1) "Corruption in Government"; (2) "Conflicts of Interest"; (3) "Graft"; (4) "Bribery"; (5) "Undue Influence"; (6) "Venality"; (7) "Ethical Standards, Integrity, Honesty"; (8) "Public Morality."

All of these terms have similar or identical connotation. The problem remains the same whatever name it goes by.

DEFINITION OF THE PROBLEM

Gift receiving by Federal employees may occur in any agency or department of Government. It probably becomes most acute, however, in those places which have direct dealings with private persons and/or organizations doing business directly with the Government. Research and development, procurement, and contracting are specific areas in which the close relationship between governmental and private interests may cause a breakdown in governmental ethics.

In order clearly to understand the problem of gift receiving by employees of the Federal Government, the terms involved in the study must be defined. What is a gift? How does a gift differ from a bribe, and how does a bribe differ from extortion? Rev. William Joseph King, in his dissertation Moral Aspects of Dishonesty in Public Office, classifies the terms in this way:

"In the concept of graft there are, what one may call, three degrees or phases, namely, the gift, the bribe, and extortion. Any transaction classified as graft can usually be put under one of these classifications. By a gift we mean 'something that is freely and spontaneously offered without any agreement to do what is evil and without any hope of recompense, at least in the near future.' A gift, taken strictly, excludes any preceding debt of justice on the part of the donor. However, by chance, some debt of gratitude or dutifulness may intervene but then the gift could not be said to be entirely free. Among the various divisions of gifts A. Vermeersch speaks of the 'donation allectiva' by which he understands a gift given with the hope of some other action or gift in return. This hope in the mind of the donor does not make the gift a conditional one nor does it give the donor the right to demand anything back should his hopes be frustrated.

"Bribery is the 'practice of tendering and accepting private advantage as a reward for the violation of duty.' The duty involved is clearly understood, but it is neglected or misperformed in view of the personal advantage gained in the acceptance of the bribe. The bribed official knows the better and chooses the worse.

"Bribery contains the element of choice and when that factor is seriously curtailed we have extortion."[1]

In actual practice this classification does not seem to be as clear as Reverend King states. The dividing line is very thin between bribery and receipt of "innocent" gifts. An item which may be treated as a gift, given one set of circumstances, might actually be considered as a bribe, given another. The employee's psychological makeup, his job ethics, his home life, his income and debt status, and so forth, are all variables in the decision of how to classify a gift received.

We can get some idea as to the problem of defining "gratuities" by listing the various terms that are used in the various departmental rules and regulations:

1. Gift; gratuity.
2. Favor; present; pecuniary favor; considerations.
3. Loans; advances; financial accommodations.
4. Unusual discount.
5. Service; gratuitous service.
6. Entertainment.
7. "Other thing of value."
8. Item of slight or substantial value.
9. Free transportation.
10. Unusual concessions.
11. Item of significant or substantial value.
12. Compromising social activities.
13. Free board from a timber operator.
14. Money; positions for relatives or friends; tips on horseraces or stocks; free trips on boat or other transportation lines; accommodations at hotels or clubs; tickets for theaters, prizefights, etc.
15. Anything of economic value.
16. Rewards; etc.

The receipt of articles under any of these terms makes the receiver liable to punishment, in some form or another.

Charles H. Garrigues, in his book You're Paying for It, gives a rather interesting and amusing definition of the term "graft":

"Graft * * * resembles electricity * * *: In that, while everybody knows something about what it is and what it does, almost nobody is able to define it with any degree of intelligence. We know that graft exists, that it results in the construction of expensive and ornate public buildings, in the protection of vice and crime, and in the creation of other 'special privileges'; but we are not, for the most part, able to put our finger upon[2] any particular aspect of government and say with certainty: 'This is graft.'

"Graft in the broadest sense is merely any act which constitutes the avoidance by a public official of the terms of his contract of employment with the public, and the substitution of his own interest in place of the public interest as the controlling factor over his conduct.[3]

"The philosophical foundation of graft will be simplified even further if one will keep in mind two facts which the student of 'practical politics' learns early:

"1. The proportion of self-interest in the breast of the public official is neither greater nor less than the proportion of self-interest in the breast of the private businessman, citizen or taxpayer.

"2. That official is most successful from a standpoint of self-interest who subordinates the public good to his own welfare and decides his course of conduct solely on the

[1] King, Rev. William Joseph, Moral Aspects of Dishonesty in Public Office, Washington, D. C., Catholic University Press, 1949, pp. 7–8, Classifications of graft (JA79.K5 1949).

[2] Garrigues, Charles Harris, You're Paying for It. A guide to graft, New York, Funk & Wagnalls Co., 1936, p. 3.

[3] Ibid., p. 5.

basis of 'What will I get out of it?' rather than 'What will the public get out of it?'[4]

"The first of these facts is fairly self-evident. The ethics of politics is neither higher nor lower than the ethics of business. Politicians and other grafters are just like you and me—except that they work in a slightly different medium."[5]

An additional classification, which falls below the status of the term "gifts," relates to advertising mementos. These include pencils, pens, calendars, blotters, matchbooks, etc., upon which is imprinted the name of the business firm plus a possible advertising message. Again, there is a problem of definition or, at least, of clear categorization of such items. Which items should be considered as mementos, and at what stage do they become gifts or even bribes? For example, a $1 or $2 pen with the firm's name printed on the barrel might be considered as an advertising memento. But could a $25 pen, similarly imprinted, be classified as such? The fundamental, underlying factor that has to be considered in analyzing and classifying gratuities must be a determination of the influence which they have on the administrative decisions of the recipient.

(An interesting sidelight on this particular problem is the treatment that such mementos receive in some local government purchasing offices. As many of them come through the mail in the course of business, it is rather difficult, and perhaps foolish, to return them. Therefore, the rule is for the various employees of the offices to keep such mementos off the tops of the desks and out of sight. The main reason is that open display of such items might be taken by the general public as evidence of favoritism.)

GRATUITIES AND PUBLIC MORALITY

In 1948 there occurred a gratuities scandal in the British civil service which caused Sir Hartley Shawcross to comment on the services' highly rated integrity. The story, as related in Time magazine under the title "It's Not Done in Britain," goes as follows:

"John Belcher, a Labor Member of Parliament and Parliamentary Secretary to the Board of Trade, was found to have accepted a gold cigarette case, a suit of clothes, unlimited hospitality, and a week's vacation at a seaside resort from one Sydney Stanley. In return, Belcher helped Stanley around the Government, helped his friends get licenses for construction work on a resort hotel, and helped quash prosecution of a Stanley client for alleged shady dealings in a gambling pool.

"Sir Hartley Shawcross, then the Laborite attorney general, eloquently voiced the uncompromising British attitude toward corruption in public office: 'Our whole system of government rests upon public confidence in the honor and integrity of those whether as ministers or civil servants who are officers of the crown. * * * If in the end some perhaps once-promising and once-worthy political or public career is ended and the bell tolls on it * * * let no one take it as the occasion for smug self-righteousness or partisan satisfaction. It is a matter which affects every political party and every citizen, and every party and citizen suffers for it.' "[6]

Herman Finer, a well-known authority in the field of comparative government, stated that the integrity of the British civil servant "goes back to a way of life—a civilization; like civilization, like civil service."[7]

It can be observed from the British situation that the problem of gifts is just a section of the whole problem of ethics in government which in turn is just a part of the more total problem of public morality. It should also be noted that there is a great variation between the standards of ethics prevailing in the world of commercial business and those which should be maintained in governmental organizations. Gift giving is an accepted practice of business administration; but, for many reasons to be enumerated later, such a practice cannot be accepted in public administration.

The political action committee of the CIO has written an interesting survey of the problem of private versus public ethics:

"Graft in the Government, generally speaking, results from the impact of ordinary business morals upon a weak or corrupt official.

"When an expensive camera is given an official, some businessman has ordered his corporation's money spent to buy the camera—and to buy favors.

"When a businessman sends deep freezes and gifts of perfume to officials, he is simply doing what comes naturally. That is the way he buys friendship and favors in ordinary business affairs.

"A businessman hungry for a profitable contract has lunch with the man who can award the contract. If he gets the specifications of the contract drawn to favor him, he is in clover. And when he starts dealing with the Government, he will get public contracts drawn favorably—if he can.

"In business, it's smart salesmanship. In government, it's graft."[8]

Wesley C. Clark, in his thesis, Public Administration and Private Interest, states that the morality of public administration "is not a constant; it varies from time to time."[9] He goes on to say:

"Depending upon many factors, it may favor administration in the public interest, and again it may favor administration in the private interest. In this variation is to be found the answer to many of the ills which beset the Federal administration today.

"Five major factors contribute to this administrative climate, and there are a multitude of subdivisions of these factors. First there is a the moral tone of the Nation, second the machinery of administration, third the staff of administration, fourth—and perhaps most important—the leadership which guides the staff and controls the machinery of administration, and, fifth, the news spotlight in which administrative activities are conducted."[10]

It is interesting to note the emphasis that Clark places on national morality as a conditioning factor of public morality:

"The basic attitudes of Federal administrators cannot be expected to differ greatly from the attitudes of the Nation as a whole. It is axiomatic that Washington in any area cannot lag far behind or run far ahead of the thinking of the people of the Nation. This is just as true in respect to moral standards as in respect to defense or tax measures. Thus, if the moral standards of the Nation are lax, if there is a negligent attitude toward other people's money, this attitude will be reflected in administrative Washington, as well as in legislative and judicial Washington."[11]

The report of the Douglas Subcommittee on Ethical Standards in Government also noted the intertwining of public and private ethics:

"Ethics in government is a subject with endless ramifications. The standards of conduct of the legislative, executive, and judicial branches of Government are interwoven. The standards of conduct of all these public servants also are interwoven with those of all who actively take part in public affairs, and of all who do business with the Government. The morals of official conduct may be distinguished, but certainly not separated, from public morals generally. The moral standards of the country, indeed, provide the ethical environment which in turn conditions the standards of behavior of public officials. Low standards in the conduct of public affairs are a symptom of low standards in the country generally. High standards in the country are reflected in high standards in government."[12]

The problem next confronting us is: What are the variable judgments of the persons who are determining how high the ethics of the country are? Each person certainly has his own criteria, conditioned by his psychological makeup and geographical surrounding. For example, the criteria used by a businessman in judging public morality would be quite different from those utilized by a public servant with different objectives and obligations.

Senator ESTES KEFAUVER, in an appraisal of public ethics in the United States for the Annals of the American Academy of Political and Social Science, stated that "* * * our standards of public ethics are unquestionably much clearer and much higher today than ever before. Indeed this fact is evidenced by the very intensity of our horror at each new instance of failure of our public servants to live up to them. Unfortunately—and here is the rub—our performance and enforcement of our standards fall far short of them. Indeed, in some respects, like the entrance of the criminal gangster into politics, our position is more serious than it has ever been before; the threat to our basic institutions is more menacing than ever. Moreover, it is naturally disheartening to discover that, while we have been closing the doors to the success of the old methods of corruption and influence, our antagonists have been discovering and employing more insidious methods of ingress against which we have not yet established adequate bars."[13]

Senator DOUGLAS wrote (Ethics in Government):

"My own conclusion is, therefore, that there has been an appreciable long-time improvement in the level of political morals. But occasionally there are relapses and these generally come in the wake of great war. * * * While there has been a distinct improvement in the ethics of government (1952), the recent revelations have certainly shown that the present standards of behavior are by no means good enough and need radical improvement."[14]

The report of the Douglas subcommittee said that the basic integrity of government is relatively high:

"The overwhelming weight of testimony taken by the subcommittee is that the basic integrity of the Federal Government is relatively high. Most public servants, it was agreed, are honest and faithful. Witnesses with the longest experience in public affairs stated that standards of official conduct and

[4] Ibid., p. 7.

[5] Ibid.

[6] It's Not Done in Britain, Time, vol. 58, October 8, 1951: 24, p. 24.

[7] Finer, Herman, The Bookshelf, Public Personnel Review, vol. 13, 1952, p. 200.

[8] CIO political action committee Corruption, pamphlet No. 4, Washington, CIO, 1952, p. 24.

[9] Clark, Wesley C., The Annals of the American Academy of Political and Social Science, March 1952, Public Administration and Private Interest, p. 67.

[10] Ibid., p. 68.

[11] Ibid.

[12] U. S. Senate Subcommittee of the Committee on Labor and Public Welfare, Ethical Standards in Government, Washington, U. S. Government Printing Office, 1951, committee print, p. 7. (Hereafter this document will be cited "U. S. Senate report.")

[13] KEFAUVER, ESTES, The Annals of the American Academy of Political and Social Science, March 1952, Past and Present Standards of Public Ethics in America: Are We Improving? p. 8.

[14] DOUGLAS, PAUL. Ethics in Government, Cambridge, Harvard University Press, 1952, p. 19.

public morals generally are rising, although the existence of dips in this long-term trend was conceded. The general trend, also, does not preclude significant deviations in particular levels of activity.

"We also believe that the ethical standards of public officials are probably higher than those prevailing in business and other walks of life. On this point, also, there was persuasive testimony from men of experience in both government and business and from observers of both. Public officials are more conscious of the problem of moral standards." [15]

CODES OF ETHICS AND THE GRATUITIES PROBLEM

As has been stated before, the problem of gratuities in the Government can be categorized under the general term "ethics" or "morality." It might not be illegal to receive a gift from an outside entity in the performance of duty; but certainly it would violate the provisions of good ethics. The problem is the determination of whether or not written "codes of ethics" are sufficient to solve the gratuities situation.

Various attempts have been made in the various governmental jurisdictions to adopt codes of ethics. The already noted 1951 Douglas subcommittee of the Senate Committee on Labor and Public Welfare (82d Cong., 1st sess.) conducted hearings and issueed a report recommending the establishment of a Commission on Ethics in Government to enforce supplemental proposed legislation. The proposed legislation (an amendment to the Administrative Procedure Act, S. 2293) cited in its section 102 (b) that "it shall be improper conduct for any officer or employee in the executive branch of the Government—to accept, directly or indirectly, any valuable gift, favor, or service from any person with whom he transacts business on behalf of the United States"; [16] and (e) "to become unduly involved, through frequent or expensive social engagements, with any person outside the Government with whom he transacts business on behalf of the United States." [17] Section 107 stated that "Notwithstanding the provisions of any other law, the head of any agency in the executive branch of the Government (1) may summarily dismiss any officer or employee in his agency whom he finds has violated section 102 * * * of this title." [18]

The duties of the Commission as set forth in the bill (S. J. Res. 107) would have been "to make a thorough and complete study and investigation of the moral standards of official conduct of officers and employees of the United States; the effect thereon of the moral standards in business and political activity of persons and groups doing business with the Government or seeking to influence public policy and administration; and, in relation thereto, the moral standards generally prevailing in society which condition the conduct of public affairs or which affect the strength and unity of the Nation.[19]

Extensive hearings were held by the Douglas subcommittee prior to the issuance of the report. Many interesting facets of the gratuities problem were brought to light by learned political scientists and persons working with the problem day to day.

For example, Paul Appleby, noted writer in the field of public administration and author of the book Morality and Administration, testified as to the difficulties he had experienced in the Department of Agriculture in coping with the gift problem:

"One of the problems that is involved in this area is the problem of gifts to officials. That is not as simple a problem as it sounds. When a farmer out in the country, for example, sends a big watermelon to the Secretary of Agriculture, he is expressing a certain intimate relationship with the Government, and pride in a way that on the whole is good and not bad, and yet the receipt of the big watermelons can be expanded into the receipt of various gifts, and it becomes rather difficult to draw the line.

"In the Department of Agriculture, during my time, our practice was to receive gifts of that kind, and send them to public institutions, orphanages, and so on." [20]

Senator DOUGLAS then asked Appleby: "What would you do with neckties and whisky?" [21]

He replied:

"We never got them in our day in our office. The regulations of the Department were such that I think that they were very infrequently given. We notified recipients of the dispositions of gifts in that fashion and thus tried to make receipt of such gifts as were permitted free from any invidious suggestion. But I can see that in a government as big as this, there would be opportunity for a good many gifts that would gradually emerge from the simple and sincere and legitimate into the evil, and I know that some such gifts are given and received.

"Related to that is the problem of social involvement. I have known of a few Government employees who got involved with people who had a great deal more money than they and tried to keep up with them socially, and developed also a clique kind of interest in such associations, tending to impair their judgments.

"I think for myself the rather simple business of whether or not to accept a luncheon invitation was a serious problem, depending altogether on my relationship with the person concerned, whether I knew he was confident he would not get anything from me that he was not going to get otherwise. I sometimes wondered whether it was good business for me to be a friend of people on the Hill. When I became friendly with them, they called me more readily about all kinds of importunities that came to them, and it was often very embarrassing because they were good friends.

"So those friendly gifts that may become serious and social involvement are the most elementary source of venality and favoritism." [22]

The testimony in 1951 of Hon. Frederick J. Lawton, Director, Bureau of the Budget, as related to the gratuities problem, went as follows:

"Senator DOUGLAS. Would you say it would be a good rule that no public official should accept favors or gifts from persons who have business relationships with his agency?

"Mr. LAWTON. I think that there is no call in the ordinary circumstances for any person who has relations with a Government agency that is supposed to carry out a program to expect that he has to in effect bribe his way into special consideration.

"Senator DOUGLAS. But suppose he does it; then what should happen?

"Mr. LAWTON. I am definitely opposed to the granting of particular and specific favors or gifts to public officials in connection with the performance of their duty, be they either elected or appointed.

"Senator DOUGLAS. Should the person who receives such favors be disciplined?

"Mr. LAWTON. I certainly think so.

"Senator DOUGLAS. What do you think about this practice——

"Mr. LAWTON. Provided you draw a reasonable line. If a man gets a cigar or something of that sort, it is a different thing from getting a Cadillac.

"Senator NEELY. Let us analyze that. Is the offense to be appraised on the basis of the amount that one receives?

"Mr. LAWTON. No; but commonly accepted social amenities are something different, in my judgment, from attempts to influence by favors or gifts.

"Senator NEELY. Where would you draw the line? You suggest that it may be all right with a cigar or a box of candy. What would you say about a handbag that cost $10 or $50? Would you consider it proper for a Government employee to accept one of these in return for a public service?

"Mr. LAWTON. No; I would not consider it to be proper.

"Senator NEELY. Would you consider it appropriate for someone in your department who was going to pass on a matter that I had pending before it to accept a present costing more than $50?

"Mr. LAWTON. No present at all in that sense." [23]

The testimony of H. Jerry Voorhis, former Member of Congress from California, noted the problem of the administrative lobbyist and the use of the wining and dining technique of influencing decision making:

"Now we come to the problem of what I call insidious lobbying, that is, lobbying or attempts to influence administrative decisions which is not openly carried on but takes place through so-called social contacts and private meetings. The problem of the frank, open lobbyist is very simple compared to this one, even if the registered lobbyist's purposes are not calculated to serve the highest general public interest.

"In my humble opinion, among the worst influences upon our Government and one of the places where unethical practices are most often broken down are Washington cocktail parties and a certain type of dinner party. * * * By that I mean that I think things are said that have no business being said; that they get on a basis where people are, to say the least, relaxed, and I think that a lot of bad practices take place." [24]

August Hecksher, in an article in the June 1951 Yale Review entitled "Ethics in Public Life," summed up his reasons for the establishment of a code of ethics. Note that this was written around the time of the Douglas hearings:

"The code governing (governmental-business) relationships would probably turn out to be a matter of commonsense. The administrator would be expected to do his business in office hours, not at bars, or at cocktail parties, or on the golf course. He would be expected to refuse all gifts from those with whom he had official dealing—whether at Christmas or at any other time. What is significant is that until now rules of this kind have not been promulgated at all; it has been assumed that simple moral postulates, or the injunctions of the Criminal Code, could cover all the intricacies of a changing human relationship." [25]

Dr. Theodore M. Greene, of Yale University, asserted that "the formulation of 'standards of propriety' might be a useful reminder to busy and harassed executives and legislators who are already men of basic integrity.

"I am less optimistic about the likelihood of such restraints being too effective with respect to men who are determined to avoid them." [26]

---

[15] U. S. Senate report, op. cit., pp. 11–12.
[16] Ibid., p. 71.
[17] Ibid.
[18] Ibid., p. 72.
[19] Ibid., p. 70.
[20] United States Senate Subcommittee of the Committee on Labor and Public Welfare Hearings, Establishment of a Commission on Ethics in Government, Washington, United States Government Printing Office, 1951, p. 172, hereafter this document will be cited "United States Senate hearings."
[21] Ibid., p. 172.
[22] Ibid., pp. 172–173.
[23] Ibid., p. 85.
[24] Ibid., p. 313.
[25] Hechsher, August. Ethics in Public Life. The Yale Review. New Haven, the Yale University Press, June 1951, p. 587.
[26] U. S. Senate hearing, op. cit., p. 61.

Senator AIKEN, of Vermont, appended his additional remarks to the report. They present an interesting critical statement:

"The report of the subcommittee headed by Senator DOUGLAS contains a considerable amount of valuable information. And while the conclusions and recommendations contained in that report have much to commend them, and while I do not believe that either this report or the recommendations made by any commission established as a result of this report—even if such recommendations are approved by Congress—will automatically result in the elimination of corruption and debasement from the Government. Laws alone will never improve the ethical and moral standards in the Government; only a clear sense of the honor and duty imposed on those who hold the trust of public service can accomplish that end. 'I have done nothing illegal'—the defense so often put forward by those charged with improper and reprehensible conduct—represents an indifference to the public trust which, if continued, can successfully thwart even the most comprehensive legislation." [27]

The bills were presented by the full committee to the Senate but nothing further was done.

An article in the summer 1953 issue of Public Administration Review entitled "A Code of Ethics as a Means of Controlling Administrative Conduct," by Philip Moneypenny, associate professor of political science at the University of Illinois, stated, in reference to the Douglas subcommittee:

"A measure of skepticism seems in order with respect to the changes in administrative conduct that would result in such a code. There are already statutes on the books which prohibit some of the transactions most subject to public censure. Would not a code of ethics be just another official pronouncement without any force of itself to secure the standards which it develops? There are reasons for believing, however, that under appropriate circumstances a deliberately formulated ethical code might be of use in controlling administrative conduct than would be achieved by the spontaneous development of individual or group standards among administrative personnel." [28]

Three House concurrent resolutions relating to Codes of Ethics for the Government Service were submitted during the 1st session of the 85th Congress. (NOTE: Concurrent resolutions are not normally legislative in character but are used merely for expressing facts, principles, opinions, and purposes of the two Houses. They are not equivalent to a bill and their use is narrowly limited within these bounds. They do not require Presidential approval.): (1) House Concurrent Resolution 5 (January 3, 1957), Mr. BENNETT of Florida; (2) House Concurrent Resolution 43 (January 5, 1957), Mrs. ST. GEORGE; (3) House Concurrent Resolution 175 (May 15, 1957) (passed House August 28, 1957), Mr. BENNETTT of Florida.

Essentially, these three bills are the same. Below is the text of House Concurrent Resolution 175, which still needs Senate concurrence:

"*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the following code of ethics should be adhered to by all Government employees, including officeholders:

"CODE OF ETHICS FOR GOVERNMENT SERVICE

"Any person in Government service should—

"1. Put loyalty to the highest moral principles and to the country above loyalty to persons, party, or Government department.

"2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.

"3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.

"4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

"5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

"6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

"7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

"8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

"9. Expose corruption wherever discovered.

"10. Uphold these principles, ever conscious that public office is a public trust."

Both House Concurrent Resolutions 5 and 43 contain an interesting preamble, which states:

"Service of any person in any capacity in or under the Government requires both conscientious vocational labor and righteous personal conduct. It should be characterized by devotion to God and country.

"As a desire and purpose to forward the best interests of the United States are an essential part of the loyalty of citizenship, no person who fails to have such desire and purpose should be in the Government service."

At hearings on a similar bill held before the Committee on Post Office and Civil Service of the House of Representatives (84th Cong., 2d sess.), the Honorable Philip Young, Chairman, United States Civil Service Commission, states the CSC's objections to the phrasing of the bill on gift receiving, namely, "and never accept favors or benefits from persons doing business with the Government." [29] He said that the phrase "should be literally adhered to by some employees, but is unduly restrictive towards others." [30] He went on to say:

"I believe that a code of ethics would serve a real purpose in making new officials and employees aware of, and thoughtful about, the special ethical obligations that must be a part of public life in a free government.

"Another purpose to be served by practical standards of conduct is that it would put the public on notice as to its obligations in dealing with public servants. For example, expensive entertainments and gifts are many times the practice in securing private contracts, and many businessmen naturally but thoughtlessly assume that this practice is appropriate in their negotiations with Federal employees for Government contracts.

"A code of ethics that specifically covered this point would put the business world on notice that such practices were not acceptable, and would make it easier for public servants engaged in making contracts to decline offers of entertainment or gifts without appearing to be self-righteous or suspicious."

In further explanation, "a contracting or purchasing officer should certainly adhere strictly to this principle in his relationships with the representatives of private business with whom he has official dealings. However, it seems unduly restrictive to apply this rule to, say, a research engineer in his relationships with friends, relatives, or neighbors who may do business with the Government, but with whom the employee has no official dealings." [31]

Mr. Young then observed that since the problems in the various branches of government were so different, there ought to be separate codes of ethics for each of the areas, as well as different ones for career and appointed employees.

These hearings produced some interesting colloquy pertinent to the problem. For example:

"Mr. BENNETT. I take a sack of potatoes from GRACIE PFOST. Why? Because I know GRACIE PFOST sent me those potatoes because she wanted to advertise the Idaho potatoes, and she sure did a good job of it, because they were wonderful potatoes, and I myself have sent out citrus as an advertising scheme for Florida.

"I think that if you got a souvenir of a pen set, set in star sapphires and diamonds, you would have a pretty good idea it was just not a souvenir. * * *

"Mr. Moss. * * * Let's assume that there is a classified employee who is faced with the problem at Christmastime as to whether or not he could accept a gift of very nominal value.

"Mr. BENNETT. I regret to say, but I just don't believe that these people who send these hams, and crates of oranges, and so forth, to the classified employees have any noble intentions in most cases. I know it is done. [32]

* * * * *

"Mr. Moss. (not in the same context) * * * (but) I am mindful of the fact that there are many companies in the United States who, as a matter of course, over a period of years, build up mailing lists for sending out Zippo lighters, or calendars, or desk pads, items of very small value. They are advertisements. They are a favor of some sort. They have perhaps some benefit.

"Mr. LESINSKI. * * * It seems to me that the people who are the most flagrant abusers, we will say, and need a code of ethics, are the appointed officials of the Federal Government. In other words, you have a civil-service law that is not adhered to by various agencies, and you have other things that are brought out, and the employees in the Federal Government suffer by it accordingly. Personally, from my experience, I think that should be spelled out.

"Mr. BENNETT. Somebody has suggested language * * * indicating that 'all those in the Government service' includes elected officials, employees, officeholders, and all these various terminologies.

"Actually, when this was written it was intended to be all embracing from the President down to the janitor, and including all appointees, those elected, and anybody else." [33]

In the area of State governments, it is found that the New York State Legislature adopted a code of ethics for State employees which embraced the gratuities problems from several angles, but not specifically. For example:

"An employee of a State agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the

[27] U. S. Senate report, op. cit., p. 66.

[28] Moneypenny, Philip, Public Administration Review, summer 1953, 185.

[29] U. S. House of Representatives, Committee on Post Office and Civil Service, hearing, Code of Ethics for Government Service, Washington, U. S. Government Printing Office, March 26, 1956, p. 8, hereafter this document will be cited "U. S. House of Representatives hearings."

[30] Ibid.

[31] Ibid.

[32] Ibid., p. 13.

[33] Ibid., pp. 14–15.

kinship, rank, position, or influence of any party or person.

"An officer or employee of a State agency (etc.), should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust" (public officers law, sec. 74 Code of Ethics).

The County Board of Arlington, Va., established a commission to study the problem of ethics in the county government and to draw up a code of ethics which could be adopted. For reasons as political as those which caused its inception, the commission's recommendations were never adopted. However, the report of the Citizen's Commission on Ethics in Government is noteworthy for its astute observations in the field of ethics. Much of this textual material can be applied to the gratuities situation.

The commission was headed by Fritz Morstein Marx, a noted professor of political science and distinguished public servant. Much of the material contained in the report reveals the effects of Dr. Marx' political science background.

Actually the code that was proposed by the commission contained no enforcement provisions. It was intended, however, as a guideline to good administrative behavior rather than as a punitive measure.

The preamble and the code set out the basic responsibilities of public office:

"In a free society, all public offices are held for the benefit of the public, as all government exists solely so that the people may govern themselves. Those holding public office, as servants of the public, are not owners of authority but agents of a public purpose. In the exercise of the authority given them by the people, they are under three basic obligations. They are bound to do their best—that is, to serve with efficiency. They are bound to do what they are told to do—that is, to respect legality. And they are bound to do right—that is to heed the commands of morality. Public ethics is part and parcel of public office.

"As all public offices are held for the benefit of the community, public officials and employees owe a fundamental loyalty to the community as a whole. Each of them is a guardian of the public interest, even when his functions allow little discretion or may seem relatively unimportant. Each must serve equally all members of the community. This fundamental loyalty cannot exist when it is overwhelmed by other loyalties—to a particular group of the public, to a particular economic interest, or to a particular political organization. Reconciliation is possible only as long as the narrower loyalties are subordinated to the basic allegiance. The attitude of individual public officials and employees on this point has great significance for their views on public ethics. All those in public offices owe it to the public to indicate their own position on the resolution of conflicts between narrower loyalties and the fundamental loyalty to the community as a whole.

"Because those holding public office are not owners of authority but agents of a public purpose, they have no right to exercise public functions or use public influence for personal gain or other private ends. Compensation for public office—sufficient to support competence and integrity—should be legally defined and made a matter of common knowledge. Official authority and public influence are not meant to be available for personal advancement or enrichment or for the benefit of any special interest.

"It is easy to turn down requests for special favors when such requests are made in ignorance of public eithics or when the public official or employee has not been put under any personal obligation. Favors are asked for and granted in return for favors received or expected by the official or employee or by others to whom he is tied. When he thus puts himself under an obligation, the official or employee in effect disqualifies himself and betrays the public confidence vested in him. No one in public office is entitled to become involved in a situation where such obligation may be assumed to exist.

"The final judge of official conduct is the public as a whole. But the public as a whole forms its judgment in broad generalization. It cannot look into the detail of the uncounted official actions performed each day and lost to public notice. This explains why wrong appearances may have no less damaging effect on public opinion than proved corruption. Each public official and employee must give continuous thought to the question of how his actions and behavior might be interpreted—and misinterpreted—by the public.

"Blind confidence in the integrity of those holding public offices is not a healthy attitude in a free society. Public wakefulness is to be cherished by all citizens, including those in public office, who also ought to appreciate that such wakefulness may run to excesses of reckless condemnation. One way in which public officials and employees themselves can contribute to keeping such excesses to a minimum is by taking steps promptly to meet any specific suspicions raised about their official conduct. This is not accomplishd by mere denfal. The pertinent facts must be laid out before the public, if necessary after special inquiry under imparital auspices, and well ahead of mounting public pressure.

"All public officials and employees share in the distinction that is attached to public service. Each of them must remember that his failings as well as his achievements affect the standards of public service. That applies to every aspect of the reputation the public service enjoys—to its efficiency, to its compliance with the laws, and to its adherence to the commands of public ethics. A high standard of official conduct cannot last for any length of time unless it is bolstered in the daily work performed at all levels of public responsibility. In turn, each instance of unethical conduct endangers the standard—like a rip in a sail. Although the importance of personal example is not minimized by low position, it is particularly far reaching in the higher positions because these cast the longest shadow across both the public service and the community.

"The principal appointive officials have the greatest practical familiarity with governmental work. They are thus in a strategic position to spot the points where a breakdown of public ethics has occurred or might occur. Such a breakdown can often be overcome or avoided altogether by developing procedures based upon a recognition of public ethics. It is a requirement of public ethics that the principal appointive officials exert sufficient influence in the development of reasonably foolproof procedures." [34]

Even though these abstracted parts of the proposed code applied to the problems of Arlington County, Va., it can be seen that they actually apply to all aspects of public administration. They are extremely relevant to the gratuities problem, because, as has been noted, the acceptance of gifts is a definite breakdown of public ethics. Note especially the phrase above ("although the importance of personal example is not minimized by low position, it is particularly far reaching in the higher positions because these cast the longest shadow across both the public service and the community") and the parallels that can be drawn in the Federal situation.

One of the problems encountered in enforcing codes of conduct, or specific regulations prohibiting the receipt of gratuities in the performance of duty, is that there is often inadequate publicity of the rules. Many of them, possibly, are broken out of sheer ignorance of the regulations. Detection of violations by supervisors is often difficult because of the subtleness of the process.

One agency in the Federal Government does give publicity to its regulations concerning gifts. In his letter to the Legislative Reference Service, the Acting Director of the Bureau of Land Management, Department of Interior, Earl J. Thomas, stated:

"Members of the public who conduct business with the Bureau of Land Management are also reminded of our policy on gifts. A notice addressed to the public discouraging gifts is posted in each bureau office where public business is conducted."

The notice reads as follows:

"To the Public:

"As Federal employees, our pledge and constant aid is to conduct the public business with integrity and with impartiality to all members of the public we serve.

"We seek to be the recipients of the general public's trust and confidence only—and not of material favors or gifts of any kind. The latter—even though prompted by personal friendship or individual gratitude—find no rightful place within the framework and tenets of the public service of which we are a part. 'Thank you' has a universal and single meaning and to us it is fitting recognition for any job which the public considers we have done well.

"EMPLOYEES OF THE BUREAU
OF LAND MANAGEMENT."

The General Services Administration, the procuring agency for the Federal Government, has a printed form listing the standards of conduct of the GSA. All employees are asked to read and sign this document at the time of entering on duty. The regulation concerning gratuities states (rule No. 7):

"Gratuities: GSA employees shall not accept any gratuity or favor of any nature whatsoever, directly or indirectly, from any person, firm, corporation, or other entity, which has done, is doing, or proposes to do business with this administration. Tentative or firm offers of money or other consideration, such as offers of future employment, which are made to influence official action, would, of course, constitute attempted bribery, a Federal criminal offense."

It further states "it is the policy of the General Services Administration that its employees shall be required, as a condition of their employment, to comply with the standards of conduct set below," and "I hereby certify that I have read the complete text of the General Services Administration Standards of Conduct, and that I am familiar with the provisions contained therein."

In his chapter Ethical Conduct in Public Service, Norman J. Powell (Personnel Administration in Government) listed six conclusions that he arrived at after surveying the ethical standard of the Federal Government:

"1. Bureaucratic and legislative ethics are components of the ethical system of the community; public employees and officials will tend to have the same value system as the general population.

"2. The diversity, power, and energy of a democracy's agencies for checking on the public official make it altogether likely that corruption occurs less often and in lesser degree in a democratic society than in one which is totalitarian.

"3. Public standards of ethics are higher than they were in the past and they are higher than in private affairs.

"4. We are all eager to announce our devotion to virtue, but find that in present-day government unethical conduct is only partially a matter of blatant thievery. Often

[34] Arlington County, Va., Citizens Commission on Ethics in Government, report, attachment E, Code of Public Ethics, Arlington, Va., office of the county board August 15, 1952, pp. 3–7; 8–10.

it is difficult to determine when bureaucratic behavior is acceptable and when one or another standard will impair or further the general interest. Modern problems of governmental ethics emerge from the positive role of government in performing acts and making choices that immediately affect intimately the lives and fortunes of people free to influence their governors. For instance, when government makes loans to individuals, both the official and the would-be borrower can easily find themselves in a situation where the correct thing to do is unclear, or personally disadvantageous, or where the wrong thing has strong attractions.

"5. Basic in the effort to deal with unethical conduct are the necessities for highly moral public opinion, competent government organization, effective administration of public finances, and dynamic management. The ultimate factor is the character of the people in the community; their concern with public affairs; and their intelligence in electing able people and checking on their work through pressure groups, the press, and other mass communications mediums, and other avenues.

"6. Confronted with the need to cope with immediate problems, jurisdictions have engaged in activities like setting up codes of ethics or establishing statutory restrictions on employee behavior. In devising agency techniques for promoting appropriate conduct by public officials, it would appear valuable to accentuate the positive by installing and maintaining a good personnel system.[35]

RECEIPT OF GIFTS BY THE PRESIDENTS

Judging by the writings of the period, in particular those of Washington, we can see that the Federalist period, in general, frowned on breakdowns in morality, such as the receipt of gratuities.

In a letter written in 1794 to a Mrs. Matthew Anderson, the President said:

"MADAM: Not before the eighth instant had I the honor to receive your favor of the 17th of May, accompanied with a piece of silk of your own manufacture.

"Contrary as it is to an established maxim of mine, not to accept a present from anyone, yet, considering this as a mark of your peculiar attention to me and as evidence of what our climate, aided by industry, is capable of yielding, I receive, and thank you for this effort of your skill.

"I shall have it made up, and will wear it as a memento of your politeness, having the honor to be your, etc." [36]

In another case Washington returned a set of figurines to the sender:

"The President of the United States presents his compliments to Mr. Ciracchi and with many thanks for his offer of the very elegant figures sent him, begs leave to restore them again to Mr. Ciracchi. His situation calling for uniformity of conduct in these cases, he relies that Mr. Ciracchi will ascribe it in the presence [sic] instance to its true motives, and accept the assurances the President now gives of the high sense he entertains of his talents and merit." [37]

Washington did accept a number of books and seeds for his farm, for example, in a letter of appreciation, he says:

"As I have spent a great part of my life * * * in rural affairs, I am always obliged by receiving such communications or novelties in that way, as may tend to promote the system of husbandry in this country." [38]

An article in a 1789 magazine, the American Museum, stated:

"Good government manifestly depends much more on the goodness of the men who fill the public offices than on the goodness of the form of government, constitution, or even laws of the State; for the errors of all these, under the administration of good men, will be mended or made tolerable, either by the authority of the legislature or favorable construction; but weak and wicked men will pervert the best laws to the purposes of favor or oppression." [39]

Of the Jeffersonians, Leonard D. White, noted public administration historian, says that "the standard of official behavior approved by the Republicans was as laudable as that established by the Federalists."

"Circumstances within government favored sound canons of official ethics. * * * Persons of dubious character were automatically excluded from consideration [for appointment]. Personal integrity was taken as a matter of course. * * * External circumstances also favored high official standards. The pressures on officials were light. The General Government had relatively few contacts with citizens. It dispensed few favors and interfered with no established ways of life. Conversely, citizens had little to ask of government." [40]

Gilson Willets says of the period:

"Huge cheeses were sent to Jefferson and Jackson. But Mr. Jefferson insisted upon paying 50 percent more than the value of the mammoth product of dairy." [41]

Rayner's Life of Jefferson credits him with saying: "When a man considers himself a public trust, he should consider himself as a public property." [42]

The Jacksonians have often been credited with slipshod ethics in government but the record seems to be in conflict. Leonard White says that "President Jackson was annoyed by receiving a present of a lion and two horses from the Emperor of Morocco. He had to ask Congress what to do with these animals, and meanwhile instructed all foreign agents not to receive presents under any circumstances." [43]

Gilson Willets' account of the Jackson administration went as follows:

"President Jackson received so many gifts during his first weeks at the White House that he knew not where to store them, nor what to do with the more perishable of them. A newspaper account printed at the time (1829) says:

" 'The general is not likely to lack stores for the maintenance of the Republican hospitality of the palace. His supplies are daily coming in from every quarter in the shape of voluntary and gratuitous tribute. A great cheese, for instance, has been sent to him from New England; beef from New York; and the Kentuckians, they say, are to send him a whole hog'." [44]

The impression that White leaves his readers is that while the Jacksonians' morality did break down in many areas, particularly in the field offices, there was a very great effort on the part of the top officials to maintain the high standards of ethics that had prevailed under the Federalists and the Republicans. For example, this account of Secretary of the Treasury (and later Chief Justice) Roger B. Taney is illustrative:

"An acquaintance in the New York customhouse sent Secretary of the Treasury Taney two boxes of his favorite cigars. The Secretary insisted on paying for them, writing to his friend, 'You will, perhaps, smile at what you may think my fastidiousness about such a trifle as your cigars. But I have thought it the true rule for a public man, and that it ought to be inflexibly adhered to in every case." [45]

Also note this account of Jackson's Postmaster General:

"More alarming was the practice discovered by Amos Kendall by which purser and navy agents made valuable presents to the clerks who examined their accounts. He promptly forbade such transactions on pain of instant removal.

"Despite much contemporary aspersion, Amos Kendall, fourth auditor and Postmaster General from 1829 to 1840, might well be remembered as the defender of traditional standards of public morality. To him is due the first code of official ethics that has come to attention. In an 1829 circular addressed to his clerks he preached a little sermon on the duties of public officers and laid down a series of rules of conduct. (The code as relates to gifts, states):

" '5. The acceptance of any present or gratuity by any clerk from any person who has business with the office, or suffering such acceptance by any member of his family, will subject any clerk to instant removal'." [46]

The noted historian, Sydney Warren, commented on the Congress in the Jackson era:

"The atmosphere was such that even genuinely patriotic public officials who served their country well did not consider it immoral to use their positions to make some extra income. Daniel Webster of Massachusetts and Henry Clay of Kentucky were retained as attorneys by the Bank of the United States while holding their seats in Congress. Their votes went to support the bank and Webster supplied President Biddle with confidential information about his colleagues. Webster also served his wealthy Boston constituents so well with his advance reports on Government measures and projects that on one occasion he was handed $37,000 so that he would not carry out his threat to retire because he was unable to support himself on his Congressional salary." [47]

John Quincy Adams also was known for his high standards of ethics, witness this story related by L. D. White:

"John Quincy Adams received a gift of soap from a manufacturer exhibiting at a Washington fair. His inclination was to decline the present but his wife, as he put it, shamed him out of that fancy. 'My principle has always been,' he wrote in his diary, 'to refuse all presents offered to me as a public man; but, where the value is very small, I thought it would be ridiculous to make a point upon it. It has not always been easy for me to draw the line of distinction'." [48]

White also says that "President Polk would accept nothing of greater value than a book or a cane, a rule applied also to Mrs. Polk. Buchanan made it an invariable rule as President to accept no gifts of any value even from his intimate friends." [49]

---

[35] Powell, Norman John, Personnel administration in Government, Englewood Cliffs, N. J., Prentice-Hall, Inc., 1956, pp. 126–127.

[36] Washington, George: Writings of, Editor: John C. Fitzpatrick, Washington, U. S. Government Printing Office, 1944, vol. 33, p. 433.

[37] Ibid., vol. 32, p. 43.

[38] Ibid., vol. 32, p. 59.

[39] White, Leonard D., The Federalists, New York, the Macmillan Co., 1948, p. 268.

[40] White, Leonard D., The Jeffersonians, New York, the Macmillan Co., 1951, pp. 411–412.

[41] Willets, Gilson, The Inside Story of the White House, New York, the Christian Herald, 1908, p. 171.

[42] Rayner, B. L., Life of Thomas Jefferson, Boston, Lilly, Wait, Coleman & Holden, 1834, p. 356.

[43] White, Leonard D., The Jacksonians, New York, the Macmillan Co., 1954, p. 432–433.

[44] Willets, Op. cit., p. 173.

[45] White: Jacksonians, Op. cit., p. 433.

[46] Ibid, p. 433–444.

[47] Warren, Sydney, Corruption in Politics, Current History magazine, 1952 volume, p. 69.

[48] White: Jacksonians, *Op. cit.*, p. 433.

[49] Ibid.

Gilson Willets says that "Lincoln accepted many gifts, but Johnson would usually have none of them." [50]

For example, a letter from President Lincoln to a Mrs. A. Wathers in 1861:

"I take great pleasure in acknowledging the receipt of your letter of November 26; and in thanking you for the present by which it was accompanied. A pair of socks, so fine, and soft, and warm could hardly have been manufactured in any other way than the old Kentucky fashion." [51]

In reference to President Grant, Willets says:

"Honors of all kinds were thrust upon General Grant, during and after his term at the White House. While President, he received a carpet from the Sultan of Turkey as well as a silver coffeepot and a number of splendid leopard skins from the dons of Mexico. Meantime the people had given him a house, and had even asked him to accept gifts of money, all this in line with the universal honors that were showered upon him." [52]

Ira R. T. Smith, who was the long-time Chief of Mails in the White House, wrote much about Presidential gift receiving in his book, Dear Mr. President, based on his intimate knowledge. He says that President McKinley "was carfeul about accepting anything more than a crate of oranges or a box of cigars." [53]

Theodore Roosevelt "received many odd gifts, especially canes in the shape of the 'big stick' that he made famous, and his daughter Alice received a trainload of gifts when she was married." [54] Roosevelt was very determined to return all the gifts that he could, however, according to Willets. He did receive, of course, many anonymous gifts that were impossible to return:

"There come to the White House (1908) huge stacks of express packages, these being gifts of every conceivable character, from live guinea pigs to suspenders. 'At last I feel I can afford two pairs of suspenders," said the President (T. Roosevelt) to (his) Secretary when he first saw the suspenders. Yet the suspenders were returned to the donor along with other gifts galore.

" 'The President regrets that he cannot accept the deer head you so kindly sent him, as he is obliged to adhere to his rule to accept no presents. The deer head, therefore, is returned to you today by express.' Such, in substance, is the stereotyped signed by (his Secretary), a dozen or more of similar purport leaving the White House in the mail of every working day." [55]

Smith says that "one of the most-talked-about affairs given by the Tafts was in celebration of their silver wedding anniversary." [56] He adds:

"I have a list of the silver gifts from this country alone that covers 21 typewritten pages, and record more than 300 donors, who sent items ranging from umbrella handles to elaborate tea sets. When everything was counted up, the gifts included 131 silver dishes and bowls, and almost as many vases and pickle forks. It seemed unlikely the Tafts would be able to make use of all of them, but they made a wonderful display of gleaming silver." [57]

As for later Presidents: "Woodrow Wilson and Herbert Hoover were not interested, and did not want, even the most expensive gifts, but Calvin Coolidge kept a close record of all presents, and took many of them home to Vermont when he left the White House. * * * [58]

"F. D. R. received a tremendous assortment of gifts, with canes (because he was crippled) probably the leading item. He took an interest in odd gifts, little carvings, ship models, and trinkets, and littered the place with those that happened to strike his fancy." [59]

Smith continues with this little story of F. D. R.: "The end of prohibition brought one wave of gifts that I well remember. All the manufacturers were eager to get their products publicized, and we were buried under 5-gallon cans of pretzels and bottles of legal beer. Three times a day the express trucks would bring a new load, and I was soon giving pretzels to anybody who would take them. The beer, for the most part, went over to the White House, but Mr. Roosevelt merely admired the freak bottles—some of them holding 10 gallons—and declined to drink any. He had been drinking a home brew that was stirred up by Henry Nesbit, the steward, and he kept right on drinking it after repeal. Said he liked it better." [60]

President Truman, like all Presidents, received many gifts. Smith says that "once when (he) made an offhand remark about his own difficulties in getting white shirts during the war, he was inundated with a flood of white shirts in the next mail." [61]

An article in the U. S. News & World Report entitled "It's Christmas All the Time for United States Presidents," says that "Mr. Eisenhower's presents, on the whole, are more costly than the gifts that either President Truman or President Franklin D. Roosevelt received—even though Mr. Truman was the recipient of a bowling alley and Mr. Roosevelt was mentioned in at least two wills." [62]

The article continues:

"The gifts, in each case, generally center around the Chief Executive's hobbies and avocations. Mr. Roosevelt received many presents for his New York home. And there were presents for Mr. Truman to use in his home in Independence, Mo.

"Mr. Truman, in office, liked music and history. Besides getting the usual food, 10-gallon hats, and peace pipes, that every modern President receives, he got hundreds of records and books.

"Mr. Roosevelt, whose love for the sea was well known, received flotillas of ship models and closets full of yachting caps. He also received thousands of items for his stamp collection. About the only animals among his gifts were pet dogs and a horse.

"People appear to enjoy making gifts to President Eisenhower. Almost all Presidents in the past have received and accepted varied offerings. But gifts to Mr. Eisenhower are attracting more attention and, at times, are tending to be of more monetary value than those given to previous Chief Executives. * * * In general, however, acceptance of gifts by Presidents always has been taken for granted. There is no law that bears on the subject, no fixed standards by which acceptance or rejection of such gifts is measured.

"In the case of officials below the President the rules are more explicit. During the administration of Harry Truman, there was intense criticism inside and outside of Congress when gifts of home freezers, valued at a few hundred dollars, were accepted by some officials. There was much criticism, too, of gifts of mink coats." [63]

The article goes on to tell of the policy on the receipt of gifts at the time of its writing:

"The White House, at this time (1955) has no rigid policy on gifts. There is no limit on the value of a gift the President may receive, although no cash is ever accepted. A White House official, explaining why a President can receive a thousand-dollar gift while a Government employee of lesser rank may be suspect if he receives a $25 ham, says: "The Office of the President is too big to be influenced by any gift." [64]

"The White House, in fact, is always on guard against manufacturers who send gifts and then point out that their products are used by the President. But firms sometimes can get their products accepted by appealing to their local Congressman. The Congressman often will petition the White House. An Eisenhower assistant reports that 'Ike sometimes accepts gifts which he would otherwise refuse, but it is hard to turn down Congressmen who ask him to accept gifts from groups in their districts.'

"As commander of Allied Forces in Europe during World War II, Mr. Eisenhower, then a general of the Army, received a large number of gifts, some of great value. There was, for example, a $100,000 diamond-studded Order of Victory decoration which he received from Soviet Marshal Georgi Zhukov. Then there were anonymous gifts that included 10 Chippendale chairs, a mahogany Hepplewhite table, and a 200-year-old Indian carpet, as well as elaborate jewels and swords.

"Those gifts were transferred by General Eisenhower to the Eisenhower Museum in his home town of Abilene, Kans., along with 2,500 other items." [65]

In summary, Gilson Willets says:

"All the Presidents have been made the recipients of a great number of presents from admirers throughout the country. Not all of such presents have been accepted. Most Presidents have made it a rule to return all gifts received from strangers, on the ground that to accept gifts from utter strangers was to become saddled with obligations which might at some inopportune moment confront a President to his extreme embarrassment." [66]

APPENDIX I.—EXAMPLES OF ENFORCEMENT OF GIFT-GIVING RULES

"Testimony was presented * * * that a former quartermaster at Fort Dix, N. J., had accepted favors of salesmen who did business with the post's commissary. Col. Robert A. Gaw, the former quartermaster, is being tried by Army court-martial on charges of accepting such gifts. * * *

"The * * * reserve officer is accused of having violated Army regulations by having accepted three dinners, two lunches, drinks, a case of canned peaches and admission to a baseball game" (New York Times, October 4, 1956, p. 15).

"The Agriculture Department said today that eight of its employees at Dallas, Tex., had been formally reprimanded for accepting gifts from persons doing business with the Government.

"Two other employees of the Production and Marketing Administration at Dallas received letters of caution. Another, John R. Ball, was cleared of charges that he had accepted gratuities.

"The Department said the service of the eight reprimanded had been otherwise satisfactory. It told them no other action had been taken because 'the acceptance of such

[50] Willets, *Op. cit.*, p. 171.
[51] Lincoln, Abraham, writings of, edited by Roy P. Bosler, New Brunswick (N. J.) Rutgers University Press, vol. 11, p. 57.
[52] Willets, op cit., pp. 172–173.
[53] Smith, Ira R. T., Dear Mr. President, New York, Julien Messner, Inc., 1949, p. 204.
[54] Ibid.
[55] Willets, op. cit., p. 172.
[56] Smith, op. cit., p. 85.
[57] Ibid.
[58] Ibid., p. 204.
[59] Ibid., p. 205.
[60] Ibid., pp. 208–209.
[61] Ibid., p. 207.
[62] U. S. News & World Report, It's Christmas All the Time for United States Presidents, vol. 39, Dec. 16, 1955, pp. 39–41.
[63] Ibid.
[64] Ibid.
[65] Ibid.
[66] Willets, op. cit., p. 171.

gifts and favors as you received was known to and improperly condoned by your official superiors in the Dallas office.'

"The Department told an appropriations subcommittee of the House of Representatives last January that 16 Dallas employees were reported to have accepted gratuities ranging from weekend outings to Bibles, belt buckles and picture calendars.

"The Dallas production and marketing chief and his assistant were subsequently discharged for neglect of duty. Stephen G. Benit resigned during an investigation of charges that he had taken a cash gift of $1,000" (New York Times, April 2, 1952, p. 22).

APPENDIX II

Bills introduced in the 85th Congress, 1st session, relating to changes in the "conflict-of-interest" statutes:

H. R. 249, to require persons who obtain commissions for rendering assistance in the obtaining of Government contracts to register with Congress.

H. R. 257, to revise the laws relating to the claims and services of former employees in matters affecting the Government of the United States. This bill broadens the scope of the statutes by specifying more actions against the United States which fall under the jurisdiction of the act.

S. 1057, to require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities.

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

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

S. 2259, to improve the efficiency of the Government by regulating the outside employment by officers and employees of the departments and agencies of the Government, and for other purposes.

S. 2461, to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government.

S. 2462, to prohibit certain communications with respect to adjudicatory matters pending before Government agencies.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a bill which I introduced early in this session to prohibit the acceptance of gifts and gratuities by Federal officers and employees.

There being no objection, the bill (S. 3306) was ordered to be printed in the RECORD, as follows:

Be it enacted etc., That chapter II of title 18 of the United States Code is amended by adding at the end thereof the following:

"Sec. 224. Offer of gifts by interested persons

"Whoever, being engaged in a business or activity regulated by a department or agency of the United States or any officer, agent, or member of an organization or association of such businesses, or being interested, or engaged in a business or activity which is interested, in any contract, claim, or other matter pending before, or being negotiated with, a department or agency of the United States or to which a department or agency of the United States is a party, makes, or offers or attempts to make, any gift, gratuity, payment, or transfer of money or other thing of value to any officer or employee of such department or agency (other than a payment or transfer which such officer or employee is authorized to receive on behalf of such department or agency in the ordinary course of his business and other than transfers pursuant to purchases or sales made in the ordinary course of business), shall be fined not more than $5,000 and shall be imprisoned not more than one year, or both.

"Sec. 225. Acceptance of gifts by officers or employees

"Whoever, being an officer or employee of a department or agency of the United States, accepts or agrees to accept any gift, gratuity, payment, or transfer of money or other thing of value, the making of which is prohibited by section 224 of this title, shall be fined not more than $5,000 and shall be imprisoned not more than one year, or both."

SEC. 2. The analysis at the beginning of chapter II of title 18 of the United States Code is amended by adding at the end thereof the following new items:

"224. Offer of gifts by interested persons.

"225. Acceptance of gifts by officers or employees."

SEC. 3. Title 47, section 154 (b), of the United States Code is amended by striking the semicolon after the word "employment" in the third sentence of said subsection (b), and inserting in lieu thereof a period. Said subsection (b) is further amended by striking from the third sentence of said subsection (b) the following words: "but this shall not apply to the presentation or delivery of publications or papers for which a reasonable honorarium or compensation may be accepted."

Mr. PROXMIRE. Mr. President, on March 27, 1958, I wrote the chairman of the appropriate committee requesting hearings on this bill. I have received an answer from the chairman of the committee informing me that no hearings are scheduled.

Mr. President, far more experienced and gifted legislators than I recognize that the quintessential guaranty for the passage of any bill is timing. It is barely possible, in view of recent developments in Washington, that the time has come for constructive action on the part of the Senate of the United States to protect the interests of the people of our country by stopping the custom of gift giving, which is beginning seriously to threaten the moral foundations of our Government.

Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

AID TO EDUCATION

Mr. PROXMIRE. Mr. President, there was published in this morning's New York Times an article entitled "Education Bills Are Still Mired—Despite Warnings of Soviet Challenge, Legislation Is Blocked by Disputes."

It seems to me the article underlines the point made earlier by the distinguished Senator from Arkansas [Mr. FULBRIGHT]; that is, it is simply incomprehensible in this day and age, under all the circumstances, that it seems unlikely that the Congress is going to give very serious consideration to a bill for education, when we so earnestly need assistance for education throughout America.

Mr. President, I ask unanimous consent that the article from the New York Times be printed in the RECORD at this point.

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

EDUCATION BILLS ARE STILL MIRED—DESPITE WARNINGS OF SOVIET CHALLENGE LEGISLATION IS BLOCKED BY DISPUTES

(By Bess Furman)

WASHINGTON, June 15.—The dispute over education bills continued today in Congress in the wake of warnings of stiff Soviet competition by an exchange team of United States educators.

The 10-member team, headed by Education Commissioner Lawrence G. Derthick, viewed Russian schools at first hand in 700 miles of travel. Its major reaction was astonishment at the Russians' total commitment to education and their determination to surpass the United States.

Despite the Derthick report, made last week, education legislation stood still in the Senate and only inched forward in the House of Representatives.

COMPROMISE AGREEMENT

House developments last week included the following:

A compromise agreement between Representatives PETER FRELINGHUYSEN, JR., Republican, and FRANK THOMPSON, JR., Democrat, both of New Jersey, on the $1,500,000,000 school construction bill. Their clash on this subject has resulted in the bills being held up by a tie vote in the Education and Labor Committee.

The committee began to consider the $980 million science aid bill sponsored by Representative CARL ELLIOTT, Democrat, of Alabama. It is specially designed to meet the Russian challenge.

A demand by Representative LEE METCALF, Democrat, of Montana, that the General Education Subcommittee report his bill, which calls for $1 billion in general school aid the first year on up to $4 billion the fourth.

Increasing rumors of the subcommittee's possible endorsement of a bill that would hold back for the States 1½ percent of income taxes for school aid. This would increaser later. The funds would be apportioned by the Federal Commissioner of Education on a basis of school population.

In spite of these big-outlay proposals, chances for a Federal appropriation to bring the ailing school system out of its doldrums seemed slight.

OBSTACLES IN PATH

All the proposals apparently had obstacles. The situation on each were as follows:

School construction—the two New Jersey members agreed to make this strictly an antirecession measure. All the money would be used for grants to States for schools ready now to be built, thus stimulating employment. Each State would set up a priority system.

Dropped from the bill, as originally introduced by Mr. THOMPSON, were a bond-purchase program and long-range credit to State school financing agencies. The aim was to streamline it for speed passage.

However, Representative GRAHAM A. BARDEN, committee chairman, has given the science aid bill the right of way, which may mean weeks of committee work. He also

has indicated that the committee may first consider a bill on union welfare funds. Thus, time for a floor vote on school construction this session seemed to be running out.

Science aid: For 38 days 185 witnesses, most of them telling about Russian prowess in science and its threat to the United States, testified on this bill before two education subcommittees, meeting jointly.

The subcommittees then met in closed sessions for 9 days and came out with the bill now under consideration. It involves a compromise between administration and Democratic proposals for a scholarship program; a student loan and counseling program and $60 million annually for science-, mathematics-, and language-teaching equipment.

However, Mr. FRELINGHUYSEN has served notice that he will seek several amendments to the bill. The changes he specified are known to be in keeping with President Eisenhower's own thinking on the bill.

For example, the amendments would reduce the number of scholarships from 25,000 to the 10,000 originally asked by the President. Mr. FRELINGHUYSEN held that with a student loan program in the bill, not so many scholarships could be needed.

One amendment would incorporate a financial means test. He said it was only fair to taxpayers that funds be used for talented pupils whose parents could not afford to pay for their education.

Another amendment would direct scholarships primarily to students excelling in science and mathematics. Mr. FRELINGHUYSEN said he did not see how the legislation could be called a defense measure unless it were keyed to defense subjects.

SENATOR KENNEDY'S OWN EXAMPLE

Mr. HOBLITZELL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Morgantown Post of June 12, 1958, under the heading "Senator Kennedy's Own Example."

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

SENATOR KENNEDY'S OWN EXAMPLE

In urging West Virginians last night to elect two Democratic Senators next fall, Senator KENNEDY, of Massachusetts said they will be needed "to take effective measures against a recession, block undesirable Presidential appointments, and override arbitrary Presidential vetoes" during the last 2 years of President Eisenhower's administration.

Those are, of course, desirable objectives and nobody will find fault with Senator KENNEDY for suggesting their importance.

But since he is already a Member of the Senate and has made a record there which presumably reflects his honest convictions and his considered actions, Senator KENNEDY might have been more convincing if he had told his hearers—

What effective measures against a recession has the Eisenhower administration failed to take which Senator KENNEDY himself favors?

What undesirable Presidential appointments has Senator KENNEDY voted to block?

What arbitrary Presidential vetoes by President Eisenhower has Senator KENNEDY voted to override?

In a hasty check through the Congressional Quarterly Almanac for the years 1953–57, both inclusive, we have been unable to find a single instance in which Senator KENNEDY voted to override any of President Eisenhower's 86 vetoes.

Nor have we been able to turn up a single instance in which Senator KENNEDY voted to block any of the 20,753 appointments which President Eisenhower made in 1953, any of the 45,917 he made in 1954, any of the 40,686 he made in 1955, or any of the 43,487 he made in 1956.

Of the 45,114 appointments which President Eisenhower made in 1957, Senator KENNEDY is recorded as voting against confirmation of Jerome K. Kuykendall as Chairman of the Federal Power Commission, Dr. Don Paarlberg as Assistant Secretary of Agriculture, and Scott McLeod as Ambassador to Ireland.

On the record, it appears that the occasions for Senator KENNEDY to vote against undesirable Presidential appointments have been few and far between, and in each of the instances where he found himself voting against confirmation, the verdict of the Senate was decidedly in favor of confirmation.

SUPPORT AMONG JEWISH GROUPS FOR HUMANE SLAUGHTER LEGISLATION

Mr. NEUBERGER. Mr. President, the Senate Committee on Agriculture and Forestry has before it at this time legislation to outlaw unnecessary cruelty and brutality in the slaughter of animals for food, in the form of H. R. 8308, which has been passed by the House of Representatives, and S. 1497, introduced by the distinguished Senator from Minnesota [Mr. HUMPHREY], and of which I am one of two cosponsors.

This proposed legislation has the support of many persons and groups in our country who believe that the values and the conscience of our society must extend beyond merely economic values to include, also, a humane concern for animals; and who also believe that humane methods of handling animals in our great slaughterhouses are much to be preferred from the point of view of the men who work in this industry.

Much of the work which went into the drafting of this proposed legislation in the House of Representatives, before its passage by that body, was concerned with the legitimate and difficult questions which arise about the relationship of such legislation to religious rules—particularly those of the Jewish religion—with respect to the slaughter of animals. I understand that concern about this relationship is also involved in the consideration of these bills by the Senate Committee on Agriculture and Forestry.

I think it would be unfortunate if, because of such concern, the impression should arise that Jewish groups and organizations in the United States were uniformly opposed to humane slaughter legislation. This is not the case. As a matter of fact, the method of slaughter of animals prescribed by the Jewish religion is recognized to be as humane as can be said about any method of slaughter, as long as our society does not decide to turn to vegetarianism. The basis for the Jewish rules on slaughter is, as a matter of fact, precisely the concern for the moral implications of inflicting pain, and for minimizing this, which is characteristic of the Jewish religion.

This point of view and support for humane slaughter legislation, is illustrated in two editorial comments in recent Jewish publications. One of these is an editorial in the Reconstructionist of February 21, 1958. This publication is the official organ of the Jewish Reconstructionist Society, which was founded in 1940 by the very scholarly Dr. Mordecai M. Kaplan of the Jewish Theological Seminary, and which is dedicated to the advancement and reconstruction of Judaism as a religious civilization, and to the development of the Jewish community in Israel. The other is an editorial essay in the Jewish Spectator for April 1958, written by the editor of that periodical, Dr. Trude Weiss-Rosmarin, which analyzes the significance of humane methods of slaughter for the ethical principles of the Jewish religion.

Mr. President, I ask unanimous consent that the two editorials may be printed in the CONGRESSIONAL RECORD as evidence of the fact that this principle of humaneness in the handling and slaughter of animals, which underlies our bills now before the Senate Committee on Agriculture and Forestry, enjoys wide and earnest support among leaders of Jewish opinion.

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

[From the Reconstructionist of February 21, 1958]

THE HUMANE SLAUGHTER BILL

A humane slaughter bill has recently passed the House of Representatives. It includes an amendment which recognizes the Jewish method of animal slaughter as humane. In its amended form it is satisfactory to Reform Jews and also to many Conservative Jews. Orthodox Jews, however, have opposed the passage of the bill in the House, and, no doubt, will oppose its passage in the Senate on grounds that, from the premises of Orthodoxy, are entirely reasonable. They consider the Jewish ritual of slaughter as divinely ordained. They fear that the passage of the bill may be used as a precedent to legislate against the Jewish method of slaughter, if that should be found to be inhumane. This would contravene the American principle of separation of church and State. In the past, opposition to the Jewish method of slaughter has frequently been used to demonstrate the cruelty and inhumanity of the Jews. It was so used by Hitler and other anti-Semites, and there is ground to fear that other than humane considerations may prompt some Christians to advocate the abolition of Jewish shehita.

If it were scientifically and objectively demonstrated that the Jewish method of slaughter was less humane than alternative methods, all Jews who do not believe that method to be divinely ordained would have to urge some departure from tradition. They could do this in all good conscience, inasmuch as the avoidance of zaar baale hayyim (cruelty to animals) is itself a principle of Jewish tradition. Many of the Jewish regulations for the slaughter of animals are motivated by the desire to spare them as much pain as possible.

That is why the bill as amended satisfied us as well as the Reform group. Since we hold ethical considerations to be paramount above purely ritual regulations, we feel that Congress is within its rights in insisting on humane slaughter. However, unless and until it is definitely established that some other method of slaughter is more humane than the Jewish, we shall continue to insist that Congress shall not interfere with the Jewish method. Since the present bill does not propose such interference, however, we approve of its passage, also by the Senate, and its eventual enactment as law.

[From the Jewish Spectator of April 1958]

COMMENTS AND OPINIONS

(By Trude Weiss-Rosmarin)

THE ETHICS OF RITUAL SLAUGHTER

Humane slaughter is on the agenda of the House of Representatives with a view to passing on Poage bill, H. R. 8308, sponsored by several humane societies. The bill calls for legislation so that slaughter shall be carried out by the most humane practicable methods. As humane slaughter legislation, in Europe, was usually a threat to shehitah—Jewish ritual slaughter, American Jewish organizations, in anticipation of objections against shehitah, should only one method of humane slaughter be approved, made united and successful efforts, in Washington, to secure a ruling on shehitah as an indubitally humane method of slaughter. The amended Poage bill acknowledges that shehitah is humane and so it will not be effected by any legislation Congress may pass.

Judaism is fully in accord with efforts and legislation aiming at reducing the pain and anguish of animals needed for sustaining human life. The Jews were first among all civilized nations to provide legal safeguards for the protection of animals and to evolve an ethics of respect for life which places tender mercy for animals and provisions to spare them suffering (tza'ar ba'alei hayim) on the same level with the ethical duty of practicing tender mercy in the human realm. In point of fact, Jewish folk language uses the term tza'ar ba'alei hayim—the suffering of living creatures—for the pain and agony of animals as well as of human beings.

The Pentateuchal law includes many provisions for the welfare of the domestic animals. The Ten Commandments decree that they, too, are to enjoy the Sabbath rest. Other laws provide that they shall not be worked beyond their strength and that their natural desire for the food they see be gratified. Thus the Torah prohibits the yoking together of animals of different species and strength, such as an ox and a donkey, and the muzzling of the ox which is used for treading the corn. Animals, according to the Jewish view, are not objects but subjects. They cannot be used or regarded as one would use or regard inanimate things. They have a life of their own. This is why the Torah commands that a quarrel one may have with an animal's owner must not be permitted to interfere with one's sympathy for his beast: "If thou meet thine enemy's ox or his ass going astray, thou shalt surely bring it back to him again. If thou see the ass of him that hateth thee lying under its burden, thou shalt forbear to pass by him; thou shalt surely release it with him."

Jewish law recognizes, however, that the human economy requires the killing of animals. Judaism is realistic. It respects the law of nature which decrees that the strong shall feed on the weak and that "the natural diet of man consists of vegetables and meat," as Maimonides put it. Animals which are required for food must be killed. However, as Maimonides continued in his remarks on the dietary laws, "the Torah commands that one should choose the easiest death for the animal. It is not permitted to torment the animal by cutting its throat in a clumsy manner, by polleaxing, or by cutting off a limb while the animal is alive. Further, it is forbidden to kill an animal and its young on the same day, lest the young be killed within sight of the mother. The pain of animals in this case is very severe. There is no difference in this case between the suffering of man and the suffering of animals, since the love and tenderness of the mother for her young ones is grounded in emotion, not in reason, and emotion moves not only man but also animals."

Biblical law also prohibits the plundering of birds' nests. "If a bird's nest chances to be before thee in the way, in any tree or on the ground, with young ones or eggs, and the dam sitting upon the young or upon the eggs, thou shalt not take the dam with the young; thou shalt in any wise let the dam go, but the young thou mayest take unto thyself; that it may be well with thee, and that thou mayest prolong thy days." Maimonides explained that the motivation of this law is to spare the mother bird the sorrow of being robbed of her young ones within sight. Moreover, he held that this law altogether militates against the plundering of birds' nests. "In most cases," he stated, "the commandment will cause man to leave the whole nest untouched, because that what he is allowed to take (the fledgling birds or the eggs) is unfit for food."

Judaism is too realistic to advocate vegetarianism. At the same time, however, it is not happy with man's need of animal meat and skins. This is evident from the fact that the special benediction (shehecheyanu) for new articles of clothings, is suspended in the case of shoes and furs. Judaism realistically acknowledges that the human economy requires that animals be put to death, but it accepts this need with a heavy heart, while at the same time legislating for the utmost protection of the sensitivities of the animals that must be killed for sustaining human life.

This humane concern is at the root of the proliferation of the laws connected with Shechitah which, one and all, aim at reducing the suffering of the animals in the process of slaughtering. There is a virtual unanimity among non-Jewish scientists that Shechitah is the most humane form of slaughter thus far developed. It renders the animal unconscious in less time than any other method by inducing the instantaneous disruption of blood supply to the brain. It is a fool-proof method, unlike stunning, which is a hit-or-miss method, as Shakespeare already knew when he wrote, in Henry VI:

"Thou dost then wrong me, as that slaughterer doth,
"Which giveth many wounds when one will kill."

Many Jewish laws pertaining to the slaughtering knife, which must be flawlessly sharp and without the slightest indenture, and the slaughtering proper, which must be executed in one stroke and without any pressure, have elicited for Shechitah such testimonials as that of Prof. Lovat Evans, the distinguished London University physiologist, who, in 1929, wrote in the London Jewish Chronicle: "I should be happy to think that my own end were likely to be as swift and painless as the end of these cattle killed in this way undoubtedly is." It was for this reason that embattled Jews in the Middle Ages, when faced with certain death at the hands of the Crusaders, chose to die as martyrs by Shechitah. Many medieval martyrologies record that when there was no other way of escape, the men performed Shechitah on their women and children, before themselves escaping into the freedom of death.

In view of the laudable concern of the human societies for merciful slaughter, it is amazing that the entire area of the cruel sporting destruction of animal life is totally disregarded. What restrictions there are on hunting and fishing were not enacted out of humane considerations but for insuring the survival of the various species of game animals. Judaism, however, extends humane concern also to the animals of the field and the fish of the streams. It castigates as cruelty hunting and fishing for the sake of sport and permits the trapping of wild animals and fish only in the pursuit of one's livelihood. It has been pointed out that while fishing is frequently mentioned in the Hebrew Bible, there are only references to fishing nets but none to fishing rods and hooks. Apparently the cruel sport of fishing with the rod was not practiced in ancient Israel.

Jewish ethical literature abounds in homilies and admonitions designed to inculcate humaneness to animals. The Talmud has it that Moses was chosen as the leader of his people because he showed profound pity for a thirsty lamb which had strayed from the flock. Similarly, David's election for the throne was credited to his tender mercies for his flock when he was still a shepherd. The book of Proverbs points to tender regard for his domestic animals as a characteristic of the Tzaddik (pietist) and the Talmud, therefore, sets down the rule that one must not eat before feeding one's animals. Indeed, animals must be killed to provide for basic human needs—but, at the same time, one must not deny pity to the victims. According to the Talmud, the great Rabbi Judah Hanasi, the editor of the Mishnah, was stricken with a toothache for 13 years because he told a calf which was led to the slaughter and escaped to seek protection by his side, "for this purpose you were created."

Humaneness to animals was placed on the agenda of the Western World only in the last century and, significantly, by a Jew. He was Lewis Gompertz, a versatile inventor who devoted his life to advancing the cause of humane treatment of animals. His book, Moral Enquiries Concerning the Situation of Men and Brutes, published in 1824, led to the organization of the Royal Society for the Prevention of Cruelty to Animals, the first humane society. Although Gompertz was largely responsible for the founding of the society, he was compelled to resign after a few years because his book was attacked as being opposed to Christian principles, such as Paul's rhetorical question, "Doth God care for oxen?" in his polemics against the Pentateuchal law, "Thou shalt not muzzle the ox when he treadeth out the corn." Gompertz's later writings and the Animals' Friend Society which he organized, after being forced to resign from the R. S. P. C. A., have supplied the main inspiration for all present-day humane societies.

In the Jewish scheme, Shechitah is not an isolated phenomenon. It is one aspect of the Jewish ethics of humaneness which is founded on respect and reverence for life in all its manifestations. Judaism is guided by the reflection that since God's tender mercies are extended to all creatures, it behooves man to prove himself worthy of being created in the image of God by being merciful to all in whom the breath of life is manifest.

Jews are merciful descendants of merciful ancestors (rachmanim benei rachmanim) not only in their relations with men but also in their conduct toward animals. We are gratified therefore to note that the tender concern for the welfare of animals which has shaped Jewish law and life for millenniums is now agitating also those who follow other religious traditions. By all means, let Congress adopt legislation to insure humane slaughter—but the Members of the House should be mindful of the fact that the very motivation of the bill recommending humane slaughter stems from the Jewish tradition.

EDUCATION INSIDE THE SOVIET UNION

Mr. CLARK. Mr. President, in the CONGRESSIONAL RECORD of last Friday the distinguished senior Senator from Wis-

consin [Mr. WILEY] had printed by unanimous consent a splendid speech by Lawrence G. Derthick, United States Commissioner of Education, on the subject of the Russian Race for Knowledge. I hope this speech will play some small part in recreating the sense of urgency, the lack of which I have had occasion to point out on this floor recently.

My good friend the Senator from Wisconsin pointed out the need for much more energy and money in the field of education, in order to win the cold war and the fight against communism. I regret that he did not mention the need for Federal aid to education, but merely confined himself to a discussion of the need for better use of our schools, colleges, and universities, and for efforts in this field in every town, city, and State.

It seems to me that the vital need is for Federal aid. That need was emphasized again by a book recently published by a distinguished former Member of this body, former Senator William Benton, of Connecticut.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of a review of that book which was published in the New York Times book-review section of yesterday.

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

THE NATURE OF A THREAT EXAMINED

(By Harrison E. Salisbury)

If, over the next decade or two, the Soviet Union manages to beat us in scientific development, advanced technology, and industrial productivity, she almost certainly will achieve world leadership. This would follow for the simple reason that modern military power constitutes a compound of science, technology, and industrial productivity. When Nikita S. Khrushchev proposes that the United States and Russia meet in peaceful competition what he means is a peaceful competition which could end with the collapse of the loser's system of economy, government, and politics.

Since the launching of the first Soviet sputniks last autumn an increasing number of American citizens have begun to perceive the implications of the enormous advances of Soviet technology. There has been mounting concern about the possibility that the United States might lose its substantial margin of technological superiority over Russia and there has been deepening interest in how Moscow achieved her successes and what factors underlay them.

Such is the nature of the Soviet threat and the American reaction as seen by former United States Senator William Benton of Connecticut in This Is the Challenge. Two and a half years ago Mr. Benton visited the Soviet Union. As John Gunther remarks in his introduction to Mr. Benton's book, "it was a journey with a purpose." Mr. Benton is a man with a bulging bump of curiosity. He also happens to have special interests in education, propaganda, and governmental techniques. Before going to the Soviet Union he did his homework. He spent months reading background literature and consulting available authorities. By the time he actually went to Russia, late in 1955, he had outlined a field of inquiry, he knew what he wanted to find out, whom he wanted to talk to and what questions to ask.

By the time he returned to the United States Mr. Benton was loaded with revealing and significant information on Soviet education, science, information techniques, ideological methods, press and radio practices and, most important of all, what impact all these were having on the Soviet people what direction future developments were likely to take.

Almost 2 years before the sputnik Mr. Benton began to give the facts to the American people about the enormous impetus and breathtaking scope of the expanding Soviet program for training skilled technicians and advanced scientists. He was not the first man to investigate the Soviet education system and report that it was not, as many Americans thought, merely a device for indoctrinating Communists but a means of equipping the present generation of Russians to make technological advances to new and undreamed-of heights. But if not the first, Mr. Benton was certainly the most articulate.

This Is the Challenge is not a book in the conventional sense. It is a collection of the articles and speeches which Mr. Benton has made, mostly on the subject of Soviet education, since his return from Moscow. It also includes a fascinating series of memoranda which he dictated on the spot in Moscow after his conversations with Vyacheslav Yelutin, Minister of Higher Education; Ivan Kairov, Minister of Education; Nikolai G. Palgunov, director of the Tass News Agency; Constantin A. Gubin, editor of Izvestia; the editors of the Great Soviet Encyclopedia (in which Mr. Benton had a professional interest since he is the publisher of the Encyclopaedia Britannica) and a number of others.

It is too bad that Mr. Benton has not had time to recast his lectures, speeches, and memoranda into a cohesive and comprehensive account of his remarkable Soviet explorations and observations. But even in the present form they constitute perhaps the best statement yet made of the nature of the real threat which Soviet Russia poses to the United States and our democratic capitalist system. The Nation is indebted to Mr. Benton for his foresight, determination, and energy in cutting through not only Soviet redtape but American preconceptions and prejudices to get to the heart of a vital question.

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

Mr. CLARK. I shall be glad to yield in a moment.

I have been pretty discouraged about the attitude of the administration toward the need for so many things which have to be done in our country. Last night, in order to take my mind off such subjects, I turned to the great English poets. I happened to turn to a famous poem entitled "The Lotos-Eaters," by Alfred Lord Tennyson. Some of the text of that great poem is so pertinent to the attitude of the Eisenhower administration to the critical problems which confront us that I undertook to have certain excerpts typed.

I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks excerpts from Tennyson's Lotos-Eaters.

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

EXCERPTS—TENNYSON'S THE LOTOS-EATERS

Let us alone. Time driveth onward fast,
And in a little while our lips are dumb.
Let us alone. What is it that will last?
All things are taken from us, and become
Portions and parcels of the dreadful past.
Let us alone. What pleasure can we have
To war with evil? Is there any peace
In ever climbing up the climbing wave?
All things have rest, and ripen toward the grave
In silence—ripen, fall and cease:
Give us long rest or death, dark death, or dreamful ease.

We have had enough of action, and of motion we,
Roll'd to starboard, roll'd to larboard, when the surge was seething free,
Where the wallowing monster spouted his foam-fountains in the sea.
Let us swear an oath, and keep it with an equal mind,
In the hollow Lotos-land to live and lie reclined.
On the hills like gods together, careless of mankind.

Surely, surely, slumber is more sweet than toil, the shore
Than labor in the deep mid-ocean, wind and wave and oar;
O' rest ye, brother mariners, we will not wander more.

Mr. CLARK. I shall not read all the excerpts. I read these few lines:

Let us alone. Time driveth onward fast,
And in a little while our lips are dumb.

* * * * *

We have had enough of action, and of motion we,
Roll'd to starboard, roll'd to larboard, when the surge was seething free,
Where the wallowing monster spouted his foam-fountains in the sea.
Let us swear an oath, and keep it with an equal mind,
In the hollow Lotos-land to live and lie reclined.
On the hills like gods together, careless of mankind.

I am happy now to yield to the Senator from Oregon.

Mr. NEUBERGER. I hesitate to intrude my own poor comments after the Senator from Pennsylvania has included anything by such an eminent scholar and literary genius as Alfred Lord Tennyson. However, if a cat can look at a king, I suppose I can follow Alfred Lord Tennyson.

I wish to associate myself with the remarks of the Senator from Pennsylvania regarding the very able address delivered by Commissioner of Education L. G. Derthick regarding education in the Soviet Union. In my opinion, Commissioner Lawrence Derthick is one of the outstanding appointments in this administration. He ranks with Chief Justice Earl Warren.

The people of my State regard Commissioner Derthick as a friend of education generally, and particularly of the grade and high schools.

I associate myself with what the Senator from Pennsylvania has said about the urgent need—perhaps the primary need—for Federal aid to the schools of this country. If we adjourn without providing direct assistance for classroom construction and for teachers' salaries, I believe we shall have adjourned without completing our job.

Mr. CLARK. I thank my friend for his pertinent comments. I associate myself completely with his remarks.

THE LABOR BOSSES—AMERICA'S THIRD PARTY

Mr. GOLDWATER. Mr. President, the American system of government has proven to be the most effective system in all the annals of human history. The secret of its phenomenal success is the inherent safeguards which guarantee complete independence to our three coequal branches and the checks and balances which the Constitution imposes on each separate branch. This system of checks and balances insures that no single branch of the Government—neither the legislative, the executive, nor the judicial—shall arrogate to itself unwarranted power over the other two.

This profoundly simple but completely effective system of checks and balances is not only basic to our governmental structure but interwoven throughout the American social fabric. The American people have never failed to assert themselves when concentrated power of any kind has threatened their basic freedoms.

In days long since past, vested interests in the business world sought to achieve power through financial manipulation and other devious maneuvers. Reflecting the will of the electorate, Congress took decisive action. Laws were passed which precluded the concentration of power in the hands of a minority.

Today we are faced with a similar situation. Unbridled power rests in the hands of a few ambitious men. It is incumbent upon the Senate at this time to act as decisively as it has in the past in a like situation.

There has been much talk, Mr. President, about a middle-of-the-road labor bill, a moderate labor bill, a labor bill which does not punish the unions being the only kind of legislation which will be fair and just. Strangely, in all this talk about the necessity of moderate legislation, I have heard little concern about the public interest, or about the rights of individual union members. I say that the primary objective of any legislation affecting labor which is passed by this body should be the public interest and the rights of individual union members. There is no dearth of evidence attesting to the flagrant abuse which a certain small group of labor leaders have heaped upon the public. There is no dearth of evidence attesting to the wanton disregard of a certain few labor leaders for the fundamental rights of individual union members.

For nearly a year and a half the American public has been alternately shocked, revolted, and amazed at the revelations which were developed daily by the McClellan subcommittee. Without a doubt, the most shocking evidence to be brought out in these hearings was the activities of the leaders of the United Auto Workers union in the Kohler strike in Kohler, Wis., and the Perfect Circle strike in Hagerstown, Ind. Members of the McClellan subcommittee were treated during the course of these particular hearings to admissions by the top leadership of the UAW which would be unbelievable if not freely admitted to by the witnesses.

The staff of the Republican Policy Committee has prepared an analysis of the Kohler and Perfect Circle hearings. From the testimony of top UAW officials this analysis shows beyond any preadventure of doubt that the unchecked power enjoyed by the labor bosses has been responsible for one of the blackest chapters in American history.

The committee heard of fatal beatings, of the sadistic mutilation of animals, of mob violence, of wholesale smearing, and character assassination, of complete disregard for established law, and of the intimidation of entire communities by the labor bosses. This is not my partisan opinion, Mr. President; the facts are set forth in the hearings. The record has been established. This first section of the policy committee report to which I have alluded graphically illustrates the extent of the raw power and legal immunities enjoyed by the labor bosses today. The second part of the report shows what the labor bosses have done, are doing, and propose to do with this power. They have long since given up, it seems to me, the legitimate activity of laboring for better working conditions, higher pay, and a more comfortable life for their multitude of members. They plan now to use their power in the political arena, not primarily to benefit labor, but to impose their particular brand of government on the American people. And, I might say parenthetically, their particular brand of government has no respect whatever for the checks and balances principle which in less than 200 years has given more freedom and greater dignity to the American people than has any other system ever devised.

Their particular brand of government, Mr. President, would undo in short order everything that the traditional American system has accomplished in the last century and a half.

Again, Mr. President, this is not merely my partisan opinion. This report cites chapter and verse of the evidence substantiating this claim. An actual court case is summarized in the second part of this report in which it was proved beyond a reasonable doubt that labor bosses, contrary to the will of their members, spent dues money in national elections to promote candidates which they could count on to do their bidding. It also shows that the plans of the labor bosses for the immediate future are ambitious indeed. The report shows the purge list that the labor bosses have drawn up for the 1958 elections. Virtually every Republican Senator who is up for reelection this year will feel the full force of this unbridled power. I have no illusions whatever about the task which lies ahead of me. This is one of the reasons, Mr. President, that I want this report to be given the wide circulation it deserves. The American people should know the caliber, power, and the ruthlessness of the handful of men who are going to attempt to capture the 1958 elections. I ask unanimous consent, Mr. President, to have printed in the RECORD at this point in my remarks the Republican Policy Committee report to which I have been referring. I commend it to the attention of my colleagues on both sides of the aisle.

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

THE LABOR BOSSES—AMERICA'S THIRD PARTY

FOREWORD

Two highly significant statements concerning the immediate future of American politics have been made in the last decade. If an apathetic citizenry refuses to face up to their realities or allows them to be merely relegated to the dustbins of history, a major threat to our traditional two-party system will have been allowed to reach proportions defying effective opposition. Then will the United States be faced with the grim prospect of a virtual one-party political system controlled by the labor bosses.

The first statement—graphically illustrating the power of the labor bosses—was made by the late Democratic Vice President Alben W. Barkley.

During the course of the 1952 Democratic Party Convention he declared:

"Since arriving in Chicago I have learned that certain self-anointed political labor leaders have taken upon themselves to announce their opposition to me as a Democratic nominee for President. They have admitted to me that weeks ago they committed themselves to a program and to candidates other than myself which would give them greater control of the machinery and policies of the Democratic Party." [1]

In short, the labor bosses make or break candidates in the Democratic Party.

The second statement was made by a labor boss—Louis Hollander, president of the New York State CIO in 1955—before the February 1955 CIO Transport Workers Convention. He predicted a complete realinement in American politics in the next 5 to 10 years, and added:

"I believe that we can force the reactionaries of both old parties to form their own third party. Then labor can sit down and rebuild one of the two remaining parties, supporting the liberals who stay on." [2]

Thus, the hold of the labor bosses on the Democratic Party has, for all practical purposes, rendered responsible Democratic leadership virtually impotent. And, it is equally apparent from Mr. Hollander's statement that the ultimate goal of the labor bosses is not merely to take over the Democratic Party, but to eliminate it—along with the Republican Party—as a decisive force in American politics.

That the labor bosses do not hesitate to consolidate their power in a high-handed fashion completely alien to accepted American standards is not mere partisan speculation; it has been revealed by their own spokesmen before a duly authorized senatorial investigating committee.

The hearings on the United Auto Workers' strikes against the Kohler Co., of Kohler, Wis., and the Perfect Circle Corp. in Hagerstown, Ind., provide, perhaps, the most graphic example of these high-handed tactics of the labor bosses—tactics involving violence, disregard for the law, and wholesale intimidation.

Part 1 of this report is a critical analysis of these hearings as conducted by the Senate Select Committee on Improper Activities in the Labor or Management Field from February 26 to April 1, 1958.

Part 2 critically analyzes the most highly organized and most adequately financed political action operation in the United States today—a political action task force completely dominated and controlled by the labor bosses and financed in part by the dues money of individual union members. This operation is an outgrowth of the defunct CIO Political Action Committee and the AFL

[1] Chicago Daily Tribune, July 22, 1952, p. 2.

[2] The New York Times, February 15, 1955, p. 1.

Labor's League for Political Education. When the AFL and the CIO merged in December 1955, the political action committees of the two organizations also joined forces. The hybrid group became COPE—the AFL–CIO Committee on Political Education.

The finances of COPE are supposed to be derived entirely from voluntary sources. Besides subsidizing a nationwide propaganda offensive dictated by the labor bosses, these funds enable COPE to operate like a well-greased political machine in all elections. Raymond Moley, an associate editor of Newsweek, described the operation of COPE in California as follows:

"COPE organizers came into the (11th California) District well in advance of the 1956 primary, made sure that all union members and their wives and families were properly registered. Then (with checkoff lists) they saw to it that these people got out and voted in the primary. These COPE workers continued to work in the period between the primary and the election.

"They received propaganda from national headquarter and blanketed the District with it. They took (John J. McFall, the Democratic candidate) in hand and coached him in the art of making speeches and in writing statements and letters. Following the minute specifications in the COPE's 'How To Win' manual, they organized every precinct down to the smallest detail. On election day the cars rolled, the babysitters sat, the poll watchers watched, the telephone workers telephoned and when the returns were in, the 11th District had been COPEtivated—organized labor had another Congressman on its list of favorites." [3]

The purpose of this analysis of COPE activities is to determine, insofar as is possible, whether such activity by the labor bosses is in the best interests of free elections and if regulatory legislation is needed. Or, indeed, if the activities of COPE can be construed as a proper subject for regulatory legislation.

Part 3 of this report is a tabulation of the political spending which the principal labor political organizations say they made during the 1956 elections. The tabulation is taken from the reports filed with the Clerk of the House of Representatives as required by the Federal Corrupt Practices Act.

PART 1. THE UNITED AUTO WORKERS' UNION—ITS IRRESPONSIBLE LEADERSHIP

The United Automobile, Aircraft, and Agricultural Implement Workers Union of America—commonly called the United Auto Workers—is the country's most powerful and politically active union. Its rank and file membership is made up of a vast majority of men and women of unimpeachable integrity.

However, during the hearings conducted on the UAW strikes against the Kohler Co., Kohler, Wis., and the Perfect Circle Corp., Hagerstown, Ind., the total irresponsibility of the UAW leadership was vividly highlighted. These hearings, conducted by the Senate Select Committee on Improper Activities in the Labor or Management Field, brought to light at least six major transgressions directly attributable to the UAW leadership.

They are:

1. The Kohler and Perfect Circle strikes were directed, fully supported—financially and otherwise—and carried on in all their aspects with the full knowledge and consent of the labor bosses in Detroit.

2. One of the main tactics of the labor bosses in the conduct of these strikes was to arbitrarily deny to individual laborers and employers their fundamental legal rights.

3. Violence and threats of violence—as well as overt acts of vengeance, force, and intimidation—were employed in the strikes with the full knowledge and passive approval of the labor bosses. Violence was dispensed with only when employers completely capitulated to their demands.

4. Professional thugs have terrorized both employers and individual laborers during the strikes with the implied, if not actual, approval of the labor bosses.

5. Boycotts were employed by the labor bosses during the strikes not for the legitimate purposes of bringing about a speedy settlement of the strikes, but as a punitive measure designed to intimidate those who disagreed with them.

6. Villification and character assassination of public officials who have disagreed with them has been a vital part of the overall strategy of the labor bosses in the conduct of the strikes.

The ensuing pages of this section are devoted to a more detailed analysis of these six specific transgressions of the UAW leadership.

1. The Kohler and Perfect Circle strikes were directed, fully supported—financially and otherwise—and carried on in all their aspects with the full knowledge and consent of the labor bosses in Detroit: One of the interesting developments of the Select Committee hearings was the attempt by the labor bosses to disclaim responsibility for the Kohler and Perfect Circle strikes. They tried to shift the blame for these bitter labor disputes—with all their excesses, illegalities, and mistakes—to the rank and file membership in the local communities.

For instance, Emil Mazey, secretary-treasurer of the UAW International, said that:

"An impression has been left or tried to be created here, that the Kohler strike was the result of activities of outside influences, of people from the city of Detroit. I want to state right from the very beginning that the Kohler strike was of the Kohler workers, by the Kohler workers, and for the benefit of the Kohler workers.

"The people that appeared in Sheboygan, Wis., including myself—I appeared there on numerous occasions—were there to assist the Kohler workers in negotiations, to assist them in the strike assistance program, and assist them in conducting an orderly and peaceful strike" (vol. 7, pp. 1371–1372).

The testimony of the international representatives, however—including Mazey, himself—not only reveals that they preempted the responsibilities of local union officials, but must bear the lion's share of the blame for the worst aspects of the strikes.

Herewith the evidence.

(NOTE.—All excerpts of testimony are taken from the stenographic transcripts of the hearings prepared by the Alderson Reporting Co., 306 Ninth Street NW., Washington, D. C. References apply to volume and page number.)

A. Testimony of Allen Grasskamp, president of Local 833, UAW, Kohler, Wis.

"Senator [IRVING M.] IVES. * * * Were there any pickets on that line that were not members of the union, that were not in the company or had not been in the company, had not been working in the company?

"Mr. GRASSKAMP. We had a few people.

"Senator IVES. Outsiders?

"Mr. GRASSKAMP. No; I do not call them outsiders.

"Senator IVES. What do you mean?

"Mr. GRASSKAMP. They were international representatives of the international union.

* * * * *

"Senator IVES. How many so-called outsiders of these international organizers or people did you have there all told?

"Mr. GRASSKAMP. The most I can recall would be somewhere between 12 and 15.

* * * * *

"Senator [CARL T.] CURTIS. What were their names?

"Mr. GRASSKAMP. Guy Barber.

"Senator CURTIS. Where was he from?

"Mr. GRASSKAMP. Chrysler, local 7.

* * * * *

"There was James Fiore.

"Senator CURTIS. Where was he from?

"Mr. GRASSKAMP. I think local 212.

"Senator CURTIS. Who else?

"Mr. GRASSKAMP. There was William Vinson from local 212.

* * * * *

"Senator CURTIS. Where is that?

"Mr. GRASSKAMP. The Briggs local, a Kohler competitor, the Briggs Manufacturing Co.

"Senator CURTIS. Who else?

"Mr. GRASSKAMP. John Gunaca.

"Senator CURTIS. Where was he from?

"Mr. GRASSKAMP. Local 212, the Briggs Co. [in Detroit, Mich.].

* * * * *

"Senator CURTIS. Who else was on this picket line who were international representatives?

"Mr. GRASSKAMP. Well, there was Raymond Majerus, who was region 10 international representative.

"Senator CURTIS. Where was he from?

"Mr. GRASSKAMP. Region 10, originally a Kohler worker, discharged in 1952.

* * * * *

"Senator CURTIS. Who else? Was there a Mr. Ferrazza there?

* * * * *

"Mr. GRASSKAMP. He was there participating in the negotiations and is the administrative assistant to Emil Mazey.

"Senator CURTIS. Where is he from?

"Mr. GRASSKAMP. He is from Emil Mazey's office in Detroit.

"Senator CURTIS. Do you think of any others?

"Mr. GRASSKAMP. Donald Rand * * * was there.

"Senator CURTIS. From where?

"Mr. GRASSKAMP. He was out of the Detroit office.

* * * * *

"Senator CURTIS. Was there a Mr. Burns there?

"Mr. GRASSKAMP. Joseph Burns; yes.

* * * * *

"Senator CURTIS. Where did he live?

* * * * *

"Mr. GRASSKAMP. Well, he was staying in Sheboygan but his home was in Detroit, Mich.

"Senator CURTIS. Was there a Mr. Stallons?

"Mr. GRASSKAMP. Stallons, yes. A Mr. Stallons was there.

"Senator CURTIS. Who is he?

"Mr. GRASSKAMP. To my knowledge he is just a worker from local 72 in Kenosha [Wis.].

* * * * *

"Senator CURTIS. Was there a Mr. Prested there?

"Mr. GRASSKAMP. Danny Prested was there a short time, right at the beginning of the strike, yes.

"Senator CURTIS. Where was he from?

* * * * *

"Mr. GRASSKAMP. I do not know. I think his home was in Michigan.

* * * * *

"Senator CURTIS. Was there a Mr. Carpenter there?

"Mr. GRASSKAMP. Clayton Carpenter is the international representative of region 10.

"Senator CURTIS. Where does he live?

Mr. GRASSKAMP. I am not sure, but I think at the time he was stationed in Milwaukee * * *"

* * * * *

"Senator CURTIS. Was there a Mr. Kitzman?

"Mr. GRASSKAMP. Harvey Kitzman is the regional director for region 10, of which local 833 is in that region.

[3] Human Events, November 30, 1957, article section.

"Senator CURTIS. Where did he live?

"Mr. GRASSKAMP. He lived in Racine, at the time, but his office was in Milwaukee.

"Senator CURTIS. Was there a Mr. Sahorske?"

* * * * *

"Mr. GRASSKAMP. Frank Sahorske was an international representative that assisted local 833 during the term of the first contract and in the early negotiations he was present.

"Senator CURTIS. Where did he live?

"Mr. GRASSKAMP. He was the assistant director at that time, and his home was in Racine, Wis.

"Senator CURTIS. Was there a Mr. Land there?

"Mr. GRASSKAMP. I know a Mr. Boyce Land, who was up there for a short period of time * * * I would say a week or 10 days.

"Senator CURTIS. And who was he?

"Mr. GRASSKAMP. So far as I know, he was a member of local 212, the Briggs Co.

* * * * *

"Senator CURTIS. Was there a Mr. Wallich there?

* * * * *

"Mr. GRASSKAMP. Frank Wallich came up there just periodically, because he was with the publicity department.

"Senator CURTIS. And where did he live?

"Mr. GRASSKAMP. He lived in Milwaukee, Wis.

* * * * *

"Senator CURTIS. Were those men there the morning the mass picketing started?

"Mr. GRASSKAMP. No; I don't think they were all there the morning the mass picketing started.

"Senator CURTIS. But some of them were?

"Mr. GRASSKAMP. Some of the international representatives from region 10 were there; yes.

"Senator CURTIS. Who do you recall was there that morning?

"Mr. GRASSKAMP. Well, I recall that specific morning, the regional director, Harvey Kitzman; the assistant director, Frank Sahorske; Raymond Majerus; Jesse Ferrazza * * * Donald Rand. That is all I can say that were there specifically that morning." (Vol. 1, pp. 12–22).

B. Testimony of John Konec, former chief steward, UAW Local 833, Kohler, Wis.

(Konec's testimony not only corroborated Grasskamp's in that he identified the same International representatives as the latter, but he identified two additional outsiders. His testimony also revealed that the International must have been fully aware of the manner in which the strike was being conducted.)

"Mr. [Chief Counsel ROBERT] KENNEDY. Were there international organizers, international representatives of the UAW present at the time the picketing began?

"Mr. KONEC. Yes.

"Mr. KENNEDY. They were your superiors, were they not? You would take instructions from them if they had anything to say?

"Mr. KONEC. Well, they would make suggestions. I would not say I took instructions from them.

"Mr. KENNEDY. They were well aware of the fact that during the time of the picketing, that there was mass picketing going on, and that the nonstrikers were unable to get into the plant, were they not?

"They were aware of that fact?

"Mr. KONEC. On April 5 and 6, I don't remember seeing any non-strikers there.

"Mr. KENNEDY. Let's take it for a few days after that, when the nonstrikers attempted to get into the plant. You had people from the international UAW present at that time, did you not?

"Mr. KONEC. They were present.

"Mr. KENNEDY. And they were aware of the fact that the nonstrikers could not get in to work?"

* * * * *

"Mr. KONEC. I imagine they were.

"Mr. KENNEDY. Did they take any steps that you know of to open up the picket lines and let the nonstrikers into the plant?

"Mr. KONEC. Not that I know of.

"Mr. KENNEDY. Who were some of the international organizers who were present during this period?

"Mr. KONEC. Well, at various stages there were diffrent ones there. There was Guy Barber * * * Jim Fiore, Don Rand * * * Ray Majerus * * * Harvey Kitzman * * * Emil Mazey.

"Mr. KENNEDY. Did Emil Mazey ever take any steps to try to get the picket line opened up?

"Mr. KONEC. Not that I know of.

"Mr. KENNEDY. Who else was there?

"Mr. KONEC. Well, John Gunaca was there. There was one fellow there by the name of Boyce Land. * * *

* * * * *

"Senator CURTIS. Name the international representatives that attended the meetings of the strike committee.

"Mr. KONEC. Robert Burkhart attended. At the beginning of the strike, Robert Burkhart was there" (vol. 4, pp. 644 through 661).

Thus, Mr. Grasskamp and Mr. Konec, between them, admitted that at least 17 men representing—officially or unofficially—the UAW International actively participated in the strike against the Kohler Co. and were fully aware of what was going on from the very beginning. Other testimony bore out these facts but would be redundant if included. Those identified by Grasskamp and Konec were:

(1) Guy Barber, Chrysler Local 7, Detroit, Mich.; (2) Joseph Burns, head of the community services and strike assistance program for the Kohler workers, Detroit, Mich.; (3) Robert Burkhart, International representative, UAW, Buena Park, Calif.; (4) Clayton Carpenter, international representative, UAW, region 10, Milwaukee, Wis.; (5) James Fiore, Briggs local 212, Detroit, Mich.; (6) Jesse Ferrazza, administrative assistant to Emil Mazey, secretary-treasurer, UAW International, Detroit, Mich.; (7) John Gunaca, Briggs Local 212, Detroit, Mich.; (8) Harvey Kitzman, regional director, UAW region 10, Racine, Wis.; (9) Boyce Land, Briggs Local 212, Detroit, Mich.; (10) Raymond Majerus, international representative, UAW, region 10, Racine, Wis.; (11) Emil Mazey, secretary-treasurer, UAW International, Detroit, Mich,; (12) Danny Prested, UAW Milwaukee office; (13) Donald Rand, skilled trades department, UAW International, Detroit, Mich.; (14) Frank Stallons, from one of the locals in Wisconsin, Kenosha, Wis.; (15) Frank Sahorske, assistant to Harvey Kitzman, regional director, UAW, region 10, Racine, Wis.; (16) William Vinson, Briggs Local 212, Detroit, Mich.; and (17) Frank Wallich, UAW publicity department, Milwaukee, Wis.

(William Vinson later identified one additional UAW International representative who was in Kohler. He was James Conner. Conner was not further identified by Mr. Vinson (col. 7, p. 1282)).

That these 18 men did not merely gravitate to Kohler, Wis., out of charity for their fellow workers, but were acting officially or unofficially in behalf of the UAW International was established beyond a reasonable doubt. The evidence follows:

A. Testimony of Robert Burkhart, UAW International Representative

"Mr. KENNEDY. Who coordinated all of this for the international to make sure that the people came from the Briggs local, and came from the international, and came from Kenosha, and came from Milwaukee, and who was responsible for that?

"Mr. BURKHART. I don't know with certainty. It came from the Detroit office.

"Mr. KENNEDY. Who would you report to, for instance?

* * * * *

"Mr. BURKHART. Well, I reported to people who were my superiors.

"Mr. KENNEDY. Who was that?

"Mr. BURKHART. That would be Mr. Ferrazza, Mr. Kitzman, and Mr. Mazey.

"Mr. KENNEDY. Who were they reporting to in Detroit, and who was coordinating all of these activities at the Kohler plant?

"Mr. BURKHART. Well, the secretary-treasurer's office, to the best of my knowledge was handling the affairs which affected the international.

"Mr. KENNEDY. That would be Mr. Mazey?

"Mr. BURKHART. And the regional director.

"Mr. KENNEDY. Would that be Mr. Mazey, then?

"Mr. BURKHART. Mr. Mazey is the secretary-treasurer.

"Mr. KENNEDY. It was out of his office, was it, that these activities were coordinated and it was decided who would go up there, and what their function would be?

"Mr. BURKHART. In deciding who would come into Sheboygan and assist local 833?

"Mr. KENNEDY. Yes; and what their function would be once they go up there.

"Mr. BURKHART. Well, I think that the question of function was somewhat determined after they got there.

"Mr. KENNEDY. Who decided that they would be sent up there? There must have been some need for it and it has to be cleared through someone, and was that the secretary-treasurer?

"Mr. BURKHART. I believe it was the secretary-treasurer's office in conjunction with the regional office in Milwaukee.

"Senator [KARL] MUNDT. Who specifically asked you to go there, to Wisconsin?

"Mr. BURKHART. The international secretary-treasurer's office, and I say there were three officers in the meeting at the time, and I was asked if I would accept the assignment up there.

"Senator MUNDT. This was quite a crew from Detroit, some 15 or 20 names, and who was the boss man of this outside crew making the decisions of coordination, and activity on the spot?

"Mr. BURKHART. Well, the word was that I was in general charge of the situation. However, I was outranked up there on most of the occasions. I was in general charge of the situation.

* * * * *

"Senator CURTIS. What were your duties as being in general charge of this strike? What were the things that you were supposed to do?

* * * * *

"* * * I mean more particularly with the conduct of the strike. What were you assigned to?

"Mr. BURKHART. I met every morning with the local union executive board and we discussed various situations which came up during the course of the strike. I also had the job of going around the community and meeting with various people in different segments of the community life, and businessmen, and ministers, and shopkeepers, and so on, and I attempted to tell them how we felt about these things, and to build community support for the strikers. * * *

"Senator CURTIS. Were there communications sometimes sent from the strike committee to Detroit or reports of some kind?

"Mr. BURKHART. It is possible that some letters were sent by the secretary-treasurer

or by the secretary of the local union, to Detroit. Now I would be very surprised if there weren't some sent, but if you would ask me specifically what letters, I couldn't tell you.

"Senator CURTIS. Was there any international officer that would report to Detroit what was going on here?

"Mr. BURKHART. Yes; I think that Mr. Rand went into Detroit on several occasions, and would give a report. I think Mr. Ferrazza was down at several occasions and went back to Detroit. Mr. Kitzman came in from Milwaukee, and other international representatives came up from Milwaukee on occasion, and would report back to the regional office.

"Senator CURTIS. Who would they report to in Detroit?

"Mr. BURKHART. I don't know if they reported to the entire executive board of the international, or to the officers, or to Emil Mazey directly, and I think probably most of the reports went to the secretary-treasurer's office.

"Senator CURTIS. Now, you were then an international representative?

* * * * *

"Did you make any reports about this strike as it went along?

"Mr. BURKHART. Yes; I talked to Mr. Kitzman, and to Mr. Mazey on a number of occasions, concerning the events of the strike.

"Senator CURTIS. By telephone?

"Mr. BURKHART. I believe that I called on the phone on several occasions.

"Senator CURTIS. Did you make any trips to Detroit?

"Mr. BURKHART. I think that I went in on one or two occasions, Senator.

* * * * *

"Senator CURTIS. Who would you telephone?

"Mr. BURKHART. I would telephone to Mr. Ferrazza or to Mr. Mazey.

* * * * *

"Senator CURTIS. Did you make any written reports?

"Mr. BURKHART. I don't recall any written reports, Senator. I may have sent some letters in connection with the strike. I wouldn't recall offhand.

"Senator CURTIS. Who would you correspond with?

"Mr. BURKHART. If I sent the communication to Detroit, it would have been sent to the secretary-treasurer's office. I frankly don't recall any such communication, however" (vol. 4, pp. 745–758).

B. Testimony of Donald Rand, skilled trades department, UAW international, Detroit, Mich.

"Mr. RAND. As I pointed out to you * * * [Senator CURTIS] I was in charge of the strike. I went in there in 1956, I think it was, and at that time we had 1,550 people still on the assistance rolls, and I had many problems, among them was the boycott.

"I wouldn't want to leave the impression here with you, Senator, that being in charge of a strike for the UAW with this kind of a situation was an easy job. There are many problems dealing with the individual strikers, of which we could take days and days to relate here, as a result of this strike who had many hardships, and among the problems that I had was the conduct of the boycott and the various phases, and it was a very small part of the overall direction that I gave to local 833.

"My main function there was that I was in direct charge of the strike, and the related problems to the strike, and there were many" (vol. 19, pp. 3906–3907).

As far as financial support of the strike is concerned, there can be no question as to the part played by the international in view of the following:

A. Testimony of Allen Grasskamp, president of Local 833, UAW, Kohler, Wis.

"Senator CURTIS. What were these arrangements for financial support that were furnished by your international officers?

"Mr. GRASSKAMP. Well, the policy of the international union at the time was that strike assistance was based on need, and there is no definite plan. It depended on the need of the striker.

"Senator CURTIS. How much money was made available to support the strike?

"Mr. GRASSKAMP. They never limited it to any amount.

* * * * *

"Senator CURTIS. How much money was spent?

"Mr. GRASSKAMP. Well, I do not have the entire access to the financial records, but to my knowledge it was around $10 million to this date.

* * * * *

"Senator CURTIS. Who furnished that?

"Mr. GRASSKAMP. It came out of the international union's strike fund.

"Senator CURTIS. And from what city would that come from?

"Mr. GRASSKAMP. That would come from Detroit, Mich." (Vol. 1, pp. 33–34).

The same holds true, regarding the presence of international representatives, in the UAW strike against the Perfect Circle Corp., Hagerstown, Ind., as the following testimony shows.

A. Testimony of Raymond H. Berndt, director of UAW Region No. 3.

"Senator CURTIS. Do you know what international representatives, if any, were present?

"Mr. BERNDT. Yes; I would say there were 5 or 6.

"Senator CURTIS. Who are they?

"Mr. BERNDT. * * * my assistant, Mr. Kusola, was there, and International Representative Murphy, and International Representative Bartee, and International Representative Nelson, and International Representative Burdell, and International Representative Young.

* * * * *

"Senator CURTIS. What international representatives were in the area other than those that you mentioned in answer to a previous question?

"Mr. BERNDT. During the entire 4-month period, probably 75 percent of the total staff had at one time or another spent a day on 1 of the 4 picket lines.

"Senator CURTIS. 75 percent of the staff?

"Mr. BERNDT. Yes. My staff at that time numbered 19 people, and probably during the course of that entire 4-month period, probably as many as 15 or 16 might have at 1 time spent part of 1 day on 1 of the 4 picket lines.

"Senator CURTIS. Were there any international representatives besides your staff in there?

"Mr. BERNDT. There was only one representative, Neil Edwards, who was a recent addition to the international staff on a temporary basis. He was assigned to the New Castle-Richmond-Hagerstown area" (Vol. 1, pp. 155–163).

2. One of the main tactics of the labor bosses in the conduct of these strikes was to arbitrarily deny to individual laborers and employers their fundamental legal rights: Section 7 of the Labor Management Relations Act of 1947—commonly called the Taft-Hartley law—guarantees that:

"Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 (a) (3)."[4]

So, this section of the law guarantees laborers the right to work with or without participating in the activities of a union unless a union shop agreement precluding such a right has been consummated between a duly authorized union and the employer. No such union shop agreements existed at the Kohler Co. or Perfect Circle Corp.

Section 8 (b) of the Taft-Hartley Law stipulates that:

"It shall be an unfair labor practice for a labor organization or its agents—

"(1) To restrain or coerce (A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances."[5]

Thus, section 7 of Taft-Hartley guarantees the right to work where no union shop agreement exists and section 8 (b) makes it unlawful for a union to coercively restrain a worker from exercising that right. It naturally follows—if a person has a right to continue work where no union shop agreement exists—an employer has the right to carry on his business during a strike.

Wisconsin law regarding the rights of employees and employers reads as follows:

"(2) It shall be an unfair labor practice for an employee individually or in concert with others:

* * * * *

"(f) To hinder or prevent, by mass picketing, threats, intimidation, force or coercion of any kind the pursuit of any lawful work or employment, or to obstruct or interfere with entrance to or egress from any place of employment, or to obstruct or interfere with free and uninterrupted use of public roads, streets, highways, railways, airports, or other ways of travel or conveyance.

* * * * *

"(h) To take unauthorized possession of property of the employer or to engage in any concerted effort to interfere with production except by leaving the premises in an orderly manner for the purpose of going on strike."[6]

Thus, it is abundantly clear that so-called "mass picketing" which prevents workers who so desire from entering or leaving a place of employment or prevents an employer from conducting his business is illegal under Federal law and the law of Wisconsin. The respect which the labor bosses had for these laws is revealed in the following testimony:

A. Testimony of Allen Grasskamp, president of Local 833, UAW, Kohler, Wis.

"Senator IVES. May I get something cleared up at this point, Mr. Chairman? You [Mr. Grasskamp] talked about being a picket on a picket line?

"Mr. GRASSKAMP. That is right.

"Senator IVES. Was that a mass picket line? Did the members of the union stand side by side?

---

[4] 61 Stat. 140

[5] 61 Stat. 141.

[6] 111.06–252, 253, West's Wisconsin Statutes, annotated.

"Mr. GRASSKAMP. Well, Mr. Chairman, I must say yes.

* * * * *

"Senator CURTIS. How close a formation did they [the pickets] form in front of the plant?

* * * * *

"Mr. GRASSKAMP. They walked in a circle, right in back of each other.

"Senator CURTIS. Were there any workers who went through?

"Mr. GRASSKAMP. No, sir.

"Senator CURTIS. Did any try?

"Mr. GRASSKAMP. I don't recall any of them trying that first morning.

"Senator CURTIS. Did any one try in a subsequent morning?

* * * * *

"Mr. GRASSKAMP. There were other mornings that I assumed that the people that did come from across the street, had intentions of probably going into work. I don't think that the company wanted them to go to work, but I think that probably they had intentions.

"Senator CURTIS. There were some that intended to go through?

"Mr. GRASSKAMP. That is my thinking. I don't know what their intentions were.

"Senator CURTIS. Did they get through?

"Mr. GRASSKAMP. No; they did not." (Vol. 1, pp. 12–25.)

B. Testimony of Harvey Kitzman, Director, UAW, Region 10, Milwaukee, Wis.

"Mr. KENNEDY. * * * The first illegal act that was taken by the union on April 5, and no matter what you thought they (the Kohler Co.) were going to do, the first illegal act was the starting of the mass picketing on April 5, 1954, isn't that correct?

"Mr. KITZMAN. It was not an illegal act. Here were a group of people. I have said there was mass picketing, and here was a group of people that came out April 5 to protect themselves.

"Mr. KENNEDY. That is fine, they were going to protect their jobs, and the company was inside, and you say that they were taking steps in order to get ready for what you term a war, but the fact is that the first illegal act, the keeping of employees out of the plant, was taken by the union.

"Mr. KITZMAN. Well, any union that has a picket line certainly does not expect workers to go in.

"Mr. KENNEDY. They might not expect workers to go in——

"Mr. KITZMAN. They were protecting their jobs.

"Mr. KENNEDY. There are an awful lot of picket lines going on throughout the United States and they are not having some people out there, 2,000 people out there, to keep the employees out of work. There are picket lines that are going on in the United States at the present time, in which that is not being done.

"What you were doing, the starting of the illegal action, in this whole strike was started by your union. It was by keeping the employees who wanted to go to work, keeping them out of the plant.

* * * * *

"Mr. KITZMAN. First let me say to you, that I have said this was mass picketing, and I have tried to tell you the reasons why, and as soon as the NLRB issued an injunction, and an order, to disband that mass picketing, that was done.

"Mr. KENNEDY. That is 57 days later, and not until a court intervened.

"Mr. KITZMAN. Up until that point, those strikers were out there, many many of them were out there to prove that what was being said by the company on the radio, that the strikers were not favoring the strike, was not true, and therefore they showed up on the picket line.

"Mr. KENNEDY. You spent 30 minutes telling the committee about what a terrible thing the company was doing in all of this, and ultimately if the company did not want to sign with the union, or felt that the demands of the union were too great, they had a right to take that position.

"Ultimately, when the strike came along, the first illegal act was by the union, and that remained for 57 days until the court intervened.

"Mr. KITZMAN. Until the WERB order came along, the union did not consider this an illegal picket line.

"Mr. KENNEDY. It was done by the international officers of which you were one, and of which there were at least a dozen others out there.

"Mr. KITZMAN. And condoned by the Kohler Co. * * *

"Mr. KENNEDY. Not the mass picketing wasn't condoned?

"Mr. KITZMAN. Because they could have gone to the WERB long before the 57 days were up, but they did not have the record built any sooner than that.

"Mr. KENNEDY. Maybe they needed the record built in court in order to get the mass picketing removed. But there were international organizers there, and international officers of the UAW were present, and this mass picketing went on for 57 days until the court intervened.

"You can't get away from those facts" (vol. 3, pp. 549 through 552).

* * * * *

"The CHAIRMAN [Senator JOHN L. MCCLELLAN]. * * * Do you know what the law of Wisconsin is with respect to mass picketing?

"Mr. KITZMAN. The WERB, Wisconsin Employment Relations Act, word for word, I do not know it.

"I know generally what it is.

"Senator [BARRY] GOLDWATER. Well, generally, does the law prohibit picketing that prevents a man from going to work if he desires to go to work?

"Mr. KITZMAN. Yes; I believe that is in the law.

"Senator GOLDWATER. Did you know that before the strike commenced?

"Mr. KITZMAN. Yes.

"Senator GOLDWATER. Well, did you have the feeling that you were violating the law when you set up mass picketing?

"Mr. KITZMAN. I did not.

* * * * *

"The CHAIRMAN. Could you not have had your mass demonstration at a location where it would not have violated the law and still made the same demonstration, where you would not have, by mass force, preventing ingress and egress into the plant.

"Mr. KITZMAN. No, no, Mr. Chairman. If you would have done that, you would have had to be out on the highways or miles away from there, which wouldn't have had any effect at all.

"The CHAIRMAN. Well, of course, we [may] just as well be factual about it. We all know the purpose of holding it at those gates and running crowds from one gate to another was not to demonstrate the majority of the Kohler workers wanted to strike, but it was to keep those workers who wanted in the plant to work, out. That is the truth about it isn't it?

"(The witness conferred with his counsel.)

"Mr. KITZMAN. Yes; absolutely, yes." (vol. 3, pp. 567–569).

C. Testimony of Donald Rand, administrative assistant to Emil Mazey, secretary-treasurer of the UAW international

"Mr. KENNEDY. You were aware of the fact, were you not, that * * * the nonstrikers were unable to get into the plant because of the mass picketing that was going on?

"Mr. RAND. I believe that has been testified to; yes.

"Mr. KENNEDY. And you were aware of it yourself, were you not?

"Mr. RAND. Well, I am aware of the fact that there was a mass of people there, and also——

"Mr. KENNEDY. And that the nonstrikers were unable to get in?

"Mr. RAND. They didn't go to work; yes.

"Mr. KENNEDY. Because of the mass of people?

"Mr. RAND. I believe so; yes."

(Following this colloquy, Senator CURTIS presented a number of photographs of the mass picketing—most of which pictured Rand—and asked the witness to identify each, as well as the other international representatives pictured therein. This Rand did and Senator CURTIS resumed his questioning.)

"Senator CURTIS. All of these pictures represent scenes of mass picketing conducted, among other reasons, to keep workers from going to work, is that correct?

"Mr. RAND. Yes" (vol. 11, pps. 2142–2143, 2159–2160).

There was much other testimony by representatives of the UAW International—less direct, but equally decisive—attesting to the mass picketing at Kohler which prevented nonstriking workers from getting into the plant and prevented the operation of the company. The following reveals that the same basic strategy was used by the UAW in the Perfect Circle strike.

A. Testimony of Raymond H. Berndt, director of UAW Region No. 3

"Mr. KENNEDY. Once the picketing started * * * there was, on occasion, what we have come to recognize as mass picketing which kept the nonstrikers out of the plant, was there not?

"Mr. BERNDT. That is correct, there were occasions.

"Mr. KENNEDY. Did you feel that that was a proper activity or a proper thing for the union to be doing, attempting to keep those who wanted to go to work out of the plant?

"Mr. BERNDT. No; but I think during the 4-month period there might have been 4 or 5 occasions that this type of activity went on.

"I think it was devised by one of the local union people who came up with the bright idea that since the law said you had to have 5 pickets to a gate, there was 5 pickets at a gate, but there are only certain streets to go down to the plant so it was just possible to have friends and sympathizers and other people from the plant away from the plant down the street, which really constituted a blocking of the ingress of the plant.

"This we tried to deplore and tried to tell them that the law is not this kind of a thing, to try to get around the law by using the subterfuge.

"Mr KENNEDY. Wasn't there a court injunction against the mass picketing that took place at some of these plants?

"Mr. BERNDT. There was such an injunction.

"Mr. KENNEDY. Evidently it was taking place, was it not, Mr. Berndt?

"Mr. BERNDT. The law was in effect. The injunction was in effect and the mass picketing was in violation of that injunction.

"Mr. KENNEDY. Well, you, as one of the senior officials in that area, deplore the use of violence or deplore these activities, but did you take any steps to prevent the union from carrying on the mass picketing and preventing the nonstrikers from entering the plant and going to work?

"Mr. BERNDT. There were many occasions when the mass picketing happened even without my knowledge, so that would have been impossible to even try to talk to enough people to prevent them from organizing a mass picket line as such.

"Mr. KENNEDY. Mr. Bill Caldwell, of whom you spoke, who you said would be the type of person that would deplore violence, did he take any steps to end this mass picketing that was occurring?

"Mr. BERNDT. I am of the opinion, frankly, that if it hadn't been for Bill Caldwell there would have been much more violence. I think Bill has done a tremendous job in the face of the problems that he was confronted with, trying to handle a strike in 4 plants in 3 different cities and being between all of them, plus negotiations in 6 other plants, plus handling a Chrysler plant in Indianapolis at the same time.

"Mr. KENNEDY. I would think that in a union such as the UAW, it would be certainly possible if they wanted to prevent this kind of activity from taking place, that it would be possible for them to issue instructions that would prevent it from taking place.

"Mr. BERNDT. Our strikes are run by a local strike committee; all we can do is try to supervise and assist through the representative assigned to the area. Occasionally we try to get additional representatives who might have an open day on their schedule to go in and assist and try to help them in their financial problems and other things.

"They most certainly are talked to about the possibility of violence because we are well aware of the fact that once violence starts in a plant we are not going to get the kind of publicity we need to settle that contract the way we would like to get it settled.

"Mr. KENNEDY. What specific steps did the UAW, you as the representative or other international representatives, take to prevent the mass picketing that occurred?

"Mr. BERNDT. Constantly reminding the locals that they were in violation of the law, and requesting that they stop the idea of mass picketing.

"Mr. KENNEDY. Yet they disobeyed your instructions and continued to do it?

"Mr. BERNDT. They are not under obligations to follow. I have not the authority to command.

"Mr. KENNEDY. Wasn't it a fact that on some occasions, on at least one occasion, employees from other plants, UAW plants, came in and massed themselves in front of the New Castle plant?

"Mr. BERNDT. Yes; there were a few of those occasions, when other people in surrounding areas—and you have to understand that in the city of New Castle we have under contract some 7 UAW plants, some 7 plants under UAW contracts.

"It is always possible to have somebody who is on the off shift walking on somebody else's picket line in that particular city.

"Mr. KENNEDY. You had large numbers on occasion, did you not, well over several hundred people?

"Mr. BERNDT. There were over several hundred on a few occasions.

"Mr. KENNEDY. How could that be permitted if you were in fact attempting to stop the mass picketing from going on?

"Mr. BERNDT. I think that if a request is made by a local union of other union members within the area, to show a solidarity on the picket line, show a solidarity of purpose, and a peaceful demonstration, that very few people might be able to get in the way and talk them out of such a thing as having a peaceful demonstration, to show that other plants and other individuals are interested in a just settlement of that particular strike.

"Mr. KENNEDY. What I am trying to establish is that you make statements about being against violence and about being against violence at that time, and yet during this period of strike the mass picketing was going on on occasion, in violation of the law, and those who wanted to go to work could not get into the plant.

"The third thing there is that on occasion, members of the UAW were brought in from other plants in the neighborhood and massed in front of these various Perfect Circle Co. plants.

"It doesn't seem to me that all those pickets—it seems to me that these actions speak louder than your words of saying 'We are against violence,' " (Vol. 1, pp. 120–125.)

Because the International representatives of the UAW—very much in evidence on the scene of both strikes—took no decisive or concentrated action to prevent this flagrant violation of the law, but, on the contrary, consistently sought to justify it, it can only be concluded that violation of the law is sanctioned by the labor bosses if such violation serves their purposes.

3. Violence and threats of violence—as well as overt acts of vengeance, force, and intimidation—were employed in the strikes with the full knowledge and passive approval of the labor bosses. Violence was dispensed with only when employers completely capitulated to their demands: One of the important phases of the Kohler and Perfect Circle strikes fully exposed by the hearings was the UAW practice of unleashing wholesale violence against nonstrikers and their families and practically everyone who disagreed with their demands.

Walter Reuther, UAW President, said: "The UAW is a clean union: * * * I should like to make clear at the outset, that the UAW is a clean, democratic, honest, and effective trade union." (Vol. 21, p. 4129.)

Other top officials of the UAW International echoed these sentiments. But, the record made at the hearings placed these pious protestations in their proper light. On March 28 Mr. Girard A. Desmond, counsel for the Kohler Co., submitted for the record over 800 affidavits, each attesting to specific acts of violence and vandalism perpetrated against nonstrikers or their friends or relatives. These affidavits covered literally hundreds of cases of "paint bombings" of private homes; destruction of nonstrikers' automobiles by acid and paint; slashing of tires; destruction of farm machinery and private property, etc., etc.

These many instances of violence and vandalism were not the result of mere "strained emotions," as the labor bosses tried to insinuate. Most of them were deliberate and premeditated; they required thought and planning to carry out.

Herewith a few cogent examples from the affidavits:

(1) Dale Costdyke, April 7, 1954, nonstriking employee physically assaulted, kidnapped, beaten, cursed, told to join union on threat of death.

(2) Herman Miesfeld, April 7, 1954, nonstriking employee intercepted on way to work, coerced into joining union.

(11) Rance Rasmussen, May 25, 1954, nonstriker assaulted, struck while walking to work.

(12) Leland Dyke, May 25, 1954, nonstriker assaulted, struck, kicked in groin.

(33) Willard Van Ouwerkerk, June 18, 1954, nonstriking employee struck from rear, knocked down, stomped, injuries included crushed chest and victim in critical condition for days.

(37) Carl Kummer, June 20, 1954, nonstriking employee assaulted in tavern by gang of eight men; asked why he didn't join union; knocked to floor.

(42) Roger Wuestenhagen, June 24, 1954, nonstriking employee assaulted, knocked to ground.

(43) Harold Curtiss, June 28, 1954, shotgun blast fired through living room window.

(50) William J. Bersch, Sr., William P. Bersch, Jr., July 4, 1954, father and son assaulted, brutally beaten.

(72) Mr. and Mrs. Gerald Emley, August 21, 1954, nonstriker, wife, and 14-year-old daughter assaulted in tavern by group of men and women; threatened, cursed and beaten.

(88) Harold Fanslau, September 8, 1954, nonstriker and wife assaulted, called foul names; nonstriker struck and knocked down.

(94) Lester Boeldt, September 17, 1954, nonstriking employee ambushed by gang in tavern; called a scab and job stealer, cursed, beaten.

(97) John Elsesser, September 17, 1954, nonstriking employee assaulted in tavern, struck in face.

(101) Carl Mertz, September 19, 1954, nonstriker cursed, physically assaulted.

(103) Carl M. Gabrielse, September 27, 1954, cutting blade of corn chopper broken by steel rod tied to cornstalk; machine bolts tied to other cornstalks on farm owned by father of a Kohler Co. employee.

(110) John Elsesser, September 30, 1954, two nonstriking employees assaulted in tavern by gang; threatened, kicked in legs and kneed in groin.

(125) Earl Eernisse, October 6, 1954, dairy cow on farm operated by brother of nonstriking employees so horribly multilated it had to be killed.

(132) Jake Hopeman, October 8, 1954, dairy cow slashed on udder and body, apparently by razor blade; daughter of owner has friend who is nonstriking employee.

(138) Edgar Boeldt, October 9, 1954, human excrement smeared on dashboard, steering wheel, and front seat of automobile of nonstriking employee.

(170) Mr. and Mrs. August Miller, October 15, 1954, nonstriking employee and his wife assaulted, their taverns wrecked.

(179) Wilmer and Dorothy Mentink, October 31, 1954, shotgun blast riddled windows in home of nonstriker.

(189) George Behring, November 10, 1954, flaming torch thrown onto porch of nonstriker's home.

(226) Louis Weber, December 5, 1954, windows broken in home of nonstriker by pellets from an air gun.

(320) Robert Heling, Jr., January 30, 1955, flaming torch thrown at nonstriker's home.

(348) Max Wimmer, February 15, 1955, nonstriker's garage broken into and car painted and scratched. Human excrement smeared on side of car.

(356) Junior F. Wagener, February 24, 1955, nonstriker's car damaged after running over logs placed on curve of icy road.

(357) Victor Sippel, February 25, 1955, nonstriker's car dynamited—roof, fenders, and hood blown off, inside of car gutted, complete loss.

(363) Reuben Miller, March 6, 1955, machine shed of nonstriker dynamited.

(378) Bernard M. Daane, March 21, 1955, two shotgun blasts fired through thermopane window of nonstriker's home smashing plaster on opposite wall.

(382) John Elsesser, March 26, 1955, dynamite thrown at nonstriker's automobile, falling short and blasting hole in pavement. Force of explosion smashed five windows in home. Wife of nonstriker suffered punctured eardrum.

(387) John Stockinger, March 31, 1955, rock hurled through window of nonstriker's home, playing children showered with broken glass.

(399) Fred Yurk, April 12, 1955, dynamite exploded under car of nonstriker, causing extensive damage.

(401) Clarence Burich, April 18, 1955, dynamite exploded under auto of nonstriker parked in front of his home; car a complete loss.

(402) Elwin Taubenheim, April 21, 1955, nonstriker's car dynamited.

(9–A) Charles Schumacher, August 30, 1954, paraffin torch thrown in car.

(317–A) Phillip Schneider, January 15, 1956, employee's pigs poisoned, 1 dead, 3 additional pigs dead from poison.

(434–A) Gordon McChain, January 29, 1957, employee's heifers poisoned, 3 heifers died. (Vol. 6, pp. 1138–A–1138–KKK.)[7]

Much the same pattern developed in the Perfect Circle strike. For instance, it was brought out that over 100 arrests were made.

A. From the testimony of Raymond H. Berndt, director of UAW region No. 3

"Mr. BERNDT. I would like to say at the very outset that any violence that might have occurred so far as the stoning of individual's homes was not part of a planned program by our union.

"Certainly the individuals who took this on themselves, if they were union people who did all of these things, to do these things was not as a part of a planned program on the part of the union nor at the instruction of *myself* nor any representative in the area.

"I would like to call your attention, of the numerous arrests made, and I think that out of in excess of 100 arrests, there were 13 convictions." (Vol. 1, p. 113.)

There can be no question but that the wholesale violence and vandalism which occurred at Kohler and Hagerstown was indirectly condoned by the labor bosses. For while they professed opposition to such tactics, they made little or no effort to prevent such action. As a matter of fact, the legal fees, fines, and court costs arising from the most notorious violent outbreaks were subsidized by the international union.

The following colloquy is pertinent:

A. From the testimony of Emil Mazey, secretary-treasurer, UAW international

"Senator GOLDWATER. Do you know Dan Preston?

"Mr. MAZEY. Yes; I do.

"Senator GOLDWATER. Was he ever arrested?

"Mr. MAZEY. I don't know.

"Senator GOLDWATER. He was fined $10 for refusing to comply with the police officer's order.

"Do you know who defended him?

"Mr. MAZEY. I believe that everybody who was arrested for strike activity in Sheboygan in the Kohler strike was defended by our legal counsel, Dave Rabinowitz.

"Senator GOLDWATER. Who paid Mr. Rabinowitz' fees?

"Mr. MAZEY. The international union.

"Senator GOLDWATER. Who paid the fine and costs?

"Mr. MAZEY. If there were fines and costs they were also paid by the union.

"Senator GOLDWATER. Do you know Joseph Burns?

"Mr. MAZEY. Yes; I do.

"Joseph Burns was a member of my staff. I assigned him to the city of Sheboygan for the purpose of handling the strike assistance program.

"Senator GOLDWATER. Was he ever arrested?

"Mr. MAZEY. I believe he was.

"Senator GOLDWATER. He was. He was found guilty of disorderly conduct. Would your same answer to who defended him stand in this case?

"Mr. MAZEY. Yes; I am willing to stipulate, I believe, in all of these cases, that our attorney, Dave Rabinowitz, defended the people. I am also willing to stipulate that if there were any fines and penalties, we paid the fines and penalties.

"Senator GOLDWATER. Who paid his fine and costs?

"Mr. MAZEY. I have already said, sir, that we did, the international union.

* * * * *

"Senator GOLDWATER. I do not think it was established yesterday, but was William Vinson ever arrested on the picket line?

"Mr. MAZEY. I think he testified yesterday that he was.

"Senator GOLDWATER. He was. He was found guilty of disorderly conduct and the use of force and coercion. Who defended him?

"Mr. MAZEY. I believe Dave Rabinowitz.

"Senator GOLDWATER. Who paid his fine and cost?

"Mr. MAZEY. If there were fines and costs, Senator, they were paid by the union.

* * * * *

"Senator GOLDWATER. We established yesterday that William Vinson was arrested for his part in the Van Ouwerkerk incident. Who defended him?

"Mr. MAZEY. He was defended by Dave Rabinowitz.

"Senator GOLDWATER. Who paid the lawyer fees?

"Mr. MAZEY. The international union.

"Senator GOLDWATER. Do you know Frank Schroeder, Charles Wirtz, William Rettela, and Douglas Strebe?

"Mr. MAZEY. I think I know Frank Schroeder. I am not sure of the others. I may have met them. I might know them by sight, but their names don't ring a bell.

* * * * *

"Senator GOLDWATER. Was Franklin Schroeder arrested——

"Mr. MAZEY. I believe he was.

Senator GOLDWATER. For assault on a nonstriker? Who put up the bail bond for him?

"Mr. MAZEY. If there was a bail bond, I am sure we put it up.

"Senator GOLDWATER. Who defended him?

"Mr. MAZEY. I am sure our attorney defended him—Dave Rabinowitz.

"Senator GOLDWATER. Who paid the attorney's fees?

"Mr. MAZEY. If there were attorney fees to be paid, I probably wrote the check for them.

"Senator GOLDWATER. You established that the international paid the costs incurred in these various arrests that I have discussed here?

"Mr. MAZEY. I am willing to stipulate that we paid for all these costs for any arrests, any legal fees, that may have occurred during the Kohler strike.

"Senator GOLDWATER. Is or was Jess Ferrazza your administrative assistant?

"Mr. MAZEY. Jess Ferrazza is and was my administrative assistant. He was in Sheboygan assisting in negotiations before the strike began, and he continued to stay there hoping negotiations would continue.

"Senator GOLDWATER. Was he arrested on the picket line?

"Mr. MAZEY. Yes; I believe he was, but I am not sure.

"Senator GOLDWATER. You are not sure about your own administrative assistant being arrested? If mine ever gets arrested, I will know about it.

"Mr. MAZEY. His activities are confined to those quarters. There were a lot of people involved.

"Senator GOLDWATER. Who paid his court costs?

"Mr. MAZEY. If he was arrested and there were any court costs to be paid, the international union paid them.

"Senator GOLDWATER. Is it your international policy to pay sustenance to the families of convicted people, convicted members of your organization?

"Mr. MAZEY. In the case of Vinson * * * while Bill Vinson was in jail, we gave his wife $50 a week, the local union gave, local 212, which happens to be my local, Senator, a local that I organized, also gave his wife $50 a week, and the way the matter was handled, the international union gave her a check of $100 a week, and every 3 months the local would reimburse the international union for its share of this obligation.

"Senator GOLDWATER. Do you think that is a proper expenditure of union dues money?

"Mr. MAZEY. Yes; I do, sir. In this particular case Vinson was in Sheboygan as a representative of local 212, which happens to have the Briggs Manufacturing Co. under contract, and which also makes plumbing ware, the local had an interest in the outcome and success of the strike. I feel that Vinson was a victim of Kohlerism. As a result of that, I felt we were obligated to do everything we could to provide for his wife and family while he was in jail.

"Senator GOLDWATER. Yesterday, Mr. Vinson in his testimony indicated that he didn't have any particular duties at Kohler, that he was just over there wandering around. He was sort of a morale builder. Because he didn't have any definite duties according to him, what responsibilities would your local feel towards him?

"Mr. MAZEY. Well, the local sent him up there to assist the local union in setting up its picket lines and so on. Apparently from Vinson's testimony nobody ever clearly told him what to do, and that is regrettable.

"If I had known that he didn't know what to do, I think I might have given him some advice myself. But the facts are that the reason the local sent four people into Sheboygan was that there was a great deal of fear in the community. Everybody remembered the massacre of the 1934 strike. They were there basically to let them know they weren't fighting by themselves." (Vol. 8, pp. 1484–1489.)

Violence has not been brought into play by the UAW labor bosses when employers made no attempt to exercise their legal right to keep their business operating during a strike. The following testimony serves to substantiate this fact:

A. Testimony of Raymond H. Berndt, director of UAW Region No. 3

"Senator CURTIS. * * * On page 2 of your statement, you referred to 5 UAW strikes in Indiana during 1955, and none of which resulted in violence. Did any of the employers in these five strikes attempt to operate their plants during the strike?

"Mr. BERNDT. Not to my recollection.

"Senator CURTIS. Would the violence have occurred at Perfect Circle if the company had not attempted to operate during the strike?

"Mr. BERNDT. Probably not, Senator.

"Senator CURTIS. That was a right they had to do; was it?

"Mr. BERNDT. That is correct.

"Senator CURTIS. It was not in violation of law?

"Mr. BERNDT. That is correct.

"Senator CURTIS. And you concur with Mr. Reuther in regard to that?

"Mr. BERNDT. Absolutely.

"Senator CURTIS. That the right to strike must carry the corresponding right; the right not to strike?

"Mr. BERNDT. That is correct.

"Senator CURTIS. And these rights belong to workers and not to organizations; isn't that correct?

"Mr. BERNDT. That is correct." (Vol. 1, pp. 157–158.)

4. Professional thugs have terrorized both employers and individual laborers during the strikes with the implied, if not actual, approval of the labor bosses: In his much-heralded testimony before the committee, Walter Reuther deplored the use of "finks" by employers during the early days of union organization. In fact, he attempted to make a martyr of himself by repeatedly recounting the rough treatment he received through the years from paid strikebreakers. However, sympathy for Reuther tends to wane

[7] Numbers indicate affidavit numbers as filed; dates, date of incident; and names, persons filing complaints. For the sake of brevity, affidavit dates have been eliminated.

when the testimony of said UAW goons is analyzed.

The following is particularly pertinent.

A. From the testimony of William Vinson, employee, the Chrysler Corp., Detroit, Mich.

"Mr. KENNEDY. Mr. Vinson, you were in Sheboygan, Wis.?

"Mr. VINSON. Yes; I was.

"Mr. KENNEDY. Prior to that time, what position did you hold?"

* * * * *

"Mr. VINSON. I was chief steward for Briggs Manufacturing Co."

* * * * *

"Mr. KENNEDY. That is local 212 of the UAW?

"Mr. VINSON. That is right.

"Mr. KENNEDY. Had you been elected to that position?

"Mr. VINSON. Yes, sir. I had.

"Mr. KENNEDY. How long had you held the position?

"Mr. VINSON. About 4 years.

* * * * *

"Mr. KENNEDY. That is in Detroit?

"Mr. VINSON. Yes, sir.

"Mr. KENNEDY. You went up to Sheboygan, Wis., to assist in the strike?

"Mr. VINSON. I did.

"Mr. KENNEDY. Would you tell the committee why you went up there?

"Mr. VINSON. Well, the Briggs Manufacturing Co. * * * manufactures plumbing ware, and any time that there is a sweatshop anywhere in the country that people are not getting a fair break, as far as wages and working conditions, it has always been a practice in my local to try to help organize these places, wherever they might be, Detroit or whatever might happen as far as the people to be organized.

"Mr. KENNEDY. Who decided that you should be sent up there?

"Mr. VINSON. Well, I don't know offhand just who called and asked us to come up there. I believe the call was made from Chicago at the time. Our local offices were there, and they called somebody at the local and they got in touch with me at home and asked me to go up there.

"Mr. KENNEDY. What compensation did you receive while up there?

"Mr. VINSON. I was paid by my local union while I was up there.

* * * * *

"Mr. KENNEDY. You were not paid by the international?

"Mr. VINSON. No, sir.

"Mr. KENNEDY. Did you receive any expenses from the international?

"Mr. VINSON. No, sir.

"Mr. KENNEDY. This was all compensation from your local 212?

"Mr. VINSON. Yes, sir.

"Mr. KENNEDY. And you received your instructions to go up from an officer of local 212?

"Mr. VINSON. I don't believe he was an officer of 212.

"Mr. KENNEDY. Who gave you the instructions to go up there?

"Mr. VINSON. I don't remember fully who it was that actually called me at home and asked me to go up there. I believe Russ Barrow was the man from Chicago who called Detroit.

"Mr. KENNEDY. Who is Russ Barrow? What is his position?

"Mr. VINSON. He is deceased now.

"Mr. KENNEDY. What was his position?

"Mr. VINSON. I believe he was recording secretary at the time.

"Mr. KENNEDY. Of Local 212?

"Mr. VINSON. I believe he was.

"Mr. KENNEDY. So you went up there. What were the financial arrangements?

"Mr. VINSON. When we went up there, there wasn't any financial arrangements, other than to give us expense money to go up, and after we were up there it was to be worked out how much money we would get for lost time for wages lost from the shop.

"Mr. KENNEDY. Did anybody else from Local 212 go up?

"Mr. VINSON. Yes, sir.

"Mr. KENNEDY. Who else?

"Mr. VINSON. John Gunaca.

"Mr. KENNEDY. Who else?

"Mr. VINSON. Boyce Land, James Conner. That is all that went at the time with the exception of myself.

"Mr. KENNEDY. Were there others that went up at a later time?

"Mr. VINSON. Well, there was one fellow from our local that was up there with our sound truck.

* * * * *

"Mr. KENNEDY. Did your local loan your sound truck to Local 833?

"Mr. VINSON. I really don't know what arrangements were made with that. The International made that arrangement. I don't know.

"Mr. KENNEDY. Who was the man who went with the sound truck?

"Mr. VINSON. Jim Fiore.

"Mr. KENNEDY. Were all of these individuals compensated out of Local 212?

"Mr. VINSON. I don't know.

* * * * *

"Mr. KENNEDY. Do you know what happened to the sound truck ultimately?

"Was that given to Local 833?

"Mr. VINSON. I believe it was.

* * * * *

"Mr. KENNEDY. What salary and expenses did you receive while you were up at Sheboygan?

"Mr. VINSON. It seems to me that we got lost time for the shop, I believe it was $96, I am not sure.

"Mr. KENNEDY. $96 a week?

"Mr. VINSON. Yes. And I believe we got $7 a day expense money for hotel bills.

"Mr. KENNEDY. Did you take a leave of absence from the Briggs Company?

"Mr. VINSON. Yes, sir, I did.

"Mr. KENNEDY. Was that provided in the union contract?

"Mr. VINSON. Yes, sir, it is.

"Mr. KENNEDY. Mr. Van Ouwerkerk—first, how long were you up in Sheboygan?

"Mr. VINSON. Well, I was there from April 9th to some time in July.

"Mr. KENNEDY. And Mr. Van Ouwerkerk has just testified, and I believe you have been tried on the charges of beating Mr. Van Ouwerkerk in this bar, in this tavern?

"Mr. VINSON. I have.

"Mr. KENNEDY. Would you like to tell what your position is on it?

"Mr. VINSON. My position on it is I think I got a very unfair and unjust trial on the sentence side of it. I got the strongest sentence of any man that was ever sent up from Sheboygan County.

"Mr. KENNEDY. Did you hit Mr. Van Ouwerkerk?

"Mr. VINSON. I hit Mr. Van Ouwerkerk.

"Mr. KENNEDY. Did you kick him when he was down?

"Mr. VINSON. No; I didn't.

"Mr. KENNEDY. Do you know how he got 3 or 4 broken ribs?

"Mr. VINSON. I broke them with my fists.

* * * * *

"Mr. KENNEDY. Did you hit him with your fist before he went down?

"Mr. VINSON. I hit him with the back of my left hand on the neck and I hit him in the ribs with my fist.

"Mr. KENNEDY. For what reason?

"Mr. VINSON. I came out of the rest room and I heard somebody say 'Let's get the hell out of here, there is too many union people here.' So I lost my temper and I hit him.

* * * * *

"Senator GOLDWATER. How tall are you?

"Mr. VINSON. Six foot three and a half.

"Senator GOLDWATER. How much do you weigh?

"Mr. VINSON. About 230.

* * * * *

"Senator CURTIS. How did it happen you picked out this particular man to hit?

"Mr. VINSON. Well, as I say, when I came out of the rest room, he made this statement, and I hit him.

* * * * *

"Senator CURTIS. Mr. Van Ouwerkerk made that statement?

"Mr. VINSON. That is what I found out later. I didn't know who it was at the time.

"Senator CURTIS. Who presided over your trial, what judge?

"Mr. VINSON. I believe it was Judge Schlicting.

"Senator CURTIS. Who was your attorney?

"Mr. VINSON. William Quick and David Rabinowitz.

* * * * *

"Senator CURTIS. Is he [Rabinowitz] an attorney for the UAW?

"Mr. VINSON. He is.

"Senator CURTIS. Was he at that time?

"Mr. VINSON. Yes, sir; he was.

"Senator CURTIS. Did they provide you with your defense?

"Mr. VINSON. They did.

"Senator CURTIS. Did you pay any part of it yourself?

"Mr. VINSON. No, sir.

"Senator CURTIS. They paid both attorneys?

"Mr. VINSON. I presume they did.

"Senator CURTIS. There was an appeal taken?

"Mr. VINSON. Yes, sir.

"Senator CURTIS. And the appeal was decided against you?

"Mr. VINSON. Yes, sir; it was.

"Senator CURTIS. How long a time did you serve?

"Mr. VINSON. Thirteen and a half months.

* * * * *

"Senator CURTIS. Did you receive any compensation while you were serving time?

"Mr. VINSON. I received none.

"Senator CURTIS. Do you have any family?

"Mr. VINSON. I do.

Senator CURTIS. Did they receive anything?

"Mr. VINSON. My wife did.

"Senator CURTIS. From whom?

"Mr. VINSON. She received from the local 212 and from the UAW.

"Senator CURTIS. By the UAW, you mean the international?

"Mr. VINSON. That is right.

"Senator CURTIS. How much did she receive?

"Mr. VINSON. Fifty dollars from each one, a week.

* * * * *

"Senator CURTIS. Do you know who in the UAW arranged for that?

"Mr. VINSON. I don't know offhand who arranged for it. I believe Mr. Mazey was instrumental in it, and the local officers as a whole."

* * * * *

"Senator CURTIS. I want to ask you this: Did the international officers have any conversations with the Briggs local or have any part in arranging for you people to go down there?

"Mr. VINSON. I presume they did, and I am not sure.

* * * * *

"Senator GOLDWATER. Did you receive pay from the international while you were on trial?

"Mr. VINSON. I believe I did.

* * * * *

"Let me explain. I don't recall getting a lost-time check when I went to Sheboygan and for the trial. I did get a check for expense money to go up there and when I left I believe they paid my hotel bill and everything and checked me out.

"Senator GOLDWATER. The international?

"Mr. VINSON. Yes, sir; the international did that.

* * * * *

"Senator CURTIS. Mr. Vinson, were you arrested any other time during the course of your stay in Wisconsin?

* * * * *

"Mr. VINSON. I was arrested about four times, I believe.

"Senator CURTIS. You were arrested once at the same time Joe Burns was arrested, weren't you?

"Mr. VINSON. Yes, sir. * * *

"Senator CURTIS. What were you arrested that time for?

Mr. VINSON. * * * Officer Capelle and somebody walked up and walked right into me. I didn't move, and I got arrested for disturbing the peace or something. I don't remember what it was.

"Senator CURTIS. How was the case disposed of?

"Mr. VINSON. I believe I got a $25 fine out of it. * * *

"Senator CURTIS. Who paid the fine?

"Mr. VINSON. I presume the local, or the union did.

"Senator CURTIS. The international?

"Mr. VINSON. I presume they did.

"Senator CURTIS. What lawyer looked after it?

"Mr. VINSON. Mr. Rabinowitz.

"Senator CURTIS. Who paid him?

"Mr. VINSON. I presume the international.

* * * * *

"Senator CURTIS. * * * In all of these clashes with the law, the same attorney represented you?

"Mr. VINSON. I believe so; yes.

"Senator CURTIS. And you didn't pay?

"Mr. VINSON. No, I didn't.

"Senator CURTIS. The UAW paid?

"Mr. VINSON. I presume they did.

"Senator CURTIS. And you didn't pay any of the fines or any of the court costs?

"Mr. VINSON. No.

* * * * *

"Senator MUNDT. During the period that you were out on bail from June 18 to July 7, you continued to work in conjunction with these other men on the strike situation at Kohler, is that right?

"Mr. VINSON. Yes, sir.

"Senator MUNDT. The reason I asked that question is I was a little curious. I asked you if you had ever been reprimanded by the union, and you said 'Yes,' by about everybody, that Burkhart reprimanded you, Mazey reprimanded you, but apparently nobody thought it was serious enough to take you off of your assignment and send you back to Detroit?

"Mr. VINSON. Well, nobody ever took me off to begin with.

"Senator MUNDT. So any manifestation of displeasure over the beating that you gave the man with the redheaded wife was strictly verbal, it was not in terms of saying 'Well, we don't want rough stuff around here, Mr. Vinson, you better go back to Briggs.' Nobody ever took you off the job because of your attack on this little fellow; is that right?

"Mr. VINSON. Nobody ever took me off the job." (Vol. 7, pp. 1278–1347.)

The direct testimony of John Gunaca, another member of Briggs Local 212 in Detroit, sent to Kohler, contributed little substantive evidence with respect to his strong-arm activities in Sheboygan. This is so because he is at present under indictment from Sheboygan County, Wis., and his attorney, Charles Marston, from Detroit, Mich., requested that "questions which pertained to the matter of the indictment be not asked of this witness." This request was granted by the Chair.

The indictment reads:

"Count 1, that on the fourth day of July, A. D. 1954, at the city of Sheboygan Falls, in said county, said John Gunaca, also known as John Price, John Ballerino, and John Moreski, did unlawfully, willfully, and feloniously assault another, to wit, William Bersch, Jr., with intent to do great bodily harm, contrary to section 341 of the statutes, and against the peace and dignity of the State. Count 2, that on the fourth day of July, A. D. 1954, in the city of Sheboygan Falls, in said county, the said John Gunaca * * * did unlawfully, willfully, and feloniously assault another, to wit, William Bersch, Sr., with intent to do great bodily harm." (Vol. 10, p. 1888.)

However, the testimony of William Bersch, Jr., given under oath on March 11, 1958, before the committee, reveals the extent of the felonious assaults for which Gunaca is under indictment. Herewith portions of that testimony.

B. Testimony of William Bersch, Jr., employee, the Kohler Co., Kohler, Wis.

"Mr. KENNEDY. Mr. Bersch, you are an employee of the Kohler Co.?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. And you have worked there for how long?

"Mr. BERSCH. Ten and a half years as of now."

* * * * *

"Mr. KENNEDY. Did you join the UAW?

"Mr. BERSCH. Yes; I did.

"Mr. KENNEDY. Did you support them when they went out on strike?

"Mr. BERSCH. No; I didn't."

* * * * *

"Mr. KENNEDY. You didn't go to work in the period of the mass picketing or attempt to go to work?

"Mr. BERSCH. No; I didn't.

"Mr. KENNEDY. After the mass picketing ended, did you go back to your job?

"Mr. BERSCH. I went back, I think it was, 11 weeks from the date that the strike started."

* * * * *

"Mr. KENNEDY. The 28th of June?

"Mr. BERSCH. Yes.

* * * * *

"Mr. KENNEDY. Did you also have another job in addition to that?

"Mr. BERSCH. Yes; I did. That was at the Behlow and Meier Shell station.

* * * * *

"Mr. KENNEDY. And that is at 300 Fond du Lac Avenue, Sheboygan Falls?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. You were there attending the pumps; is that right?

"Mr. BERSCH. Yes; I was.

* * * * *

"Mr. KENNEDY. Were you there on July 4, 1954?

"Mr. BERSCH. Yes. I worked that afternoon and evening.

* * * * *

"Mr. KENNEDY. Was your father also working there?

"Mr. BERSCH. No, he wasn't.

"Mr. KENNEDY. Was he there on July 4, in the evening?

"Mr. BERSCH. Yes; he was.

"Mr. KENNEDY. Could you tell us what happened at approximately 9:30 or 9:25 on the evening of July 4?

"Mr. BERSCH. I was working there, and my father was there. He came over. He just lived across the street. He came over to see what I was doing. The next day we were going to go fishing.

* * * * *

"Mr. KENNEDY. Your father came over and you had a discussion about going fishing; is that right?

"Mr. BERSCH. Yes; he did.

"Mr. KENNEDY. At that time did an automobile draw up?

"Mr. BERSCH. Yes, a 1953 Buick pulled in in back of the wash rack of the station, while I was working at the pumps.

* * * * *

"Mr. KENNEDY. What happened then?

"Mr. BERSCH. Well, when I got finished at the pumps, I went over to see what he wanted, and it was a fellow by the name of Nick.

"Mr. KENNEDY. Nick Vrckovic; is that right?

"Mr. BERSCH. I think it is.

"Mr. KENNEDY. And you had known him before?

"Mr. BERSCH. I had known him approximately 5 or 6 years ago.

"Mr. KENNEDY. He had worked at the Kohler Co.?

"Mr. BERSCH. Yes; he did.

"Mr. KENNEDY. He was presently out on strike; is that right?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. He was a member of the UAW and supported the strike?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. What words did you have with him at that time?

"Mr. BERSCH. I went over to find out what he wanted, and I told him I just didn't have time. It was 9:30 in the evening already and I couldn't get to it. After that, then he said 'Well, I hear you are scabbing at the Kohler.' "I said, 'I didn't call it scabbing. I am making a living for my family.'

"Well, then he went back to having his brakes checked, and I said I couldn't do it. He got pretty rough, so I just turned around and walked away and I went back into the office of the station. I picked up the telephone——

"Mr. KENNEDY. Who were you going to call an the telephone?

"Mr. BERSCH. I was going to call the sheriff's department.

* * * * *

"Mr. KENNEDY. And the words between yourself and Vrckovic had been such that you felt it necessary?

"Mr. BERSCH. Yes. He got pretty—I wouldn't know the words to use, but further than an ordinary customer does.

"Mr. KENNEDY. So you went back into the station to make this telephone call to the sheriff's office?

"Mr. BERSCH. Yes; I did.

"Mr. KENNEDY. How many people were in the car?

"Mr. BERSCH. There were three people in the car.

"Mr. KENNEDY. And Vrckovic was driving the automobile?

"Mr. BERSCH. Vrckovic was driving.

"Mr. KENNEDY. Did you recognize either of the other two?

"Mr. BERSCH. No; I didn't.

"Mr. KENNEDY. You went back in and picked up the telephone to make a call?

"Mr. BERSCH. As I picked up the telephone, a fellow came in on the left side of me and put his hand between the telephone and receiver and broke the wire right off the receiver, and at the same time he hit me on the left side of my face and knocked me across the floor about 5 or 6 feet against a steel safe that was in the corner.

"Mr. KENNEDY. This was not Vrckovic?

"Mr. BERSCH. This was not Vrckovic.

"Mr. KENNEDY. It was one of the other two men?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. Go ahead.

"Mr. BERSCH. I was down and he trampled on me a little bit, and at the same time my father seen that and he came in the office, and then they jumped him.

"Mr. KENNEDY. Had he gotten a small children's baseball bat out of the automobile?

"Mr. BERSCH. Yes; it was a baseball bat in one of the cars that were in the station. He picked that up. It was a small child's——

"Mr. KENNEDY. He came in when he saw this man attacking you, and he came in there to help you?

"Mr. BERSCH. He came in there, yes.

"Mr. KENNEDY. How old was your father at that time?

"Mr. BERSCH. At that time he was 65.

"Mr. KENNEDY. He came into the station to try to assist you. What happened then?

"Mr. BERSCH. Then they jumped on him and beat him up while I was down. I don't know what they hit him with. He got hit in the head and broke a vertebra.

"Mr. KENNEDY. Were you conscious or unconscious during this time?

"Mr. BERSCH. Well, I just remember coming to. I must have been unconscious for a short time.

"Mr. KENNEDY. Was your father knocked unconscious?

"Mr. BERSCH. No, I don't believe he was.

* * * * *

"Mr. KENNEDY. You don't know what happened as far as your father was concerned or who hit him?

"Mr. BERSCH. No, I don't.

"Mr. KENNEDY. All you know is he was knocked down?

"Mr. BERSCH. He was knocked down.

"Mr. KENNEDY. And it was found later that he had broken a vertebra?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. Where was the vertebra broken, do you know?

"Mr. BERSCH. No; I don't. If I remember correctly, I think it was the 6th or 7th vertebra.

"Mr. KENNEDY. And the car drove away. Were you able to identify either of the other two men?

"Mr. BERSCH. Yes. I got a good look at the man on the outside, the right hand side of the car, as I was waiting on customers, when they were waiting.

"Mr. KENNEDY. And were you shown some pictures?

"Mr. BERSCH. Yes; I was shown some pictures."

* * * * *

"Mr. KENNEDY. Were you able to pick out from those pictures the man who was sitting on the outside of the automobile?

"Mr. BERSCH. Yes, I was.

"Mr. KENNEDY. Who did you identify him as?

"Mr. BERSCH. John Gunaca.

* * * * *

"Mr. KENNEDY. Which one was he of those that participated in the brawl, or beating * * *? Is he the one that hit you?

"Mr. BERSCH. He is the one that hit me; yes.

* * * * *

"Mr. KENNEDY. And then trampled on you?

"Mr. BERSCH. Yes.

* * * * *

"Mr. KENNEDY. What about your father? They broke his vertebra, but did he have to go to the hospital?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. When did he go to the hospital?

"Mr. BERSCH. He went that same night.

"Mr. KENNEDY. How long did he remain in the hospital?

"Mr. BERSCH. I think it was 18 days the first time.

"Mr. KENNEDY. And that was due to the beating that he had taken; is that right?

"Mr. BERSCH. Yes; it was.

"Mr. KENNEDY. Subsequently after he got out of the hospital, did he have to return to the hospital?

"Mr. BERSCH. He returned seven times after that.

"Mr. KENNEDY. What was that in connection with?

"Mr. BERSCH. Well, complications that turned up from his beating, as far as we could figure out.

"Mr. KENNEDY. Did he have a number of things wrong with him then?

"Mr. BERSCH. Yes. For a while he was pretty good, and then he developed a cough, and they operated on something that was wrong with his lungs. * * * Then he came home and went back after that again. It didn't feel right.

"Mr. KENNEDY. Did he have a chest operation subsequently?

"Mr. BERSCH. Yes.

"Mr. KENNEDY. What was that for, the chest operation?

"Mr. BERSCH. Well, I don't know the name of it, what it was for. It was something on the lower part of his lung.

"Mr. KENNEDY. But he never completely recovered after this beating on July 4, 1954?

"Mr. BERSCH. To my idea, he didn't, no.

"Mr. KENNEDY. He was never able to work again?

"Mr. BERSCH. He worked 2 weeks from the time that happened until he died.

"Mr. KENNEDY. When did he die?

"Mr. BERSCH. October 21, 1955, I believe it was." (vol. 10, pp. 1793–1803.)

As has been mentioned, John Gunaca's testimony shed little or no light on the alleged assaults upon Mr. Bersch and his father, because of the aforementioned request of his attorney. The following colloquy, however, is significant:

C. From the testimony of John Gunaca, member, Local 212, UAW, Detroit, Mich.

"The CHAIRMAN. * * * Let the Chair ask you one question, please, Mr. Gunaca. I will advise you in advance that I am not going to compel you to answer it unless you want to, but I think it is only fair to give you the opportunity.

"I had Mr. Bersch come around a while ago and identify you as the person who struck him at the time he testified to. I am not going to require you to answer it, but I want to give you the opportunity if you care to voluntarily make any statement about it as to whether you did or didn't.

"(The witness conferred with his counsel.)

"Mr. GUNACA. On advice from my lawyer, Mr. Chairman, he advises me not say nothing about it.

"The CHAIRMAN. All right. Are there any other questions?

"Senator [SAM J.] ERVIN. I would like to ask him a similar question, with the same advice that he would be entitled to claim the privilege against answering this question, and that is: Did you flee from the State of Wisconsin to the State of Michigan to avoid prosecution for an assault?

"(The witness conferred with his counsel.)

"Mr. GUNACA. Mr. Senator, I am advised not to answer that question neither." (Vol. 10, pp. 1939–1940.)

The fact that the labor bosses were subsidizing and protecting Gunaca was brought out in exchanges between Gunaca and Senators GOLDWATER and CURTIS. Said Senator GOLDWATER:

"Senator GOLDWATER. I might ask this of the counsel: Who is paying for your services?

"Mr. MARSTON. Mr. Chairman, this is something, I think, that ought to be within the area of privilege between client——

"Senator GOLDWATER. Then I will not ask the counsel. I will ask the witness. Are you paying the counsel?

"Mr. GUNACA. No, Senator GOLDWATER, I am not.

"Senator GOLDWATER. Who is paying the counsel?

"Mr. GUNACA. As far as I know, my local union is.

"Senator GOLDWATER. You know the local union is paying, do you not?

"Mr. GUNACA. I assume they are because I am not.

"Senator GOLDWATER. How long has the union been paying your counsel?

"Mr. GUNACA. Mr. Marston happens to be a legal adviser for our local.

"Senator GOLDWATER. Is Mr. Marston's firm permanently retained as counsel for local 212?

"Mr. GUNACA. That is the way I understand it, sir." (Vol. 10, pp. 1935–1936.)

It was brought out in the testimony of William Bersch, Jr., that top UAW representatives may have been instrumental in preventing him and Wisconsin law enforcement officials from seeing Michigan Governor G. Mennen Williams regarding the extradition of Gunaca, his alleged assailant. According to Bersch, an appointment with the governor had been set up—and:

"Senator CURTIS. It was your understanding that he [the district attorney] did have an appointment with the governor?

"Mr. BERSCH. That was my understanding, yes.

"Senator CURTIS. But did any of your party get to see the governor?

"Mr. BERSCH. No; they did not.

"Senator CURTIS. Did this conversation that you had with one of his assistants take place in part of the governor's office there?

"Mr. BERSCH. Yes; I think it was the assistant's office or the governor's office, but it was a small office.

"Senator CURTIS. What individuals were present besides the prosecutor and law enforcing officers that accompanied you? What other individuals were present when these conversations took place there in the capitol building?

"Mr. BERSCH. Mr. Rabinowitz, and an attorney from Michigan.

* * * * *

"Senator CURTIS. Now, did you notify the attorney for the UAW that you were going up there?

"Mr. BERSCH. I had not, and I don't think our party had.

"Senator CURTIS. So you made that trip up there, having an appointment with the governor, and you did not get to see the governor but you were met there by two attorneys, one of whom represented the UAW?

"Mr. BERSCH. Yes.

"Senator CURTIS. How long did you wait around trying to see the governor?

"Mr. BERSCH. Well, I don't believe we waited at all. We had an appointment, I think it was 9 or 10 oclock, and we went down there, and he was supposed to be there and his assistant was. Whether the district attorney was told before we came there he could see the governor or the assistant, I don't know.

"I was under the impression we would see the governor.

"Senator CURTIS. Do you recall whether any reason was given why you could not see the governor that morning?

"Mr. BERSCH. No, I don't." (Vol. 10, pp. 1828–1830.)

Committee members were not able to elicit direct answers from Vinson and Gunaca—or from the labor bosses—pertaining to those responsible for sending these men into Sheboygan. However, the manner in which

the International handled these various transgressions of the law leaves little doubt that this strategy had the passive, if not actual, approval of the labor bosses.

5. Boycotts were employed by the labor bosses during the strikes not for the legitimate purposes of bringing about a speedy settlement of the strikes, but as a punitive measure designed to intimidate those who disagreed with them. Reduced to its simplest terms, an illegal boycott is the boycott of A by an organized group (B) to compel a third party (C) to do, or abstain from doing, a thing for which A has no direct responsibility.

Such boycott activity is expressly and specifically designated as illegal by the Taft-Hartley law. Concerning boycotts and other unlawful combinations, Taft-Hartley says this:

"SEC. 303. (a) It shall be unlawful, for the purposes of this section only, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is—

"(1) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person." [8]

MOST of the testimony concerning the UAW's boycott activities was quite involved and often wandered far afield. UAW leaders freely admitted that various and sundry boycott activities were being carried on all over the country under the direction of the international—but steadfastly maintained that no international representative was responsible for any violations of the law. When activities hinting of illegality were brought up for scrutiny, the labor bosses disclaimed any responsibility; the blame was shifted to the rank-and-file and attributed to their "strained emotions."

For instance, with respect to the celebrated "clay boat incident"—when a private contractor attempted to unload a shipload of clay destined for the Kholer Co.—the following colloquy ensued:

A. From the testimony of Donald Rand, administrative assistant to Emil Mazey, secretary-treasurer of the UAW

"Mr. KENNEDY. Mr. Rand, perhaps we can finish about the clay boat. In the afternoon you came back and Mr. Biever came down, and at that time the tires were punctured of the car that was pulling in the crane [belonging to the private contractor]; isn't that correct?

"Mr. RAND. Yes; I believe so.

"Mr. KENNEDY. Did you have anything to do with that?

"Mr. RAND. No, sir.

"Mr. KENNEDY. How long did you remain in that area at that time?

"Mr. RAND. I would say about 30 minutes.

"Mr. KENNEDY. Then where did you go?

"Mr. RAND. I went back to my office.

"Mr. KENNEDY. How long did you remain in your office then?

"Mr. RAND. I was there, I believe, until the latter part of the afternoon.

"Mr. KENNEDY. Then did you go back to the dock?

"Mr. RAND. Yes. I believe I was there some time in the evening.

"Mr. KENNEDY. Why did you go back to the dock?

"Mr. RAND. I heard that there was a tremendous crowd there, that cars were driving through there, and just a tremendous group of people were there, and I went down there out of curiosity.

"Mr. KENNEDY. You went down to the dock three times, did you not?

"Mr. RAND. Yes.

"Mr. KENNEDY. Isn't it very peculiar that you happened to arrive at the dock on the three occasions when the crane was about to appear?

"At 7 o'clock in the morning you were there, and 11 o'clock in the morning you were there, when all of this violence was done to the crane, and you were there again at 6 o'clock in the evening when they were trying to get the equipment out. That is the situation.

"And isn't is very peculiar that you happened to show up—the international organizer of the UAW—and you happened to show up at the very time that these acts of violence took place, and where these incidents occurred?

"Mr. RAND. I don't think that there was any accident insofar as me being there. I was not there all of the time. I was there for an hour, and I didn't come down there for any other reason than to see what was going on.

"Mr. KENNEDY. It doesn't make any sense. You were there at 7 o'clock and you had the conversations with Buteyn [owner of the equipment which was to unload the clay], and you went back to your office and you came back at 11 o'clock, and at that time the equipment on the crane was wrecked. And you stayed for a half hour, and the equipment on the crane was wrecked, and you go back to your office and you remained in your office and you came back in the evening.

"Then you swear at the man who is trying to get the equipment out of the dock. Those are the facts. And whenever there was some act of violence, or whenever there was a disturbance, Don Rand was there.

"Mr. RAND. Well, Mr. Kennedy, actually when I came back there the second time, I didn't see the crane, and the only thing that I saw at that time was Mr. Biever in the car which I subsequently found out was being driven by the detective, when the Kohler Co. officials including Mr. Biever were there, and that was the incident which I related this morning.

"Mr. KENNEDY. Then, certainly, in the evening, when Mr. Happy Buteyn was trying to get his caterpillars out of the dock area, you prevented him, or told him or swore at him, and by intimidation prevented him from doing what he was entitled to do?

"Mr. RAND. At that time he came over to me, and he said something to me and I don't remember exactly what it was, and I said I didn't want anything to do with it.

"Mr. KENNEDY. Why didn't you arrange to have the lines opened up so he could get his equipment out of there?

"Mr. RAND. I hardly knew anybody who was there.

"Mr. KENNEDY. Well, Mr. Rand, it is very peculiar, I would say, that every time something occurred at the dock that day you were there.

"Mr. Buteyn's estimation, both of their estimations were that you were in charge, and talking to the police officials who will testify later, but you were the one who was instigating all of these riots or these incidents that were occurring at the dock.

"Do you deny any responsibility for it?

"Mr. RAND. I have no responsibility for any of the riot that occurred there.

"Mr. KENNEDY. You, as an international organizer——

"Mr. RAND. Men and women and children were there, and thousands of people were there before the day was out.

"Mr. KENNEDY. I understand.

"Mr. RAND. And I know nothing about it.

"Mr. KENNEDY. I understand, too, the fact that maybe at the beginning this was certainly not intended to occur; that is, as far as the violence, and perhaps at the beginning it wasn't intended there were going to be that many people. But certainly you did not do anything as an international representative of the UAW, you did not do anything to alleviate the condition.

"The situation appears that when there was an occurrence, when there was an incident, Donald Rand was present. I would like to just point out, as far as your history up there, Mr. Rand, you were there when the mass picketing was taking place when these nonstrikers could not get through the picket line, you were present and you did not take any steps at that time, as a representative of the UAW, to open up a line so the strikers (sic) could get to work. You were present on at least one occasion when the home demonstrations were taking place, which were completely unfair to the people living in those homes and wanted to go to work, and it was intimidation, and you were present on the three occasions down at the dock when incidents occurred.

"You were a representative of the International Union.

"Mr. RAND. The period of time in which I was at the clay boat, Mr. KENNEDY, probably covers 3 or 4 hours altogether.

"Mr. KENNEDY. That is correct. You were there at 7 o'clock in the morning when they arrived with the equipment?

"Mr. RAND. I don't know precisely whether something happened.

"Mr. KENNEDY. I will tell you what happened. You were there at 7 o'clock in the morning at the arrival of the equipment [when the Buteyns were not allowed to enter the dock area], at 11 o'clock in the morning, at the arrival of the crane, and where all of the damage was done, and 6 o'clock at night when they came to try to pick up their equipment. That is what happened.

"You were there 3 times, and 3 incidents occurred, and you were there in your participation in the rest of the strike?

"Mr. RAND. Yes; I was disturbed about it, and I did speak to Emil Schuette who was there, as I have already mentioned.

"Mr. KENNEDY. I would think that was completely unsatisfactory. You had an important position, Mr. Rand, and you could have, at the time the loudspeaker came down, gotten up and spoken yourself and told the people to go home, or certainly the people who looked to you for leadership.

"That is all.

"Mr. RAND. I wasn't in charge of this.

"The CHAIRMAN. Well, who was? Can we find out for goodness sakes, who was in charge?

"Mr. RAND. Mr. Burkhart was the international representative, and Mr. Allen Grasskamp.

"The CHAIRMAN. Was he your boss?

"Mr. RAND. Well, he superseded me as such.

"The CHAIRMAN. Was he there at the same time that you were?

"Mr. RAND. I don't believe so.

"The CHAIRMAN. Well, you were the highest ranking international official there; were you not?

"Mr. RAND. I may have been.

"The CHAIRMAN. All right, they were looking to you for leadership.

"Mr. RAND. Allan Grasskamp was president of the local union.

"The CHAIRMAN. But they were looking to you for leadership, so far as the international was concerned?

"Mr. RAND. Not in this particular situation.

"The CHAIRMAN. And you were in charge, and you were giving the directions and refusing to let them get their equipment out. And you were threatening them if they did; were you not?

[8] 61 Stat. 158.

"Mr. RAND. No, sir.

"The CHAIRMAN. As the testimony shows.

"Mr. RAND. I pleaded with these people not to cross our picket lines.

"The CHAIRMAN. Did you plead with them to let them get their equipment out of there?

"Mr. RAND. No.

"The CHAIRMAN. All right.

"Senator ERVIN. When I heard the testimony about the incidents at the clay boat dock, and then the disclaimer that it was not planned, but accidental, I cannot help but recall the statement that a great judge, Chief Justice Lacey of North Carolina Supreme Court, made on one occasion. He said: 'If two or more men coming from different directions and each carrying planks should meet at the center of a desert, and should place the planks together and form a perfect design, one might reasonably infer from such event that they came together by prearrangement.'" (Vol. 12, pp. 2299–2306.)

Thus, while the Buteyn Brothers' contracting company was not boycotted in the strictest sense of the word, force was employed by the labor bosses which prevented them from handling or transporting products of a third party destined for the Kohler Co.

Other testimony bearing on the picketing of innocent third parties was brought out on March 21.

B. From the testimony of Roy Johnsen, member of Local 833, UAW

"Mr. KENNEDY. * * * The reason you followed [the trucks] was to talk to the people to whom the deliveries were being made, isn't that right?

"You weren't going down to Chicago to talk to everybody in Chicago. You were talking to the people in the warehouse or the business project.

"Mr. JOHNSEN. That is right.

"Mr. KENNEDY. And trying to influence them not to buy Kohler products?

"Mr. JOHNSEN. To tell them our side of the story; yes, sir.

"Mr. KENNEDY. Would that entail setting up a picket line so that people would not come in and patronize that place of business?

"Mr. JOHNSEN. We did picket the places, sir.

"Mr. KENNEDY. So here is a third party who is handling Kohler products, and you would set a picket line up in front of a relatively innocent third party and start picketing their establishment merely because they were buying Kohler products?

"Mr. JOHNSEN. May I stress this, sir? We only picketed it at the time the Kohler Co. truck was there.

"Mr. KENNEDY. Did you ever picket anybody else, any other trucks?

"Mr. JOHNSEN. No, sir. Well, the Scheffler truck we did.

* * * * *

"Mr. KENNEDY. Now, you were actually picketing a third party, were you not, who might be handling as one of their products, or one of their products might be handling Kohler?

"Mr. JOHNSEN. Yes, sir.

"Mr. KENNEDY. And you received those instructions to do that from the officials of the union in Sheboygan?

"Mr. JOHNSEN. I received all of my instructions and money, and expense money, and everything from Curtis Nack at the strike kitchen.

"Mr. KENNEDY. Did it ever occur to you that this might be causing harm and difficulty for a third party that had nothing to do with the strike?

"Mr. JOHNSEN. In a way, sir.

"Mr. KENNEDY. But you went right ahead and did it anyway?

"Mr. JOHNSEN. Yes, sir." (Vol. 17, pp. 3541–3544.)

The fact that purely punitive boycott activities were carried on by the labor bosses against innocent third parties not in any way directly connected with the disputants—that is, the striking union as such and the Kohler Co.—was established in the testimony of the secretary-treasurer of the UAW International.

C. From the testimony of Emil Mazey, secretary-treasurer of the UAW

"Senator CURTIS. * * * Mr. Mazey, in this radio tape that was played back you made some remarks concerning the judge that presided over the case in which Mr. Vinson was found guilty, did you not?

"Mr. MAZEY. Yes; I made statements.

"Senator CURTIS. And among other things, you said this:

"'In this statement that I issued last Wednesday, I said that the sentencing of Bill Vinson was extremely harsh, and it was. It is the toughest sentence that has been handed down in Sheboygan County on a case of this type in the history of the county.'

"Then you went on to state:

"'I further said that the conduct of Judge Schlichting, in the Vinson case, raised a serious question in my mind as to whether he is qualified to serve as a judge in this community and I repeat this charge.'

* * * * *

"And then this speech in which part of it you attacked the judge and questioned whether he was qualified to serve in the community—that was played over the radio?

"Mr. MAZEY. Yes, sir; my speech was played to the community.

"Senator CURTIS. How many radio stations?

"Mr. MAZEY. It was played on one station, I believe.

"Senator CURTIS. And that reached at least the immediate area around there of several thousand people.

"Mr. MAZEY. I am told I had a very good audience for that speech.

"Senator CURTIS. Was time purchased to play this?

"Mr. MAZEY. Yes; it was.

"Senator CURTIS. And who paid for the time?

"Mr. MAZEY. The union, the UAW.

"Senator CURTIS. The International?

"Mr. MAZEY. The International did." (Vol. 7, pp. 1375–1378.)

* * * * *

"Senator CURTIS. Now, Mr. Mazey, what grocery store was it that Judge Schlichting was supposed to have a financial interest in?

"Mr. MAZEY. He had Piggly Wiggley Markets.

"Senator CURTIS. Where is that?

"Mr. MAZEY. They were in Sheboygan. And then he had the Schlichting Market in which he had an interest in Sheboygan Falls.

"Senator CURTIS. He was part owner?

"Mr. MAZEY. To the best information that I had he owned about 20 percent of the stock of these stores.

"Senator CURTIS. And is there a boycott of those stores going on now?

"Mr. MAZEY. No, the judge finally decided to practice law and get out of the grocery business and he sold his interest, and there is no boycott of the stores.

"Senator CURTIS. When did the boycott start?

"Mr. MAZEY. There wasn't any boycott, Senator Curtis. We have a right to spend our money, dues money of our members anywhere we want to. If we chose not to spend it in the store that Judge Schlichting had an interest in, that was our business.

"Senator CURTIS. When did the judge sell his interest in these stores?

"Mr. MAZEY. Shortly after this particular incident, and I don't know the exact date, but I am advised that he sold his interest.

"Senator CURTIS. Was that brought about as a result of the action of the union took?

"Mr. MAZEY. No. I think the judge finally came to the conclusion that the statement that he made to Dave Rabinowitz, and Allan Grasskamp and Bob Burkhart early in May, that he had a conflict of interest and didn't want to serve on any cases of UAW members because he sold to both strikers and nonstrikers—I think the judge finally put his own conflict of interest definition into practice.

"Senator CURTIS. Now, you gave no encouragement or suggestion to people that they not trade at these stores?

"Mr. MAZEY. Senator Curtis, you don't know how we handle our strike assistance. Each Kohler worker would appear before the strike assistance committee, or what we call our community service committee, and we gave assistance in the way of food vouchers. These food vouchers could be cashed in at most of the stores of the city of Sheboygan and with whom we had arrangements.

"The vouchers were accepted as cash, and once each month or oftener, the owners of the stores would send these to our office in Sheboygan, and we would pay the food vouchers.

"At the point this matter came up, I gave instructions that there were to be no food vouchers in the stores that Judge Schlichting had an interest in.

"Senator CURTIS. But up to that time, the individual receiving the vouchers could take it to the store of his own choosing?

"Mr. MAZEY. That is correct." (Vol. 7, pp. 1427–1429.)

Still other testimony concerning boycotting of third parties not directly concerned with the Kohler Co. or its employees was brought to light. For instance:

D. From the testimony of Leo J. Brierather, chief steward, local 833, Kohler, Wis.

"Mr. KENNEDY. When the union began its boycott, you had a position in the operation of the boycott?

"Mr. BRIERATHER. Well, not from the very beginning, sir.

"Mr. KENNEDY. When did you first take on a position?

"Mr. BRIERATHER. Approximately the middle of June of 1955.

"Mr. KENNEDY. When did the boycott begin?

"Mr. BRIERATHER. * * * it wasn't until a membership meeting some time in March of 1955 when the local union actually began talking about pursuing a boycott campaign.

"Mr. KENNEDY. Were you the first official head of the boycott company?

"Mr. BRIERATHER. Yes, I would say so." (Vol. 16, pp. 3339–3340.)

* * * * *

"Senator CURTIS. Now, when you go on a caravan [into various localities demonstrating against Kohler-made products], would that be just a 1-day trip?

"Mr. BRIERATHER. Yes.

"Senator CURTIS. So not very much picketing was done in connection with the caravans?

"Mr. BRIERATHER. No, sir.

"Senator CURTIS. When you did picket it would be longer than a day's duration; wouldn't it?

"Mr. BRIERATHER. I don't believe so, sir.

"Senator CURTIS. You don't think so?

"Mr. BRIERATHER. No, with the exception of where we picketed the Kohler showrooms, like, say, in New York and down at the Tribune Building in Chicago. That wasn't really done under my direction.

"Senator CURTIS. How long did that picket line run, down in Chicago?"

* * * * *

"Mr. BRIERATHER. It could be a year. I would be guessing at that, Senator.

"Senator CURTIS. Who marched in that picket line?"

* * * * *

"Mr. BRIERATHER. We generally got 2 unemployed UAW workers, or anyone that was unemployed.

"They were paid pickets, sir.

"Senator CURTIS. Who paid for that?

"Mr. BRIERATHER. The international union, sir."

* * * * *

"Senator CURTIS. Did you ever picket any business other than the Kohler showrooms?

"Mr. BRIERATHER. Yes, sir. We picketed the Hartshorn Bros. Co."

* * * * *

"Senator CURTIS. They were merchants not connected with Kohler Co., is that right?

"Mr. BRIERATHER. I believe that is right, sir."

* * * * *

"Senator CURTIS. Isn't it a fact that Kohler strikers did picket several businesses other than Kohler around Wisconsin? Isn't that right?

"Mr. BRIERATHER. They might have, sir. I don't recall.

"Senator CURTIS. All right. But you were the coordinator of this whole program, weren't you?

"Mr. BRIERATHER. Yes; but under my direction no one ever picketed any one of these. It was not part of my function.

* * * * *

"Senator CURTIS. Well, now, isn't it a fact that Kohler strikers picketed the United Plumbing and Heating Supply Co. in Milwaukee, Wis.?

"Mr. BRIERATHER. Yes. This I mentioned before, that there may have been a few establishments in Milwaukee that were picketed.

* * * * *

"Senator CURTIS. All right. [Did] The Kohler strikers picket the Cordes Supply Co. in Milwaukee, Wis.?

"Mr. BRIERATHER. I assume they did. I couldn't say yes or no from my own information.

"Senator CURTIS. You mean by that you didn't see them?

"Mr. BRIERATHER. That is correct.

* * * * *

"Senator CURTIS. Now, did you have any pickets at the Rupert Plumbing and Appliance Co. in Milwaukee, Wis.?

"Mr. BRIERATHER. We most likely had, sir.

"Senator CURTIS. Although you didn't see them, you know that they were there?

"Mr. BRIERATHER. That is correct.

* * * * *

"Senator CURTIS. Did you have any pickets at the F. R. Dingle Co. in Milwaukee?

"Mr. BRIERATHER. Yes, sir." (Vol. 16, pp. 3353–3365.)

Mr. Brierather was asked about the picketing of many more third parties, but claimed to be never quite sure whether or not such picketing was carried on. However, when asked if he would deny that the UAW picketed these small-business men, he emphatically replied, "Oh, no. No."

It must be stressed that, by and large, the UAW boycott activities against the Kohler Co. have been within the strict letter of the law. They are primarily consumer boycotts and, with the exception of the aforementioned "clay boat incident," have not been in violation of the secondary boycott provisions of Taft-Hartley. (The National Labor Relations Board has issued a complaint against the UAW for its illegal activities concerning the unloading of the clay boat.)

However, when the following facts are considered, the true potential of the power of the labor bosses is brought into proper perspective:

(1) The various UAW boycotts against the Kohler Co. is costing the union millions of dollars. This money comes out of the dues of individual laborers, not from a special voluntarily contributed fund. So, hundreds of thousands of UAW members have had their dues more than doubled to finance this venture directly involving less than 2,000 of their fellow workers. And, under the law as it now stands, they must pay the increased assessments—which were levied without their consent or approval in a referendum vote—or lose their jobs.

(2) The boycott has reached into remote recesses of American life far removed from the issues involved in the Kohler strike. For instance: communities have been made to suffer because city councils as far away as Connecticut have been induced to pass resolutions forbidding the city to let contracts to firms using Kohler plumbing ware even if Kohler is the low bidder; and a community chest has been boycotted which gave money to a hospital installing Kohler equipment under an existing contract. Thus, it is apparent that the UAW seeks to reward all those who agree with them and to punish all those who do not.

In view of these facts, such wholesale boycott activities, which can be financed only with the huge amounts of money available to unions like the UAW, could very well be against the public interest.

6. Vilification and character assassination of public officials who have disagreed with them has been a vital part of the over-all strategy of the labor bosses in the conduct of the strikes.

Emil Mazey's attack on the integrity of the judge—as well as his order to boycott the stores in which the judge had an interest—who sentenced William Vinson for his viscious assault on a nonstriker at Kohler was mentioned previously.

That such vilification and intimidation of public officials who disagree with the labor bosses is not accidental is shown in the following testimony.

A. Testimony of Emil Mazey, secretary-treasurer, UAW International.

"Senator CURTIS. After you made these attacks against the judge, was there any objection to it made by various groups in the community?

"Mr. MAZEY. Yes, I said in my speech that the bar association objected, and the clergy objected, and even the medical association objected.

"Senator CURTIS. Now, I have before me here what purports to be some objection of the Catholic clergy, taken from the Sheboygan (Wis.) Press, Friday, November 12, 1954.

"The headlines are: 'Catholic Clergy Has Statement on Mazey.

" 'The following statement condemning Emil Mazey's attack on the integrity of Circuit Judge F. H. Schlichting was issued today by all of the Catholic pastors of Sheboygan, Sheboygan Falls, and Kohler:

" 'There comes a time when silence is imprudent, and may even be harmful to a community, such as Sheboygan and that time is now. A resident of Sheboygan County was attacked and severely injured by another man. The attacker was tried in circuit court and convicted by a jury of assault with intent to do grave bodily harm.

" 'The judge of the circuit court, F. H. Schlichting, sentenced the convicted man to prison. The attorneys for the convicted man openly in court complimented the judge for his fairness in the conduct of the trial.

" 'The State supreme court denied the convicted man a stay of execution of the sentence. In the face of all these acts, the secretary-treasurer of the UAW, CIO, Emil Mazey, closing his eyes to the fact that the injured man was in danger of dying, has accused the judge of obvious bias shown against organized labor.

" 'He even presumed to question whether the judge is qualified to serve as a judge in this community. He has attacked the integrity of a major court of this country, and deserves to be called decisively to task for his insolence.

" 'Lawlessness is the result in any society or community when law and order are disregarded and flouted. It is the beginning of anarchy. Is the secretary-treasurer advocating either one?' "

Then Senator CURTIS read the names of all the priests who had signed the statement and continued:

"Now, Mr. Mazey, it seems to me that this was not the criticism of a citizen over a decision of a court, but that you were leading a powerful and rich organization in a demonstration to intimidate courts in this land.

"Mr. MAZEY. That isn't true, sir.

"Senator CURTIS. And I believe that this censure that these men of the clergy gave you, that they should be commended for it.

"Mr. MAZEY. If I may comment on your remark——

* * * * *

"Senator CURTIS. * * * did any other group condemn you?

"Mr. MAZEY. I told you they did. The bar association passed a resolution organized by the Kohler attorneys. And the medical association passed one too, and I believe there were three resolutions passed against me at that particular time.

"Senator CURTIS. Now, Mr. Mazey, I have here what appears to be a clipping from the Sheboygan, Wis., Press, Friday, November 12, 1954. It is this paper here that has at the bottom the Sheboygan County Bar Association, and I will read the main body of it here, and ask you if that is the condemnation that they leveled against you?

"Mr. MAZEY. I am willing to stipulate that I was condemned by the bar, and the medical association, and by the clergy, and I am willing to stipulate that fact.

"Senator CURTIS. But I think that your actions were so out of place that I think it is important that we make a matter of record what these fine citizens like the clergy, and the bar, and these other groups——

"Mr. MAZEY. I am a fine citizen, too, sir.

"Senator CURTIS. I haven't said anything about that.

"Mr. MAZEY. I just want to keep the record clear.

"Senator CURTIS. I did not think you might want to do that. That would make it permissible for me to introduce evidence to the contrary. But this reads as follows:

" 'The members of the Sheboygan County Bar Association have the fullest confidence in Judge F. H. Schlichting as judge of the Fourth Judicial Circuit of Wisconsin, and particularly do we commend the judge on his fair and impartial conduct in the recent trial of the Vinson case.

" 'We do therefore challenge and deny the implications in the statement of the UAW, CIO officials quoted above. We condemn this action of the officers of the UAW, CIO who by economic boycott are attempting to interfere with and influence the courts of this State and county.

" 'By so doing they are striking at the very heart of our free and democratic system of government. We as attorneys and officers of the court know well the record of F. H. Schlichting as judge of our county and circuit courts over a period of some 22 years, and we do without reservation reaffirm our confidence in him.

" 'We believe that the vast majority of the citizens of this county will unite with us and condemn and denounce such tactics.'

"Now, that was the statement that they published in answer to your statements.

"Mr. MAZEY. I believe it was the statement. I haven't followed it word for word, but I was advised it was written by Kohler attorneys passed among bar association of Sheboygan.

"Senator CURTIS. Well, that is hearsay. Can you prove that?

"Mr. MAZEY. No, I can't.

"Senator CURTIS. Why do you say it then if you can't prove it?

"Mr. MAZEY. Because I believe it.

"Senator CURTIS. But you are under oath here to give us the facts.

"Mr. MAZEY. That is right, and it is my opinion that the Kohler attorneys, the stories among the attorneys of Sheboygan, the Kohler attorneys circulated that statement and I believe that to be true.

"Senator CURTIS. Do you believe that the company controlled all of these members of the clergy that took part in this?

"Mr. MAZEY. They controlled some of them.

"Senator CURTIS. Which ones?

"Mr. MAZEY. I don't know.

"Senator CURTIS. Well now you said they controlled some of them, and which ones?

(The witness conferred with his counsel.)

"Mr. MAZEY. On the matter of——

(The witness conferred with his counsel.)

"Senator CURTIS. I will hand you the list of these clergyman, and you tell me which ones the company controlled.

"Mr. MAZEY. I don't know which ones the company controlled.

"Senator CURTIS. All right, you read the first name there, and read it into the record, and tell us whether or not the company controls that priest.

"Mr. MAZEY. I might save some time by saying I don't know which of the indvidual ministers they controlled, but I believe they influence them.

"Senator CURTIS. Now, you said they controlled some of them, Mr. Mazey?

"Mr. MAZEY. I believe they do.

"Senator CURTIS. We did not ask you for a statement of opinion. You were asked the question as to whether or not they controlled these clergymen, and you said they controlled some of them.

"Mr. MAZEY. I expressed an opinion in reply to a question.

"Senator CURTIS. Now, I want you to take that list and read off the first name there. Will you do that?

"Mr. MAZEY. I have already said I don't know which of these they control.

"Senator CURTIS. Read that first name on there?"

* * * * *

"Mr. MAZEY. John G. Carroll."

* * * * *

"Pastor of St. Clement Parish.

"Senator CURTIS. Now, does the Kohler Co. control him?

"Mr. MAZEY. I don't know.

"Senator CURTIS. Read the second one.

"Mr. MAZEY. Robert M. Hoeller, pastor, St. Peter Claver Parish.

"Senator CURTIS. Does the Kohler Co. control him?

"Mr. MAZEY. I don't know whether he controls him or not.

"Senator CURTIS. Now, coming back to this first name, is it your opinion that the company controls that one, the first name that you read?

"Mr. MAZEY. It is my opinion that the company influences many of the clergy in Sheboygan.

"Senator CURTIS. Oh, no; is it your opinion that the company controls the name of the first clergyman on the list?

"Mr. MAZEY. Senator, I can't categorically say which of these they control.

"Senator CURTIS. I am not asking about any of the rest of them, but just the first one. Is it your opinion that the company controls him?

"Mr. MAZEY. I don't know.

"Senator CURTIS. Is it your opinion that the company controls the second one?

"Mr. MAZEY. I don't know whether they control them or not, and I believe they influence many.

"Senator CURTIS. Now read the third one.

"Mr. MAZEY. Anthony J. Knackert."

* * * * *

"* * * pastor of the Holy Name Parish.

"Senator CURTIS. Does the company control that clergyman?

"Mr. MAZEY. I don't know whether they do or not but I think some Kohler workers could testify as to which ones the company does control.

"Senator CURTIS. Now, listen, it was your testimony under oath * * * that the Kohler Co. controlled some of these clergymen.

"Mr. MAZEY. It is my opinion, sir.

"Senator CURTIS. All right; is it your opinion that they control this one?

"Mr. MAZEY. I don't know.

"Senator CURTIS. All right; read the next one.

"Mr. MAZEY. Louis Koren, pastor of Saints Cyril and Methodius Parish.

"Senator CURTIS. Does the company control that one?

"Mr. MAZEY. I don't know.

"Senator CURTIS. In your opinion, do you believe that they do?

"Mr. MAZEY. In my opinion, the Kohler Co. has great influence over the church, over the bar, and over the medical association in Sheboygan.

"Senator CURTIS. Then you are stating that it is or isn't your opinion that the company controls this last clergyman mentioned?

"Mr. MAZEY. I don't know specifically.

"Senator CURTIS. All right; read the next one.

"Mr. MAZEY. Charles J. New, pastor of St. Mary's Parish, Sheboygan Falls.

"Senator CURTIS. Now, does the Kohler Co. control that one?

"Mr. MAZEY. I don't know; I think that they influence many.

"Senator CURTIS. You think that they influence that one?

"Mr. MAZEY. The Kohler Co. influences everything in Sheboygan County.

"Senator CURTIS. Well now, a bit ago you said the company controlled some of these, and now is it your opinion that this one, this one last read is one that they control?

"Mr. MAZEY. I do not know, it is possible they do."

* * * * *

"Senator CURTIS. Do you make that charge, that there is a possibility that the Kohler Co. does?

"Mr. MAZEY. It is a possibility they control every one of these churches.

"Senator CURTIS. In order to do that, that would seriously reflect upon the character of these clergymen, would it?

"Mr. MAZEY. I think it does, yes.

"Senator CURTIS. All right, now read the next one.

"Mr. MAZEY. John A. Risch, pastor of St. John Evangelist Parish, Kohler.

"Senator CURTIS. Does the company control that priest?

"Mr. MAZEY. Well, I have no specific proof, but anything that is existing in the Kohler Village, they control. They handle or they are really the biggest landlord of the community, and I imagine they picked the parish ministers in this case.

"Senator CURTIS. Referring back to your previous statement under oath, that the Kohler Co. controls some of these clergymen, is this last one mentioned one that they control?

"Mr. MAZEY. I do not know but I assume that they do."

* * * * *

"Senator CURTIS. And does that carry an assumption that reflects against the character of the clergymen involved?

"Mr. MAZEY. My assumption is based on this fact, Senator, that the Kohler Village has about 1,500 people living in it, and all of the houses are given to the company's select personnel, and before a house can be sold it must be approved by the president of the Kohler Co., and I assume that with that kind of tight control over a community, that Kohler probably picks the minister of that particular parish as well.

"If he picks the minister under these circumstances, he would control him."

* * * * *

"Senator CURTIS. Read the next clergyman on that list."

* * * * *

"Mr. MAZEY. * * * James J. Shlikas, pastor of Immaculate Conception Parish.

"Senator CURTIS. Does the company control him?

"Mr. MAZEY. I do not know.

"Senator CURTIS. Is it your belief that they do?

"Mr. MAZEY. I believe that the company influences all of the churches in Sheboygan County."

* * * * *

"Senator CURTIS. Do you mean in the whole county there is not one church that is not under the influence of the Kohler Company?

"Mr. MAZEY. No, I wouldn't make that statement, because I hope there are some men of integrity in that county."

* * * * *

"The CHAIRMAN. Are you implying that these men are not men of integrity?

"Mr. MAZEY. What I am implying is that these men have attacked me, they have defended the position of the Kohler Company. Not once during this entire struggle have they ever said anything on behalf of strikers. What other conclusion can I reach?"

* * * * *

"Senator CURTIS. I was never so astounded at a witness at any Congressional hearing that I have ever known of or read of, as the statement that you have made here today."

* * * * *

"* * * That is, reflecting upon the character of individuals such as this.

"Mr. MAZEY. Some very astounding things happen in Kohler Village and in Sheboygan."

* * * * *

"Senator CURTIS. * * * Read them all [the names] one by one and tell me whether or not the company controls them.

"Mr. MAZEY. We have one more to go. William Weishaupel, the pastor of the St. Dominic Parish.

"Senator CURTIS. Does the company control him?

"Mr. MAZEY. I don't know.

"Senator CURTIS. Is it your opinion that they do?

"Mr. MAZEY. It is my opinion that the company influences all of the clergy who signed their names to this particular statement."

* * * * *

"Senator CURTIS. * * * Before we started to go over that list one by one, you made the flat statement that the company controlled some of those clergymen. Is that still your statement?

"Mr. MAZEY. I said that in my opinion the company controlled the clergy of Sheboygan, Sheboygan Falls, and Kohler Village, in my opinion.

"Senator CURTIS. Do you mean by that they are not men of integrity?

"Mr. MAZEY. If they are controlled by the Kohler Company, they couldn't be.

"Senator CURTIS. Which ones are you referring to that could not be men of integrity?

"Mr. MAZEY. I said that in my opinion——

"Senator CURTIS. I know what you said. I am talking about which individuals are you saying are not men of integrity?

"Mr. MAZEY. All of them." (Vol. 7, pp. 1381–1397.)

When the Kohler and Perfect Circle strike hearings were finally concluded, the public was treated to some particularly pungent

examples of the UAW's tactic of smearing those who do not agree with them.

Joseph L. Rauh, Jr., counsel for all UAW witnesses who testified at the hearings, called the hearings a "waste of time" which in 6 weeks did not produce "one new fact." He also termed the hearings "the most disgusting performance I have ever seen."

Speaking before the Washington, D. C., chapter of the ADA on April 1, Rauh said Senators CURTIS, GOLDWATER, and MUNDT were "antilabor dwarfs from the last century." Rauh called Senator CURTIS "a nasty little man" and "a Mickey Mouse trying to act like Bob Taft."

Senator MUNDT, according to Rauh, was a cry baby" and "sneaky." Senator GOLDWATER, he said, was a "hit-and-run artist."

Rauh also attacked the four Democrats on the committee, including Chairman MCCLELLAN, saying they "completely abdicated their responsibility" and permitted Senators CURTIS, GOLDWATER, and MUNDT to run the Kohler investigation.

Rauh is a former national chairman of the Americans for Democratic Action, a left-wing political group which, it was brought out in the hearings, gets a third of its annual income from the UAW. This means that a total of $12,000 a year is contributed by the UAW to the coffers of ADA.

In conclusion it must be stressed that practices of the Kohler Co. which were not entirely above reproach were brought to light. Also, that the labor bosses of the UAW are not the only irresponsible labor leaders in the country. These particular hearings have been singled out because of their thoroughnes and timeliness.

Moreover, it should not be concluded—because of the lack of evidence here to the contrary—that the unfortunate incidents in the Kohler and Perfect Circle strikes are isolated cases. Representative CLARE HOFFMAN of Michigan, and Senator GOLDWATER cited before the committee numerous occasions of wholesale violence, threats, intimidation, and gross illegalities in other labor disputes on the part of the UAW and other unions. These covered a period of many years and, with the evidence elicited from the witnesses before the committee, showed a definite pattern of such tactics in labor disputes.

Walter Reuther, president of the UAW and vice president of the merged AFL–CIO, appeared before the committee at the conclusion of the hearings. The liberal press which gave a one-sided coverage to the hearings from the beginning, hailed his testimony as a vindication of the UAW leadership.

Raymond Moley, in a Newsweek column entitled, "Irresponsible Power," more accurately summed up the hearings—particularly as they related to Reuther's testimony.

Moley wrote in part as follows:

"Don't believe the stories that Walter Reuther came through his examination before the McClellan committee in March with flying colors. In the persistent questioning by Senators CURTIS, GOLDWATER, and MUNDT * * * it was made clear that either Reuther refuses to accept responsibility for the conduct of the Kohler strike or, as he claims, he has only slight control over his own union."

* * * * *

"There was elicited from the witness an amazing denial of his responsibility for the conduct of his union and of its high officers.

"But the union local at Kohler was the creature of the International UAW of which Reuther is the head. The International organized the local, receives dues from it, creates the rules under which it operates. In the Kohler strike it spent more than on any strike it ever had—$10 million. It paid relief for the strikers; it paid lawyers for defending members and officers charged with crimes; it paid their wages if they were in jail. But violence and illegal mass picketing, completely proved, were placed by Reuther at the door of the local. He visited Kohler only once, and then only to make a speech.

"Men responsible to Reuther, such as [Emil] Mazey, secretary-treasurer and second man in the International, were guilty of arrogant incitements to class feeling at the scene. This was excused by the witness because Mazey has 'a low boiling point.' He failed to explain why international representatives knew or were alleged to know little of the law in a State in which they had loosed wholesale disorder. Not Reuther but the authorities in Wisconsin had to teach them the laws governing labor disputes. Respected citizens of the State, including members of the clergy and judges, were traduced by union officers, and the courts were violently attacked.

"For this revelation of irresponsible power, the country is indebted to Senators CURTIS, GOLDWATER, and MUNDT. They also served the public interest by bringing before the country the picture of lawlessness at Kohler. They put this union and others on notice that in the long run they will be judged by what they do and not by what they say in their propaganda." [9]

PART 2. THE LABOR BOSSES IN POLITICS

Part 1 of this report is an analysis of some current and not entirely untypical labor disputes highlighting the questionable methods which have been employed by the labor bosses in their rapid ascent to power and the tactics they are using to remain at the pinnacle.

This section is a report on what these men have done and propose to do with that power in the political sphere.

By way of background it should be pointed out that 1955 was a banner year for the labor bosses. For, in February of that year the groundwork was laid for a new and mighty coalition of organized labor in America—the merger of the American Federation of Labor and the Congress of Industrial Organizations. This marriage of convenience was officially solemnized on December 5, 1955. It meant that henceforth over 18 million American laborers would be funneling hundreds of millions of dollars annually in dues payments into the AFL–CIO till.

With the merger came the consolidation of the political auxiliaries of the two powerful unions—Labor's League for Political Education (AFL), and the Political Action Committee (CIO). This political action task force, in its consolidated state, was officially dubbed the Committee on Political Education—commonly known as COPE.

COPE—while it is by far the most highly organized and most richly endowed political machine controlled exclusively by the labor bosses—is not the only political action group of organized labor. Actually, there are some 40 separate outfits which, under Federal law, have reported spending millions of dollars for direct political action (see pt. 3).

Besides COPE, some of the larger ones are: United Auto Workers PAC, United Steel Workers PAC, International Ladies' Garment Workers Campaign Committee, Machinists Nonpartisan Political League, Amalgamated Clothing Workers PAC, Railway Labor's Political League, and Trainmen's Political Education League.

The Federal Corrupt Practices Act is very explicit concerning the political activities of labor unions. Section 610 reads as follows:

"It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which presidential or vice presidential electors, or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. * * * For the purposes of this section 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work." [10]

The labor bosses, however, claim that these political auxiliaries do not fall within the Corrupt Practices Act definition of a labor organization. And, furthermore, that their activities are financed by voluntary contributions.

But are they?

There is ample evidence that they are not; that, if they appear to be, it is only the result of fancy bookkeeping.

A case in point involving the aforementioned Railway Labor's Political League follows:

"A jury verdict reached in North Carolina State court, April 25, 1958, held that the railroad unions use dues money which they collect from employees under the union-shop requirement to influence votes in elections to public office and for making financial contributions to candidates and political committees. It is also held that dues moneys are used for lobbying activities which are not reasonably related to collective bargaining.

"The suit, *Allen, et al.* v. *Southern Railway System*, was initiated in the Superior Court at Charlotte by a group of nonunion employees of the Southern Railroad who sought an order of the court to prevent their discharge for refusing to join the unions and pay union dues and fees as required by the union-shop contract entered into between the railroad and the rail unions in 1953.

"(Up until 1951, the union shop was not permitted under the Railway Labor Act, but in that year the act was amended to authorize employers and unions to enter into contracts making union membership a requirement for all employees. Under pressure from the unions all major railroads in the country have signed union-shop contracts. The Southern Railroad contract under which this suit was brought, was entered into in 1953.)

"The legality of the union-shop requirement has previously been tested and generally upheld, but in no previous case has the issue been presented to the courts squarely in terms of the use of union dues for political purposes. In the Hanson case (*Railway Employees Department, AFL* v. *Hanson, et al* (351 U. S. 225)) decided in 1956, the United States Supreme Court upheld the constitutionality of the union-shop amendment of the Railway Labor Act on the ground that since the unions bargain collectively for all employees, both union and nonunion, it is no deprivation of their constitutional right to require all employees to pay dues to cover the costs of collective bargaining. The Court pointed out the record before it in that case did not properly raise the issue of whether the union-ship agreement 'forces men into ideological and political associations which violate their right to freedom of conscience, freedom of association and freedom of thought protected by the Bill of Rights.' The Court stated that if a showing were

[9] Newsweek, April 28, 1958, page 100.

[10] 18 U. S. C., sec. 610.

later made that 'the exaction of dues, initiation fees or assessments is used as a cover for forcing ideological conformity or other action in contravention of the first amendment, this judgment will not prejudice the decision in that case.' This language of the Court has been generally interpreted to indicate a strong feeling among at least some members of the Court that use of union dues money for political purposes would render the union-shop contract unconstitutional.

"In the North Carolina case the plaintiffs introduced direct evidence of use of union dues for influencing elections and for making large-scale contributions to political candidates and political campaign committees. An important item of evidence consisted of a file of special election editions of the weekly newspaper Labor, which is owned by a number of the Railway Brotherhoods, containing direct appeals for support of various candidates in national and State elections. Labor, which has a circulation of over 600,000, carries no advertising and is financed primarily from union funds. Also offered in evidence were a number of other publications such as monthly magazines and bulletins containing candidate endorsements and other campaign propaganda material.

"The most impressive evidence introduced during the trial consisted of lists of political contributions made by Railway Labor's Political League in 1956 totaling in excess of $100,000. Railway Labor's Political League was identified as an unincorporated body consisting of the heads of 21 railway labor organizations. A showing was also made that Railway Labor's Political League obtains at least part of its financing from assessments upon the various rail unions through an affiliated unit known as the Railway Labor Executives Association.

"Further lists were offered in evidence showing campaign contributions totaling approximately $500,000 in 1956 by the AFL–CIO's political arm, COPE. Related evidence showed that $365,000 of the funds spent by COPE on political education activities came from per capita assessments which the AFL–CIO levies upon affiliated unions. All of the railway labor unions are affiliated with the AFL–CIO.

"During the course of the 5-day jury trial the defendant unions, through their attorney, strenuously resisted the plaintiff's efforts to introduce in evidence the various union newspapers and magazines and also the lists of political contributions which were copied from the reports filed by Railway Labor's Political League and COPE with the Clerk of the House of Representatives under the Federal Corrupt Practices Act.[11]

"G. E. Leighty, president of the Order of Railroad Telegraphers, and vice chairman of Railway Labor's Political League, appeared as a witness to assert that all moneys contributed to candidates by RLPL and by COPE were derived from voluntary contributions of union members rather than from union dues or assessments. Upon demand of the plaintiff's attorney that he produce the records of these organizations to back up his statements, Leighty refused to produce any records and stubbornly claimed that they were not under his custody or control.

"Leighty freely admitted that the unions engage extensively in lobbying activities but asserted that they had a legitimate interest in many types of measures considered by the various State legislatures and by Congress. He described in detail the various wage gains the rail unions have won over a period of years and asserted that all employees who have benefited from union bargaining activities should be required to pay a fair share of the cost. Upon cross-examination, Mr. Leighty could not estimate what percentage of the total amounts collected as dues from rail workers is spent for collective bargaining. The attorney for the plaintiffs brought to the witness stand a number of employees who testified that when their jobs were brought under the union contracts they lost many of the benefits they had previously enjoyed. A number of these employees testified they had 30 to 35 years of service with the Southern Railroad before they were told they had to sign up with the union.

"George M. Harrison, president of the Brotherhood of Railway Clerks, testified that all of the activities of his union in the legislative and political education field are merely expressions of the will of the majority of the rank-and-file members, arrived at through democratic processes beginning at the local lodge level. This testimony was refuted, however, by local lodge officers, who asserted that they are never consulted on any such matters and, to their knowledge, no such matters had ever been taken up in local lodge meetings for consideration.

"In presenting the case to the jury, the plaintiffs' attorney stated that they were not fighting labor unions, but were "fighting for the principle of freedom as opposed to compulsion." He pointed out that labor unions have undoubtedly had great value, particularly during periods when employers had all the economic power on their side and could exercise tyranny over their employees. "Now, however," he declared, "we are way over on the other side of that battlefield and we are fighting to protect the employees from the tyranny of the labor unions."

The jury, consisting of 6 women and 6 men—including 2 union members—unanimously concluded that the evidence showed that the defendant unions used dues and fees collected from railroad employees under the union-shop contract to influence votes and to make political contributions. In neither case, the jury found, is there any reasonable relationship to collective bargaining.

"The jury answered the issues as follows:

"'(1) Do the defendant unions use dues and fees which they collect from railroad employees in support of or opposition to legislation which is not reasonably necessary or related to collective bargaining?

"'Answer. Yes.

"'(2) Do the defendant unions use dues and fees which they collect from railroad employees to influence votes in elections to public office?

"'Answer. Yes.

"'(3) If so, is the same necessary or reasonably related to collective bargaining?

"'Answer. No.

"'(4) Do the defendant unions use dues and fees which they collect from railroad employees to make contributions to the campaigns of candidates for election to public office?

"'Answer. Yes.

"'(5) If so, is the same necessary or reasonably related to collective bargaining?

"'Answer. No.'"

To date, there have been no irate union members seeking relief in the courts of Missouri, nor have any grand juries been looking into the political activities of the labor bosses in that State. There is little doubt, however, that if such action was instigated, "eureka" would be the battle cry.

For instance, the Kansas City Times of Tuesday, September 10, 1957, reported as follows:

"FOR MORE POLITICS BY LABOR COUNCIL—EXECUTIVE BOARD OF MISSOURI ORGANIZATION FAVORS SUCH ACTION—WAY TO FINANCE PLAN—LOCAL AFL–CIO UNIONS WOULD CONTRIBUTE $36,000 ANNUALLY TO FUND

"ST. LOUIS, September 9.—The executive board of the Missouri State Labor Council submitted to the council's convention today a plan for the organization to step up its political activities.

"The plan was for an increase in the per capita tax which local AFL–CIO unions pay to the council each quarter which would provide about $36,000 annually for political activities.

"The executive board said the system used up to now, in which part of its political activities are based on voluntary contributions, 'has proven inadequate for our needs.'

"A resolution outlining the plan proposed that the per capita tax be boosted from 10 to 12 cents a quarter, with 3 cents of the amount set aside for political activity."

The following day (September 11, 1957) The Kansas City Star had this to say:

"O. K. UNION POLITICAL FEE—MISSOURI AFL–CIO TO HAVE 12-CENT ANNUAL ASSESSMENT

"ST. LOUIS, September 11.—A 12-cent yearly assessment for further political education activity was voted by delegates to the AFL–CIO Missouri State Council convention. The delegate vote was unanimous, it was said.

"A convention spokesman said similar systems have been inaugurated by many labor organizations in the United States.

"The 12-cent assessment will come from the organization's 300,000 members in Missouri. This will make the annual per capita tax 48 cents, a rise of 8 cents a year."

The newspaper reporter was rounding out his figures regarding the statewide AFL–CIO membership. Actually, the Missouri State Labor Council, AFL–CIO was formed in 1956 through the merger of the State Federation of Labor, AFL, and the State Industrial Council, CIO. Seven hundred fifty-nine labor organizations in the State, including the railroad unions, are affiliated with the State labor council and pay per capita tax on 291,464 members—according to the report of the executive committee to the State labor convention, September 10, 1957.

In view of these facts, the reports filed by the Missouri State COPE take on added significance. For instance, a report filed on November 23, 1956, by one Frank J. Murphy, listed as secretary-treasurer, shows that the educational activities of the Missouri State COPE consisted of contributing $3,000 to the campaign of Senator THOMAS C. HENNINGS, Democrat; $1,000 [12] to the campaign of Congressman FRANK M. KARSTEN, Democrat; $1,000 to the campaign of Congressman A. S. J. CARNAHAN, Democrat; $1,000 to the campaign of Congressman MORGAN MOULDER, Democrat; $1,000 to the campaign of Congressman RICHARD BOLLING, Democrat; $1,000 to the campaign of Congressman CHARLES H. BROWN, Democrat; $1,000 [12] to the campaign of GEORGE H. CHRISTOPHER, Democrat; $2,000 to the campaign of Congressman W. R. HULL, Democrat; and $1,500 [12] to the campaign of Congresswoman LEONOR K. SULLIVAN, Democrat.

Also, $1,500 to the unsuccessful Congressional campaign of James L. Sullivan, Democrat; $500 to the campaign of Congressman PAUL C. JONES, Democrat; and $1,000 to the Democratic National Committee.

Another report filed by the aforementioned Frank J. Murphy on the same day—purporting to be an account of the contributions and disbursements of the Missouri State COPE State fund—is equally curious. It shows a few minor expenses and disbursements to nearly a hundred State political campaigns totaling $26,315.40. Yet, its contributions from labor unions all over the State totaled only $15,054.38. But—and this is the clincher—this huge deficit was made up by transferring $135.56 from the Missouri State PAC and $15,000 from the Missouri

[11] See pt. 3.

[12] Not reported to Clerk of House.

State Labor Council general fund. Was this $15,000 made up of voluntary contributions?

There is much more disturbing evidence in the political activities of Missouri's labor bosses, as set forth in their own reports, such as the contribution of $6,700 by 1 union alone—Machinists District No. 9—in a 3-month period just prior to the 1956 elections. This was made to the other than Federal offices fund of St. Louis Committee on Political Education of St. Louis and vicinity. Such a large amount in such a short time from one union—if it was voluntarily donated—would indicate that the voluntary system is not as inadequate as the labor bosses themselves contend.

Missouri is just 1 State in the 48. And, as previously mentioned, the Kansas City Star reported that a Missouri State AFL–CIO convention spokesman declared that similar systems of assessing the rank and file for political activities have been inaugurated by many labor organizations throughout the country. There is little doubt that the records filed in these various States would reveal the same pattern as in North Carolina and Missouri.

The labor bosses do not confine their political activities only to subsidizing those candidates on whom they can count to do their bidding; they take over completely wherever practicable the party machinery.

In 1952 the industrial relations center of the University of Chicago initiated a research project on the political activities of organized labor. Miss Fay Calkins, of the university's department of political science, came up with a book entitled "The CIO and the Democratic Party." In it the infiltration and capture of various Democratic Party organizations by the labor bosses was spelled out in detail.

In her chapter dealing with the State of Michigan—the undisputed captive of the labor bosses—she had this to say in summary:

"In Michigan, PAC formed a liberal coalition with the Michigan Democratic Club, Reform Democrats, A. F. of L., and a few patronage interest groups. By entering precinct captains in the primaries, especially in Wayne County, the coalition was able to control a number of district Democratic conventions and send a majority of delegates to the Democratic State Convention. From this position the liberal coalition was able to determine the composition of the Democratic State Executive Committee. PAC was the strongest single interest group in the coalition.

"The coalition was able to bring marked changes into the life of the Michigan Democratic Party. It filled Democratic primary and convention slates. It entered liberal planks in the State Democratic platform and made the platform more binding. It governed the selection of party officers. It ejected the conservative old guard. It used its influence to appoint liberals to policy-determining patronage jobs and used routine patronage to strengthen its coalition. PAC's hand was observable in all these changes.

"The coalition also had new ideas about campaigning and footed more than half the bill. Liberal Democratic campaigns relied on precinct work rather than on large-scale publicity. Special interest groups were well hidden behind a general Democratic campaign committee. For the first time the Democratic Party challenged a statewide election and won a governor.

"This internal position had obvious advantages for PAC. Instead of attempting to deal with a weak and hostile party, it helped create an active and friendly body. PAC's assets were supplemented by those of other compatible groups which might not have followed PAC into more independent activity. PAC was not left exposed before the newspapers. But an internal position also presented problems. It was costly in money, work, and votes, and it required compromises. PAC ran the risk of capture by other party groups or of being left out of new party coalitions. And, finally, a position on the Democratic ballot by no means insured a liberal candidate of actual election.

"A third party was impractical as a means of electing Michigan's governor in 1950. Liberals were concentrated in a few urban areas, and their interest groups were already involved in a partisan approach. CIO members did not show themselves capable of a large independent vote, and their Republican opponents were strong. A supplementary or balance-of-power relationship also seemed unsatisfactory. The Republicans were strong, and both parties were hostile. PAC leaders wanted more than a 'lesser of two evils.' But the Democratic Party was weak in the precincts and the primary and was made vulnerable by Michigan election law. Liberal groups were willing to cooperate in a partisan move. PAC was strong enough and disciplined enough to think in statewide terms. In 1948 and again in 1950 it was therefore able to share party control. A coalition, with PAC as an important member, found that it was able to capture the State Democratic Party." [13]

What of the future?

The eminent Roscoe Pound, author and former dean and professor emeritus of the Harvard University Law School, has shown that the labor unions today enjoy legal immunities granted to no other persons or groups in our society. This new species of immunities which has sprung up, Dean Pound describes as:

"The substantially general privileges and immunities of labor unions and their members and officials to commit wrongs to person and property, to interfere with the use of highways, to break contracts, to deprive individuals of the means of earning a livelihood, to control the activities of the individual workers and their local organizations by national organizations centrally and arbitrarily administered beyond the reach of State laws, and to misuse trust funds—things which no one else can do with impunity." [14]

And so, completely irresponsible labor leadership has been the net result of the reluctance of Congress to take affirmative action in these matters concerning the concentration of unchecked power.

Because the labor bosses are, to use Stalin's phrase, "dizzy with success"—their plans for the immediate future are bold and imaginative.

Congressional Quarterly summed them up as follows:

"At the moment, most of COPE's efforts are going into the money-raising and registration drives, particularly the latter.

"The AFL–CIO Executive Council in January 1957 formally declared 'registration of our members and their families to be a permanent part of our organization's program, to be conducted on a year-around basis by permanent committees within each local union and within each local central body.' That resolution was endorsed at the December 1957 AFL–CIO convention.

"As a first step, COPE asked local unions to report what percentage of their members were registered to vote. In December 1957 the Political Memo said reports had been received from more than 500 locals. In February 1958 [James L.] McDevitt [former director of the AFL political group and present director of COPE] was quoted as saying the returns indicated almost 55 percent of the union members were registered to vote, but he declined to confirm this statement for CQ.

"At any rate, COPE officials report the current registration drive has 'drawn a better response than ever before.' As of March 10, 118 locals had received COPE's citation for meritorious service by registering every eligible member. (This is determined by checking union membership lists against registration lists.) COPE literature is full of examples of successful registration drives, many of them involving interesting techniques:

"October 31, 1957, political memo: 'In the last week of city and county registration, Local 181 of the Hotel and Restaurant Employees and Bartenders in Louisville, Ky., held 'round-the-clock membership meetings—morning, noon, and night. Each meeting ended with groups of unregistered voters marching to registration headquarters and signing up. * * * Close to 100 members registered each day. * * * As a result, 181's members registered to vote more than doubled—from a low of 35 percent to 75 percent.'

"October 3, 1957, political memorandum: 'Local 3908 of the Communications Workers in Montgomery, Ala., registered a record number of its members in a single day. One day during the 4-day strike of telephone installers, officials of the local * * * registered 76 members.'

"January 13, 1958, political memorandum: 'More than 200 poll-tax deputies in the ranks of organized labor in Harris County (Houston), Tex., are beating the bushes in an effort to register every union member possible. * * *

" 'Every one of the 440 members of Local 1179 of the Amalgamated Association of Street and Electric Railway Employees in Jamaica, Long Island, is registered to vote. A section of the local's working agreement with the Green Bus Lines states that election day is a paid holiday for all employees who show proof that they are registered. No proof of registration, no pay on election day.'

"1958 campaign goals: COPE leaders approach the 1958 elections with a good deal of optimism. McDevitt says, 'If the election were held today, there would be a tremendous gain on the liberal side.'

"When COPE leaders talk about the 'liberal side,' they are generally talking about Democratic candidates. A CQ survey of reported contributions by labor groups in the 1956 campaign showed that all but $3,925 of the reported $1,078,852 went to Democratic candidates and their campaign committees.

"The AFL–CIO convention of December 1957 adopted this resolution: 'We must continue to rally support behind the liberals of both parties in Congress, the State legislatures and local governing bodies. We must continue to encourage them in their battles against the raids by special interests and on behalf of the public welfare. * * * Unfortunately, the Republican Party, with a few but growing exceptions, is still too often a willing and obedient servant of big business.'

"Basically, then, COPE leaders are optimistic for the same reasons most Democrats are: The string of Democratic victories in special elections in 1957 and this year; the threat to Republicans from discontent among farmers and unemployed city workers; the sputnik-induced fear that the United States may be lagging in defense; the increased criticism of President Eisenhower's performance as President.

"Except for the decision on which presidential candidate to support, all of COPE's political endorsements are made at the State and local level. For that reason, national COPE leaders are at pains to avoid any official disclosure of candidates they are supporting and opposing.

---

[13] "The CIO and the Democratic Party," by Fay Calkins, the University of Chicago Press, 1952, pp. 145–146.

[14] "Legal Immunities of Labor Unions," by Roscoe Pound, American Enterprise Association, 1957, p. 21.

"But on the wall in McDevitt's office is a large map of the United States, with red and blue pins indicating some of the States where Senators are up for election this year.

"The red pins, McDevitt says, indicate States where the incumbent has an 'anti-labor' record. The 'red pin' States on McDevitt's map include:

"Arizona, where Senator BARRY GOLDWATER, Republican, seeks reelection.

"California, where Senator WILLIAM F. KNOWLAND, Republican, is the Republican candidate for Governor.

"Connecticut, where Senator WILLIAM A. PURTELL, Republican, is a candidate for reelection.

"Delaware, where Senator JOHN J. WILLIAMS, Republican, is running again.

"Florida, where Senator SPESSARD L. HOLLAND, Democrat, the only 'red pin' Democrat, may have a primary fight.

"Indiana, where Senator WILLIAM E. JENNER, Republican, is retiring.

"Maine, where Senator FREDERICK G. PAYNE, Republican, seeks reelection.

"Maryland, where Senator J. GLENN BEALL, Republican, is running again.

"Michigan, where Senator CHARLES E. POTTER, Republican, is seeking a second term.

"Minnesota, where Senator EDWARD J. THYE, Republican, is expected to be a candidate.

"Nevada, where Senator GEORGE W. MALONE, Republican, is seeking reelection.

"Ohio, where Senator JOHN W. BRICKER, Republican, is running again.

"Pennsylvania, where Senator EDWARD MARTIN, Republican, is retiring.

"West Virginia, marked by two red pins for Senator CHAPMAN W. REVERCOMB, Republican, and newly appointed Senator JOHN D. HOBLITZELL, Republican, both running this year.

"Wyoming, where Senator FRANK A. BARRETT, Republican, is up for reelection.

"McDevitt denies that the red pins signal COPE's purge list of primary targets for 1958.

"But when asked why there were no red pins for other Senators up for reelection in 1958 who were scored heavily wrong in the 1956 COPE voting record—Senator ROMAN L. HRUSKA, Republican, of Nebraska; ARTHUR V. WATKINS, Republican, of Utah; RALPH E. FLANDERS, Republican, of Vermont; and HARRY FLOOD BYRD, Democrat, of Virginia, for instance—McDevitt replied: 'We're not going to waste our money in places where we have no chance. We need it for the States where we can do some good.' " [15]

[15] Congressional Quarterly Weekly Report, week ending March 28, 1958, No. 13, p. 385.

PART 3. LABOR UNION POLITICAL EXPENDITURES

This section is a tabulation of the political spending which the principal labor political organizations say they made during the 1956 elections. Taken from the reports filed with the Clerk of the House of Representatives, as required by the Federal Corrupt Practices Act, the tabulation shows the vast amounts spent by the labor bosses to influence American politics.

No attempt has been made to correct obvious misspelling or other errors.

Committee on political education

The reports filed by COPE with the Clerk of the House show for individual contributions account:

Jan. 1–19, 1956:	
Total contributions	$6,020.16
Total expenditures	23,220.38
Feb. 1–Dec. 31, 1956:	
Total contributions	708,936.69
Total expenditures	670,984.79
Jan. 1–Dec. 31, 1957:	
Total contributions	227,081.94
Total expenditures	75,514.00
Educational account:	
Jan. 1–19, 1956:	
Total contributions	6,360.96
Total expenditures	8,134.41

Expenditures

Date		Amount
	INDIVIDUAL CONTRIBUTIONS ACCOUNT	
1956		
Jan. 19	Committee on Political Education, Washington, D. C. (transfer of funds)	$20,662.76
Mar. 14	Wilbur Nolen, primary campaign 2d Congressional District, Montgomery, Ala	500.00
	COMMITTEE ON POLITICAL EDUCATION	
Apr. 4	North Carolina Labor's League for Political Education:	
	Campaign of Ralph Scott	1,000.00
	Campaign of Hugh Wells	1,000.00
	Campaign of Charles Deane	1,000.00
	Alabama Labor's League for Political Education:	
	Campaign of James T. Hamrick	500.00
11	Campaign of Wilbur Nolen	500.00
12	Dallas County SOPE: Campaign of Henry Wade	500.00
13	The Citizens Registration Committee, New Bern, N. C.: Promotion drives to register people for voting	1,600.00
26	Lankford for Congress Committee, Baltimore	500.00
May 14	Staggers for Congress Committee, Keyser, W. Va	500.00
8	Ullman for Congress Committee, Portland, Oreg	1,000.00
14	District of Columbia Committee for Representative Government, Washington, D. C	4,500.00
	North Carolina Labor's League for Political Education: Congressional campaigns	2,500.00
	North Carolina CIO Political Action Committee: Congressional campaigns	2,500.00
19	Volunteer Committee for Perkins, Louisville, Ky	500.00
23	District of Columbia Committee for Representative Government	500.00
24	Ralph Scott for Congress Committee, East Durham, N. C	1,000.00
June 1	Citizens for Donoghue, Geneva, N. Y	250.00
14	Reelect Senator Wayne Morse Committee, Portland	5,000.00
15	James V. Day, 1st District, Bangor, Maine	500.00
20	Illinois State CIO–PAC: Imle, 23d District	1,000.00
29	Sabine area COPE: Brooks, 2d District, Port Arthur, Tex	450.00
July 2	Texas AFL–CIO Joint Committee: Congressional campaigns	10,000.00
10	Montana AFL–CIO and COPE: Anderson, 2d District, Helena	1,000.00
	Rosen for Congress Club, Akron, Ohio	500.00
17	Sabine area COPE: Brooks, Port Arthur, Tex	300.00
	Arkansas State COPE: Jones, 6th District, Little Rock	500.00
	Railway's Labor Political League, Washington, D. C	2,000.00
20	Ross Bass Committee, Nashville, Tenn	1,000.00
Aug. 3	Connecticut State PAC: Ward, 1st District, Waterbury	1,000.00
	James Oliver Campaign Committee, Lewiston, Maine	1,000.00
	Committee for F. Coffin for Congress, Lewiston, Maine	1,000.00
8	Textile Workers Union of America Political Education Fund, New York, N. Y	2,000.00
10	Richards for Senate Campaign Committee, Los Angeles	5,000.00
	Dodd for Senate Committee, Hamden, Conn	5,000.00
	Stengel for Senate Committee, Springfield, Ill	5,000.00
	Wickard for Senate Campaign Committee, Indianapolis	5,000.00
	R. M. Evans for Senate Committee, Des Moines	5,000.00
	Clements Campaign Committee, Louisville, Ky	5,000.00
	Connecticut State PAC: Ward, 1st District, Waterbury	1,000.00
	Magnuson campaign fund, Seattle	5,000.00
	K. Holum for Senate Committee, Sioux Falls, S. Dak	3,000.00
	Clark for Senate Committee, Harrisburg, Pa	5,000.00
	Q. Burdick campaign fund, Fargo, N. Dak	1,000.00
15	Central Maryland IUC–PAC, Baltimore	500.00
	Maryland State IUC, Baltimore	1,000.00
20	Staggers for Congress Committee, Charleston, W. Va	750.00
	Burnside for Congress Committee, Charleston, W. Va	1,000.00
	COMMITTEE ON POLITICAL EDUCATION—con.	
1956		
Aug. 20	Reuss for Congress Committee, Milwaukee	$1,000.00
	Johnson for Congress Club, Milwaukee	1,000.00
27	G. Pfost Campaign Committee, Boise, Idaho	1,000.00
	J. C. Murray campaign account, Chicago	1,000.00
	Hinko for Congress Committee, Chicago	500.00
	Pucinski for Congress Committee, Chicago	500.00
	C. Boyle for Congress Committee, Chicago	1,000.00
	Citizens Committee for Peter Mack, Jr., Chicago	1,000.00
	K. Gray for Congress Committee, Chicago	500.00
	H. Fox campaign fund, Baltimore	500.00
	Lankford for Congress Committee, Baltimore	750.00
	Foley for Congress Committee, Baltimore	1,000.00
	Brademas for Congress Committee, Indianapolis	1,000.00
	Committee to Elect Whitehead, Indianapolis	500.00
	King for Congress Club, Indianapolis	500.00
	Hill Congressional Campaign Committee, Indianapolis	500.00
	W. K. Denton, 8th District, Indianapolis	500.00
	Ulrich for Congress Committee, Indianapolis	500.00
	Committee to Elect Carmony for Congress, Indianapolis	500.00
	Carvey Congressional campaign fund, Indianapolis	500.00
	L. Anderson Campaign Committee, Helena, Mont	500.00
	Committee to Reelect E. Green, Portland, Oreg	1,000.00
	Lee Congressional campaign fund, Portland, Oreg	500.00
	Ullman for Congress Committee, Portland, Oreg	500.00
	Committee for Porter for Congress, Portland, Oreg	500.00
	Fogarty Congressional Campaign Committee, Providence, R. I	500.00
	G. McGovern for Congress, Sioux Falls, S. Dak	1,000.00
	Whitehead for Congress, Richmond, Va	1,000.00
	Jennings Congressional campaign fund, Richmond	1,000.00
	Quenstedt Congressional Campaign Committee, Richmond	1,000.00
	J. A. O'Callaghan, At Large, Cheyenne	1,000.00
	Bennet 2d District Committee, Bridgeport, Conn	500.00
	Martin for Congress campaign fund, Bridgeport	500.00
	Kuta for Congress Campaign Committee, Bridgeport	1,000.00
	Ward for Congress Committee, Bridgeport	1,000.00
	D. J. Flood Campaign Committee, Harrisburg, Pa	1,000.00
	Hon. J. M. Quigley, 19th District, Harrisburg	1,000.00
	Hon. F. M. Clark, 25th District, Harrisburg	1,000.00
	Fullam Congressional Campaign Committee, Harrisburg	1,000.00
31	F. Church for Senate Committee, Boise	5,000.00
	W. Morse Political Committee, Portland	2,000.00
	Ardery for Congress Campaign Committee, Louisville	1,000.00
Sept. 5	Moreland for Congress Committee, Oklahoma City	1,000.00
	Quinney for Congress Committee, San Francisco	1,000.00
	Cross Campaign Committee, San Francisco	500.00
	McFall 11th District Committee, San Francisco	1,000.00
	B. F. Sisk for Congress Committee, San Francisco	500.00
	W. K. Stewart Campaign Committee, San Francisco	1,000.00
	McDowell for Congress Committee, Wilmington, Del	1,000.00
	Giaimo for Congress Campaign Committee, Hamden, Conn	1,000.00
6	R. Wier campaign fund, Minneapolis	1,000.00
	Robbie for Congress Committee, Minneapolis	1,000.00
	Reelect Coya to Congress, Minneapolis	1,000.00
	Magnuson campaign fund, Seattle	1,000.00
	McCoy for Congress Committee, Seattle	1,000.00
	Aspinall for Congress Committee, Denver	1,000.00
	Hon. B. O'Hara, 2d District, Chicago	500.00
11	H. A. Williams Campaign Committee, Newark, N. J	1,000.00
	Campaign Fund for H. J. Addonizio, Newark, N. J	1,000.00
	MacDonald for Congress Committee, Boston	1,000.00
	J. Holtz for Congress Committee, Boston	1,000.00
	Stengel for Senator Committee, Springfield, Ill	2,500.00

Expenditures—Continued

Date		Amount
	COMMITTEE ON POLITICAL EDUCATION—con.	
1956		
Sept. 11	Magnuson campaign fund, Seattle	$5,000.00
	W. Morse Political Committee, Portland	5,000.00
19	Haroldson for Congress Committee, St. Paul	500.00
	Mahoney for Congress Committee, Phoenix, Ariz	1,000.00
	Johnson for Congress campaign fund, Denver	500.00
	W. K. Denton, 8th District, Indianapolis	1,000.00
	Patterson for Congress Committee, Columbus, Ohio	1,000.00
	Polk Congressional campaign fund, Columbus	1,000.00
	Ashley campaign fund, Columbus	1,000.00
	Rosen for Congress Club, Columbus	500.00
	J. McSweeney for Congress Committee, Columbus	500.00
	Michigan PAC, Detroit	10,000.00
	Michigan LLPE, Lansing	2,000.00
	Fogarty Congressional Campaign Committee, Providence, R. I.	500.00
	Miller for Congress Committee, Kansas City, Kans	500.00
	W. Baring for Congress Committee, Henderson, Nev	500.00
	Wolf for Congress Club, Des Moines	500.00
	Denman for Congress Committee, Des Moines	500.00
	Coad Congressional campaign fund, Des Moines	500.00
	Mahoney for Senate Campaign Committee, Baltimore	2,000.00
	Friedel for Congress Committee, Baltimore	500.00
	J. Carroll Senate campaign fund, Denver	5,000.00
20	C. M. Bailey, 3d District, Charleston, W. Va	1,000.00
	Textile Workers Union of America Political Education Fund, New York, N. Y	5,000.00
21	National Nonpartisan Issues Committee, Washington, D. C	500.00
26	Doolan for Congress Committee, Boston	2,000.00
27	G. McGovern for Congress Committee, Sioux Falls	1,000.00
28	Maryland CIO–PAC, Baltimore	1,600.00
Oct. 2	Aspinall for Congress Committee, Denver	500.00
	Gronning for Congress Committee, Salt Lake City	1,000.00
	McConkie Campaign Committee, Salt Lake City	1,000.00
	K. Holum for Senate Committee, Sioux Falls	2,000.00
	Eastman Congressional campaign fund, Sioux Falls	500.00
	C. Porter for Congress, Portland, Oreg	500.00
	Moreland for Congress Committee, Tulsa, Okla	500.00
	Q. Burdick campaign fund, Fargo, N. Dak	1,500.00
	Geelan for Congress Committee, Fargo	500.00
	Hocking Congressional campaign fund, Fargo	500.00
	W. Baring for Congress Committee, Las Vegas, Nev	1,500.00
	J. Benesch for Congress fund, Omaha, Nebr	1,000.00
	L. Anderson Campaign Committee, Helena, Mont	500.00
	Robbie for Congress Committee, St. Paul	1,000.00
	Haroldson for Congress Committee, St. Paul	1,000.00
	Reelect Coya to Congress Committee, St. Paul	500.00
	MacDonald for Congress Committee, Boston	500.00
	J. Holtz for Congress Committee, Boston	500.00
	Mahoney for Senate Campaign Committee, Baltimore	3,000.00
	Montgomery Congressional fund, Topeka, Kans	500.00
	Breeding for Congress Committee, Topeka	500.00
	Mahoney 6th District fund, Topeka	500.00
	Wickard for Senate Committee, Indianapolis	2,500.00
	Brademas for Congress Committee, Indianapolis	500.00
	Carvey Congressional campaign fund, Indianapolis	500.00
	Clark for Senate fund, Harrisburg, Pa	5,000.00
	Fullam Congressional Campaign Committee, Harrisburg	500.00
	D. J. Flood Campaign Committee, Harrisburg	1,000.00
	Hershberger for Congress Committee, Harrisburg	500.00
	Hon. J. M. Quigley, 19th District, Harrisburg	1,000.00
	Thomas for Congress Committee, Harrisburg	500.00
	Hon. F. M. Clark, 25th District, Harrisburg	1,000.00
	Holland for Congress Committee, Harrisburg	500.00
	Campaign fund of P. W. Rodino, Jr., Newark, N. J	500.00
	F. Church for U. S. Senate, Boise	1,000.00
	O'Callaghan for Congress fund, Casper, Wyo	1,000.00
	Staggers for Congress Committee, Charleston, W. Va	500.00
	Burnside for Congress Committee, Charleston, W. Va	1,000.00
	Magnuson Congressional campaign fund, Seattle	1,000.00
	McCoy for Congress Committee, Seattle	1,000.00
	Whitehead for Congress Committee, Richmond, Va	500.00
	Lankford for Congress Committee, Baltimore	500.00
	Foley for Congress Committee, Baltimore	500.00
	Wetherby for Senate fund, Louisville, Ky	5,000.00
	J. C. Murray campaign account, Springfield, Ill	500.00
	Hinko for Congress Committee, Springfield	500.00
	Yates Congressional campaign fund, Springfield	500.00
	Pucinski for Congress campaign fund, Springfield	500.00
	C. Boyle for Congress campaign fund, Springfield	500.00
	Allen for Congress Committee, Springfield	500.00
	Citizens Committee for P. Mack, Jr., Springfield	500.00
	K. Gray for Congress Committee, Springfield	500.00
	G. Pfost Campaign Committee, Boise	1,000.00
	Reynolds campaign fund, Boise	500.00
	Dodd for Senate Committee, Bridgeport, Conn	2,500.00
	Ward for Congress Committee, Bridgeport	1,000.00
	Bennet 2d District Committee, Bridgeport	1,000.00
	Giaimo for Congress campaign fund, Bridgeport	500.00
	Martin for Congress, Bridgeport	1,000.00
	Cross Campaign Committee, Los Angeles	1,000.00
	McFall 11th District Committee, Los Angeles	1,000.00
4	North Carolina State CIO–PAC, Raleigh, N. C	1,500.00
5	Hays Congressional campaign fund, Columbus, Ohio	500.00
	Carter Congressional Campaign Committee, Des Moines	500.00
	Mahoney for Congress Committee, Phoenix	1,000.00
	Reuss for Congress Committee, Milwaukee	1,000.00
	Johnson for Congress Club, Milwaukee	1,000.00
	Idaho LLPE, Boise	2,500.00
	Idaho PAC, Boise	2,500.00
	MacDonald for Congress, Boston	500.00
	J. Holtz for Congress Committee, Boston	500.00
8	O'Hara for Congress Campaign Committee, Chicago	500.00
10	Los Angeles Joint Board ACWA	250.00
	Maier for U. S. Senate, Milwaukee	2,500.00
	Wetherby senatorial campaign fund, Louisville	2,500.00

Date		Amount
	COMMITTEE ON POLITICAL EDUCATION—continued	
1956		
Oct. 10	Clements for Senate Committee, Louisville	$2,500.00
	Richards for United States Senator fund, San Francisco	5,000.00
	Flynn for Congress Committee, Milwaukee	1,000.00
	Kastenmeir campaign fund, Milwaukee	1,000.00
	Wilson for Congress Committee, Seattle	1,000.00
	Peterson Congressional campaign, Seattle	1,000.00
	Christopher for Congress Committee, St. Louis	1,000.00
	Hull Congressional campaign fund, St. Louis	1,000.00
	Moulder for Congress Club, St. Louis	1,000.00
	Rogers for Congress fund, Denver	1,000.00
	Utah State AFL–CIO COPE, Salt Lake City	2,500.00
12	New Jersey State CIO–PAC, Newark	500.00
	Dallas AFL–CIO Council, Texas	500.00
	Michigan State PAC, Detroit	1,000.00
	Wickard for Senate Committee, Indianapolis	2,500.00
	Cincinnati Council, PAC	500.00
	United Labor Committee for Williams, Newark, N. J	1,000.00
	Thompson for Congress Committee, Newark	500.00
	Carvey Congressional campaign fund, Indianapolis	500.00
	Illinois State CIO–PAC, Chicago	500.00
	New York Laundry Workers Joint Board, ACWA	1,000.00
	Cleveland IUC	1,000.00
15	New Jersey Labor's League for Political Education, Newark	[1] 2,500.00
	New Jersey State PAC, Newark	2,500.00
	Textile Workers Union of America Political Education Fund, New York, N. Y	5,500.00
	Do	500.00
	Colorado State COPE, Denver	100.00
17	Bible for Senate campaign fund, Henderson, Nev	500.00
19	Lowery for Congress Committee, Syracuse, N. Y	250.00
	Maryland-District of Columbia COPE, Washington, D. C	1,000.00
	Stevenson-Kefauver Campaign Dinner Committee, Washington, D. C	1,000.00
	Textile Workers Union of America political education fund, New York, N. Y	500.00
23	Rosen for Congress Club, Columbus, Ohio	500.00
	Stengel for Senator campaign fund, Chicago	2,500.00
	Forand for Congress Committee, Providence, R. I	500.00
	Brock for Congress Committee, Omaha, Nebr	250.00
	Herbert Smith for Congress Club, Columbus, Ohio	500.00
	Campaign Committee for Donald L. O'Toole, New York	1,000.00
	Lindsay for Congress Committee, Harrisburg, Pa	500.00
	Rhodes for Congress Committee, Harrisburg	500.00
	Mahoney for Senate campaign fund, Baltimore	2,500.00
	National Nonpartisan Issues Committee, Washington, D. C	1,500.00
	King for Congress Club, Indianapolis	500.00
	John Carroll Senate Campaign Committee, Denver	2,500.00
	Dodd for Senate campaign fund, Bridgeport	1,000.00
	District of Columbia IUC	500.00
	Quenstedt Congressional Campaign Committee, Richmond	500.00
	Dodd for Senate campaign fund, Hamden, Conn	500.00
	Wagner for Senate Campaign Committee, New York	5,000.00
	Carvey Congressional campaign fund, Indianapolis	500.00
	Los Angeles Joint Board ACWA	300.00
	Cleveland Industrial Union Council	1,000.00
	Laundry Workers Joint Board ACWA, New York	1,000.00
	Illinois State PAC, Chicago	800.00
	Dallas AFL–CIO Council	500.00
	New Jersey State PAC	500.00
24	Boland for Congress Campaign Committee, Springfield, Mass	500.00
	Evans for Senate campaign fund, Des Moines	2,500.00
	Robbie for Congress Committee, Minneapolis	500.00
	Moreland for Congress Committee, Tulsa, Okla	500.00
	Mahoney for Senate campaign fund, Baltimore	2,500.00
	Dodd for Senate campaign fund, Hamden, Conn	1,500.00
	Stock for Congress Committee, Bridgeport	1,000.00
	Save Our Resources Committee, Portland, Oreg	5,000.00
29	California Labor's League for Political Education, San Francisco	2,500.00
	Delaney for Congress Committee, Seattle	500.00
	McCutcheon Congressional Campaign Committee, Seattle	500.00
	Garmatz for Congress headquarters, Baltimore	250.00
	Stevenson-Kefauver Southern California Campaign Committee, Los Angeles	2,500.00
	Johnson for Congress fund, Denver	250.00
	Quentin Burdick campaign fund, St. Paul	375.00
	John Carroll Senatorial Campaign Committee, Denver	1,000.00
	Reelect Morse Committee, Portland, Oreg	2,000.00
	Richards for Senate campaign fund, San Francisco	1,000.00
30	Volunteers for Stevenson-Kefauver, Washington, D. C	5,000.00
	Stevenson-Kefauver Campaign Committee, Washington, D. C	5,000.00
	Volunteers for Stevenson-Kefauver, Wilmington	5,000.00
	Stevenson-Kefauver Club, Washington, D. C	5,000.00
	Volunteers for Stevenson-Kefauver:	
	Baltimore	3,000.00
	Philadelphia	5,000.00
	New York, N. Y	5,000.00
	Newark, N. J	5,000.00
	New Jersey State PAC, Newark	500.00
	Maryland-District of Columbia State Federation of Labor, Baltimore	67.50
	McDowell for Congress Committee, Wilmington	750.00
	Ullman for Congress Committee, Portland, Oreg	500.00
	LeRoy Anderson Campaign Committee, Helena, Mont	500.00
	Los Angeles Joint Board ACWA	300.00
31	Metropolitan Baltimore PAC	500.00
	Maryland IUC–PAC, Baltimore	500.00
	Oklahoma State LLPE, Oklahoma City	2,000.00
	Johnson [2] for Senate Committee, Columbia, S. C	2,000.00
	Wetherby Senatorial Campaign fund, Louisville, Ky	1,000.00
	California State PAC, Los Angeles	2,500.00
	California State LLPE, Los Angeles	2,500.00
Nov. 2	George Mahoney Campaign Committee, Baltimore	2,500.00
	Salem for Congress Committee, 8th District, Iowa	200.00

[1] Contribution returned in full amount.

[2] Name apparently misspelled in report filed.

Expenditures—Continued

Date		Amount
	COMMITTEE ON POLITICAL EDUCATION—continued	
1956		
Nov. 2	Steel City Trade Union Council, Pittsburgh	$1,000.00
	Wetherby senatorial campaign fund, Louisville	1,000.00
	West Virginia Volunteers for Stevenson, Charleston	5,000.00
	Tennessee Volunteers for Stevenson, Nashville	5,000.00
	Virginia Volunteers for Stevenson, Falls Church	5,000.00
	Indiana State IUC, Indianapolis	200.00
	George Mahoney Campaign Committee, Baltimore	2,500.00
	Wickard senatorial campaign fund, Indianapolis	3,000.00
	Philadelphia LLPE	1,500.00
Dec. 10	National Nonpartisan Issues Committee, Washington, D. C.	2,000.00
	NOTE.—The last report filed by COPE for 1956 shows contributions partially refunded by the following:	
Nov. 16	Cleveland IUC	−500.00
20	New York Laundry Workers Joint Board, New York	−497.00
Dec. 18	Illinois State CIO–PAC, Chicago	−232.69
	Los Angeles ACWA Joint Board, Los Angeles	−34.76
	New Jersey State CIO Council, Newark	−2.04
	UNITED AUTO WORKERS CIO POLITICAL ACTION COMMITTEE [3]	
1956		
Jan. 5	Elmer J. Holland for Congress Committee, Pittsburgh, Pa.	500.00
25	Indiana Democratic State Central Committee	200.00
Feb. 22	Democratic State Central Committee, Detroit, Mich.	860.00
Mar. 2	Kentucky Democratic State Central Committee	100.00
12	West Virginia State CIO Council	500.00
Apr. 5	Oregon State Democratic Committee	5,000.00
	Martin Gerber, New York	200.00
	Holland for Congressman Committee	500.00
May 4	Robert Redwine, North Carolina	500.00
10	Washington State CIO Council	1,500.00
June 15	Martin Gerber	800.00
	Harrison Williams for Congress	[4] 500.00
19	Robert Johnston	500.00
26	Dallas County Citizenship Political Education Fund	2,500.00
	do	1,000.00
July 2	Union County Democratic Committee	500.00
3	Wayne County CIO Industrial Union Council	[5] 6,500.00
9	Committee on Political Education	[5] 25,000.00
12	Macomb County CIO Council	500.00
31	Greater Los Angeles Industrial Union Council	5,000.00
Aug. 3	Wickard for Senator Club	5,000.00
	Steve Elliott, treasurer, Pat Ward for Congress Committee	1,500.00
20	Cook County Industrial Union Council	5,000.00
	Dallas Area UAW Education Committee	5,000.00
	Clark for Senator Committee	5,000.00
23	Ward for Congress Committee	1,500.00
Sept. 14	Lore for Congress Committee	1,000.00
21	Ashley for Congress Committee	1,000.00
	United Labor Committee	1,000.00
25	Bennett for Congress Committee	250.00
24	Liberal Party of New York	5,000.00
25	Ken Robinson, director, region 1–D, UAW	2,000.00
	Charles Biolette, director, region 6, UAW, for Paul Ward and John McFall, California	500.00
	Dodd for Senate Campaign Committee	2,500.00
	Stock for Congress Committee	150.00
	Connecticut State Industrial Union Council	500.00
	Ward for Congress Committee	1,000.00
28	UAW region 2, voluntary PAC fund	750.00
	Hayworth for Congress Committee	500.00
	Sutton for Congress Committee	500.00
	Greater Cincinnati Industrial Union Council	250.00
	Montgomery County Industrial Union Council	250.00
	Brademus for Congress Committee	250.00
	Denton for Congress Committee	250.00
	Carvey for Congress Committee	250.00
	King for Congress Committee	250.00
	Christopher for Congress Committee	250.00
	West Virginia State CIO Council	1,000.00
	Arizona State AFL–CIO Council	500.00
	Moulder for Congress Committee	250.00
	Hull for Congress Committee	250.00
	McCarthy for Congress Committee	250.00
	Wier for Congress Committee	250.00
	Wagner for Senate Campaign Committee	2,500.00
	Marshall for Congress Committee	250.00
	Blatnik for Congress Committee	250.00
	Flynn for Congress Committee	250.00
	Maier Senate Campaign Committee	2,000.00
	Robbie for Congress Committee	250.00
	Knutson for Congress Committee	250.00
	Ploetz for Congress Committee	250.00
	Johnson for Congress Committee	250.00
	Reuss for Congress Committee	500.00
	Kablocki for Congress Committee	250.00
	McGovern for Congress Committee	250.00
	Harvey Kitzman, director, region 10, UAW	500.00
	Milwaukee County Committee, Proxmire for Governor Club	2,000.00
	New York State CIO Council	250.00
	Magnuson campaign fund	2,500.00
	Montana State COPE–AFL–CIO	500.00
	Rolling [2] for Congress Committee	250.00
	Sullivan for Congress Committee	250.00
	Brown for Congress Committee	250.00
	Hennings [2] for Congress Committee	2,000.00
	Moreland for Congress Committee	250.00
11	Clayton Johnson, 18th District Congressional dinner	148.50
21	Patrick J. O'Malley, director, region 2, UAW: Stevenson-Kefauver buttons	1,930.00
	Don Montgomery-Wayne Morse and Senator George dinners	300.00
28	Volunteers for Stevenson and Kefauver: Banquet for Mrs. Eleanor Roosevelt	400.00
Oct. 9	Rockford CIO–PAC Committee	2,500.00
	Iowa State Federation of Labor, AFL–CIO	3,500.00
	Wisconsin State Industrial Union Council	4,000.00

Date		Amount
	UNITED AUTO WORKERS CIO POLITICAL ACTION COMMITTEE [3]—continued	
1956		
Oct. 10	Greater Flint IUC	$1,000.00
	Hayworth for Congress Committee	500.00
	UAW region 2, voluntary PAC fund	1,250.00
	West Virginia State CIO Council	1,000.00
	Greater Cincinnati Industrial Union Council	250.00
	Montgomery County CIO Council	250.00
	Carvey for Congress Committee	250.00
	Region 1D, voluntary PAC fund	3,035.00
	Denton for Congress Committee	250.00
11	Sullivan for Congress Committee	1,250.00
	Brown for Congress Committee	750.00
	Brademus for Congress Committee	750.00
	King for Congress Committee	250.00
	Moreland for Congress Committee	250.00
	Citizen's for Frank Church Campaign Committee	2,500.00
	Hennings Campaign Committee	3,000.00
	McGovern for Congress Committee	250.00
	Byron Johnson Campaign Committee	500.00
	Byron Rogers Campaign Committee	500.00
	Arizona State AFL–CIO Council	500.00
	Kansas State Industrial Union Council	1,000.00
	Wickard for Senator Club	1,000.00
12	Whitehead for Congress Committee	500.00
	Indiana State Industrial Union Council	4,500.00
	John Carroll for Senate Campaign Committee	2,500.00
	Foley for Congress Committee	500.00
	McDowell for Congress Committee	500.00
16	Greater Los Angeles CIO Council	2,500.00
	Addonizio Campaign Committee	500.00
	Thompson for Congress Campaign Committee	500.00
	United Labor Committee for Williams	500.00
	Sidney Schiff Congressional Committee fund	500.00
	Peter W. Rodino, Jr., campaign fund	500.00
	Wm. E. Kelley, Green Campaign Committee	500.00
	Fullam Campaign Committee	500.00
	Foley for Congress Committee	[6] 500.00
	Democratic Campaign Committee	500.00
	Minnesota State AFL–CIO Council	5,000.00
	St. Louis UAW Citizenship and Educational Council	3,000.00
	Bennett for Congress Committee	250.00
17	Stock for Congress Committee	150.00
	Dodd for Senate Campaign Committee	2,500.00
	Connecticut State CIO Council	1,000.00
	Democratic Club of Oak Park	1,500.00
	New York State CIO Council	250.00
	Wagner Senate Campaign Committee	2,500.00
	Fisher for Congress Committee	500.00
	George M. Rhodes for Congress Committee	500.00
	Flood Campaign Committee	500.00
	Campaign Committee for Gerome P. Casey	500.00
18	Democratic National Committee	1,000.00
	California State CIO Council	500.00
	Mauldin Campaign Committee	500.00
	John Carroll for Senate Committee	2,500.00
	Reuss for Congress Committee	500.00
	Flynn for Congress Committee	250.00
	Milwaukee County Committee, Proxmire for Governor Club	2,000.00
	Lucas County Democratic Party	900.00
19	Knutson for Congress Voluntary Committee	250.00
	Robbie for Congress Voluntary Committee	250.00
	Blatnik Volunteer Committee	250.00
	Marshall for Congress Voluntary Committee	250.00
	McCarthy for Congress Voluntary Committee	250.00
	Weir for Congress Voluntary Committee	250.00
	Milwaukee County CIO Council	500.00
	Ploetz for Congress Club	250.00
	Clark County PAC Committee	2,000.00
	Johnson for Congress Club	250.00
	Milwaukee, Maier for United States Senator Club	2,000.00
	McGovern for Congress Committee	250.00
24	International Union, UAW	150.00
	Greater Los Angeles CIO Council	1,500.00
	Northern California UAW Citizenship Council	3,000.00
	Holtz Campaign Committee	500.00
	Doolan for Congress Committee	500.00
	MacDonald Campaign Committee	500.00
	Macomb County CIO Council	1,000.00
	McCoy for Congress Committee	500.00
25	Stevenson-Kefauver Campaign Committee	5,000.00
26	M–K–R Production-Film	5,000.00
	Los Angeles CIO Council	1,000.00
	Kentucky Democratic campaign headquarters	5,000.00
	Mahoney for Senate Committee	2,500.00
	Boone Campaign Committee	500.00
	Minnesota State AFL–CIO Council	1,000.00
	Robbie for Congress Voluntary Committee	500.00
	New Jersey State CIO Council	500.00
	Oregon State Labor Council	6,000.00
	Better Government Committee of Lehigh County	500.00
	Bucks County Committee on Political Education	500.00
	Byron Johnson Campaign Committee	500.00
29	Berrien, Cass, and Van Buren Counties CIO Councils	200.00
	Calhoun County CIO Council	200.00
	Kalamazoo County CIO Council	200.00
	St. Joseph County CIO Council	200.00
	Lenore Sullivan for Congress Committee	250.00
	Region 2A PAC fund	500.00
	Holland for Congress Committee	250.00
30	Region 10 Political Action fund	500.00
Nov. 1	Democratic Club of Oak Park	125.00
	Independents for Joe Clark	400.00
	John T. Fullam Campaign Committee	500.00
	United Labor Committee for Williams	250.00
2	Democratic National Committee	5,000.00

[3] The reports of this organization show total expenditures as follows: 1956, $245,137.48; 1957, $19,938.21.

[4] Later voided.

[5] Later refunded.

[6] Voided Oct. 31, 1956.

Expenditures—Continued

Date		Amount
	UNITED AUTO WORKERS CIO POLITICAL ACTION COMMITTEE [7]—continued	
1956		
Nov. 2	Philadelphia Political Action Committee	$2,000.00
	Stevenson-Kefauver Campaign Committee	5,000.00
	United Labor Committee	1,700.00
	Volunteers for Stevenson-Kefauver	5,000.00
21	International Union, UAW	900.20
	Robert Carter, director, region 1C, UAW	175.39
Dec. 26	10th District (Congressional) Citizenship Club	100.00
	UNITED STEELWORKERS OF AMERICA [7]	
Jan. 3	Allegheny County Democratic Committee, Pittsburgh	2,500.00
24	Orval J. Kincaid (Jefferson-Jackson Day dinner) Gary, Ind	250.00
25	H. A. Rasmussen (Jefferson-Jackson Day dinner) Indianapolis, Ind	250.00
Mar. 22	Democratic State Finance Committee (dinner) Philadelphia, Pa	1,000.00
23	1st Congressional District PAC, West Virginia	1,000.00
	Holland for Congress Committee	2,500.00
Apr. 16	Democratic National Committee (Woodrow Wilson dinner)	1,000.00
	District 13, USA-PAC, Charleroi, Pa	1,000.00
26	1st Congressional District PAC of West Virginia	2,000.00
May 10	Committee on Political Education AFL-CIO	25,000.00
July 23	Morse luncheon tickets, Washington, D. C	300.00
Aug. 2	Hennings for Senate Committee, St. Louis, Mo	2,000.00
8	Committee on Political Education AFL-CIO	25,000.00
21	Reelect Wayne Morse Committee, Portland	5,000.00
28	William P. Mahoney Campaign Committee, Phoenix	500.00
Sept. 21	Keene & Associates, Los Angeles, Calif. (billboard advertisement)	5,000.00
Oct. 1	Bert Hough, Ambridge, Pa. (Congressman Frank Clark campaign)	500.00
	Democratic State Campaign Committee, Philadelphia (dinner)	500.00
3	Philip J. Clowes, director, New Orleans, La. (Senator Kennedy dinner)	300.00
8	Wickard for Senate Committee, Indianapolis	3,000.00
	Carvey for Congress Committee, Indianapolis	1,000.00
	King for Congress Committee, Indianapolis	1,000.00
	Denton for Congress Committee, Evansville	1,000.00
	Tucker for Governor Committee, Indianapolis	3,000.00
	Dodd for Senate Committee, Hartford, Conn	3,000.00
	Macdonald for Congress Committee, Boston	1,000.00
	Weir for Congress Committee, Minneapolis	500.00
	Marshall for Congress Committee, Grove City	500.00
	Blatnick for Congress Committee, Duluth	1,000.00
	Mack for Congress Committee, 12th District, Michigan	1,000.00
	Whitehead for Congress Committee, Roanoke, Va	1,000.00
	Church for Senate Committee, Boise	3,000.00
	Pfost for Congress Committee, Nampa, Idaho	1,000.00
	Magnuson for Congress Committee, Seattle	1,000.00
	Green for Congress Committee, Portland	1,000.00
	Labors Political League, Milwaukee	1,000.00
	Metcalf for Congress Committee, Helena	[8] 1,000.00
	Anderson for Congress Committee, Conrad	1,000.00
	Clark for Senate Committee, Philadelphia	5,000.00
	Democratic Finance Committee of Philadelphia (dinner)	500.00
	Independent Citizens Committee for Reuss, Milwaukee	1,000.00
	Hays for Congress Committee, Flushing, Ohio	500.00
	Bennett for Congress Committee, 11th District, Ohio	500.00
	McSweeney for Congress Committee, 16th District, Ohio	1,000.00
	Stevenson-Kefauver Campaign Committee, Washington, D. C	[9] 25,000.00
	Stengel for Senator Committee, Chicago	5,000.00
	Elmer Holland (Holland for Congress Committee)	2,500.00
12	Holtz for Congress Committee, Boston	500.00
	Grano for Congress Committee, Boston	500.00
	Kelley for Congress Committee, 21st District, Pennsylvania	1,000.00
	Clark for Congress Committee, 25th District, Pennsylvania	1,000.00
	Guerrier for Congress Committee, 29th District, Pennsylvania	1,000.00
	John A. Carroll for U. S. Senator Committee	2,000.00
15	George P. Mahoney for Senator Committee	2,000.00
	Garmatz for Congress Committee, Baltimore	500.00
	Friedel for Congress Committee, Baltimore	500.00
	Boone for Congress Committee, Baltimore	500.00
	Rhoades for Congress Committee, Berks City, Pa	500.00
	Quigley for Congress Committee, 19th District, Pennsylvania	500.00
	Lindsey for Congress Committee, 12 District, Pennsylvania	500.00
	Fisher for Congress Committee, 17th District, Pennsylvania	500.00
16	James Sullivan for Congress Committee, St. Louis	750.00
	Lenora Sullivan for Congress Committee, St. Louis	750.00
	Karsten for Congress Committee, St. Louis	750.00
	Hull for Congress Committee, Kansas City, Mo	500.00
	Bolling for Congress Committee, Kansas City, Mo	500.00
	Christopher for Congress Committee, Kansas City, Mo	500.00
	Moulder for Congress Committee, Columbia, Mo	250.00
	Price for Congress Committee, East St. Louis, Ill	750.00
	Hennings for Senate Committee, St. Louis	2,500.00
	George for Congress Committee, Kansas City, Kans	500.00
	Cuyahoga County Democratic Committee, Cleveland (Stevenson dinner—Oct. 20, 1956)	1,000.00
	Al Ullman for Congress Committee, Baker, Oreg	500.00
	Charles Porter for Congress Committee, Eugene, Oreg	500.00
	Al McCoy for Congress Committee, Olympia, Wash	500.00
	Thomas Delaney for Congress Committee, Spokane, Wash	500.00
	Louri for Congress Committee, Milwaukee, Wis	500.00
	Lester Johnson for Congress Committee, Black River Falls, Wis	500.00
	James Roosevelt for Congress Committee, Los Angeles	500.00
	John J. McFall for Congress Committee, Manteca, Calif	500.00
17	Congressman Harley O. Staggers Campaign Committee, Wheeling, W. Va	250.00
Oct. 17	Foley for Congress Committee, Cumberland, Md	$500.00
	Langford for Congress Committee, Hyattsville, Md	1,000.00
22	Wickard for Senate Committee, East Chicago, Ind	3,000.00
	Dolan for Congress Committee, Johnstown, Pa	500.00
	McDowell for Congress Committee, Wilmington, Del	500.00
	Frank S. Thompson, Jr., for Congress Committee, Trenton, N. J	500.00
	Essex County Democratic Committee, Newark, N. J	500.00
	Congressman Harrison A. Williams, Elizabeth, N. J	500.00
	Congressman Hugh Addonizio, Orange, N. J	500.00
	Congressman Peter W. Rodino, Jr., Newark, N. J	500.00
	Gordon Canfield for Congress Committee, Paterson, N. J	500.00
31	Hardie for State Assembly, Jackson City, Wis	300.00
	Sorenson for State Assembly, Clark City, Wis	300.00
	Donnelly for State Senate Committee, 28th District, Wisconsin	300.00
	Traastad for State Assembly, Viroqua City, Wis	100.00
	Milwaukee Maier for U. S. Senate Committee	2,000.00
	Eis for State Assembly, Manitowoc, Wis	100.00
	Lynch for State Assembly, Douglas City, Wis	100.00
	Larson for State Assembly, Chippewa Falls, Wis	100.00
	House for State Assembly, Eau Claire, Wis	100.00
	Ward for State Assembly, St. Croix City, Wis	100.00
	Magellis for State Assembly, Fond du Lac County, Wis	100.00
Nov. 1	Stevenson-Kefauver Club of District of Columbia	5,000.00
	Volunteers for Stevenson-Kefauver, Washington, D. C	5,000.00
	Democratic Central Committee of District of Columbia	5,000.00
	Philip Ordery for Congress Committee, Louisville, Ky	[10] 500.00
	State Senator Dent Campaign Committee, Greensburg, Pa	500.00
	Martha Griffiths for Congress, Detroit	500.00
2	Democratic Finance Committees of Pennsylvania, Philadelphia	1,000.00
	Democratic National Committee, Washington, D. C	4,000.00
	Francis E. Walters for Congress Committee	500.00
	Jerome Casey for Congress Committee, 10th District, Pennsylvania	300.00
	Daniel Flood for Congress Committee, 11th District, Pennsylvania	500.00
7	1st Congressional District PAC fund, Wheeling, W. Va	175.00
30	Lester Johnson for Congress Committee, Black River Falls, Wis	500.00
	MACHINISTS NONPARTISAN POLITICAL LEAGUE [11]—GENERAL FUND	
Jan. 24	Massachusetts MNPL, Brighton, Mass	10.50
Feb. 6	Thomas G. Walters	500.00
23	Maine MNPL, Portland, Maine	7.00
Mar. 15	Staggers for Congress Committee, West Virginia	500.00
	William Facht, treasurer (George Rhodes, Pennsylvania)	80.00
26	Green for Congress Committee (3d District, Oregon)	500.00
Apr. 11	John Reneissen and A. C. Rouse, Kentucky	[12] 250.00
	Committee To Reelect Senator Wayne Morse	1,000.00
May 3	Don Reed and W. E. Boswell, finance chairmen for John Watts, 6th District, Kentucky	250.00
18	Volunteer Committee for Perkins, Kentucky	500.00
	Kentucky-Get-Out-the-Vote Committee	1,250.00
June 12	Warren Magnuson, Senate, Washington	2,500.00
22	Eugene McCarthy, Congress, Minnesota	500.00
July 11	Toby Morris, Congress, Oklahoma	250.00
12	Richard Richards, Senate, California	1,500.00
	LeRoy Anderson, Congress, Montana	500.00
	Al Ullman, Congress, Oregon	500.00
17	Leslie Biffle, treasurer	400.00
18	Wickard for Senator Club, Indiana	1,500.00
25	Wayne Morse recognition dinner	250.00
	COPE	150.00
Aug. 3	Rodino for Congress, New Jersey	500.00
6	Harrison Williams, Congress, New Jersey	500.00
7	Cleveland M. Bailey, Congress, West Virginia	500.00
8	William F. Denman, Congress, Iowa	500.00
	Don Magnuson, Congress, Washington	1,000.00
9	J. L. McBreen	[13] 2,500.00
14	Stengel for Senator Committee, Illinois	1,500.00
30	Clark for Senate Committee, Pennsylvania	1,500.00
	Roy W. Wier, Congress, Minnesota	500.00
	John E. Fogarty Campaign Committee, Rhode Island	500.00
	Brademus for Congress Committee, Indiana	250.00
	Coya Knutson, Congress, Minnesota	250.00
	Joseph Robbie, Congress, Minnesota	250.00
31	Wayne Morse Political Committee	5,000.00
Sept. 20	Roosevelt for Congress Committee, California	500.00
	Kentucky MNPL	250.00
	H. O. Staffers for Congress, West Virginia	500.00
	Cleveland Bailey for Congress, West Virginia	500.00
	M. G. Burnside for Congress, West Virginia	500.00
	Citizens for Clements Committee, Kentucky	1,500.00
	Citizens for Wetherby Committee, Kentucky	1,500.00
	Lankford Campaign Committee, Maryland	500.00
21	Democratic National Committee	5,000.00
25	National Nonpartisan Issues Committee	1,000.00
26	Reelect Zablocki to Congress Club, Wisconsin	500.00
	Independent Citizens for Reuss, Wisconsin	500.00
	Bible for Senator Club, Nevada	500.00
	Baring for Congress at Large Club, Nevada	500.00
	Phillip Ardery for Congress, Kentucky	500.00
	Bellling Campaign Committee, Missouri	500.00
	Citizens for Frank Church for Senate, Nevada	1,000.00
	Thurman C. Crook Campaign Committee, Indiana	500.00
	M. G. Burnside for Congress, West Virginia	250.00
29	Educational fund, MNPL (transfer)	25.00
	L. K. Sullivan for Congress, Missouri	500.00

[7] Reports of political action fund and educational account: 1956, total expenditures $184,835.11; 1957, total expenditures $50,468.20.

[8] Returned check Oct. 29, 1956, in full amount.

[9] Returned check Nov. 1, 1956, partially refunded in the amount of $20,000.

[10] Returned check Nov. 5, 1956, in full amount.

[11] The reports of this organization show total expenditures as follows: General fund: 1956, $114,008.89; 1957, $28,174.38. Educational fund: 1956, $55,151.72; 1957, $54,542.70.

[12] No explanation of this item.

Expenditures—Continued

Date		Amount
	MACHINISTS NONPARTISAN POLITICAL LEAGUE [11]—GENERAL FUND—continued	
1956		
Sept. 29	H. O. Staffers for Congress, West Virginia	$250.00
	Leo Diner films	1,052.88
Oct. 1	Florida Committee, Stevenson for President	500.00
	Rudolph Ploetz for Congress, Wisconsin	100.00
	Lester Johnston for Congress, Wisconsin	250.00
	William P. Mahoney for Congress, Arizona	250.00
	Stewart Udall for Congress, Arizona	250.00
	Al Ullman for Congress, Oregon	250.00
	Claude Wickard for Senate, Indiana	1,000.00
	Alva Adams for Congress, Colorado	250.00
	Kentucky Get-Out-Vote Committee	1,250.00
	Mahoney for United States Senate Committee, Maryland	1,500.00
	Samuel Clark for Congress, Michigan	250.00
	Oregon MNPL	2,616.11
2	Thomas J. Dodd for Senate Committee, Connecticut	1,500.00
	Ward for Congress Committee, Connecticut	500.00
	Gaimo for Congress Committee, Connecticut	250.00
	Torbert Macdonald for Congress, Massachusetts	400.00
	Jackson Holtz for Congress, Massachusetts	600.00
	Rhodes for Congress Committee, Pennsylvania	500.00
4	Foley for Congress Committee, Maryland	500.00
5	John Carroll for Senate Committee, Colorado	1,500.00
	Reynolds for Congress Committee, Idaho	250.00
	Pfost for Congress Committee, Idaho	250.00
	Moreland for Congress, Oklahoma	250.00
9	Blatnik for Congress, Minnesota	250.00
	Frederickson for Congress, Minnesota	250.00
	Quinney for Congress, California	500.00
	WSAZ–TV station, Huntington, W. Va., Mollahan, Ky	300.00
	Indiana Get-Out-the-Vote Committee	500.00
	John W. King, Indiana	[12] 500.00
	Carvey for Congress, Indiana	250.00
	Clark for Senate Committee, Pennsylvania	1,500.00
	Clark for Congress Committee, Pennsylvania	500.00
	Fullum for Congress Committee, Pennsylvania	250.00
	Quigley for Congress, Pennsylvania	500.00
	Flood for Congress, Pennsylvania	500.00
	McClinchey for Congress, Pennsylvania	[13] 500.00
	Rooney for Congress, New York	500.00
	Holtzman for Congress, New York	500.00
	Akers for Congress, New York	500.00
	Delaney for Congress, New York	500.00
	Sieminski for Congress, New Jersey	500.00
	Marland for U. S. Senate, West Virginia	1,000.00
11	Citizens for Quenstedt, Virginia	200.00
	Wagner for Senator, New York	2,500.00
	George S. McGovern for Congress, South Dakota	500.00
	Mahoney for U. S. Senator, Maryland	1,000.00
	Casey for Congress Committee, Pennsylvania	500.00
	National Non-Partisan Issues Committee	1,000.00
	Stevenson-Kefauver Campaign Committee	200.00
	Charles Brown for Congress, Missouri	250.00
	Byron Rogers for Congress Committee, Colorado	250.00
	Johnson for Congress Committee, Colorado	250.00
	Carter for Congress Committee, Iowa	250.00
	Gronning for Congress Committee, Utah	150.00
	McConkie for Congress Committee, Utah	150.00
	Hopkin for Congress Committee, Utah	500.00
	S. Saund for Congress Committee, California	500.00
12	Linda A. Matteo & Associates, Wickard campaign, Indiana	137.17
	National Non-Partisan Issues Committee	1,000.00
17	Milwaukee Maier for U. S. Senate Committee	250.00
	Citizens for Sullivan Committee, Missouri	500.00
	Gerold T. Flynn, Wisconsin	250.00
	Stevenson-Kefauver California Committee	1,000.00
	Kenneth J. Gray for Congress, Illinois	500.00
	Albert R. Imle, Illinois	250.00
	Albert L. Smith, California	[12] 85.00
18	Benesch for Congress Committee, Nebraska	250.00
24	Denman for Congress Committee	250.00
	Salem for Congress Committee	250.00
	Kastenmeier for Congress Committee	250.00
	Mahoney for U. S. Senate Committee	1,000.00
	Wade for Congress Committee	300.00
25	COPE	1,000.00
	Stevenson-Kefauver Campaign Committee	5,000.00
	Volunteers for Stevenson-Kefauver	5,000.00
	Democratic State Committee of Arkansas	5,000.00
	Democratic State Committee of Massachusetts	5,000.00
26	Arizona Get-Out-to-Vote Committee	250.00
	District-Virginia MNPL	250.00
31	Mahoney for Senate Committee	1,000.00
	Stengel for Senate Committee	500.00
	Wickard for Senate Committee	600.00
Nov. 5	Mahoney for Senate Committee	500.00
Dec. 6	National Nonpartisan Issues Committee	1,000.00
	Washington MNPL, Donal E. Schultz, secretary	128.70
	NOTE.—The following items of expenditure were listed under the educational fund. No specific date was given as to when the expenditures were made.	
	Report covering the period Mar. 1–May 31, 1956: Mollohan for Governor Committee, West Virginia	1,000.00
	Report covering the period June 1–Aug. 31, 1956:	
	Kansas Anti-Right-To-Work Committee	1,000.00
	W. Lewis Wallace Campaign Committee	250.00
	Report covering the period Sept. 1–Oct. 21, 1956:	
	Arnold Olson for Governor of Montana	1,000.00
	Freeman for Governor Committee, Minnesota	1,000.00
	Kansas State Legislative Committee	200.00
	Griffith for State Senate Committee, Connecticut	100.00

[13] Returned check.

Date		Amount
	ILGWU 1956 CAMPAIGN COMMITTEE [14]	
1956		
Sept. 28	United Labor Committee for Reelection of Harrison A. Williams, Elizabeth, N. J	$500.00
	Jackson J. Holtz Congressional Campaign Committee, Boston	500.00
	Don Magnuson Finance Committee, Seattle	250.00
	Jas. H. Schuler, treasurer, Bolling for Congress Campaign Committee, Kansas City, Mo	300.00
	Senator Richard Richards for United States Senate Committee, Los Angeles	1,000.00
	Committee on Political Education, AFL–CIO	1,000.00
	Proxmire for Governor Committee, Milwaukee	500.00
	Milwaukee Maier for United States Senator Club	250.00
	Independent Citizens for Reuss, Milwaukee	250.00
	Flynn for Congress Committee, Racine, Wis	350.00
	Norman M. Clapp for Congress Committee, Milwaukee	150.00
	9th District Johnson for Congress Club, Milwaukee	100.00
	Pat Ward for Congress Committee, Hartford, Conn	250.00
	Yates for Congress Committee, Chicago	150.00
	Murray for Congress Committee, Chicago	150.00
	Boyle for Congress Committee, Chicago	100.00
	Pucinski for Congress Committee, Chicago	100.00
	Al Ullman for Congress, Baker, Oreg	250.00
	Quigley for Congress Committee, Harrisburg	500.00
	George Christopher for Congress Committee, Butler, Mo	250.00
	W. R. Hull, Jr., for Congress Committee, Platte City, Mo	250.00
Oct. 9	Frank Thompson, Jr., for Congress Committee, Trenton, N. J	250.00
	Douglas Bennet for Congress Committee, Lyme, Conn	300.00
11	Dodd for Senate Committee, Hartford, Conn	1,000.00
16	Americans for Democratic Action, literature	30.00
	McGovern for Congress Committee, Sioux Falls	150.00
18	Whitehead for Congress Committee, Roanoke, Va	250.00
25	James P. Wilson for Congress Committee, Seattle	200.00
	Joseph S. Mack Campaign Committee, Ironwood, Mich	200.00
	William Baker Campaign Committee, Mesick, Mich	200.00
	Edward P. Boland for Congress, Springfield, Mass	200.00
	Committee on Political Education, AFL–CIO	4,000.00
	George Mahoney for Senate Committee, Baltimore	1,000.00
31	New York City, CIO–COPE, Harlem rally	1,000.00
29	Democratic State Committee, Camden, N. J	500.00
	Rodino campaign fund, Newark, N. J	250.00
	Addonizio campaign fund, Orange, N. J	250.00
	United Labor Committee, Elizabeth, N. J	125.00
	Stevenson-Kefauver campaign fund, New York City	1,500.00
30	LP Upper 5th AD (Liberal Party), Bronx	25.00
	LP 9th Assembly District (Liberal Party), Bronx	25.00
	LP 13th Assembly District (Liberal Party), Brooklyn	25.00
	LP 9th Assembly District (Liberal Party), Brooklyn	25.00
	LP 16th Assembly District (Liberal Party), Brooklyn	25.00
	LP 3d Assembly District (Liberal Party), Bronx	25.00
	LP 1st Assembly District (Liberal Party), N. Y. C	25.00
	Kulpmont Democratic Committee, Kulpmont, Pa	150.00
	Bayside-Hillcrest LP Club, Long Island, N. Y	25.00
31	Democratic Campaign Committee, Philadelphia	1,000.00
	LLPE, Philadelphia, literature	50.00
Nov. 1	Northampton County Volunteers for Stevenson-Kefauver, Easton, Pa	100.00
	Liberal Party, Nassau County, N. Y	25.00
	Liberal Party, Kings County, N. Y	100.00
	Congressman Harris B. McDowell, Wilmington	50.00
	Bill Mauldin for Congress, New York, N. Y	200.00
	Citizens for Giaimo Committee, New Haven, Conn	200.00
	George Lindsay for Congress Committee, Schuylkill Haven, Pa	200.00
	Charles A. Vanik for Congress Committee, Cleveland	200.00
5	Liberal Party, 2d Assembly District, Brooklyn	25.00
	Liberal Party, 21st Assembly District, Brooklyn	100.00
	Democratic Society of Northampton County, Pen Argyl, Pa	200.00
	Northampton County Democratic Committee, Pen Argyl, Pa	800.00
	National Stevenson-Kefauver Campaign Committee, New York, N. Y	5,000.00
6	New York Committee for Stevenson-Kefauver	5,000.00
6	Edward F. Doolan for Congress, Fall River, Mass	275.00
7	Liberal Party, 4th Assembly District, New York City	25.00
	Liberal Party, 15th Assembly District, New York City	25.00
	Liberal Party, Bronx County, N. Y	150.00
	Stevenson-Kefauver campaign fund, New York	5,000.00
8	Clark for Senator Committee, Philadelphia	1,000.00
26	Americans for Democratic Action, literature	30.00
	NOTE.—The following are expenditures made earlier in localities, but not previously reported:	
Sept. 12	Volunteers for Stevenson, Wilkes-Barre, Pa	500.00
Oct. 2	Liberal Party of Bronx County, N. Y	100.00
	Democratic Finance Committee, Harrisburg, Pa	100.00
5	Liberal Party Campaign Committee, New York, N. Y	5,000.00
8	Liberal Party of Bronx County, N. Y	25.00
9	Labor's League for Political Education, Philadelphia	500.00
	Mauldin for Congress Fund, New York, N. Y	50.00
10	Stevenson-Kefauver Campaign Fund, New York, N. Y	5,000.00
	do	3,000.00
	do	2,500.00
	do	500.00
11	do	1,000.00
	do	2,500.00
	do	5,000.00
12	Pennsylvania Volunteers for Stevenson, Philadelphia	50.00
15	Newburgh City Democratic Committee, New York	50.00
	Liberal Party, 4th Assembly District, New York	25.00
15	Liberal Party, Bronx County, N. Y	100.00
16	Earl Chudoff for Congress Campaign Committee, Philadelphia	50.00
18	Volunteers for Stevenson, Wilmington, Del	50.00

[14] The final report for 1956 gives total expenditures of $149,520.76 for the year.

Expenditures—Continued

Date		Amount
	ILGWU 1956 CAMPAIGN COMMITTEE—continued	
1956		
Oct. 22	Stevenson-Kefauver campaign fund, New York, N. Y.	$750.00
	Walter H. Gardner for Congress, Passaic, N. J.	125.00
23	Labor's League for Political Education, Philadelphia	500.00
	Clark for Senator, Philadelphia	1,000.00
24	Stevenson-Kefauver campaign fund, New York, N. Y.	1,000.00
	Nassau County Liberal Party, New York	50.00
	Liberal Party, 4th Assembly District, New York	50.00
	Bethlehem Volunteers for Stevenson-Kefauver Committee, Bethlehem, Pa.	100.00
	Committee on Political Education, Easton, Pa. (tickets, annual dinner)	400.00
	Labor's League for Political Education, Philadelphia	100.00
	Jackson Holtz Campaign Committee, Boston	100.00
	Volunteers for Stevenson-Kefauver, Red Bank, N. J.	50.00
25	Hugh Scott for Congress, Philadelphia	100.00
	RAILWAY LABOR'S POLITICAL LEAGUE [15]	
Jan. 31	Harley O. Staggers, Keyser, W. Va.	1,000.00
Mar. 17	Robert Michel, Pekin, Ill., general activity	300.00
27	Staggers for Congress Committee, Keyser, W. Va., for general activity	1,000.00
Apr. 9	Cecil Callison, treasurer, Magnuson Campaign Committee, Seattle	2,000.00
10	H. E. Wolf, treasurer, Smathers Campaign Committee, St. Augustine, Fla.	350.00
17	Democratic National Committee, Washington, D. C.	5,000.00
	Woodrow Wilson Dinner Committee, Washington, D. C.	2,000.00
25	James C. Murray Campaign Committee, Chicago	500.00
	Barratt O'Hara, Chicago, Ill.	500.00
	Citizens' Committee for Peter F. Mack, Carlinville, Ill.	500.00
May 14	Kentucky Campaign, K. Birkhead, Washington, D. C.	1,000.00
25	COPE, Washington, D. C.	99.00
June 11	California Railway Labor Citizens' League, LeRoy Morgan, treasurer, Monterey Park	500.00
12	W. J. Burton, Jr., 818 3d St., Spencer, N. C., for general activity in North Carolina	325.00
July 2	Gene Wyatt, Pulaski, Tenn., for general activity, 6th District	500.00
	Leonor Sullivan, St. Louis	500.00
	John B. Bennett, Ontonagon, Mich.	500.00
	Hayworth Campaign for Congress, East Lansing, Mich.	500.00
5	Charles Hurley, Hancock County Muskie campaign manager	1,000.00
	Joseph Cracken, chairman, Torbert Macdonald for Congress, Malden, Mass.	500.00
	John V. Beamer, Wabash, Ind.	500.00
	Frank M. Clark, Bessemer, Pa.	500.00
10	Union County Democratic Committee, Westfield, N. J., for general activity, 6th District	500.00
	John B. Bennett, Ontonagon, Mich.	500.00
	Reelect Senator Morse Committee, Hugh Earle, finance chairman, Washington, D. C.	1,000.00
13	Leslie Biffle, treasurer, Democratic Senatorial Campaign Committee, Washington, D. C.	2,000.00
16	Democratic Senatorial Campaign Committee	2,000.00
24	9th District Johnson for Congress Club, Black River Falls, Wis.	500.00
30	Gene Wyatt, Pulaski, Tenn., 6th District	500.00
Aug. 21	Don Magnuson Finance Committee, Seattle, Wash.	500.00
	Burnside for Congress Committee, Huntington, W. Va.	500.00
24	Wayne Morse Campaign Committee, William Berg, trustee, Washington, D. C.	5,000.00
Sept. 5	Stengel for Senator Committee, Chicago	5,000.00
	Foley for Congress Committee, W. Holmes, Kensington, Md.	500.00
13	Alonzo Young, Washington, D. C., for Maine campaign	500.00
	Joseph Craken, chairman, Macdonald for Congress, Malden, Mass.	500.00
	Frank M. Karsten, St. Louis	500.00
18	Cleveland M. Bailey, Clarksburg, W. Va.	500.00
21	L. J. Blumenfeld, treasurer, Dodd for Senator Committee, Hartford, Conn.	2,000.00
	Gracie Pfost Campaign Committee, Nampa, Idaho	500.00
	Henry S. Reuss, Milwaukee	500.00
	Hull for Congress Club, F. M. Wilson, president, Platte City, Mo.	500.00
	Winfield K. Denton, Evansville, Ind.	500.00
	Christopher for Congress Committee, M. L. Welty, Nevada, Mo.	500.00
	C. E. St. Amour, St. Albans, Vt.	500.00
	McCarthy for Congress Volunteer Committee, St. Paul	500.00
24	Weber County Democratic Central Committee, Ogden, Utah, for general activity, 1st District	500.00
Sept. 25	Oregon Democratic Central Committee, Portland	2,000.00
	Morse Campaign Committee, Portland	1,000.00
	William E. Doyle, Denver, Colo., for general activity, Senate campaign	1,000.00
	Moss for Congress Campaign Committee, Sacramento	500.00
	Robert J. Harris, treasurer, Cincinnati, Ohio, for general activity, 6th District	500.00
	John A. Blatnik, Duluth, Minn.	500.00
26	Carl P. Burke, treasurer, Citizens for Frank Church, Boise, Idaho	1,000.00
27	Roy W. Wier, Minneapolis	500.00
Oct. 3	Imle for Congress Campaign Committee, Mr. Jack Morley, treasurer, Mount Vernon, Ill.	500.00
4	John B. Bennett, Ontonagon, Mich.	500.00
	Martha Griffiths Campaign Committee, Detroit	500.00
9	Spillers Campaign Committee, Wheeling, W. Va.	500.00
	Whitehead for Congress Committee, Radford, Va.	500.00
9	Jack Toole, campaign manager LeRoy Anderson, Shelby, Mont.	500.00

[15] The reports of this organization show total expenditures as follows: 1956, $104,469.60; 1957, $7,750.

Date		Amount
	RAILWAY LABOR'S POLITICAL LEAGUE [15]—continued	
1956		
Oct. 9	Union County Democratic Committee, New Jersey, for general activity, 6th District	$500.00
	Roger Fox, care of G. C. Peterson Co., Fort Dodge, Iowa, for general activity, 6th District	500.00
	Moulder for Congress Club, Columbia, Mo.	500.00
	Peter W. Rodino, Newark, N. J.	500.00
	Burnside for Congress Committee, Huntington, W. Va.	500.00
	Leonard D. Slutz campaign fund, Cincinnati, for general activity, 1st District	500.00
	James T. Dewan Campaign Committee, Cincinnati, for general activity, 2d District	500.00
	Clyde E. Milligan, treasurer, 2d Congressional District of Kansas, Kansas City, Newell George	200.00
	Agnes Geelan, Euderlin, N. Dak.	500.00
	California Railway Labor Citizens' League, LeRoy Morgan, Monterey Park	500.00
	Harry Kampleman, treasurer, Passaic, N. J., for New Jersey State Democratic Committee	500.00
	Harry Lerner, New Jersey, for general activity	500.00
10	Cecil Callison, treasurer, Magnuson Campaign Committee, Seattle	2,000.00
	John A. Mapp, manager, Campaign Expenditures Committee, Bristol, Va., Congressman Pat Jennings	500.00
15	Stengel for Senator Committee, Chicago	1,000.00
16	Betty Hill, Pittsburgh, for general activity, 28th District	500.00
17	Frank M. Karsten, St. Louis	500.00
	Hayworth Campaign for Congress, East Lansing, Mich.	500.00
	Friedel for Congress, David Mandell, treasurer, Baltimore	500.00
18	Stevenson-Kefauver Dinner Committee, Washington, D. C.	9,000.00
	Jackson J. Holtz, Congressional Campaign Committee, Boston	500.00
	George E. McMahon, Roanoke, Va., for general expenses, campaigning in Virginia	187.36
23	Robert R. Gerhart, Jr., treasurer, Rhodes for Congress Committee, Reading, Pa.	500.00
29	Moreland campaign fund, Oklahoma City, Okla.	500.00
	George E. McMahon, Roanoke, Va., for general expenses, campaigning in Virginia	187.37
30	Mahoney Campaign Committee, Baltimore	2,000.00
	Dodd for Senator Committee, L. J. Blumenfeld, treasurer, Hartford, Conn.	2,000.00
	William E. Doyle, Denver, Colo., for general activity	2,000.00
	Evans Campaign Committee, Arnolds Park, Iowa	1,000.00
31	Railway Labor's Political League, educational fund, Washington, D. C., transfer of operating expense	3,628.12
Nov. 1	William Powers, Providence, R. I.	1,500.00
	Jackson J. Holtz Congressional Campaign Committee, Boston	500.00
	Citizens Committee for Peter F. Mack, Jr., James H. Manns, manager, Springfield, Ill.	500.00
	Imle for Congress Committee, Mr. Jack Morley, treasurer, Mount Vernon, Ill.	250.00
	J. K. Dear, Democratic chairman, 2d District, Brotherhood Building, Kansas City, Kans.	200.00
2	Campaign Committee for Robert Giaimo, New Haven	500.00
	Campaign Committee for Harris B. McDowell, Middletown, Del.	500.00
	Campaign Committee for William F. Denman, Des Moines	500.00
	Campaign Committee for John W. King, Greencastle, Ind.	500.00
	Campaign Committee for Hamilton Fox, Salisbury, Md.	500.00
	Campaign Committee for George G. Lindsay, Tremont, Pa.	500.00
	Campaign Committee for James G. Polk, Highlands, Ohio	500.00
	Campaign Committee for Thomas L. Ashley, Waterville, Ohio	500.00
	Campaign Committee for Al Ullman, Baker, Oreg.	500.00
	Campaign Committee for William P. Mahoney, Phoenix	500.00
	Campaign Committee for Cecil R. King, Inglewood, Calif.	500.00
	Campaign Committee for Chet Holifield, Montebello, Calif.	500.00
	Campaign Committee for Clyde Doyle, South Gate, Calif.	500.00
	Campaign Committee for James Roosevelt, Los Angeles	500.00
14	George E. McMahon, Roanoke, Va.	359.30
21	Melvin Price, East St. Louis, Ill.	500.00
	King County Democratic Central Committee, Irvin Hoff, Seattle	2,000.00
	TRAINMEN'S POLITICAL EDUCATION LEAGUE [16]	
Jan. 6	Treasurer, Committee for Elmer Holland, Harrisburg, Pa., for campaign for Congress from 30th Congressional District of Pennsylvania	150.00
10	Roosevelt Day Committee, for 2 dinner tickets	100.00
July 9	Leslie L. Biffle, for dinner tickets in honor of Senator Walter F. George	100.00
23	Treasurer, Ross Bass Campaign Committee, 6th Congressional District of Tennessee	150.00
Aug. 17	Committee for Thomas P. O'Neill, Jr., Cambridge, Mass., for primary campaign, 11th Congressional District of Massachusetts	100.00
Sept. 6	Coya Knutson, Oklee, Minn., in campaign for reelection in 9th Congressional District of Minnesota	150.00
	Bolling for Congress Committee, Kansas City, Mo., for campaign of Richard Bolling, 5th Congressional District	150.00
21	Arthur L. Henning, treas., Johnson for Congress Club, 9th Congressional District of Wisconsin	150.00
	Kenneth Holum, Groton, S. D., candidate for U. S. Senate from South Dakota	150.00
	George McGovern, Box 278, Mitchell, S. Dak., candidate, 1st Congressional District	100.00
	Citizens for Church, Carl P. Burke, chairman, Boise, Idaho, candidate for U. S. Senate	150.00
	Hon. George E. Moss, 1213 10th Ave., Sacramento, Calif., 3d Congressional District	100.00

[16] The reports of this organization show total expenditures as follows: 1956, $9,701.38; 1957, $1,418.40.

Expenditures—Continued

Date		Amount
	TRAINMEN'S POLITICAL EDUCATION LEAGUE [16]—continued	
1956		
Sept. 21	H. Roberts Quinney, 820 Main Street, Vallejo, Calif., 6th Congressional District	$150.00
	Lawrence L. Cross, 2064 Los Angeles Avenue, Berkeley, Calif., 7th Congressional District	150.00
	Hon. Geo. P. Miller, 1424 Benton St., Alameda, Calif., 8th Congressional District	50.00
	John J. McFall, 215 North Sherman Ave., Manteca, Calif., 11th Congressional District	150.00
	Hon. Harlan Hagen, 1206 North Kaweah St., Hanford, Calif., 14th Congressional District	150.00
Oct 3	Edward P. Boland Committee, Springfield, Mass., 8th Congressional District	150.00
	Torbert H. Macdonald Committee, Malden, Mass., 8th Congressional District	150.00
	Lee Metcalf, Helena, Mont., 1st Congressional District	150.00
	LeRoy Anderson, Conrad, Mont., 2d Congressional District	150.00
	Harry D. Moreland, Enid, Okla., 1st Congressional District	150.00
	Roy Wier, Minneapolis, Minn., 3d Congressional District	100.00
	Fred Marshall, RFD, Grove City, Minn., 6th Congressional District	100.00
	Minnesota State Dinner Committee, tickets	100.00
	Edith Green, Portland, Oreg., 3d Congressional District	200.00
	Al Ullman, Baker, Oreg., 2d Congressional District	200.00
	Wayne Morse, Eugene, Oreg	300.00
	Laurence Brock, Wakefield, Nebr., 3d Congressional District	150.00
	Treasurer of Rail-Labor Committee of Pennsylvania, Harrisburg, Pa., for support of miscellaneous candidates	394.75
8	American Veterans Committee, Inc., 45 East 65th St., New York City, for dinner tickets	100.00
16	James G. Polk, Highland, Ohio, 6th Congressional District	150.00
	Robert M. Corey, Galion, Ohio, 8th Congressional District	100.00
	John McSweeney, Wooster, Ohio, 16th Congressional District	100.00
	Harrison A. Williams, Jr., Plainfield, N. J., 6th Congressional District	200.00
	Peter W. Rodino, Jr., Newark, N. J., 10th Congressional District	200.00
	Hugh J. Addonizio, Newark, N. J., 11th Congressional District	200.00
18	Claude R. Wickard, Camden, Ind	300.00
	Clark for Senator Committee, Philadelphia, Pa	250.00
	Cleveland M. Bailey, Clarksburg, W. Va., 3d District	150.00
	W. P. Kennedy-Stevenson-Kefauver dinner	50.00
	Harry See, Democratic dinner at Washington, D. C	100.00
25	New Mexico Democratic State Central Committee, Clovis, N. Mex	76.70
29	Martin H. Miller, 1370 Ontario St., Cleveland, Ohio, for Democratic dinner	100.00
	Roy Wier, Minneapolis, Minn., 3d District	150.00
	John A. Blatnik, Chisholm, Minn., 8th District	150.00
	Coya Knutson, Oklee, Minn., 9th District	150.00
	James Roosevelt, Los Angeles, Calif., 26th District	150.00
	Wayne Morse, Eugene, Oreg	250.00
	Edith Green, Portland, Oreg., 3d District	150.00
	J. Carlton Loser, Nashville, Tenn., 5th District	150.00
	Alan Bible, Reno, Nev., U. S. Senate	200.00
31	Walter S. Baring, Reno, Nev., Congressman-at-Large	150.00
Nov. 5	New York State Democratic Committee, for campaign of Robert F. Wagner for U. S. Senate	483.00
	Treasurer of Rail-Labor Committee for Pennsylvania., Harrisburg, Pa., for support of miscellaneous candidates	264.75
	AMALGAMATED POLITICAL ACTION FUND [17]	
Jan. 11	Holland for Congress Committee, Pittsburgh	250.00
Feb. 5	Citizens for Douglas, Chicago	1,000.00
Apr. 16	Stevenson for President Committee (dinner tickets)	1,000.00
July 9	Akers Campaign Fund, New York, N. Y	250.00
Aug. 22	Democratic Congressional Campaign Committee (Congressman Harry S. Reuss), Washington, D. C	300.00
27	Wayne Morse Political Committee, Washington, D. C	5,000.00
Sept. 18	Citizens Committee for Frank Church, Boise	1,000.00
	Stengel for Senator, Chicago	1,000.00
	Joseph F. Clark, Jr., for Senator Committee, Philadelphia	3,000.00
	Congressman Richard Bolling, Kansas City, Mo	200.00
	Don Magnuson Finance Committee, Seattle	250.00
	AMALGAMATED POLITICAL ACTION FUND—continued	
1956		
Sept. 18	Jess Bell, staff help in connection with Wayne Morse campaign	$600.00
19	Richard Richards for Senate Committee, Los Angeles	1,000.00
	Claude R. Wickard for Senate Committee, Camden, Ind	1,000.00
	W. C. Marland for Senate Committee, Rogers, W. Va	1,000.00
	Sidney Yates for Congress Committee, Chicago	500.00
	Edith Green for Congress Committee, Portland, Oreg	250.00
	Winfied Denton for Congress Committee, Evansville, Ind	250.00
	Moulder for Congress Committee, Camdentown, Mo	250.00
	Metcalf for Congress Committee, Helena, Mont	200.00
	Thompson for Congress Committee, Trenton, N. J	250.00
	Williams for Congress Committee, Westfield, N. J	250.00
	Flood for Congress Committee, Wilkes-Barre, Pa	250.00
	Burnside for Congress Committee, Huntington, W. Va	300.00
	McCarthy for Congress Committee, Minneapolis	250.00
	Zablocki for Congress Committee, Milwaukee	250.00
	Johnson for Congress Committee, Black River Falls, Wis	300.00
	Ward for Congress Committee, Hartford, Conn	200.00
	Mack for Congress Committee, South Carlinville, Ill	250.00
	Pfost for Congress Committee, Nampa, Idaho	250.00
	Friedel for Congress Committee, Baltimore	250.00
	Boyle for Congress Committee, Chicago	250.00
20	Dodds for Senate Committee, Hartford, Conn	500.00
	Carroll for Senate Committee, Denver	1,000.00
	Maier for Senate Committee, Milwaukee	500.00
	William T. Beeks, Warren A. Magnuson for Senate Committee, Seattle	1,000.00
	McDowell for Congress Committee, Wilmington	250.00
	Wier for Congress Committee, Minneapolis	250.00
26	New York State Labor Committee, tickets	130.00
	Political Action Committee, Bronx County special campaign fund, New York	500.00
27	Holland for Congress Committee, Pittsburgh	200.00
Oct. 1	Dodd for Senate Committee, Hartford	1,000.00
4	Stengel for Senate Committee, Chicago	1,500.00
9	Fred Erchul, secretary, County CIO, Milwaukee, Wis., contribution special publication	500.00
	Garmatz for Congress Committee, Baltimore	250.00
11	Committee on Political Education, Washington, D. C. (on account) contribution	5,000.00
	Bennet for Congress Committee, Lyme, Conn	200.00
17	Brown for Congress Committee, St. Louis	250.00
	Colorado Committee on Political Education, Denver	200.00
18	Foley for Congress Committee, c/o James Gildea, treasurer, AFL-CIO, Washington, D. C	200.00
	David J. Mendelsohn, Inc., New York, TV	2,921.00
	Rondo for Congress Committee, Newark, N. J	200.00
	New York Committee for Stevenson-Kefauver, 75 tickets, at $15	1,125.00
19	David J. Mendelsohn, Inc., New York, TV	372.16
22	Robbie for Congress Committee, St. Paul	200.00
	Italian-American Democratic League, Red Bank, N. J	200.00
	Akers Campaign Fund, New York, N. Y	500.00
	James B. Wilson for Congress Committee, Seattle	100.00
23	Donald O'Toole Campaign Committee, Brooklyn, N. Y	250.00
	Alfred E. Santangelo Campaign Committee, New York	250.00
	Lester Holtzman Campaign Committee, Rego Park, N. Y	250.00
	David J. Mendelsohn, Inc., advertising	391.86
24	Giaimo for Congress Committee, New Haven, Conn	200.00
25	Stengel for Senate Committee, Chicago	1,000.00
	Addonizio for Congress Committee, Orange, N. J	200.00
	William Welk, treasurer, Mahoney for Senate Committee, Baltimore	1,000.00
26	Mikard for Senate Committee, Minneapolis	500.00
29	David J. Mendelsohn, Inc., radio	3,929.00
	do	644.40
	DiOrio for Congress Committee, Staten Island, N. Y	200.00
31	NYC-PAC Harlem Rally, New York	1,000.00
	David J. Mendelsohn, Inc., station charges	50.00
Nov. 1	Committee on Political Education, Washington, D. C	2,140.00
7	Paul Miner Associates, New York, TV film, rally	2,791.30
8	NYC Political Action Committee Rally	500.00
14	NYC Political Action Committee	500.00
29	David J. Mendelsohn, Inc., television	225.37
Dec. 11	Independent Committee for Wayne Morse, care of Joseph Keenan, International Electrical Workers	2,000.00

[17] The reports of this organization show total expenditures as follows: 1956, $64,607.62; 1957, $10,620.48.

UNITED BROTHERHOOD OF CARPENTERS NONPARTISAN COMMITTEE FOR REPEAL AND DEFEAT OF ANTILABOR LEGISLATION

The reports of this organization available in the files of the Clerk of the House do not itemize expenditures.

Receipts are credited simply to locals, district councils, and State councils.

The reports claim to cumulate receipts and expenditures from January 1, 1948 on.

The report of January 2, 1957, is summed up as follows:

Receipts, Jan. 1, 1948, to Jan. 2, 1957	$50,013.80
Expenditures, Jan. 1, 1948, to Jan. 2, 1957	40,549.25
Available funds, Jan. 2, 1957	9,464.55

The report of December 31, 1957, gives the following figures:

Receipts, Jan. 1, 1948 to Dec. 31, 1957	$50,013.80
Expenditures, Jan. 1, 1948, to Dec. 31, 1957	42,549.25

BROTHERHOOD OF CARPENTERS

Each report contains this statement:

"This committee discloses any obligation under the filing requirements set forth in the Federal Corrupt Practices Act. The foregoing is submitted solely for the information of anyone interested in neither the statements contained herein nor the filing of this report is, or is to be construed as, an admission or recognition for any purposes that this committee is subject in any manner whatsoever to the provisions of the Federal Corrupt Practices Act or to the filing requirements, of any other Federal Statute thereof."

(NOTE.—The report of June 8, 1956, shows an expenditure to the "Building and Construction Trades Department, Washington, D. C.," in the amount of $1,000. The report of October 22, 1956, shows an expenditure to the "Oregon State Council, Salem, Oreg.," in the amount of $5,000.)

Mr. GOLDWATER. No one, whatever his politics—if he is a conscientious and dedicated representative of the American people—can read this report without becoming apprehensive of the future or without becoming fully convinced that any labor bill passed by this body which does not effectively regulate this power would be an affront to the

American people. I challenge any Senator in this chamber to read this report and still maintain that what we need is a "middle of the road" bill; a moderate bill, a bill as weak and ineffectual as S. 3974 was when it was reported.

I challenge any Senator in this chamber to read this report and still maintain that the amendments which have been eneacted in the last 2 days to strengthen this bill are against the public interest or the best interests of the rank and file union members.

I challenge any Senator in this chamber to read this report and still maintain that Secretary of Labor Mitchell was speaking out of turn when he called for a more effective labor bill than was reported by the Kennedy committee.

The point was made on this floor on Saturday, Mr. President, by my distinguished colleague from Nebraska [Mr. CURTIS] that the most effective manner in which to correct the abuses of the labor leadership is to restore to the individual members of American unions the legal right to run their own affairs. I challenge any Senator in this chamber to read this report and disagree with the aforementioned views expressed by the Senator from Nebraska.

Not since Robert Taft stood in this chamber over a decade ago and, by sheer dint of his personal integrity and great courage, guided into law the Taft-Hartley Act has this body had the opportunity to forge a virtual "bill of rights" for the many millions of workingmen who are the backbone of this Nation. If we do less at this time, than we did under the inspired leadership of the late Senator Taft, we shall have lost by default our greatest opportunity in a decade. If we do less than we did during those harried hours in 1947, we will have stamped with the seal of approval the very force which has heralded the beginning of the end in many other nations throughout history; that force being unchecked power in the hands of a vocal minority of politically ambitious men.

EIGHTEENTH ANNIVERSARY OF ENSLAVEMENT OF LITHUANIA

Mr. LAUSCHE. Mr. President, June 15, 1958, marked the 18th anniversary of the suppression by the military forces of Soviet Russia of political and human rights in the brave nation of Lithuania. Since the patriots of this little nation are unable to publicly express their true feelings concerning this Soviet imperialistic aggression, it is fitting that the Congress of the United States pause in its deliberations to pay tribute to these long-suffering people.

When the Soviet troops occupied Lithuania, they found a proud people, rich in cultural traditions and endowed with a love for freedom and liberty. The Communists swept aside the rights of its citizens and have ruled by force and suppression.

We Americans, who cherish the cause of freedom, must give praise and honor today to the people of Lithuania, who, after 18 cruel years behind the Iron Curtain, still resist the Soviet regime both at home and in the slave labor camps of Soviet Russia.

Our own Government has steadfastly refused to recognize the Communist incorporation of Lithuania into the Soviet Union, and the liberty-loving peoples of the Western World hail the courage and faith of the Lithuanian people.

"There is a tide in the affairs of men," as a poet once said, and it is my sincere belief that there will come in the fullness of time a tide of freedom and liberty, which will once again place the Republic of Lithuania among the free nations of the world, and the tide will wash to destruction the Soviet occupation leaders.

Until this time arrives, let us continue to assure the people of Lithuania of our continual interest and sympathy and of our sincere admiration for the courage and bravery displayed by our Lithuanian friends. Their sacrifices and deeds are not in vain, truth will triumph over falsehood, and the slave will break the Russian chains and emerge a free man again.

Mr. CASE of New Jersey. Mr. President, yesterday, June 15, marked the 18th anniversary of the Soviet occupation of Lithuania and the subsequent suppression of political and human rights which were so dearly won by the Lithuanian people when they gained their short-lived independence on February 16, 1918. In June 1940, the Soviet Union invaded Lithuania and her neighbors, Latvia and Estonia, and replaced their legitimate governments with puppet regimes which took their orders from the Kremlin. At the very beginning of Russian occupation of Lithuania, the people were opposed to its rule, and numerous resistance organizations were founded. Today, Lithuanians still yearn for their freedom, both from within and from without their beloved country, which still suffers under the yoke of Soviet domination.

The following excerpt, quoted in an article by Stasys Zymantas in the June 1956 issue of Lituanus magazine, from one of the militant Lithuanian underground publications issued during the Second World War, clearly explains why the Lithuanians still want the return of their hard-won freedom and national independence:

> We ardently desire to live in a free, independent, and democratic Lithuania in which life is based on principles of Christian ethics; there are neither slaves, serfs, dictators, satraps, nor tyrants; cultural life and creative progress can flourish and prosper; there is law, justice and respect for the fundamental freedoms; we are carrying on the struggle because we want to show to the whole world that there are ideals which can make a giant out of a dwarf, and can inspire such courage and strength that the tyrant is at a loss to crush them because he dares not strangle them openly.
>
> We are carrying on the struggle because we believe that it is not only for our own freedom and well-being but for that of our brothers, for the ideals of all suffering and oppressed people, for human rights and justice. These are the ideals which the great power of the West have solemnly proclaimed to the whole world, affirming their belief in them during the war by giving the lives of the best sons, by cruel sacrifices, by uniting their powerful forces, and by their joint victory. The value and superiority of these ideals is amply vindicated in the high cultural development of the West and unparalleled social progress. * * *
>
> We have not the strength to look with indifference upon the long columns of half-dead prisoners, at the procession of deportees, at Russian infiltration into all spheres of our life, creeping into everywhere at the smallest opportunity. We cannot sit by and watch the systematic impoverishment of our economy, the subtle poisoning of the spirit of man, turning human beings into wild beasts with no purpose but to live for the day, without pity for the sufferings of others, machines to whom nothing is dear, no longer recognizing the spiritual values, making a mock of Christian ethics. Over all is the immeasurable fear, the insecurity of tomorrow expressed in a low cringing servility.
>
> The essence of our struggle is freedom, justice, humanity, democracy, Christian ethics, and natural human rights.
>
> That is why our struggle is our life, and our life is the life of our country.
>
> That is why our struggle is a continuation of that which began 2,000 years ago, against the forces of evil.

NEUBERGER HERALDS STAND OF ABC OFFICIALS IN CONTROVERSY WITH AMBASSADOR LODGE

Mr. NEUBERGER. Mr. President, I want to go on record as informing my colleagues that I think the officials of the American Broadcasting Co. performed in the public interest when they refused to permit Ambassador Henry Cabot Lodge to alter and change the text of a transcribed and filmed interview over their network with Mike Wallace.

The press has quoted John Daly, ABC vice president, as stating:

> Contrary to ABC policy it appears that Newsmaker Productions and the Fund for the Republic guaranteed Ambassador Lodge the ex post facto editing of filmed interview.

Mr. President, I am rather shocked and disturbed that Ambassador Lodge and the Fund for the Republic would be parties to this kind of arrangement. The American Broadcasting Co. upheld the traditions of a free nation when it refused to collaborate in this sort of private censorship plot.

Either we have the atmosphere and substance of a free country or we do not. I have been opposed to altering the text of Senate debate in the CONGRESSIONAL RECORD because I believe such alterations are a perversion and distortion of history. Exactly the same principle applies to filmed and taped interviews with high governmental officials such as Ambassador Lodge. If these men can delete from the interview embarrassing or controversial remarks, is this not a deception of the grossest kind?

I understand, through a press dispatch, that the remark clipped from the film by Ambassador Lodge was one in which he said that "a country as powerful as the United States should give up the idea of ever being popular with the rest of the world." Well, Mr. President, this might be a little indiscreet. Yet it is refreshing and candid, too. I imagine it would have provoked from our allies some remarks in our defense. If we are powerful, we are also generous and, very

often, altruistic and idealistic. Some of our friends in the world might have pointed this out, to our great advantage.

Furthermore, I would rather have officials of my country guilty of an indiscretion than of censorship. Mr. Lodge made the wrong choice.

That eminent man, Prime Minister Harold MacMillan, of England, who was recently our guest here in the Senate, declared there can be no final agreement with Russia until Russia genuinely allows freedom of information and stops censoring news dispatches. I agree with the Prime Minister. But we here in the Free World must be like Caesar's wife in this respect—above suspicion. When we revise the CONGRESSIONAL RECORD, when there is deleting or eliminating from filmed television interviews, then freedom and accuracy of information have been curtailed.

Officials of the American Broadcasting Co. are to be commended for canceling the interview which was edited and doctored by Ambassador Lodge and the Fund for the Republic. The ABC officials have acted in the best interests of a free press and free air channels.

I ask unanimous consent to have printed in the RECORD with my remarks a story from the Washington Post and Times Herald of June 16, 1958, entitled "ABC Cancels Interview With Lodge."

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

ABC CANCELS INTERVIEW WITH LODGE

NEW YORK, June 15.—The American Broadcasting Co. tonight canceled its television show in which Henry Cabot Lodge, chief United States delegate to the United Nations, had said that a country as powerful as the United States should give up the idea of ever being popular with the rest of the world.

In the interview filmed in advance Lodge said, "I think we ought to give up the idea that we're going to be liked."

John Daly, ABC vice president in charge of news and public affairs, said the program was canceled because Lodge wanted to make deletions with which ABC could not agree.

"Contrary to ABC policy it appears that Newsmaker Productions and the Fund for the Republic (producers of 13 weekly survival and freedom programs in cooperation with ABC) guaranteed Ambassador Lodge the ex-post facto editing of filmed interview with Mike Wallace," Daly said.

"Except in the instances of libel, slander, bad taste or the national security, such actions with respect to public information programs would be in direct violation of ABC policy and constitute a form of editorial censorship," Daly said.

He said, however, that since the program was filmed and electronically taped some days in advance ABC agreed that the interview content could be reviewed in light of the events as of the day of the telecast.

ABC agreed that in the light of changing events one deletion could be made because it might affect public interest and national security.

The program was canceled when ABC could not agree to other reservations by Lodge.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958

Mr. JOHNSON of Texas. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Monroney
Allott	Green	Morse
Anderson	Hayden	Morton
Barrett	Hennings	Mundt
Beall	Hickenlooper	Murray
Bennett	Hill	Neuberger
Bible	Hoblitzell	O'Mahoney
Bricker	Holland	Pastore
Bridges	Hruska	Proxmire
Butler	Humphrey	Revercomb
Byrd	Ives	Robertson
Capehart	Jackson	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Jordan	Smathers
Case, S. Dak.	Kefauver	Smith, Maine
Chavez	Kennedy	Smith, N. J.
Church	Kerr	Sparkman
Clark	Knowland	Stennis
Cooper	Kuchel	Symington
Cotton	Langer	Talmadge
Curtis	Lausche	Thurmond
Dirksen	Long	Thye
Douglas	Magnuson	Watkins
Dworshak	Malone	Wiley
Eastland	Mansfield	Williams
Ellender	Martin, Iowa	Yarborough
Ervin	Martin, Pa.	Young
Frear	McClellan	
Fulbright	McNamara	

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE] is absent on official business.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senators from Connecticut [Mr. BUSH and Mr. PURTELL], and the Senator from Michigan [Mr. POTTER] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Maine [Mr. PAYNE] are absent on official business.

The Senator from New York [Mr. JAVITS] is detained on official business.

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

Under the unanimous-consent agreement which has been entered, limitation of debate applies from this time on. Debate on each amendment is limited to 30 minutes; and debate on the bill is limited to 6 hours.

The question is on agreeing to the amendment of the Senator from Connecticut [Mr. PURTELL], identified as "6-12-58-T."

Mr. DIRKSEN. Mr. President, I think it advisable that the Chair have the amendment read, for the information of the Senate; and I so request.

The PRESIDING OFFICER. Without objection, the amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill, it is proposed to insert:

That section 8 of the National Labor Relations Act, as amended, is hereby further amended by adding a new subsection (e) which shall read as follows:

"(e) Any strike or work stoppage called by a labor organization (as defined in sec. 2 (5), shall not be a protected, concerted activity within the meaning of this act (A) until the Federal Mediation and Conciliation Service determines that a threatened strike cannot be settled by mediation and so notifies the parties to the dispute; (B) until adequate notice is given the employees in the collective bargaining unit or units affected, of the status of the dispute at the time of such certification; and (C) unless and until a majority of the employees voting in such bargaining unit or units shall have voted by secret ballot in favor of such strike and the results of such vote shall have been certified to such labor organization and to such employer or employers concerned. Any such secret vote shall be conducted by the Federal Mediation and Conciliation Service which may utilize other Federal, State, or local agencies whenever available. Such agencies may be reimbursed for such services. A certification by the Federal Mediation and Conciliation Service that a majority of the employees voting have cast their ballot in favor of a strike shall be valid for the purposes of this subsection for a period not to exceed 30 days from the date of such certification."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

The amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. KENNEDY. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I am informed that my friend, the Senator from South Dakota [Mr. MUNDT], has an amendment which the committee is willing to accept.

I understand that the Senate is about to receive a message from the President. I wonder whether the Senator from South Dakota will call up his amendment as soon as the message has been received.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 13, 1958, the President had approved and signed the following acts:

S. 59. An act directing the Secretary of the Interior to convey certain property in the State of Colorado to William M. Proper;

S. 1657. An act for the relief of Lloyd C. King; and

S. 1979. An act for the relief of Barbara Hollinger.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. PROXMIRE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958

The Senate resumed the consideration of the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, now that the message from the President has been received, I wonder whether the Senator from South Dakota [Mr. MUNDT] will call up his amendment.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment of the Senator from Michigan [Mr. POTTER].

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Potter amendment be temporarily laid aside, and that the Senator from South Dakota may have the privilege of submitting his amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I call up my amendment lettered "W."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 19, in line 17, it is proposed to insert:

(f) Every labor organization required to submit a report under this title shall furnish the information required to be contained in such report to each of its members in the subordinate organization involved in such form and manner as the Secretary shall by regulation prescribe.

Mr. MUNDT. Mr. President, when we were debating the so-called Cooper amendment, I made a few remarks on the floor of the Senate; and in the course of those remarks I pointed out that I had in preparation at the time an amendment to provide for the same kind of reporting to the members that was covered by the Cooper amendment. Neither one of us had our amendments in printed form at the time, and neither the Senator from Kentucky nor I knew that the other was going to approach the problem.

So the Senator from Kentucky [Mr. COOPER], as a member of the committee, having obtained the floor first, submitted his amendment, which, it seemed to me, covered the situation very well indeed, insofar as title I was concerned; and I was happy to be among those supporting his amendment. I announced at that time that if the Cooper amendment were approved I would seek to apply the same language as that included in the Cooper amendment, in order to have the bill as consistent as possible, to apply to title II.

I have discussed my amendment with the chairman of the subcommittee, and for the information of the Senate, I may say it merely provides, in title II, which is the title on trusteeship, that the very salutary reports of national or international labor unions which are to be made——

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

Mr. MUNDT. I yield.

Mr. KENNEDY. My understanding of the Senator's amendment, which is at the desk, is that it provides, in the case of trusteeship, that the Secretary of Labor may prescribe, by regulation, that information in regard to trusteeship shall be distributed to the members of a local union interested in the trusteeship. Is that correct?

Mr. MUNDT. That is correct.

Mr. KENNEDY. I think such an amendment is satisfactory, and I shall be glad to accept it.

Mr. MUNDT. Very well. I think I yielded in the middle of a sentence. I should like to complete my statement of what the amendment does.

The amendment provides that the reports called for by the bill under the trusteeship provision shall be made available to the members of a local union interested in trusteeship, so those for whom democratic processes have been displaced by the trusteeship will have available information as to the reasons for the trusteeship and the full particulars concerning it.

Since the chairman of the subcommittee is willing to accept the amendment, I see no need for a yea-and-nay vote. If a voice vote on the amendment can be had, that is satisfactory.

The PRESIDING OFFICER. Does the Senator from South Dakota yield back the time remaining to him on his amendment?

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

Mr. MUNDT. I yield.

Mr. CARLSON. Is the Senator's amendment to follow line 17 on page 19?

Mr. MUNDT. It is.

Mr. JOHNSON of Texas. Mr. President, I yield back the time remaining to me, if the Senator will do likewise, and we can proceed to a vote.

Mr. MUNDT. I do likewise.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. MUNDT].

The amendment was agreed to.

Mr. ERVIN. Mr. President, I send to the desk an amendment, which I ask to have printed and lie on the table until it is called up.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

The question is on agreeing to the amendment of the Senator from Michigan [Mr. POTTER], on page 36, between lines 6 and 7.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Potter amendment be laid aside until the Senator from Michigan desires to call it up.

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

The bill is open to further amendment. Under the unanimous-consent agreement, the limitation of time applies to debate.

Mr. HUMPHREY——

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Minnesota 2 minutes on the bill.

STRENGTHENING A SYSTEM OF INSPECTION FOR NUCLEAR TEST BAN

Mr. HUMPHREY. Mr. President, during the weekend I released for the press an exchange of letters between myself and the Secretary of State relating to the use of the world's seismologists and requesting that those in charge of the seismographic stations should be marshaled for a test ban inspection.

Scientists have found it so beneficial to exchange their views with views of scientists of other countries that they have frequently formed international associations to promote the exchange of knowledge among scientists in related fields. These associations or scientific unions have made priceless contributions to the advancement of science.

They have also helped significantly in the universal quest for a durable peace. In the past these international scientific nongovernmental organizations have helped improve international relations by contributing to understanding among peoples. Today, as technology advances throughout the world and international cooperation is being extended to the most remote parts of the world, the role of the scientist and technician and the international organizations which link them together, is becoming increasingly important. For example, the American nurse, participating in a Red Cross operation, who helps eradicate an epidemic in India and Africa may win more friends for the United States than some diplomats. In the future, I think there will be many new, specific ways in which the international scientific organizations can help even more in the quest for peace.

I am thinking particularly of the field of disarmament. Disarmament will require the help of scientists. Weapons have become so complex that any system of controlling them requires the assistance of the scientists who helped devise

them. For this reason, international associations and unions of scientists can help develop and operate systems contributing to the control of arms. The International Geophysical Year, sponsored by the International Council of Scientific Unions has already pointed the way. It has contributed immeasurably to penetrating outer space, and I hope in the future it will be extended to insure that further conquest of space will be on an international basis.

In the immediate future, possibly July 1, scientists from the United States and the Soviet Union and perhaps other countries are going to meet to discuss the type of inspection system which would be necessary to accompany an international agreement to suspend nuclear weapons tests. Nuclear explosions can be detected by constant observation of the radioactive fallout in the air, sound waves, seismic or earth waves, and electromagnetic effects. These scientists will discuss how many stations equipped to make these observations would be necessary to make detection of a nuclear test so certain that a clandestine test would not be attempted.

After having studied this matter carefully, it is my belief that an international nongovernmental scientific union, the International Union of Geodesy and Geophysics, could play a valuable role in this inspection system.

The main problem in supervising a ban of nuclear weapons tests stems from the possibility of small nuclear weapons tests conducted deep underground in such a fashion that no radioactivity escapes into the air. Such tests would write signals on seismographs, the instruments which record earthquakes. However, it would take many trained seismologists to interpret the voluminous data from seismographs in various parts of the world to determine whether or not any of the tracings on a seismogram indicated an explosion occurred rather than an earthquake. I propose that we call upon the International Union of Geodesy and Geophysics—IUGG—to help establish, and perhaps even to act as the central agency to receive reports from scientific instruments set up throughout the world as part of the inspection system. Fifty-four countries, including the Soviet Union and other countries of Eastern Europe, are represented in the IUGG through the equivalent of our National Academy of Science's Research Council.

The IUGG has a small secretariat in Paris, which maintains contacts with scientists all over the world. The Association of Seismology, a section of the IUGG, has a permanent bureau in Strasbourg, France, and already operates two permanent services. One of these is the International Seismological Seminary, a final accurate record of large earthquakes published several years after they occur, and the other is a monthly bulletin of earthquakes which occurred 4 months earlier. These services, plus that of our own Coast and Geodetic Survey which publishes data on earthquakes within 48 hours after they occur and information collected by the Jesuit network of seismological observations, appear to be the only systems to collect seismological data from all over the world and analyze, compare, and disseminate it. Therefore, it appears to me that valuable aid might be obtained from the International Union of Geodesy and Geophysics. Certainly we should explore this possibility.

The bureau at Strasbourg could be utilized by the United Nations as a central reporting agency. It would need to be expanded greatly so that its analysis could be undertaken immediately. The bureau, since it has contact with seismologists and geophysicists in many countries, could call upon the services of many of them to help set up the reporting agency. In this way, the inspection system could benefit from a worldwide pool of knowledge rather than relying on the skills and knowledge of a single country.

It is especially appropriate that this agency is located so centrally, in France, a country which has already contributed so much to the cause of world peace. France has been a leader in all the disarmament negotiations of the postwar period, especially through its expert, Jules Moch. Having the central reporting agency located in France would be a fitting tribute to the contribution France has made to the problem of disarmament.

I wish to emphasize that I would like to see such a plan explored because I think that private international organizations should be utilized to the fullest in solving the many problems that confront us. I hope that my suggestion will be considered by those who are about to negotiate on the inspection system for a test suspension.

Mr. President, these remarks underscore the message which I sent to the Secretary of State in the letter to him of June 12, 1958, and the letter to Dr. James R. Killian, Jr., special assistant to the President for science and technology, in which letters I urged that our Government give consideration to the use of the International Union of Geodesy and Geophysics at Strasbourg, France, as a means for strengthening our inspection and detection system and studying proposals which may be advanced at the Geneva meeting.

Mr. President, I ask unanimous consent that the copy of my release, which was for the Sunday newspapers, June 15, 1958, be printed in the RECORD as a part of my remarks.

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

WORLD'S SEISMOLOGISTS SHOULD BE MARSHALED FOR TEST BAN INSPECTION

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, chairman of the Senate Subcommittee on Disarmament, proposed today that the International Union of Geodesy and Geophysics be asked to help establish a central agency to report and interpret data in connection with an inspection system for the suspension of nuclear weapons tests. Senator HUMPHREY, in letters to Secretary Dulles and Dr. Killian, the President's science adviser, specifically suggested that the International Central Bureau of Seismology, which is under the IUGG, in Strasbourg, France, might be utilized by the United Nations to collect and analyze seismographic data needed for the detection of underground nuclear explosions.

"Because of its splendid scientific reputation and contacts with seismologists throughout the world," said the Senator, the Strasbourg Bureau "would form a valuable nucleus. Fifty-four countries, including the Soviet Union * * * as well as Japan and most of the countries of Asia, the Middle East, Latin America, and Europe, are represented in the IUGG through the equivalent of our National Academy of Sciences National Research Council.

"What I have in mind," said Senator HUMPHREY, "is that the United Nations, as the agent in charge of operating the inspection system * * * might contract to use the services of the Strasbourg Bureau. The Bureau could call upon the skill and knowledge of geophysicists and seismologists throughout the world.

"It would be especially appropriate," said the subcommittee chairman, "to have the agency located so centrally, in France, a country which has already contributed so much to the cause of world peace. France has been a leader in all the disarmament negotiations of the postwar period, especially through its expert, Jules Moch. Having the central reporting agency located in France would be a fitting tribute to the contribution France has made to the problem of disarmament."

Senator HUMPHREY indicated he was aware that the Bureau, which operates at present on a very modest budget, "would need to be expanded greatly to fulfill this function." The Senator's letter to the Secretary of State reported that the Disarmament Subcommittee's staff study on the "Detection and Inspection of Underground Nuclear Explosions" would be released to the public in about a week.

The texts of Senator HUMPHREY's letters to Secretary Dulles and Dr. Killian follow:

JUNE 12, 1958.

The Honorable JOHN FOSTER DULLES,
Secretary of State,
Washington, D. C.

DEAR MR. SECRETARY: As you may know, the Senate Subcommittee on Disarmament has recently compiled the replies to a questionnaire it sent to leading American seismologists. A summary of the replies, as well as the full text of them, have been made available to agencies of the executive branch and will be released to the public in about a week. A major part of this questionnaire dealt with the problems involved in establishing an inspection system capable of detecting underground nuclear explosions. In addition, the subcommittee has held several hearings on the problems of establishing an inspection system.

On the basis of this study, it seems evident that a key element of an inspection system will be the establishment of a central agency comprised of a group of trained seismologists to interpret seismograms from all over the world. This agency would need to submit analytical data immediately after seismographic and other evidence indicated that unusual or ambiguous earth movements had occurred. In view of the importance of such an agency, and in view further of the forthcoming discussions of scientists in Geneva on an inspection system, I propose that the International Union of Geodesy and Geophysics (IUGG) be asked to help establish this central agency.

Specifically, I believe that the International Central Bureau of Seismology, which is under the IUGG and located in Strasbourg, France, might be utilized by the United Nations as a central reporting and coordinating agency. Unquestionably, the Bureau would need to be expanded greatly to fulfill this function. However, because of its splendid scientific reputation and contacts with seismologists throughout the world, it would form a valuable nucleus. Fifty-four countries, including the Soviet Union and other countries of eastern Europe, as well as Japan

and most of the countries of Asia, the Middle East, Latin America, and Europe, are represented in the IUGG through the equivalent of our National Academy of Sciences National Research Council. The Association of Seismology's bureau at Strasbourg receives reports on earthquakes from all over the world. Its data are analyzed and published. These services, plus that of our own Coast and Geodetic Survey and the Jesuit network of seismological observatories, appear to be the only system to collect, interpret, and disseminate worldwide seismological data on a regular basis.

What I have in mind is that the U. N., as the agent in charge of operating the system for a suspension of weapons tests, might contract to use the services of the Strasbourg Bureau. The Bureau could call upon the skill and knowledge of geophysicists and Seismologists throughout the world. The inspection system could benefit from a worldwide pool of knowledge rather than relying on expert personnel of a single country.

It would be especially appropriate to have the agency located so centrally, in France, a country which has already contributed so much to the cause of world peace. France has been a leader in all the disarmament negotiations of the postwar period, especially through its expert, Jules Moch. Having the central reporting agency located in France would be a fitting tribute to the contribution France has made to the problem of disarmament.

I wish to emphasize that I would like to see such a plan explored because I think that private international organizations should be utilized to the fullest in solving the many problems that confront us. I hope that this suggestion will be given careful consideration.

I am sending a copy of this letter to Dr. Killian and am releasing it to the press for Sunday morning papers.

Sincerely,

HUBERT H. HUMPHREY.

The letter to Dr. Killian follows:

JUNE 12, 1958.

Dr. JAMES R. KILLIAN, Jr.,
Special Assistant to the President for Science and Technology, The White House, Washington, D. C.

DEAR DR. KILLIAN: Enclosed is a copy of a letter I have sent to Secretary Dulles. It contains a proposal that the International Union of Geodesy and Geophysics be called upon to help in the establishment of a central agency to receive reports from scientific instruments set up throughout the world as part of an inspection system to monitor a suspension of nuclear weapons tests. There would be many advantages in having the IUGG's International Central Bureau of Seismology in Strasbourg, France, serve as the central reporting agency for seismographic data. Obviously the Bureau would need to be expanded greatly but it does seem to have considerable experience which could be utilized in the inspection system.

I hope that this proposal can be given full consideration by the scientists when they confer on the inspection system in Geneva. In pursuing this suggestion you may wish to consult with the leading officers of the International Association of Seismology: Sir Harold Jeffreys, St. Johns College, Cambridge, England, president; Marcus Bath, Meteorological Institute, Upsala, Sweden, secretary, and Jean Pierre Rothe, 38 Boulevard d'Anvers, Strasbourg, France, director of the Bureau.

Sincerely,

HUBERT H. HUMPHREY.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958

The Senate resumed the consideration of the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEFAUVER. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Tennessee 1 minute on the bill.

PROSPECTIVE STEEL PRICE INCREASE

Mr. KEFAUVER. Mr. President, if the steel companies raise their prices in this coming month, they will do so under quite different circumstances than existed a year ago. These different circumstances make it even more difficulty to justify a price increase than was true in July 1957.

Fundamentally, the circumstances are different because the demand for steel is far below the level of a year ago. For over 6 months the steel industry has operated with a large proportion of its capacity unutilized. In June 1957, steel ingot production as a percentage of capacity was 86 percent. For the third quarter of 1957 it was 82 percent. At the end of the fourth quarter it had fallen to 65 percent. By the end of the first quarter of this year it was down to 52 percent; in April it reached its lowest point in many years, falling to 48 percent.

More recently there has been a moderate upturn in steel demand, but, according to the Iron Age of June 11, 1958, this upturn has been due in large part to "the rush to beat the expected July steel price boost." And the same trade journals point out that the efforts by steel users to get in under the wire before the price is raised will contribute to an expected July letdown. According to Iron Age for June 11, 1958, "many steel users have merely moved up their July orders into June, which means their July requirements will be that much less."

Mr. President, here we have an industry in which for more than 6 months about half of the capacity has been unutilized and in which, following the price increase, more than half of the capacity is expected to be idle; nonetheless it seems bound and determined to go through with its planned price advance which, in the end, can only aggravate further the already depressed levels of steel demand.

Some idea of what has been happening to the demand for steel can be obtained by examining the change in steel shipments to consuming industries between the first quarter of 1957 and the first quarter of 1958. During this period shipments to all consuming industries declined by 39 percent.

Because of its dramatic character and its obvious importance to the total economy, the decline in shipments to the automobile industry has received the greatest attention in the public press. During this period the decline in shipments to the automobile industry was 42 percent. But there are a number of other important steel-consuming industries which also suffered greater-than-average declines in their receipts of steel. Thus, steel shipments to the railroad industry for freight cars, passenger cars and locomotives fell 63 percent.

During the same period shipments of steel for the construction and maintenance of oil and gas facilities declined 47 percent.

Steel shipments to the machinery, industrial equipment and tool industry declined by 42 percent.

An industry which supplies a great variety of manufacturing enterprises, and thus constitutes a crude reflection of changes in manufacturing activity, is bolts, nuts, rivets, and screws. During this 12-month period shipments of steel to this field declined 49 percent.

From the point of view of the Subcommittee on Antitrust and Monopoly, one of the most discouraging aspects is the severity of the fall in shipments to warehouses. In terms of steel consumption in 1956, warehouses were the No. 1 consuming field, outranking even automobiles. As is well known, small business, particularly the distinctly smaller enterprises, rely heavily upon warehouses for their supplies of steel. A greater-than-average decline in shipments of steel to warehouses probably means a greater-than-average decrease in operations of small metal-using companies. Therefore, the fact that steel shipments to this important area declined by 44 percent can be regarded only as an ominous portent for the future of small business.

Mr. President, as this information which I have cited should make clear, the decline in the demand for steel has not been limited to the automotive industry. Steel demand is down throughout most of our metalworking economy.

In the face of this depressed demand, another increase in the price of steel is almost unthinkable—except to some of those who govern the steel industry. This shortsighted type of thinking must not be permitted to further imperil our economy. The administration must act quickly to prevent the projected price increase. This is a time for real statesmanship on the part of the steel corporations and labor too. There are only 15 more days before July 1.

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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 bill (S. 3093) to extend for an additional period of 2 years the authority to regulate exports contained in the Export Control Act of 1949.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7153) giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. WILLIS, Mr. BROOKS, Mr. KEATING, and Mr. CRAMER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11574) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. THOMAS, Mr. YATES, Mr. EVINS, Mr. BOLAND, Mr. CANNON, Mr. VURSELL, Mr. OSTERTAG, Mr. JONAS, and Mr. TABER were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 72) to provide increases in certain annuities payable from the civil-service retirement and disability fund, and for other purposes, and it was signed by the President pro tempore.

NATIONAL AERONAUTICS AND SPACE ACT OF 1958

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business and the unanimous-consent order be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 1735, S. 3609.

The PRESIDING OFFICER. The secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. Calendar No. 1735, S. 3609, to provide for research into problems of flight within and outside the earth's atmosphere, and for other purposes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Special Committee on Space and Astronautics with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "National Aeronautics and Space Act of 1958."

Declaration of policy

SEC. 2. (a) The Congress hereby declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

(b) The Congress declares further that the general welfare and security of the United States require that adequate provision be made for aeronautical and space activities, including (1) research into, and the solution of, problems of flight within and outside the earth's atmosphere, and (2) the development, construction, testing, and operation for research purposes of aircraft, missiles, satellites, and other space vehicles, manned and unmanned, together with associated equipment and devices. The Congress further declares that such activities shall be the responsibility of, and shall be directed by, a civilian agency exercising control over aeronautical and space activities sponsored by the United States, except that activities peculiar to or primarily associated with the development of weapons systems or military operations shall be the responsibility of, and shall be directed by, the Department of Defense.

(c) The aeronautical and space activities of the United States shall be conducted so as to contribute materially to one or more of the following objectives: (1) the expansion of human knowledge of phenomena in the atmosphere and space, (2) the improvement of the usefulness, performance, safety, and efficiency of aircraft, (3) the development and operation of vehicles capable of carrying instruments, equipment, and living organisms through space, (4) the establishment of long-range studies of the potential benefits to be gained from, the opportunities for, and the problems involved in the utilization of aeronautical and space activities for peaceful and scientific purposes, (5) the preservation of the role of the United States as a leader in aeronautical and space science and technology, (6) the making available to agencies directly concerned with national defense of discoveries that have military value or significance, and the furnishing by such agencies, to the civilian agency established to direct and control nonmilitary aeronautics and space activities, of information as to their discoveries which have value or significance to that agency, (7) cooperation by the United States with other nations and groups of nations in work done pursuant to this act and in the peaceful application of the results thereof, and (8) the most effective utilization of the scientific and engineering resources of the United States, with close cooperation among all interested agencies of the United States in order to avoid unnecessary duplication of effort, facilities, and equipment.

TITLE I—COORDINATION OF AERONAUTICS AND SPACE ACTIVITIES

National Aeronautics and Space Policy Board

SEC. 101. (a) There is hereby established in the Executive Office of the President the National Aeronautics and Space Policy Board, referred to hereinafter as the "Board," which shall be composed of—

(1) the Secretary of State, the Secretary of Defense, the Director of the National Aeronautics and Space Agency established by section 102 of this act, and the Chairman of the Atomic Energy Commission, each of whom may designate, from officers of the agency of which he is the head who have been appointed with the advice and consent of the Senate, an officer to serve in his unavoidable or necessary absence as a member of the Board; and

(2) one member desginated by the President to represent each of three other agencies of the Government interested in aeronautical and space activities, selected from officers thereof who have been appointed with the advice and consent of the Senate, who shall serve as a member of the Board during the pleasure of the President.

(b) Not more than one of the members of the Board designated by the President under paragraph (2) of subsection (a) may be designated from the Department of Defense, or any department or agency thereof. The President shall designate from time to time one member of the Board who shall serve as Chairman thereof. Members of the Board shall receive no compensation other than the compensation received by them for their services as officers of the agencies represented by them on the Board.

(c) It shall be the duty of the Board, under the direction of the President and in conformity with the provisions of section 2 of this act, to—

(1) conduct a continuing survey of the plans, programs, and accomplishments of all agencies of the United States engaged in aeronautical and space activities with respect to such activities;

(2) recommend a comprehensive program of aeronautical and space activities to be conducted by agencies of the United States; and

(3) designate responsibility for major aeronautical and space projects, determine any questions arising in connection therewith, and resolve any differences as to whether any particular project is an aeronautical and space activity.

(d) If the Secretary of Defense believes that any action or inaction of the Board would adversely affect the national security, he may appeal to the President for his direction to the Board.

(e) Subject to the civil service laws and the Classification Act of 1949, as amended (5 U. S. C. 1072), the Board may appoint and fix the compensation of such personnel as may be required for the performance of its duties. Each such appointment shall be subject to the security requirements in effect for personnel appointed by the Agency established by section 102 of this act.

(f) The Board may obtain services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a) at rates not to exceed $100 per diem.

National Aeronautics and Space Agency

SEC. 102. (a) There is hereby established the National Aeronautics and Space Agency, hereinafter called the "Agency." The Agency shall be headed by a Director, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of $22,500 per annum. The Director shall be responsible for the exercise of all powers and the discharge of all duties of the Agency, and shall have authority and control over all personnel and activities thereof.

(b) There shall be in the Agency a Deputy Director, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate, shall receive compensation at the rate of $20,500 per annum, and shall perform such duties and exercise such powers as the Director may prescribe. The Deputy Director shall act for, and exercise the powers of, the Director during his absence or disability.

(c) The Director and the Deputy Director shall not engage in any other business, vocation, or employment while serving as such.

Functions of the Agency

SEC. 103. (a) The Agency shall—

(1) in conformity with determinations of the Board—

(A) plan, direct, and conduct aeronautical and space activities;

(B) arrange for participation by the scientific community in planning scientific measurements and observations to be made through use of aeronautical and space vehicles, and conduct or arrange for the conduct of such measurements and observations; and

(C) provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof; and

(2) submit to the President for transmittal to the Congress a semiannual report of its operations and accomplishments.

(b) In performance of the above functions the Agency is authorized—

(1) to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of its operations and the exercise of the powers vested in it by law;

(2) (A) subject to the civil service laws to select, appoint, and employ such officers and employees as may be necessary to carry out the duties and exercise the powers of the Agency under this act; (B) to classify the positions thereof under the policies, procedures, and standards of the Classification Act of 1949, as amended; (C) without regard to sections 603 and 604 of title VI of such act, to fix and adjust the compensation of such officers and employees in accordance with basic pay plans recommended by the Civil Service Commission and approved by Congress; and (D) until such time as a basic pay plan so recommended and approved may become effective, to select, appoint, and employ not more than 10 officers and employees engaged in administrative duties, and not more than 190 officers and employees engaged in scientific or engineering duties, at annual rates of compensation not exceeding $19,000;

(3) to acquire, construct, improve, repair, operate, and maintain laboratories, research and testing sites and facilities, manned and unmanned aeronautical and space vehicles, quarters and related accommodations for employees and dependents of employees of the Agency, and such other real and personal propety, or any interest therein, as the Agency deems necessary within and outside the continental United States; to lease to others such real and personal property; to sell and otherwise dispose of real and personal property in accordance with the provisions of the Federal Property and Administrative Service Act of 1949, as amended (40 U. S. C. 471 et seq.); and to provide by contract or otherwise for cafeterias and other necessary facilities for the welfare of employees of the Agency at its installations, to purchase and maintain equipment therefor, and to deposit the receipts therefrom in a special fund in the Treasury which shall remain available for obligation and expenditure in connection with such operations and the purchase and maintenance of such equipment;

(4) to accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible, and to make grants to further the authorized purposes of the act;

(5) without regard to section 3648 of the Revised Statutes, as amended (31 U. S. C. 529) to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any State, Territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution. To the maximum extent practicable and consistent with the accomplishment of the objectives of this act, such contracts, leases, agreements, and other transactions shall be allocated by the Director in a manner which will enable small-business concerns to participate equitably and proportionately in the conduct of the work of the Agency;

(6) to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement and on a similar basis to cooperate with other public and private agenices and instrumentalities in the use of the services, equipment, and facilities of the Agency, and, notwithstanding any other provision of law, any governmental agency or component thereof is authorized to transfer to or to receive from the Agency, without reimbursement, supplies, equipment, aircraft, missiles, space vehicles, and related parts other than administrative supplies or equipment;

(7) to appoint such advisory committees as may be appropriate for purposes of consultation and advice to the Agency in performance of its functions;

(8) to designate representatives to serve on such committees as may be necessary to maintain effective liaison with other agencies of the United States engaged in activities related to the functions of the Agency;

(9) to obtain services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), at rates not to exceed $100 per diem;

(10) when determined by the Director to be necessary and subject to such security investigations as he may determine to be appropriate, to employ aliens without regard to statutory provisions prohibiting payment of compensation to aliens;

(11) to employ and compensate retired commissioned officers of the United States at the rate established for the positions so occupied by them within the Agency, less the amount of their retired pay: *Provided*, That, when the retired pay amounts to or exceeds the rate of compensation established for the position occupied, such person shall be entitled to the pay of the Agency position, or the retired pay, whichever he may elect;

(12) with the approval of the President, to enter into cooperative agreements under which members of the Army, Navy, Air Force, and Marine Corps may be detailed by the appropriate Secretary for services in performance of functions under this act to the same extent to which they might be lawfully assigned in the Department of Defense;

(13) to the extent the Director finds it will contribute to achievement of the objectives of this act or to the more effective functioning of the Agency, to conduct or provide training and to assign employees to research, study, or training at Federal or non-Federal facilities, including public or private agencies, institutions of learning, laboratories, industrial or commercial organizations or other appropriate organizations or institutions, foreign or domestic, and, if the Director deems it appropriate, to pay in whole or in part, the following: The salaries of such employees for the periods of such training or assignments; the cost of their transportation and per diem in lieu of subsistence in accordance with the Travel Expense Act of 1949, as amended (5 U. S. C. 835 et seq.); necessary expenses incident to their training or assignment, including tuition, fees, study materials, and other customary expenses. The Agency shall require any employee who accepts such a leave or assignment to agree in writing to return to and, unless involuntarily separated therefrom, to remain in the service of the Agency for a period equal to at least three times the length of any time off with pay granted such employee without charge to annual leave for the purpose of such training or assignment. Any employee who fails to fulfill such agreement shall be required to reimburse the Government for whatever portion the Director determines to be equitable of the transportation, per diem in lieu of subsistence, and other expenses incident to such training or assignment paid by the Government. The Director shall report annually to the Congress the name of each officer and employee of the Agency who during the period covered by the report has been accorded any benefit under this paragraph for attendance at any non-Federal facility; the length of his total service as an officer or employee of the Government; the grade, title, and primary functions of his position; the length of his service in such position; the name of the non-Federal facility attended by him; the nature, length, and cost to the Government of the training received by him at such facility; and the relationship of such training to the position held by him in the Agency. To the extent authorized by the Director, contributions may be made by private nonprofit organizations or sources and accepted by employees receiving training in non-Federal facilities without regard to the provisions of section 1914 of title 18 of the United States Code;

(14) to authorize employees to attend meetings concerned with functions or activities of the Agency including improved conduct, supervision, or management of such functions or activities, and to pay the whole or any part of the expenses of such attendance;

(15) (A) to consider, ascertain, adjust, determine, settle, and pay, on behalf of the United States, in full satisfaction of any claim for $5,000 or less against the United States for bodily injury, death, or damage to or loss of real or personal property resulting from the conduct of the Agency's functions as specified in paragraph (1) of subsection 103 (a), where such claim is presented to the Agency in writing within 2 years after the accident or incident out of which the claim arises; and

(B) if the Agency considers that a claim in excess of $5,000 is meritorious and would otherwise be covered by this paragraph, to report the facts and circumstances thereof to the Congress for its consideration;

(16) to arrange with the Civil Service Commission for the conduct of appropriate security or other personnel investigations of employees of the Agency, contractors and subcontractors, and their employees, as the Director deems necessary in the conduct of official functions of the Agency: *Provided*, That in the event an investigation made under this authority develops any data reflecting that the individual who is subject of the investigation is of questionable loyalty, the matter shall be referred to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which will be furnished to the Agency; and

(17) to direct such of its officers and employees as it deems necessary in the public interest to carry firearms while in the conduct of their official duties, and to authorize such of those employees of its contractors and their subcontractors engaged in the protection of property owned by the United States and located at facilities owned by or contracted to the United States, as it deems necessary in the public interest, to carry firearms while in the conduct of their official duties.

International cooperation

SEC. 104. The Agency, under the foreign policy guidance of the Department of State, may engage in a program of international cooperation in work done pursuant to this act, and in the peaceful application of the results thereof, pursuant to agreements made by the President with the advice and consent of the Senate.

Basic pay plans

SEC. 105. The Civil Service Commission shall conduct, or cause to be conducted, on a periodic or continuing basis, such surveys, investigations, and studies as may be necessary for the Commission to determine and recommend to the President and to the Congress basic pay plans and revisions thereof for the positions to which section 103 (b) (2) of this act applies.

TITLE II—JOINT COMMITTEE ON AERONAUTICS AND SPACE

Congressional rules

SEC. 201. The provisions of this title are enacted by the Congress—

(a) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they

shall be considered as part of the rules of each House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

Membership

SEC. 202. (a) There is hereby established a Joint Committee on Aeronautics and Space to be composed of nine Members of the Senate to be appointed by the President of the Senate, and nine Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In each instance not more than five Members shall be members of the same political party.

(b) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

Authority and duties

SEC. 203. (a) The joint committee shall make continuing studies of the activities of the National Aeronautics and Space Agency and of problems relating to aeronautics and space.

(b) All bills, resolutions, and other matters in the Senate or the House of Representatives relating primarily to the National Aeronautics and Space Policy Board, the National Aeronautics and Space Agency, or their activities, shall be referred to the Joint Committee. The members of the Joint Committee who are Members of the Senate shall from time to time report to the Senate, and the members of the Joint Committee who are Members of the House of Representatives shall from time to time report to the House, by bill or otherwise, their recommendations with respect to matters within the jurisdiction of their respective Houses which are referred to the joint committee or otherwise within the jurisdiction of the joint committee.

Chairman and vice chairman

SEC. 204. The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship shall alternate between the Senate and the House of Representatives with each Congress, and the chairman shall be selected by the members from the House entitled to the chairmanship. The vice chairman shall be chosen from the House other than that of the chairman by the members from that House.

Powers

SEC. 205. (a) In carrying out its duties under this title, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings or investigations, to sit and act within or outside the United States at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and make such expenditures as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary; but no measure or recommendation shall be reported from the Joint Committee unless a majority of the committee assent. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses.

(b) The expenses of the joint committee shall be paid from the contingent fund of the House of Representatives from funds appropriated for the joint committee, upon vouchers approved by the chairman. The cost of stenographic service to report public hearings shall not be in excess of the amounts prescribed by law for reporting the hearings of standing committees of the House of Representatives. The cost of stenographic service to report executive hearings shall be fixed at an equitable rate by the joint committee. Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

Staff and assistance

SEC. 206. The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The joint committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government with their consent.

Classification of information

SEC. 207. The joint committee may classify information originating within the committee, in accordance with standards used generally by the executive branch of the Government for classifying restricted data or defense information.

Records

SEC. 208. The joint committee shall keep a complete record of all committee actions, including a record of the votes on any question on which a record vote is demanded. All committee records, data, charts, and files shall be the property of the joint committee and shall be kept in the offices of the joint committee or other places as the joint committee may direct under such security safeguards as the joint committee shall determine in the interest of the common defense and security.

TITLE III—MISCELLANEOUS

Security

SEC. 301. (a) The Atomic Energy Commission may authorize any of its employees, or employees of any contractor, prospective contractor, licensee, or prospective licensee of the Atomic Energy Commission or any other person authorized access to restricted data by the Atomic Energy Commission under subsection 145 b. of the Atomic Energy Act of 1954, as amended (42 U. S. C. 2163), to permit any member, officer, or employee of the Board, or the Director, or any officer, employee, member of an advisory committee, contractor, or employee of a contractor or subcontractor of the Agency, to have access to restricted data relating to aeronautical and space activities which is required in the performance of his duties and so certified by the Chairman of the Board or the Director of the Agency, as the case may be: *Provided, however,* That such Chairman or Director or his designee has determined, in accordance with the established personnel security procedures and standards of the Board or Agency, that permitting such individual to have access to such restricted data will not endanger the common defense and security: *And provided further,* That such Chairman or Director finds that the established personnel and other security procedures and standards of the Board or Agency, as the case may be, are adequate and in reasonable conformity to the standards established by the Atomic Energy Commission under section 145 of the Atomic Energy Act of 1954, as amended (42 U. S. C. 2165).

(b) Chapter 37 of title 18 of the United States Code (entitled "Espionage and Censorship") is amended by—

(1) adding at the end thereof the following new section:

"§ 799. Violation of regulations of National Aeronautics and Space Agency.

"Whoever willfully shall violate, attempt to violate, or conspire to violate any regulation or order promulgated by the Director of the National Aeronautics and Space Agency for the protection or security of any laboratory, station, base or other facility, or part thereof, or any aircraft, missile, spacecraft or similar vehicle existing, or later conceived, or part thereof, or other property or equipment in the custody of the Agency, or any real or personal property or equipment in the custody of any contractor under any contract with the Agency or any subcontractor of any such contractor, shall be fined not more than $5,000, or imprisoned not more than 1 year, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation, shall be fined not more than $20,000, or imprisoned not more than 20 years, or both."

(2) adding at the end of the sectional analysis thereof the following new item:

"799. Violation of regulations of National Aeronautics and Space Agency."

(c) Section 1114 of title 18, United States Code, is hereby amended by striking out "or any officer or employee of the Indian field service of the United States," and inserting in lieu thereof "any officer or employee of the Indian field service of the United States, or any officer or employee of the National Aeronautics and Space Agency directed to guard and protect property of the United States under administration and control of the National Aeronautics and Space Agency."

Access to information

SEC. 302. Information obtained or developed by the Director in the performance of his functions under this act shall be made available for public inspection, except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided,* That nothing in this act shall authorize the withholding of information by the Director from the duly authorized committees of the Congress.

Patent rights

SEC. 303. (a) Any invention or discovery made or conceived under any contract, subcontract, arrangement, or other relationship with the Agency, regardless of whether the contract or arrangement involved the expenditure of funds by the Agency, shall be deemed to have been made or conceived by the Agency, except that the Director may waive the claim of the United States to any such invention or discovery under such circumstances as he may deem appropriate.

(b) In any case in which the Director waives the claim of the United States to an invention or discovery as authorized by subsection (a), he shall retain on behalf of the United States the full right to use such invention or discovery in carrying out any functions under this act and to license other persons, on such terms and conditions as the Director may deem appropriate, to use such invention or discovery in the conduct of any activities authorized by or under this act. In any such case the Director may provide for the payment by the Agency or by persons licensed under this subsection, for the use of the invention or discovery, of a reasonable royalty fee determined by the Director in accordance with such standards and procedures as he may establish by regulation.

(c) In any case in which the Director does not waive the claim of the United States to

an invention or discovery which is deemed to have been made or conceived by the Agency under subsection (a), the Director may grant to the person who made or conceived the invention or discovery, as compensation therefor, a cash award in an amount determined by the Director in accordance with such standards and procedures as he may by regulation establish.

Joint Committee on Aeronautics and Space

SEC. 304. (a) The provisions of sections 102 to 104, inclusive, of the Revised Statutes (2 U. S. C. 192–194) shall apply in case of the failure of any witness to comply with a subpena or to testify when summoned by the Joint Committee on Aeronautics and Space under section 205 of this act.

(b) The provisions of section 502 (b) of the Mutual Security Act of 1954 (22 U. S. C. 1754) shall apply with respect to the Joint Committee on Aeronautics and Space in the same manner as they apply with respect to the Joint Committee on Atomic Energy.

(c) The National Aeronautics and Space Agency shall keep the Joint Committee on Aeronautics and Space fully and currently informed with respect to all of the activities of such Agency; and all other agencies of the United States shall furnish any information requested by such joint committee with respect to the activities or responsibilities of the National Aeronautics and Space Agency or to the field of aeronautics and space.

Appropriations

SEC. 305. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, except that nothing contained herein shall authorize the appropriation to the Agency of any amount for the acquisition or condemnation of any real property, or for the acquisition, construction, or expansion of any plant or other facility. Any sum appropriated to the Agency under authorization hereafter given by the Congress for any such acquisition, condemnation, construction, or expansion, or for any expenditure incident to the conduct of research or development activities, shall remain available until expended, except that this sentence shall have no application to any sums appropriated for the payment of salaries or travel and other expenses of officers and employees.

(b) Any funds appropriated to the Agency for the construction of facilities may be used for emergency repairs of existing facilities when such existing facilities are made inoperative by major breakdown, accident, or other circumstances and such repairs are deemed by the Director to be of greater urgency than the construction of new facilities.

National Advisory Committee for Aeronautics

SEC. 306. (a) The National Advisory Committee for Aeronautics on the effective date of this section shall cease to exist. On such date all functions, powers, duties, and obligations, and all real and personal property, personnel (other than members of the committee), funds and records of that organization, shall be transferred to the Agency.

(b) Section 2302 of title 10 of the United States Code is amended by deleting the phrase "or the Executive Secretary of the National Advisory Committee for Aeronautics" and by inserting in lieu thereof the phrase "or the Director of the National Aeronautics and Space Agency"; and section 2303 of said title 10 is amended by deleting the phrase "The National Advisory Committee for Aeronautics" and by inserting in lieu thereof the phrase "The National Aeronautics and Space Agency."

(c) Section 1 of the act of August 26, 1950 (5 U. S. C. 22–1), is amended by deleting the phrase "National Advisory Committee for Aeronautics" wherever it appears and by inserting in lieu of the deleted words, in each instance, the phrase "National Aeronautics and Space Agency."

(d) The Unitary Wind Tunnel Plan Act of 1949 (50 U. S. C. 511) is amended by deleting the phrase "the National Advisory Committee for Aeronautics (hereinafter referred to as the 'committee')" and by inserting in lieu thereof the phrase "the National Aeronautics and Space Agency (hereinafter referred to as the 'Agency')" and is further amended by deleting the word "committee" wherever it appears and by inserting in lieu thereof, in each instance, the word "Agency."

(e) This section shall take effect as of the date on which the Director shall determine, and announce by proclamation published in the Federal Register, that the Agency has been organized and is prepared to discharge the duties and exercise the powers conferred upon it by this act.

Presidential reports to the Congress

SEC. 307. (a) The President shall transmit to the Congress in January of each year a report which shall include (1) a comprehensive description of the programed activities and the accomplishments of all agencies of the United States in aeronautical and space research during the preceding calendar year, (2) an evaluation of such activities and accomplishments prepared by the Board in terms of the attainment of, or the failure to attain, the objectives described in section 2 of this act, and (3) recommendations for such additional legislation as the President may consider necessary or desirable for the attainment of such objectives.

(b) No information which has been classified for reasons of national security shall be included in any such report, unless such information has been declassified by, or pursuant to authorization given by, the President.

Mr. JOHNSON of Texas. Mr. President, it is with both pride of achievement, and great humility, in recognition of the importance and complexity of the problems dealt with, that I bring to the floor for consideration of the Senate the proposed National Aeronautics and Space Act of 1958.

What Congress does with this legislation is of vital importance. The success our country enjoys in space exploration and development depends to a large degree upon the kind of organization and powers which the Congress creates. Unless our success in this new field exceeds that of totalitarian countries, human freedom may perish.

Last fall the peoples of the Free World became suddenly and apprehensively aware of the importance of space technology.

When Russia launched its sputniks we knew we were in the space age, and we know that we had not entered it first.

In the ensuing months committees of the Congress have engaged in thorough examinations of our national conditions. We have explored with a seriousness and earnestness equal to the importance of the problems.

The state of our science and technology; the state of our defenses; the condition of our economy and our resources; and the many other factors upon which the prosperity and continued freedom of our people depend have been studied.

In too many instances we have found ourselves wanting. In some instances we have taken necessary steps to shore up our weaknesses and to build new strengths. In far too many instances, however, the necessary action is yet to be taken.

Today in the Senate we are dealing with one of the additional necessary steps to build new strengths. The Special Committee on Space and Astronautics has held comprehensive hearings and given thorough study to the legislation recommended by the administration to organize this Government's effort in the field of aeronautics and space activities.

Although we have reported to the Senate a bill in the nature of a complete substitute for the administration's bill, we have in fact retained much of the original bill, and on the whole, we have retained the general organizational philosophy on which that bill was based.

The House has passed and sent to the Senate its own bill on this subject. It is a good bill, and I am confident that it would impose no undue hardships or obstacles upon our Government if it became the organizational vehicle for our space efforts.

Our special committee, however, having adopted a different organizational approach to the legislative problems, has reported its own bill to the Senate with the recommendation that it be passed so that the two Chambers can, after the scrutiny and deliberations of a conference committee, determine which is the approach they prefer.

I might add that the Senate bill includes a patent rights section which is practically identical with the section in the House bill. I shall offer an amendment which provides that that section be deleted in order that the subject of patent rights may be in conference, because some Senators feel that it should be in conference.

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

Mr. JOHNSON of Texas. I yield.

Mr. BRIDGES. What did the Senator from Texas say he would propose to have deleted?

Mr. JOHNSON of Texas. The patent rights section. The Senate bill contains a provision (sec. 303) which is practically identical with the section in the House bill. Some of our friends on the committee, as the Senator may recall—at least one member of the committee—asked for time for further study. In order to give him that opportunity, and still to enable the Senate to act on the bill and send it to conference, it is proposed to delete the patent rights section, because the House bill will contain that section. Then the whole subject will be in conference, and the conferees can attempt to evolve a section which will be satisfactory to both sides.

Mr. BRIDGES. When the distinguished majority leader finishes his opening statement, I wish to ask him a few questions and to speak on the subject, too.

Mr. JOHNSON of Texas. I shall be delighted to hear from my friend from New Hampshire and also from the Senator from Iowa [Mr. HICKENLOOPER].

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

Mr. JOHNSON of Texas. I yield.

Mr. ANDERSON. That would not mean, however, that the action of the Senate would be regarded as desiring to leave the patent section out of the bill, would it?

Mr. JOHNSON of Texas. Not at all. It is simply proposed to have the provision in the conference, so that it can be adjusted and framed in language which will be most desirable.

Mr. ANDERSON. I have received telegrams concerning the patent section. I do not think much of them. But I think it would be well to have the section in conference, so that it can be adjusted.

Mr. JOHNSON of Texas. That is the procedure which we expect to follow. I am grateful to the Senator from New Mexico for his statement.

The PRESIDING OFFICER. The Senate will be in order. The majority leader is making an important statement, which should be heard by every Senator.

Mr. JOHNSON of Texas. The committee bill states clearly that it is the fundamental policy of our country that aeronautical and space activities should be dedicated to peaceful purposes and the benefit of all mankind. We can today see only a short distance into the future, and we can only speculate upon a few of the ultimate benefits which the space age can bring to the people of the world.

We know that there will be tremendous gains in the economic and physical well-being of people brought about by discoveries in the areas of weather prediction and control, communications, medical science, and transportation.

At the same time we are not unmindful that technological advancement in the space age will have military applications which, if our own capacity to defend ourselves is not maintained, can result in our subjugation and decline.

In order to insure that the progress man makes in the space age produces peaceful benefits rather than military destruction, it is essential that we carry on our scientific exploration and development in aeronautics and space with vigor, and determination, and without injury to our national defense requirements. Without strength to defend ourselves, there can be no peace.

There is no dispute here as to whether we shall have civilian or military control over our aeronautical and space activities. That control will clearly, in the traditions of our country, and in accord with the fundamental principles upon which our form of government flourishes, be civilian.

The committee bill recognizes, however, that such control does not, and should not, involve any change in the traditional power of the Department of Defense over its responsibilities in the defense of the Nation. Aeronautical and space activities which are primarily associated with the development of weapons systems and with military operations will remain under the direction and responsibility of the Defense Department.

The Senate bill establishes a new civilian Space Agency with a civilian Director and Deputy Director, and grants it complete operational authority and responsibility in the field of nonmilitary aeronautical and space activities. Since operating authority and responsibility for military aeronautical and space activities are placed in the Department of Defense, a new overall Space Policy Board is established in the Executive Office of the President.

This Space Policy Board will be composed of seven presidential appointees confirmed by the Senate. Four members will be the Secretaries of State and Defense, the Director of the new Space Agency, and the Chairman of the Atomic Energy Commission. The 3 other members will be selected by the President, 1 each from other interested agencies of the Government, with the provision that 1 of these, but no more, may come from the Defense Department.

The Board is charged with the duty of surveying our overall space objectives and capabilities, recommending comprehensive programs, designating responsibility for major projects and resolving disputes which may arise between governmental agencies in this field.

It is to carry out the direction of the President as well as apply the jurisdictional standards created in the act. The Secretary of Defense is specifically empowered to appeal to the President whenever any action or inaction of the Board in his judgment adversely affects our national security. A similar right of appeal is implicitly given to every other member of the Board.

The Space Policy Board has no administrative or operational functions. While it is authorized to employ a staff, it is intended and expected that such staff will be of modest size, composed of only those experts and clerical assistants necessary to permit the board efficiently to carry out its limited policy, planning, and decision-making functions.

Operational authority and responsibility is placed in the civilian space agency and the Department of Defense. It is obvious that many of the projects carried on under the primary responsibility of one agency may also involve the active cooperation and effort of the other. Provision for flexible coordination and cooperation is made in the bill, and the bill directs that there be no undue duplication of facilities, personnel and effort.

Also it is anticipated that under the primary direction and responsibility of either the Department of Defense or the civilian Space Agency, other agencies of the Government will be called upon to perform much essential scientific and technical work. At this early stage in our venture into space, the area of our knowledge is so small and the potentialities for progress so great that we will do well to organize our effort so as to utilize as much of our trained manpower and facilities for aeronautical and space activities as other national requirements will permit.

There is a provision in the bill directing the civilian Space Agency to make publicly available all technical information which the security interests of the country will permit. We also recommend the enactment of patent provisions like those contained in the House bill. These provisions are intended to provide protection to the interests of the Government and at the same time permit ample rewards and inducements to inventors to insure their maximum effort. The patent provisions are similar to those in the Atomic Energy Act, and to the regulations used now by the Department of Defense and the National Advisory Committee for Aeronautics.

The committee reported in accordance with the statement I have just made; but in view of the desire of several able members of the committee to give further study to the House section and because unanimous consent would be required to write any new language into the bill if the Senate adopted the identical language of the House bill, I offer an amendment and ask that it be read. The amendment strikes the patent section from the Senate bill in order that the House patent section will be in conference. Then whatever the conferees may agree upon can be done.

The PRESIDING OFFICER. Without objection, the text proposed to be stricken out will be printed in the RECORD.

The text proposed to be stricken out by the amendment of Mr. JOHNSON of Texas is as follows:

PATENT RIGHTS

SEC. 303. (a) Any invention or discovery made or conceived under any contract, subcontract, arrangement, or other relationship with the Agency, regardless of whether the contract or arrangement involved the expenditure of funds by the Agency, shall be deemed to have been made or conceived by the Agency, except that the Director may waive the claim of the United States to any such invention or discovery under such circumstances as he may deem appropriate.

(b) In any case in which the Director waives the claim of the United States to an invention or discovery as authorized by subsection (a), he shall retain on behalf of the United States the full right to use such invention or discovery in carrying out any functions under this act and to license other persons, on such terms and conditions as the Director may deem appropriate, to use such invention or discovery in the conduct of any activities authorized by or under this act. In any such case the Director may provide for the payment by the Agency or by persons licensed under this subsection, for the use of the invention or discovery, of a reasonable royalty fee determined by the Director in accordance with such standards and procedures as he may establish by regulation.

(c) In any case in which the Director does not waive the claim of the United States to an invention or discovery which is deemed to have been made or conceived by the Agency under subsection (a), the Director may grant to the person who made or conceived the invention or discovery, as compensation therefor, a cash award in an amount determined by the Director in accordance with such standards and procedures as he may by regulation establish.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas, to strike out the patent rights section of the bill.

Mr. ANDERSON. Mr. President——

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New Mexico.

Mr. ANDERSON. The House provision is not identical with the Senate provision, is it?

Mr. JOHNSON of Texas. I am informed it is practically identical. It is nearly enough identical so that the Members who have raised the question are fearful that in the conference we would not have sufficient leeway if this provision were included in the Senate bill.

Mr. ANDERSON. The telegrams which were received stated that this provision would permit the agency to obtain patents. The Atomic Energy Commission has obtained thousands of patents, and I know of nothing wrong with that arrangement.

I am only trying to get the Senator from Texas to establish whether this will be done without prejudice to the general idea——

Mr. JOHNSON of Texas. Again, I assure the Senator from New Mexico that it is my understanding that the patent rights provisions now in the Senate bill, which the amendment seeks to strike out, are similar to those in the Atomic Energy Act. But some of our friends on the committee who have deep interest in this field and who have great knowledge of it believe that since the provisions in the two bills are practically identical, in the conference we would not have sufficient leeway if, following further study, it was felt that the provision should be changed.

So if the amendment is agreed to, we then could accept the provision of the House bill, which is the same as the one which now would be stricken; or we could broaden it in accordance with the judgment of the conferees.

Mr. ANDERSON. Mr. President, the Senator from Texas has stated the matter in the way I hoped it might be stated; and I thank him for the explanation.

Mr. JOHNSON of Texas. I thank the Senator from New Mexico.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Texas. Mr. President, Senate bill 3609, as amended contains, along the lines of the statutory language creating the Joint Committee on Atomic Energy, provisions for a Joint Committee on Aeronautics and Space. This committee will be made up of 18 members, 9 from each House, with no more than 5 from any 1 political party in each House, and with the chairmanship and vice chairmanship rotating with each Congress.

The jurisdiction of the committee is defined to be all bills, resolutions, petitions and memorials, relating to the Space Policy Board, the civilian Space Agency, and their activities.

Provision is made for international cooperation on aeronautical and space activities by the civilian Space Agency pursuant to agreements made with the President and confirmed by the Senate. The bill specifies that such cooperation shall be conducted under the foreign policy guidance of the Department of State.

This is the space bill recommended by your special committee. We believe that it contains the appropriate machinery, the necessary power, and the necessary protections essential to the most expeditious national effort in aeronautical and space activities. There are many problems that will undoubtedly have to be resolved at some future time by legislation. No one would presume to think that we can now legislate with omniscient wisdom and permanence in this field about which we know so little.

But we believe this is a good, nonpartisan beginning. The legislation we have recommended is in harmony with the request made for legislation by the administration. There is not a great deal of difference between it and the House bill.

Mr. President, I recommend that the bill in its present form be passed by the Senate without delay.

I shall request a conference with the House; and we hope that reasonable men will be able to sit around the conference table and quickly adjust whatever differences may prevail, in order that we can at the earliest possible time send to the President this very important measure.

Mr. CARROLL. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Texas yield to the Senator from Colorado?

Mr. JOHNSON of Texas. I yield to my friend.

Mr. CARROLL. Last December, when the able majority leader was chairman of the subcommittee which had jurisdiction to investigate what was happening in the scientific and technological fields of the Government with reference to the guided-missile program, I had just returned to Washington, D. C., from Colorado. I had been called upon by scientists who expressed their concern about our complacency. In Colorado there are perhaps 400 or 500 scientists. They were concerned that the Government scientists were too conservative in their approach to the problems which faced us. After explaining my interest in this important matter the able majority leader was courteous enough to invite me to sit in on the investigation being conducted last December.

A question now comes to my mind, for I wish to be able to tell my constituents at home about this legislation and I think it is good to have it stated for the RECORD. The military will have jurisdiction over matters of national defense. But how much control will the military have over scientific developments in this very important field of space and astronautics? In other words, is the military to control all; or is some field of endeavor to be assigned to civilian scientists who are not under military domination?

Mr. JOHNSON of Texas. Under the bill, the military will have control of aeronautical and space activities primarily associated with military operations and with the development of weapons systems. The military already have such authority, and already are operating in that sphere. They are carefully protected in that sphere by this proposed legislation. We specifically provide that aeronautical and space activities peculiar to, or primarily associated with, the development of weapons systems or military operations or, we might say, which involve the defense of the Nation, shall be the responsibility of, and shall be directed by, the Department of Defense. So much for the military operations. The civilian Space Agency created will have direction and responsibilty for all other aeronautical and space activities.

We establish a Space Policy Board, to be composed of of 7 members of which the Secretary of Defense will be one, and not more than 1 additional member will be able to come from the Department of Defense—making, at most, 2 members from that Department. There will be 5 additional members. One will be the Secretary of State; 1 will be the chairman of the Atomic Energy Commission; 1 will be the Director of the Space Agency.

The Space Policy Board—which will have no operational control, but will have policymaking power—will be composed of civilians, and under the direction of the President.

Mr. CARROLL. Mr. President, will the Senator from Texas yield further?

Mr. JOHNSON of Texas. I yield.

Mr. CARROLL. Again for the purpose of the RECORD—because I know the very able Senator from Texas, the majority leader, fully subscribes to the theory of civilian control—let me say that when we contemplate a $40 billion military budget, to which, as I recall from memory, since the December *investigation* approximately $2 billion has been added, it seems to me that, in view of the size of the expenditures, the necessity to have military control of matters relating to national defense, and the necessity to regulate scientific inquiry, or at least to have control of it, I should ask whether the civilian group will have any control of matters outside the military field. If so, how much control will they have? What is contemplated in that connection?

Mr. JOHNSON of Texas. I would say that the new Space Agency will have complete control and complete responsibility over the nonmilitary aeronautical and space activities, and in connection with the top-level Space Policy Board, I refer to the language on page 19 of the bill, beginning in line 15:

TITLE I—COORDINATION OF AERONAUTICS AND SPACE ACTIVITIES

National Aeronautics and Space Policy Board

SEC. 101. (a) There is hereby established in the Executive Office of the President the National Aeronautics and Space Policy Board, referred to hereinafter as the "Board," which shall be composed of—

(1) the Secretary of State, the Secretary of Defense, the Director of the National Aeronautics and Space Agency established by section 102 of this act, and the Chairman of the Atomic Energy Commission, each of whom may designate, from officers of the agency of which he is the head.

And so forth. And beginning in line 6, on page 20, we find the following:

(2) one member designated by the President to represent each of three other agen-

cies of the Government interested in aeronautical and space activities, selected from officers thereof who have been appointed with the advice and consent of the Senate, who shall serve as a member of the Board during the pleasure of the President.

(b) Not more than one of the members of the Board designated by the President under paragraph (2) of subsection (a) may be designated from the Department of Defense, or any department or agency thereof.

So, at the most, the ratio would be 5 to 2.

I read further:

The President shall designate from time to time one member of the Board who shall serve as chairman thereof. Members of the Board shall receive no compensation other than the compensation received by them for their services as officers of the agencies represented by them on the Board.

(c) It shall be the duty of the Board, under the direction of the President and in conformity with the provisions of section 2 of this act, to—

(1) conduct a continuing survey of the plans, programs, and accomplishments of all agencies of the United States engaged in aeronautical and space activities with respect to such activities;

(2) recommend a comprehensive program of aeronautical and space activities to be conducted by agencies of the United States; and

(3) designate responsibility for major aeronautical and space projects, determine any questions arising in connection therewith, and resolve any differences as to whether any particular project is an aeronautical and space activity.

So the decisionmaking power on policy is all wrapped up in a 7-man board, all of whom can be civilians, and no more than 2 of whom can come from the Department of Defense.

Mr. CARROLL. The Senator will recall very vividly, I am sure, the difference or distinction between basic research and applied research. Will this civilian group have authority to consider basic research or the making of recommendations for basic research? What will really be its function except recommendations for policy?

Mr. JOHNSON of Texas. The answer to the Senator's question is yes, it will have.

Mr. CARROLL. Would the Senator say the purpose of this bill is really to draw into play or operation the scientific talent of the Nation which may not be solely of a military nature?

Mr. JOHNSON of Texas. A great deal of it is military, but, as I stated in my opening remarks, the state of our science and technology is such that we must draw upon every available source and use it to the fullest extent in order to make the great effort which needs to be made, and there must be complete coordination of that effort. That is what the bill seeks to accomplish.

Mr. CARROLL. I thank the Senator from Texas. I think it is well to have these statements in the RECORD for legislative history.

Mr. JOHNSON of Texas. I wish to point out one more thing. The Space Policy Board will be in the Executive Office of the President. It will make policy decisions on overall space and aeronautical activities. Thus, there is no growth in the traditional powers of the Department of Defense. We have simply adequately protected the national defense powers it now has and is utilizing.

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

Mr. JOHNSON of Texas. I yield to the Senator from New Hampshire.

Mr. BRIDGES. I should like to make a few comments on the bill, and then develop a few questions with the Senator from Texas.

Mr. JOHNSON of Texas. I shall be glad to answer questions whenever the Senator from New Hampshire is ready to ask them.

The PRESIDING OFFICER. Does the Senator from Texas yield the floor?

Mr. JOHNSON of Texas. Yes, I yield the floor, and I ask that the Senator from New Hampshire be recognized.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. BRIDGES. Mr. President, the bill before the Senate is the product of careful thought and consideration. It takes into account the complex problems of a new dimension which reaches not only into our defense posture, but into every phase of our daily lives.

The special committee of the Senate, under the able chairmanship of the Senator from Texas [Mr. JOHNSON], has done an excellent job. It has had the benefit of hearings conducted by the Preparedness Subcommittee, as well as a vast amount of technical material.

Everything points to the fact that it is absolutely essential that the highest degree of flexibility be maintained in order to cope with the new problems which are arising. The Senate bill attempts to do just that.

The Members of the special committee, under the able leadership of the Senator from Texas, have provided machinery in the bill which we felt would prove to be effective. We tried to eliminate unnecessary complications by providing maximum efficiency with a minimum amount of confusion in administration.

We recognize that the survival of the Nation is the most important single point to be considered. We also recognize that a fundamental policy of our country should be to dedicate our aeronautical and space activities to advancing the welfare of humanity, as well as to the vital defense role. To that extent we establish a board comprised of the highest and most respected officials of our Government. They will be in a position to make decisions which will affect all the people and will have the authority of the United States.

I concur wholeheartedly in the remarks of the committee chairman. Throughout all our deliberations, we have worked closely together and have brought forth a nonpartisan bill. I think the bill is the result of very constructive thought.

In my opinion the differences between the House bill and the measure before the Senate probably have been exaggerated. I see nothing which cannot be worked out in conference on the basis of reason. The fundamental urgency is the passage of a carefully worked out measure which will meet the challenge of the space age. That is the measure which we have before us.

I should like to develop a point with the distinguished Senator from Texas. Turning to page 18 of the bill, starting with about line 5, I read from the bill:

The Congress further declares that such activities shall be the responsibility of, and shall be directed by, a civilian agency exercising control over aeronautical and space activities sponsored by the United States, except that activities peculiar to or primarily associated with the development of weapons systems or military operations shall be the responsibility of, and shall be directed by, the Department of Defense.

As the Senator will recall, I submitted an amendment wherein I proposed to strike out the words on line 10 "the development of" and the word "or", and to rewrite the paragraph so that it would read:

Activities peculiar to or primarily associated with weapons systems, military operations, or the defense of the United States (including the research and development necessary to make effective provision for the defense of the United States, shall be the responsibility of, and shall be directed by, the Department of Defense.

My purpose in suggesting this amendment to the able chairman was to clarify completely and make certain that the Defense Department should have, in peace and in war, not only the responsibility of and authority for, but the absolute direction to do the job with which it is entrusted and which so greatly concerns the survival of our country. The Senator from Texas indicated to the Senator from New Hampshire that he thought that matter was covered by the amendment, but he would give it some study. Has the Senator made a further study of it?

Mr. JOHNSON of Texas. Yes; and I have had the staff confer with technical staff personnel in the executive branch. It is the belief of the chairman of the committee that it is pretty difficult to improve on the language now in the bill—the language beginning on line 5 and going through line 12 on page 18, in subsection 2 (b) of the committee bill.

I am glad to make this legislative history. Let me state what that language means, in my opinion. During the consideration of the bill in the committee and during the consideration of that language—and I want to repeat it now—I said to the Senator that it is the intention of the committee, and of the Senate, I think, to confer on the Department of Defense responsibility for, and direction of, aeronautical and space activities which are primarily associated with research into and the development of weapons systems; and responsibility for, and direction of, aeronautical and space activities which are primarily associated with all normal military operations, in both peacetime and wartime.

There will be aeronautical and space activities which are not primarily connected with military operations and with weapons systems. We expect the Policy Board to designate the National Aeronautics and Space Agency to be responsible for such civilian activities. The bill

says to the Board, "You make the policy decisions. When there is a difference, you resolve it. If the minority in that difference is not satisfied, since this activity is under the direction of the President and in the office of the President, a direct appeal can be taken to the President."

In the final analysis, the President is going to resolve any differences which may exist. It is the intention of the bill to say to the Department of Defense, "You shall have complete responsibility for those aeronautical and space activities primarily associated with research into and development of our weapons systems and with military operations, both in peacetime and wartime."

If there is some argument, the Secretary of Defense sits on the Board, and perhaps another member of the Department of Defense will sit on the Board. If the Board should hold against them, under the amendment offered in the committee the Secretary of Defense would be authorized to appeal to the President when dissatisfied with any action or inaction, as I remember the language. The President, a civilian, will resolve the matter.

Mr. BRIDGES. Does the Senator agree that it was the intention of the committee not only to make the defense issue clear and to emphasize that survival of this Nation is the first consideration, but also, as the committee wrote into the bill, the fundamental purpose of the activities is to advance the humanitarian aspects of the space activitiy?

Mr. JOHNSON of Texas. I certainly agree.

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

Mr. BRIDGES. I yield.

Mr. CARROLL. That is the reason the junior Senator from Colorado asked the questions a few moments ago of the able majority leader. For example, I learned when I was in Minnesota last December that Governor Freeman had had requests from scientists of the Midwest, and from scientists of other areas. At that time there was a great furor about our lagging behind in the field of scientific and technological advancement. These scientists wanted to participate—they wanted to help their Nation in a period of peril.

In my own State of Colorado there are some 400 or 500 scientists, many of them employed by the National Bureau of Standards which is located in my State. Colorado scientists were and are deeply concerned too.

Everywhere I discussed the matter, I learned the lower echelon scientists were worried. They would tell me, "We are not given a chance to participate in basic research."

I came back to Washington, and the subcommittee, with courtesy, permitted me to sit in the hearings to listen to some of the evidence.

We now have the bill before us, based on those hearings. I hope we are not being asked to give complete control of our aeronautical science program to the military. I hope we are not being asked to let the military place in a straitjacket the great scientific brains available in this country.

Of course we must protect the national security. Of course we must protect our national interests. By the same token, it seems to me, since there is such a tremendous sum of money to be spent for scientific research in order to catch up in the so-called scientific lag, we should devote considerable funds and energy to the field of basic research.

My question is, Under the provisions of the bill, will the scientists be permitted to participate, apart from the specialized areas of military defense and national security, in the field of basic research?

Mr. BRIDGES. As I understand the bill, the answer is "Yes."

Mr. JOHNSON of Texas. With reference to the question of the Senator from Colorado, I should like to invite his attention again to what I think covers fully the matter about which he is concerned, as contained in my opening remarks.

It is anticipated that under the primary direction and responsibility of either the Department of Defense or the civilian Space Agency, other agencies of the Government will be called upon to perform much essential scientific and technical work. At this early stage in our venture into space, the area of our knowledge is so small and the potentialities for progress are so great that we will do well to organize our effort so as to utilize as much of our trained manpower and facilities for aeronautical and space activities as other national requirements will permit.

Mr. CARROLL. In other words, the bill will not prohibit other activities by Government agencies which are active in this field, and they will be able to continue to pursue their work. Will this be an advisory committee?

Mr. JOHNSON of Texas. Mr. President, this will be a policy board, which will establish policy, designate operating responsibility, and resolve differences arising under the act. I should like to read for the information of the Senate two paragraphs from the committee report, page 6:

> There is universal recognition that the proposed legislation should not restrict or hamper the Department of Defense in conducting its aeronautical and space activities which are vital to national security. Accordingly, the bill does not give to the National Aeronautics and Space Agency direction or control over those activities. Both that Agency and the Department of Defense will be engaged simultaneously in conducting, as operational organizations, aeronautical and space activities. Each will operate within its own sphere of primary interest, but necessarily there will be areas within which those separate interests will overlap.
>
> Although primary direction and control of the aeronautical and space activities of the United States will be centered in the two agencies which have been named, other agencies will, in varying degree, participate therein. At least some 10 additional agencies of the Government will have an active interest in those and related activities.

If we had been content to recognize and rely upon our venture into the field of space research and development only in connection with military weapons or military operations, we would have provided no civilian Space Agency at all, because we now have in the Department of Defense very able men who are very actively engaged in research and development in connection with military space weapons and in connection with the military operations. It is because we recognize that aeronautical and space activity is not wholly military; because we wanted to broaden the scope of our space efforts; because we wanted at all times to be sure of utilizing all the scientists and technicians we can; and, because we wanted at all times to have the program under complete civilian direction, that the bill establishes both the Space Policy Board and the National Aeronautics and Space Agency.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. BRIDGES. I yield to the Senator from Colorado.

Mr. CARROLL. I appreciate the generosity of the distinguished Senator from New Hampshire.

I should like to say, for the RECORD, that the colloquy in which we have engaged in the last few minutes satisfies me that the majority leader, the Senator from Texas [Mr. JOHNSON] and the Members who have considered the bill comprehend fully what our problem is. We are not talking about simply one agency. All the scientists will be drawn into the picture if needed. I think that is something the public will want to know, and the scientists should know. I am very happy to have the questions answered in the fashion they have been answered, for the sake of the RECORD, and I thank the Senator.

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

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. I should like to say one sentence in furtherance of the Senator's comments. It is my understanding that today much of the best basic research in the country is done in various colleges and universities and private laboratories. It is my understanding that the opportunity will continue to be given to these various private agencies to perform basic research in the fields of aeronautics and space. That is what we desire to encourage.

Mr. DWORSHAK. Mr. President, the Senator from New Hampshire has had a long service in the Senate, on committees such as the Committee on Appropriations and the Committee on Armed Services. He is well aware of the fact that vital programs are retarted in many ways because of conflict, overlapping of jurisdiction, duplication, and rivalry within agencies or between agencies. Therefore I should like to ask the Senator what precautions have been taken to avoid the creation of another agency which would be in addition to the existing agencies and operations, for example, within the Department of Defense, so that we may avoid an unnecessary expansion in the Federal payroll. Instead of accelerating an important program dealing with this development,

we may find that we are bogging down and retarding this vital work.

Mr. BRIDGES. Mr. President, I should like to have the Senator from Texas [Mr. JOHNSON] join in answering that question. I do not think I can give the Senator from Idaho any guarantee. I do not think anyone can give any guarantee. We tried to frame a bill in such language that all the activities in the civilian space field would be concentrated in one agency, not only as a policy directing agency, but as an operating agency. In other words, we have done what we could to concentrate the program in one agency, but I do not know that there can be any guarantee that another agency will not be established.

Mr. DWORSHAK. Am I to understand from that comment that the Senator from New Hampshire fears that possibly we are creating another superstructure and taking from the Department of Defense some of the activities it has been carrying on during the past few years, and which the Department will continue?

The Senator from New Hampshire attended the hearings on the Defense budget this morning and heard Secretary Quarles testify in connection with the budget for the fiscal year 1959. A request was being made for about $6.25 billion for research and development. I should like to know what assurances the taxpayers of the country, who are certainly interested in accelerating the over-all program, will have that there will be no duplication of services already being rendered, and that a year from now there will not be brought into existence another agency with many hundreds, if not thousands, of additional employees, asking for a budget of hundreds of millions of dollars, when, in the meantime, there may have been no diminution, in the Department of Defense or other agencies, of programs which have been carried on during the past few years.

Mr. BRIDGES. I shall ask the Senator from Texas to supplement what I have to say.

In the first place, I recognize that the distinguished Senator from Idaho is one of the advocates, as well as practitioners, of economy in government. I think the Senator from New Hampshire will go along with him in that respect.

It is certainly my thought that in establishing this Agency we are creating a policy agency which will decide policy, as well as an operating agency, for the particular, definite purpose of preventing the program from running off in all directions. The program can be concentrated, and duplication of effort can be avoided.

The chairman of the committee may wish to supplement my statement.

Mr. JOHNSON of Texas. Mr. President, I concur in everything the Senator from New Hampshire has said, even including his commendation of my friend from Idaho on the other side of the aisle.

I invite the attention of the Senator from Idaho to page 11 of the report, under the heading "National Advisory Committee for Aeronautics." It reads as follows:

> The National Advisory Committee for Aeronautics is to be absorbed by the National Aeronautics and Space Agency.

In other words, the President recommended that we use the existing agency.

We are calling it by a different name, and giving it much wider powers than it now has, so that we can avoid what the Senator from New Hampshire properly refers to as duplication; and in order that we may have an overall policy and decisionmaking group to assist the President, we have created the Policy Board.

However, we are, in effect, using the National Advisory Committee for Aeronautics as the new operating Space Agency. We have done that in order to avoid duplication and to provide flexibility in effecting the transfer of power, functions, facilities, and personnel.

Mr. SALTONSTALL. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I am glad to yield.

Mr. SALTONSTALL. I invite the attention of the distinguished chairman of the committee to pages 18 and 19 of the bill, subdivision (c) (8):

> The aeronautical and space activities of the United States shall be conducted so as to contribute materially to * * * (8) the most effective utilization of the scientific and engineering resources of the United States, with close cooperation among all interested agencies of the United States in order to avoid unnecessary duplication of effort, facilities, and equipment.

I believe this language affords an additional answer along the lines which the Senator from Texas has just mentioned.

Mr. JOHNSON of Texas. I thank the Senator from Massachusetts. It was his helpful suggestion which prompted me to call a particular paragraph in the report to the attention of the Senator from Idaho.

In order to accomplish the purpose set forth in the language just read, we have two groups. One is a policymaking group, consisting of several officials appointed by the President and confirmed by the Senate. They consist of the Secretary of State, the Secretary of Defense, the Chairman of the Atomic Energy Commission, the Director of the Space Agency, and 1 representative each from 3 agencies which the President may designate. The Space Agency, operating under a Director, will be formed largely from the National Advisory Committee for Aeronautics, as recommended by the President.

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

Mr. BRIDGES. I yield.

Mr. DWORSHAK. It is significant that the Senator from Massachusetts, the senior Senator from Texas, and the senior Senator from New Hampshire, who are interested in this new Agency, are all members of the Senate Committee on Appropriations, and therefore recognize the effective approach which may be made in regulating and controlling such programs through use of the budget, and providing the funds for such programs.

On page 24 the bill stipulates that about 200 new scientific and engineering officials or employees are to be authorized in the new Agency. I trust that this will not mean that an entirely new group of personnel will be employed, but that it will be possible to transfer from the Department of Defense or other agencies some of the scientific personnel who will assume important posts within the new Agency.

Mr. SALTONSTALL. Mr. President, does the Senator from New Hampshire still have the floor?

Mr. BRIDGES. I do.

Mr. SALTONSTALL. Will the Senator yield to me for a brief answer to that question?

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. I invite the attention of the distinguished Senator from Idaho to the clause on page 24 of the bill to which reference was just made. It was discussed in the committee to a considerable extent. What we have tried to do is to give the new Agency a sufficient number of employees, at the substantial salary of $19,000, to get the program started. At the same time, we have given to the Civil Service Commission the duty of devising, under the present laws, a satisfactory scale of pay for employees in the new Agency. When we consider that there are approximately 400 employees in the Department of Defense who receive salaries of approximately $19,000, it can be seen that probably some of those will be transferred. We felt that 190 should be the minimum number, until the Civil Service Commission devised a new pay scale.

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

Mr. BRIDGES. I yield.

Mr. DWORSHAK. It is generally recognized by those who have participated in the debate today that it is anticipated that there will be transfers within the Department of Defense. Therefore it is expected that there will not be continuing rivalry, duplication, and controversy, which would result actually in retarding this vital program.

Mr. BRIDGES. That is my understanding.

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

Mr. BRIDGES. I yield.

Mr. HUMPHREY. First of all I wish to commend the special committee for the wonderful work it has accomplished. My questions are not asked in a spirit of opposition or antagonism, but in the spirit of my desire for additional information. I have had the opportunity of reviewing the report, although, of course my review has been a cursory one. I should like to ask a question, first, with reference to the National Aeronautics and Space Policy Board. I understand that the Board, which is established by title I, will consist of the heads of already established agencies of the Government. Is that correct?

Mr. BRIDGES. That is correct.

Mr. HUMPHREY. As I understand, the Board will consist of the Secretary of

State, the Secretary of Defense, the Director of the National Aeronautics and Space Agency, the Chairman of the Atomic Energy Commission, and, in addition, 1 officer from each of 3 agencies of the Government interested in aeronautical and space activities.

Mr. BRIDGES. Yes.

Mr. HUMPHREY. What I should like to know is whether the Secretary of Defense will have the right to designate someone to serve in his place.

Mr. BRIDGES. I believe the Senator from Texas can tell us the page of the bill where that subject is covered.

Mr. JOHNSON of Texas. It is covered on page 20, line 3, "an officer to serve in his unavoidable or necessary absence as a member of the Board." That is, if the head of the Agency is in attendance at a NATO conference, or is otherwise unavoidably and necessarily absent, the head of a designated department or agency may have someone attend for him. It must be an officer who has been appointed by the President and whose appointment has been confirmed by the Senate. We realize that in the ultimate point of view, the President will make the decision, and will resolve any difference which must be resolved. However, in the Policy Board we try to give the President a substantial and identifiable group to assist him in discharging these overall responsibilities.

Mr. BRIDGES. The subject of unavoidable absence was discussed at some length in committee. We inserted the language to which the Senator from Texas has referred so that a Secretary of a Department could not sit in his office and merely say that he was unavoidably absent. He must have some definite excuse for being absent. I am glad the Senator from Minnesota has brought out that point, because it should be included in the legislative history of the bill.

Mr. HUMPHREY. In other words, it is the intention of the authors of the bill and the members of the committee that these highly placed officials of our Government shall serve in fact, and not in mere theory, on the Board. Is that correct?

Mr. BRIDGES. That is correct.

Mr. HUMPHREY. Unless their absence is unavoidably due to a high policy commitment which requires the officials to be absent.

Mr. BRIDGES. Yes.

Mr. JOHNSON of Texas. The Senator is correct. I should like to point out that we realized the President will have the last word. We realized also that, as Commander in Chief, he could veto any decision made by the Board. We say to the President, in effect: "We want to provide you with machinery to resolve these disputes, machinery of top quality and highest character, and machinery which is effective and efficient."

We feel that, in connection with international cooperation, the Secretary of State is the best person we can provide in that field. The Secretary of Defense is the best man in his field. The Chairman of the Atomic Energy Commission is the best man in the field of nuclear propulsion, and so forth. The same is true of the Director of the new Space Agency. Then the President has the right to appoint three other officers to be selected by him, from agencies having a direct interest in the field we are discussing. All seven of the members of the Board are to be selected by the President. We assume the President can trust them and we assume that he will have confidence in them, or he would not appoint them in the first instance. They are to serve in their respective capacities because they have been designated and appointed by him. We have tried to bring them together in one small, workable unit, to make policy decisions, not as administrators, because that function is clearly spelled out——

Mr. HUMPHREY. Yes; I understand that the functions of the Director of the Agency are spelled out.

Mr. JOHNSON of Texas. And also the functions of the Board.

Mr. HUMPHREY. Yes. What gives me concern is that the highly placed officials who will be members of the Board have tremendous responsibility already in their own departments. Second, they are bound to have an addiction, or, let me say, a loyalty to their own departments, which will in some way affect their overall attitudes on a policy effort; or, to put it more bluntly, they will undoubtedly have a loyalty to their departments which will go beyond the Board's responsibility. My concern is that the Board might not have the kind of freedom of action and the kind of environment in which to operate in a way which will permit it to make policy decisions that will encourage the most favorable defense of the Nation.

I do not want Senators to misunderstand me. I know the problem is very difficult. I am merely asking these questions as a citizen. They are questions which many citizens might like to ask.

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

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. I have thought a great deal about this question, and discussed it with the Senator from New Hampshire, the Senator from Texas, and the other members of the committee. It is my feeling that the Policy Board, as the Senator from Texas has said, is not a Board which will have any operating responsibility. It is not a Board which will have any administrative responsibility. It is a Board which will be composed of men who are making the policy of the Government. What is most important is that the Board will be in the Office of the President.

Certainly at any time, if the Board makes a policy decision which the Director of the Agency or the President himself considers to be an improper decision, or a decision which is too narrow, or too trivial, perhaps, or has any other defect, the President can countermand the decision at once. What appeals to me particularly is that it is very much better to have these men make the broad policy decisions than to have one man make them and carry them out under the President alone. The President has so many policy decisions to make already that he must delegate to others. With respect to the basic policy questions in the Nation's aeronautical and space activities, the delegation should be to his top advisers in the field—those named to the Space Policy Board provided in this bill.

Mr. HUMPHREY. I agree with the general outline the Senator has given. My concern is that, for example, by the kind of operation or setup proposed, we might stifle what I would call independent operation. I am bringing these matters up merely for discussion, because I am sure the Senators who worked on this measure will be able to set at rest many of the doubts which some of us have. That is the purpose of the colloquy in which we are now engaged. What seemed to me to be desirable procedure was to have appointed to the Board men of high caliber, men who are highly thought of, responsible men, such as the men who serve on the Atomic Energy Commission; men who can pioneer and who can make independent judgments and independent decisions; men who would not be weighed down by the kind of traditionalism which creeps into departments like the Department of State and the Department of Defense, and the other governmental departments.

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

Mr. BRIDGES. I yield.

Mr. JOHNSON of Texas. I wish to point out to the Senator the decision which confronted the Senate when it created the Special Committee on Space and Astronautics. We had many jurisdictional lines to cross.

Mr. HUMPHREY. I realize that.

Mr. JOHNSON of Texas. We realized that the Joint Committee on Atomic Energy, the Committee on Armed Services, the Committee on Government Operations, the Committee on Appropriations, the Committee on Interstate and Foreign Commerce, and the Committee on Foreign Relations, all had an interest in this field. The Senate in its wisdom provided that the selections for appointment to the new committee should come from those committees, in the hope that we would obtain the benefit of the wisdom and experience of members of those committees, who have jurisdiction in the overall field with which the new agency would deal.

Some question was raised as to how diligent some of the members would be in their new assignment. They are men who in many cases have the responsibility of chairmanship of their own committees, and many of whom are ranking minority members of the committees. The question was raised how much time they could give to such a new committee.

I may say that I have never served on a committee on which there was better attendance than the committee which reported the bill. When we debated the questions and when we came to mark up the bill, almost every member of the committee was present. Most of them were present at the hearings. Every member of the committee was present when the decisions were made, the amendment was offered, and the bill was written, except one; and that member

had to be away. But he came to the office of the chairman, together with the ranking minority member, 2 or 3 days in advance and went over the bill word for word, line for line.

We presume that no one in the Government can give the President better advice as to how we shall explore space with other nations, and how we can obtain international cooperation, than the President's Secretary of State. We do not think that a private citizen who may be the president of a department store or some other private business can be called to Washington to serve on an advisory committee which meets at 10 o'clock in the morning, and give the President the benefit of his wisdom on the foreign relations implications in the field of international cooperation on aeronautical and space activities.

In the field of nuclear propulsion, we know of no authority, inside or outside the Government, who ought to know more about it than does the Chairman of the Atomic Energy Commission.

We do not ask these men to be administrators who will sit in offices and direct clerks. We say, in effect: "You are the machinery for developing the overall policy. This is what you are limited to. If any of you are dissatisfied with the decision which the Board makes, each or all of you will have the authority to go to the President of the United States."

The committee had a choice whether to provide for 17 members of an advisory committee—9 of whom would be outside the Government and having private interests, who would be required to come to Washington to meet with 8 others from Government departments and agencies—17 members of an advisory committee, having no real, direct authority or responsibility; or whether to provide for 7 members whose nominations by the President would have been confirmed by the Senate, and who would represent the ultimate in information in their specific fields, to make essential policy decisions under the direction of the President.

The Senators who became members of the Space Committee, consisting of the Senator from Massachusetts [Mr. SALTONSTALL], the former chairman of the Committee on Armed Services; the Senator from New Hampshire [Mr. BRIDGES], the former chairman of the Committee on Appropriations; the chairman and other members of the Committee on Armed Services, and chairmen or ranking minority members of other committees, including the distinguished Senator from New Mexico [Mr. ANDERSON], who is chairman of the Joint Committee on Atomic Energy when the Senate has that chairmanship, felt it was their duty not only to attend and participate fully in the hearings, but also to consider every word which went into the bill.

I have enough confidence in whoever is the Secretary of State, or whoever is the Chairman of the Atomic Energy Commission, or whoever is the Director of the Space Agency, to feel that when a policy decision must be made, and Congress has told them it wants it made, he will participate in making it, unless he is unavoidably prevented from doing so.

If the Space Agency needs or wants an advisory or liaison committee the Director can appoint them under specific provisions of this bill.

Mr. HUMPHREY. That is provided for, is it?

Mr. JOHNSON of Texas. That is provided for. But the committee is really saying to the Secretary of State, for example: "If you do not like a policy decision made by the Board, you may appeal to the President of the United States."

Mr. HUMPHREY. In other words, the editorial I read this morning, which indicated that this was a prerogative left specifically to the Secretary of Defense, is not the single prerogative of any one member; but the Board or any one of the appointed members of the board may appeal a decision to the Commander in Chief.

Mr. JOHNSON of Texas. The chairman of the committee thinks that that is implicit in the language. He thought so before we adopted an amendment to authorize the Secretary of Defense to do it. Some Senators thought it would be preferable to spell it out for the Secretary of Defense. In the opinion of the legislative counsel and the staff it was already implicit in the language of the bill so there was no need of saying it twice.

I say on the floor of the Senate that the Board is under the direction of the President of the United States. The Board is in the Office of the President of the United States. If any 1, 2, or 3 members of the Board are dissatisfied with any action or inaction they have the implicit right to appeal to the President of the United States, and the President cannot escape the responsibility of his office. This is a responsibility of the Commander in Chief.

Mr. HUMPHREY. Does that also include the Director of the Space Agency?

Mr. JOHNSON of Texas. He is a member of the Board.

Mr. HUMPHREY. I appreciate the Senator's affirmative statement on these matters. I feel this is the way in which legislative history is developed. Undoubtedly I am making a number of blunders and mistakes in the questions I am asking.

Mr. JOHNSON of Texas. I think if the matter had been made clear to every Senator, as we are trying to make it clear this afternoon, or as the Senator from Minnesota is trying to make it clear, the people would not draw such conclusions.

We have provided for a Space Director. We might have made a retired general the Space Director, if that were desired. We might have said: "You are the administrative authority. Upon occasion, when you desire to, you may have an advisory board meet."

He might recommend who should serve on the Advisory Board, and Congress could have nothing to do with the recommendations. He might come before Congress and say, "Here is what the Advisory Board has determined." That is one way to proceed.

Mr. HUMPHREY. I do not favor that way.

Mr. JOHNSON of Texas. I am not certain that some Members of Congress and some citizens do not feel that that is the wise and desirable way to proceed. But every 1 of the 13 members of the special committee felt that there should be a Policy Board and that Congress ought to have something to say about the composition of the Board.

We thought that the President should not have any objection to or lack of confidence in his Secretary of State, his Secretary of Defense, or the Chairman of the Atomic Energy Commission, or the Director of the Space Agency, or the other three members of the Board. Congress would then know who was making the decisions. We would not have to get a microscope, a shovel, and a rake, and go through the bottom of a bureau to find someone who had made a recommendation, but who was now temporarily in the Budget Bureau. We would know who was making the determination of policy; the seven men under the direction of the President and in the Office of the President. We have said so.

Furthermore, perhaps the Chairman of the Atomic Energy Commission or the Space Director might be someone of whom we would not particularly approve, or about whom we might have some questions. The United States Senate has the power and the responsibility to inquire into the qualifications of such persons and, if necessary, debate nominations for days before we advise and consent to them.

Mr. HUMPHREY. Is the Senator speaking now of the Director?

Mr. JOHNSON of Texas. I am speaking of every member of the Board.

Mr. HUMPHREY. Will the members of the Board have to be renominated and reconfirmed?

Mr. JOHNSON of Texas. No; but they will have to be persons whose nominations the Senate has confirmed.

Mr. HUMPHREY. At some time or other?

Mr. SALTONSTALL. The men whom we have proposed have been men whose nominations have been confirmed by the Senate.

Mr. JOHNSON of Texas. Oh yes; the nominations of all of them have been confirmed. The alternative is to have one man in charge of everything.

Mr. HUMPHREY. I feel that the chairman and the other Senators on the committee have made a very good case for what might be called board operation with a director. But one other question I wish to ask is in reference to the budget of this agency. As I understand, the agency will be working with the established line agencies of the Government. There will be, for example, certain types of projects strictly in the Department of Defense which will be coordinated or made a part of the general, overall program of the Space Agency. But what about the budget? Does the Space Agency have a budget, for example, for research and development? Will the agency have its own budget for civilian projects which might be related to outer space?

Mr. JOHNSON of Texas. Yes; such an arrangement is provided for in the bill.

Mr. HUMPHREY. Will the agency have control over compartments of outer space and its development?

Mr. SALTONSTALL. Mr. President, I do not know who has the floor.

Mr. HUMPHREY. We are more or less using it together, I believe. [Laughter.]

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from New Hampshire has the floor. Does he yield?

Mr. BRIDGES. Mr. President, I yield the floor.

Mr. JOHNSON of Texas. Mr. President, may I be recognized?

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. SALTONSTALL. Mr. President, I should like to refer to this matter.

Mr. JOHNSON of Texas. This item is to be found on page 41, in section 305.

Mr. SALTONSTALL. Let me say that the Senate bill does not provide for authority to transfer functions from one agency to another, but the House bill does contain such a provision. We deliberately omitted provisions for such transfer authority in order that the provision may be in conference where the best possible language can be written.

It is my understanding that the Agency will have a budget of X dollars, and will be able to call upon the Department of Defense or some of the other agencies, in a way similar to the way in which the National Advisory Committee for Aeronautics does now. It conducts experiments, and calls on the Bureau of Standards and on the Department of Defense; and the Department of Defense calls on the National Advisory Committee for Aeronautics; and there is general cooperation in working out of projects together. That must be the case in respect to an agency of this character.

We cannot tell how much money will be needed. Some of the work will be done by the Department of Defense, directed by the Space Agency; and some will be done by the Bureau of Standards; and some will be done by the Civil Aeronautics Administration of the Department of Commerce. All civilian activity will be directed by the Space Agency. All military activity will be directed by the Secretary of Defense.

Mr. JOHNSON of Texas. Mr. President, let me repeat my previous statement, in analyzing the bill, namely, that the Space Policy Board will have no administrative or operational functions. Such functions will be in the Space Agency, under a director, and in the Department of Defense, under the Secretary. Other agencies of the Government will also be called upon from time to time to perform such functions.

But the Space Policy Board will have no such administrative or operational functions. While it is authorized to employ a staff, it is intended and expected that the staff will be of modest size, composed of only such experts and clerical assistants as will be necessary to permit the Board efficiently to carry out its limited policy, planning, and decision-making functions.

So much for that.

In the bill we provide for transfer of the National Advisory Committee for Aeronautics. From page 11 of the report, the Senator will see that the National Advisory Committee for Aeronautics is to be absorbed by the National Aeronautics and Space Agency. So we shall call it by another name. That is the agency which we expect to administer the program.

As I have said, operational authority and responsibility are placed in the civilian Space Agency and the Department of Defense. It is obvious that many of the projects carried on under the primary responsibility of one agency may also involve the active cooperation and effort of the other. Provision for flexible coordination and cooperation is made in the bill, and it directs that there be no undue duplication of facilities, personnel, and effort. That is in accordance with the recommendations of the President.

And on page 41 of the bill, in section 305, provision is made for appropriations to the Space Agency.

We provide that the Agency shall take over the National Advisory Committee for Aeronautics; and in the bill we provide that the Agency may employ 190 officers and employees engaged in scientific or engineering duties, at annual rates of compensation not exceeding $19,000—in order that top-flight scientists can be obtained. $19,000 is the maximum which can be paid.

We also authorize the employment of 10 additional administrative personnel at $19,000 annually, so we can also have top-flight administrative and legal officers and employees.

Mr. HUMPHREY. Then, as I understand, what the Special Committee contemplates, in reference to the Space Agency is more or less of a staff function, and not an operating type of agency. In other words, it will utilize the technical services and facilities of other bureaus and departments of the Government.

Mr. SALTONSTALL. Mr. President, on that point, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. SALTONSTALL. Mr. President, I think the Senator from Minnesota is correct only in part. I conceive the Space Agency to be similar to the National Advisory Committee for Aeronautics, which is to be supplanted by the new Agency. That Committee has a rather substantial appropriation—of approximately $30 million for operating and approximately $20 million for research—I do not recall the exact figures.

Mr. HUMPHREY. At any rate, it has a research budget of its own, as well as a staff budget.

Mr. SALTONSTALL. Yes; and it has several hundred employees.

This Space Agency will take over those employees. It will operate with those employees and with other employees who may be needed. At the same time, as the National Advisory Committee for Aeronautics now operates, it will get assistance and information from the Department of Defense, and it will cooperate with the Department of Defense. The Space Agency will take over responsibility for all civilian aeronautical and space activities conducted by all civilian Government agencies and, in addition, will draw on the Department of Defense.

Mr. HUMPHREY. Then, as I understand, the Agency will take over the activities of the National Advisory Committee for Aeronautics, and will operate some real laboratories of its own.

Mr. SALTONSTALL. And wind tunnels and other research facilities.

Mr. HUMPHREY. Let us call them facilities or laboratories of a scientific nature. The new Agency will operate some of its own facilities; is that correct?

Mr. SALTONSTALL. That is correct.

Mr. HUMPHREY. Second, it will be able to make contracts with universities and private technical schools and laboratories. Am I correct?

Mr. JOHNSON of Texas. I will say to the Senator from Minnesota that the Agency will have primary jurisdiction over all aeronautical and space activities, other than military.

Mr. HUMPHREY. And it will either be able to let them out by contract to a university or to a private group of scientists——

Mr. JOHNSON of Texas. That is correct.

Mr. HUMPHREY. Or it will be able to develop its own facilities, as is done by the Atomic Energy Commission or by the National Advisory Committee for Aeronautics.

Mr. JOHNSON of Texas. That is correct.

Mr. HUMPHREY. But when it comes to the military, the rule, as I understand, is to coordinate or include the military operations within the Agency's total program, but not to have responsibility for their fulfillment. Is that correct?

Mr. JOHNSON of Texas. That is partly correct.

Mr. SALTONSTALL. Mr. President, will the Senator from Texas yield to me again?

Mr. JOHNSON of Texas. I yield.

Mr. SALTONSTALL. I do not think the last statement is quite correct. I think matters which are essentially military will continue to be the operating responsibility of the Department of Defense, completely.

Mr. HUMPHREY. Yes; but will not they also be brought into the overall discussions and planning of the Board on policy matters?

Mr. SALTONSTALL. That is correct.

Mr. HUMPHREY. And insofar as the operational aspect is concerned—namely, the fulfillment of the policy—on military matters that will be left to the Department of Defense. Is that correct?

Mr. SALTONSTALL. Yes; and probably for the next year or two I understand most of the Government's total activities will be with the Department of Defense.

Mr. JOHNSON of Texas. That is correct. Again I refer to page 18 of the bill, subsection (c), as part of the legislative history. We discussed that before the

Senator from Minnesota entered the Chamber.

Mr. CLARK. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. CLARK. I do not wish to delay the prompt passage of the bill, which I know the majority leader and all the other members of the committee desire. But with my friend's consent, I should like to make a few remarks before the bill is passed.

In the first place, my vote in support of the bill is largely affected by the fact that 13 of the ablest and most senior Members of the Senate on both sides of the aisle have unanimously agreed on the bill and on the report which accompanies it. I think that fact is of great importance.

I have had an opportunity to read the report and the bill, although I must say I have not had an opportunity to study either of them in great detail. But I note that the hearings held before the special committee have been printed, and that they constitute approximately 412 pages; and that practically all the important officials of the Federal Government who are involved in this field have testified, as have many of the leading scientists of the country, a number of whom are attached to universities.

For those reasons, I think the majority leader and the other members of the committee were well within their rights in bringing up the bill as they have done, and in having had this debate, which has lasted perhaps an hour and a half, and in having the bill sent to the House of Representatives with nothing more than that, even though in my judgment this is one of the most important pieces of legislation which ordinarily would come before the Congress.

I note in this morning's issue of the Washington Post the lead editorial which is entitled "Which Way to Space?" I do not believe it worthwhile to have the entire editorial printed in the RECORD; but I should like to read the last paragraph, which explains why I am prepared to vote to support the committee and why I am prepared to vote for passage of the bill, even though we have not had the normal amount of debate in connection with so important a matter.

I read now the last paragraph of the editorial which was published in the Post:

I read:

> The immediate concern ought to be to make sure that Congress does not permit the fairly broad disparities between the House and Senate space bills to prevent action at this session. It would be unfortunate to leave direction of the major portion of the space effort in the hands of the Pentagon's Advanced Research Projects Agency, created as a temporary expedient. The times require the most vigorous development of space technology on a broad front if this country is to make the most of the exciting challenges of this wondrous age.

I think it is far more important to get a workable bill through the Senate and to conference, so that action may be taken promptly to put this activity on a legal basis and to enable us to move forward more quickly than we are moving in our consideration of another measure at the present time, than to debate this measure for a substantially longer time.

I hope the Senator from Texas will listen to what I am about to say, and I suspect he will agree with me: This is one of the most important activities which has confronted the Government of the United States in the history of the Republic. I hope when the legislation is enacted, a sense of very real urgency in the executive branch will be aroused, the same sense of urgency which was created by the sputniks and by the investigations of the Special Subcommittee on Preparedness, which was so ably presided over by the majority leader.

I think the proposal now pending ought to give notice to the country that Congress intends that we should move ahead immediately, losing no time and effort, in the matter of developing the spatial age for peace, and not for war, and to see that the United States Government does not come off second best again.

I thank the Senator for yielding.

Mr. JOHNSON of Texas. I thank my friend.

Mr. SALTONSTALL. Mr. President——

Mr. JOHNSON of Texas. I yield the floor.

The PRESIDING OFFICER. Does the Senator from Texas yield the floor?

Mr. JOHNSON of Texas. Yes.

Mr. SALTONSTALL. Mr. President, I should like to speak very briefly on this measure reported by the Special Committee on Space and Astronautics, which considered this measure to be of great importance.

There were 5 major points before the committee on which there was room for differences of opinion. They have been elaborated upon, and I shall merely mention them briefly.

The first was whether there should be a policy board and an operating agency headed by a single civilian or just the one-man agency. We decided on having a policy board, with the operating agency under the policy board—with the Board located in the Office of the President of the United States.

Another question was whether there should be a Joint Committee of Congress, or two separate committees, one in the House and one in the Senate, having jurisdiction over the field, covered by the bill. The House bill provided for separate committees. The Senate committee bill has provided for a joint committee. That question can be ironed out in conference.

The third subject was the question of special pay. That question has been worked out briefly in the Senate bill by permitting enough authority for supergrades for the Space Agency to commence operations, and then getting a recommendation from the Civil Service Commission on pay scales.

The fourth question concerned the transfer authority. There is no provision for transfer authority in the Senate bill. Broad transfer authority was provided in the House bill. It was felt that the subject could be worked out in conference.

The Senate has deleted the patent rights provision from the bill. That matter can also be worked out in conference, as is true of the transfer authority provision.

Lastly, there was the question of the jurisdiction of the Department of Defense on purely defense matters. That provision was amended by the full committee in the draft of the bill, and has been discussed by the eminent Senator from Texas and the eminent Senator from New Hampshire. I shall not elaborate on it.

Mr. President, the consideration of the pending bill is a momentous occasion in the history of the Senate. The bill is before the Senate in consequence of the fact that man has taken his first steps in leaving his terrestial environment. No fact in human history surpasses in potential significance for mankind our first marks in space. As Representative JOHN W. MCCORMACK so eloquently stated in opening the hearings of the House Select Committee on Astronautics and Space Exploration:

> The worlds of outer space are the greatest challenge to dynamic thought and deed that our pioneer spirit has ever received.

President Eisenhower expressed a simple conviction which defines in universal terms the responsibility of all men everywhere to the challenge of space when he wrote "we and other nations have a great responsibility to promote the peaceful use of space and to utilize the new knowledge obtainable from space science and technology for the benefit of all mankind."

I have given much thought, as have all of us on the Committee, to the particular responsibility which our Committee has borne in the work which we have done. I should like to express very briefly a few of the conclusions to which I personally have come in my own thinking, and which I believe the bill supports.

First, it seems to me that there are no experts in the subject with which we are now concerned. One of the hallmarks of space is that it is unknown, and that therefore the full implications of the conquest and exploration of space for the world and any nation or group of nations in the world are as yet unknown. All that anyone can do is to speculate about space and its implications for man. As we proceed with our efforts and deliberations, it seems to me important that we bear these elementary observations in mind and give humble and hospitable attention to the opinions of any and all persons who care to share their speculations with us. Above all, I suggest we must guard against over-valuing opinions given to us by experts in the fields in which the developments have occurred which have made possible man's arrival at the threshold of space. There is no man alive who can tell us what it will mean to have crossed that threshold.

The next conclusion to which my thoughts have brought me is, I suppose, an act of faith. I believe that space must be dedicated to peaceful purposes

for the benefit of all mankind. This is the ultimate goal to which all men should aspire. It may be that men cannot create one world on earth. However this may be, man from his divided earth world must create an undivided universe. If time brings us in contact with inhabitants of other planets, we may then be forced to face the prospect of competition for the control of space. But among us who inhabit this planet, it seems to me unthinkable that there should be any ultimate competition for control of space.

Just as I find it unthinkable that there should be competition for control of space, so I cannot conceive of control of space divided along any of the arbitrary, jurisdictional lines which separate some men from other men on earth. Inherent in the concept of jurisdiction is control. Space dedicated to peaceful purposes will not, in my judgment, be susceptible of divisible control. The inescapable conclusion is that, if man is to dedicate space, once conquered, to peaceful purposes for the benefit of all mankind, he shall have to develop on earth some international arrangement for the unified control of space.

Of course, it is beyond the scope of what the Congress can accomplish to formulate such an international arrangement for the control of space. Yet I believe we should all consider whether this is not truly the ultimate governmental goal of man's concern with space.

Mr. President, I ask unanimous consent that part I of the committee report, the introduction, be printed at the conclusion of my remarks. I believe it is the unanimous report of the committee. The bill has been carefully considered. I hope the Senate will pass it.

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

I. INTRODUCTION

Man presumes much when he presumes to bring the dominion of the stars within the purview of his legislative processes and under the jurisdiction of his administrative agencies.

Space is infinite. Man's knowledge of space is finite. The sum of our understanding is not yet sufficient for us to comprehend how vast are the dimensions of our ignorance. We delude ourselves—at considerable peril—when, with small fragments of fact and fancy, we attempt to construct an image of the future after the pattern of our own past experience. We have no frame of reference by which to visualize the design of tomorrow.

We may, as some say, stand now at the edge of the battleground for Armageddon. Or we may, as others believe, be poised before the plains of the millennium. In either event, we have no national option but to marshal our resources, order our course, and proceed beyond the shelter and sanctuary of Earth's atmosphere into this realm of the limitless unknown.

To proceed prudently, or to proceed at all, we must of necessity proceed by faith. Humility is a proper traveling companion for this national journey.

A. THE SPACE IMPERATIVE

Space is presented to us, at this juncture, as a frontier. It is a dimension, not a force, a dimension enlarging the sweep and scope of all our established activities to the measurement of infinity—as the frontier of the American West enlarged the potential of the colonies to the limits of a continent.

For any frontier, as Americans know from their national history, the imperative is exploration, not control. Only by exploration—by pioneering the unknown, by venturing the uncertain—can the promise of any frontier be realized. This must now be our imperative for the space frontier.

As a Nation, we are motivated not by fear, but, rather, by great confidence that extension of our capacity into the realms of space will some day bring release from fear—for ourselves and all mankind.

We are moved by no thought of aggrandizement. We have no intent to plant flags of conquest upon the planets or lay annexation claims to the stars. We do propose that space shall never become the route of march for tyrants and totalitarians and, as we have dedicated our resources in the past to maintain the freedom of seas and the security of the skies, so shall we dedicate our capacity to maintaining the neutrality of space.

These things are restated here to reemphasize that space neither invites or necessitates any redefinition of American goals and aims. Throughout our history, it has been the goal of peace and liberty that has led Americans to explore the dimensions of challenging frontiers. Our goal now remains unchanged.

B. THE SPACE URGENCY

While our goals remain unchanged and our imperative is familiar to Americans, the nature of space is quite apart from the nature of land frontiers. We were permitted, in the development of the West, to roll back the unknown at our leisure, confident as we did so that such gains as we claimed would be permanently ours. With space, neither such leisure nor such confidence is permitted.

Space can be used, but, unlike the land, it cannot be occupied.

Thus, our position in space is determined by our capacity to use it, not by acquisition of or defense of plots of space's terrain. This has a very clear meaning. We shall, perpetually, ascertain where we stand in space not by lines on a map, but, rather, by intangibles of imagination, skills, and techniques. The abundance of our talents, not the abundance of our resources, will be the index of our national strength, and freedom will be secure in relation to our ability to outthink freedom's adversaries, rather than to outproduce them.

This is the special urgency of our space adventure. In times past, we could prolong our leisure in confidence that the massiveness of our productive capacity would be our salvation. This confidence is no longer justified. Space has given priority to a new denominator of national strength: the human mind. Unless this resource receives continuous exercise, our presumptions of security are meaningless. We are, therefore, faced with the challenge of devising a policy and a program which assures the Nation the fullest mobilization of a resource which, among free men, is not responsive to directive and command.

To "marshal our resources and order our course" is a task of the greatest delicacy which must be accomplished under the most unrelenting urgency.

C. FACTORS OF SPACE POLICY

Exploration is our national imperative. Yet the processes of government are, by their nature, often ineffective and inadequate for the task of fostering the zest for aggressive inquiry, search, and pioneering that is required.

If we were to vest in any agency the total responsibility for our progress into space, we would entangle ourselves in the delusions of a latter-day Maginot line. Where so sensitive a resource as the human mind is the ultimate margin of our security, we do well to look askance at absolutism in any form.

It behooves us, as a nation, not to become obessed with illusive grants of authority to ourselves, nor to overuse the word "control." We can concern ourselves with control when control is—as it is not now—our most pressing problem. Our need now, and for the foreseeable future, is to foster effort, on our own part and the part of all free men. This factor is foremost among those which should guide us in formulating a national space policy and in implementing a national space program.

The second factor bearing on space policy is that our technical achievements are still primitive. A great amount of research effort is fastened now on the most rudimentary problems: thrust, propulsion, guidance, reentry, etc. The relative importance of these concerns will decline rapidly, becoming to the true space age no larger in our thoughts than the operation of the gasoline engine has been to our concern over the changes wrought by the automotive revolution.

Thirdly, our listing of the possible achievements of the space age reflect the primitive state of our arts—and our comprehension. Our talk of lunar explorations or interplanetary excursions is, if we keep it in perspective, only talk of what is already feasible when refinement of present technology is achieved. Beyond the confines of our atmosphere, the selection of these goals to be explored is more a matter of preference and choice than any true index of achievements and progress.

Fourth, space has implications for virtually all of human activity. Space, as a dimension, enlarges the field of all our various earthly enterprises—from commerce and trade to education and communication. The materiel of the space age may well reshape the structure of basic industry. The technology of space will have incredible impact upon consumer goods. Our leisure and luxuries, as well as our essentials, will be affected. The size of our economy—and its financial values—will be influenced and altered. So, also, will be where we live, what jobs we hold, what products we sell, what foods we eat, what land we farm, what medicines are prescribed for us. At present, our vision in this realm could scarcely be more myopic.

These factors—if we accord them their due respect—plainly suggest that we do not now know or comprehend the full range of the space age's importance and promise. We can, however, recognize that the effect is universal over the whole of our society and, thus, over the whole range of our governmental institutions.

This potential is awesome. However, when we contemplate vesting absolute control over our space effort in one agency, awe can easily become anxiety. In haste to grant such an agency authority and control to resolve the relatively minor problems of priority and efficiency of our present primitive stage of development, we might, without such intent, vest in such agency a role which would become wholly alien to our liberties. There must be provision for continuous review of the policy under which our space program is directed.

When we deal with space policy, we are dealing with national policy, in the broadest possible range. Involved is far, far more than the phasing of projects, the resolution of jurisdictions, or the selection of planetary targets. The agency provided for implementing policy must be cognizant of national capabilities and national needs. For policy guidance, there must be the highest order of competence outside the technical realm on matters of profound consequence to national directions.

D. ESSENTIALITY OF CIVILIAN CONTROL

Faced with the potential of what space may someday mean to their society and its

institutions, Americans would reject without compromise any suggestion that this authority be vested in other than civilian hands. The essentiality of civilian control is so clear as to be no longer a point of discussion.

Whether the operating heads of any special agency are in uniform or out of uniform, however, does not of itself settle the meaningful issue of civilian control. Equally important—and probably more so—is the matter of civilian dominance versus military dominance. We can so construct our administrative edifice that an agency under civilian control would actually be dominated by the military.

The military has a specialized interest in space, not for motives of preemption, but for the simple reason that military capability in space is necessary for fulfillment of the missions assigned the services. Presently, as since the birth of the Nation, control of the military is civilian. It must be presumed that this control is fully as adequate and competent as would be civilian control of a space agency.

Your committee believes great mischief could be wrought by delegating to the civilian Space Agency authority over military weapons systems and military operations in the field.

If the civilian Space Agency is to be actively involved in military affairs, at an administrative and decision-controlling level, then the preponderance of its attention, interest, and perhaps eventually its understanding will fall to military matters to the exclusion of nonmilitary endeavors. Civilian uses of space will be cast in the perpetual role of competitive bidding for attention and consideration against a preponderant military. Further, while we are even now giving consideration to reforms to eliminate conflicts among services, such procedure would create a whole new area of contention.

Mr. BRICKER obtained the floor.

Mr. HICKENLOOPER. Mr. President, will the Senator yield? I wanted to ask the majority leader one question.

Mr. BRICKER. Mr. President, I yield to the Senator from Iowa, if I may do so without losing the floor, so that he may ask questions of the majority leader.

Mr. HICKENLOOPER. At page 38 of the bill, beginning in line 7, there is contained the provision of a penalty for the unlawful release of information. I call the attention of the chairman of the committee to this language in lines 7 and 8:

> Whoever willfully shall violate, attempt to violate, or conspire to violate any regulation or order promulgated by the Director of the National Aeronautics and Space Agency—

And so forth. Is there a provision in the bill for the publication in the Federal Register of these orders or regulations prior to the time that a penalty attaches to their violation, such as is provided in most cases? I would like to have that information shown in the RECORD.

Mr. JOHNSON of Texas. The language reads:

> Whoever willfully shall violate, attempt to violate, or conspire to violate any regulation or order promulgated by the Director of the National Aeronautics and Space Agency for the protection or security of any laboratory.

It is my understanding that the Administrative Procedures Act requires the publication in the Federal Register of any rules and regulations promulgated.

Mr. HICKENLOOPER. That is my understanding also. I think it ought to be in the RECORD of the discussion. Otherwise, we would get back to the argument about the star chamber rule or regulation, promulgated at midnight, under which a man could be put in jail in the morning for something he did not know the previous night was a violation of law.

Mr. JOHNSON of Texas. Under the bill the orders would be published in the Federal Register. I thank the Senator for his question.

Mr. CARROLL. Mr. President, will the Senator from Ohio yield to me so that I may ask the Senator from Texas a question?

Mr. BRICKER. I will yield to the Senator from Colorado for the purpose of asking the Senator from Texas a question, with the understanding that I do not lose my right to the floor.

Mr. CARROLL. I refer to page 5 of the committee report, which contains the "Objectives of the Act."

I note several references are made to the development and efficiency of aircraft and space vehicles. Does the bill not also contemplate research on things such as weather conditions, apart from space vehicles?

Mr. JOHNSON of Texas. The answer is "Yes."

Mr. CARROLL. I also remember a part of the testimony concerning the development of cameras for a satellite in orbit. That might have a military significance, but it would also have a great peaceful and scientific use.

Mr. JOHNSON of Texas. Reconnaissance satellites are included, also.

Mr. CARROLL. That would be a part of the program?

Mr. JOHNSON of Texas. The answer is "Yes."

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

Mr. JOHNSON of Texas. The Senator from Ohio has the floor.

Mr. BRICKER. Mr. President, I will yield to the Senator from Mississippi with the understanding that I do not lose my right to the floor.

Mr. STENNIS. I thank the Senator from Ohio for yielding to me. I should like to ask the Senator from Texas a question.

Mr. BRICKER. I yield for that purpose.

Mr. STENNIS. Mr. President, let me say to the Senator from Texas that I have had the benefit of a part of his remarks and explanation of the bill, but I should like to return to the question of responsibility for the personnel of the policy board. I would not say the selection is wrong, but as a practical matter I do not think it is reasonable to expect that the Secretary of State, for illustration, could give such a matter his personal attention. The Secretaries will have to operate through their lieutenants.

I think we might as well meet that problem head-on now, although it is well to have someone who has received senatorial confirmation in the position of responsibility.

I do not have in mind a better system than the bill proposes, but I think it ought to be emphasized that the Secretary of Defense, the Secretary of State, or any other officer who may accept responsibility could not personally handle all these matters. We are providing these positions in the expectation that these men will give the major points which arise their personal attention, or frankly say they are unable to do so and let Congress take a second look at the matter.

That statement is a prelude to what I want to emphasize on about the idea of civilian control.

My thought on this matter—which I gained during the hearings of the Senate Preparedness Subcommittee—is that there ought to be civilian control, but civilian control with more than one viewpoint. Perhaps the committee has intended to write a bill which would cover that situation.

My sentiments are certainly not expressed as criticism, but it seems to me the decision that a satellite would have much practical military value was sound, so far as it went, but the decision by the Secretary to postpone its orbiting and therefore to let someone get ahead of us, was a very bad decision. Even though the decision was made by a man of civilian rank, if there had been other civilian viewpoints, such as the viewpoint of a scientist or a politician or a public-relations expert, I believe there would have been a different decision or conclusion reached.

May I ask the Senator from Texas if he agrees with that statement, and if in his opinion the bill would cover the situation?

Mr. JOHNSON of Texas. I will say to the Senator that we have given a great deal of thought and debate not only in the hearings but in the marking up of the bill to the very subject the Senator has brought out. It was contemplated under the administration bill that the President would make these decisions. It was thought that where there was any question to be resolved the President of the United States would resolve it. The operating head was expected to be the civilian director, but it was thought the President would have to resolve any differences which occurred under clause 3, page 21, line 6 of the bill, which states: "Designate responsibility for major aeronautical and space projects, determine any questions arising in connection therewith, and resolve any differences as to whether any particular project is an aeronautical and space activity."

We do not anticipate that will take a great deal of time, but we think it is a top policy decision and we believe the best brains in our Government ought to determine what should be done and, under the direction of the President resolve any disputes which may arise.

We think the Secretary of State, the Chairman of the Atomic Energy Commission, and the Secretary of Defense are all going to be vitally affected, and will want to participate in the far-reaching decisions of policy as they pertain to such departments. Instead of having a civilian one-man staff director make the decision, instead of having the President resolve the differences

which exist, we said, in effect, that the President ultimately probably will have to resolve the differences, but we were going to give him efficient machinery of his own selection and of his own appointment possessed with a wealth of information in these fields: Nuclear propulsion, the Chairman of the Atomic Energy Commission; defense, the Secretary of Defense; space, the Space Director; international problems, the Secretary of State.

We felt we should provide the President with specific machinery for making overall recommendations and decisions. We do not think it will take too much time. We do not think it will be an all-consuming task. We think it will be much like asking the chairmen of the various committees to sit in on the space hearings. Their day became a little longer, but it is a very important field, touching upon almost every major activity of Government.

We think we have provided guarantees. The Senator must bear in mind that the Board is not an operating agency. The Space Policy Board has no operational functions; it is a Policy Board, such as a board in a business firm which meets to say, "Here are the policies." This Board is similar to the National Security Council.

Mr. STENNIS. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield for one more question.

Mr. STENNIS. I think the explanation of the Senator from Texas is reassuring. I have no alternative plan to present. I bring the matter up to emphasize the Congressional thought that it is believed it is necessary to have actual active participation in these decisions, and if the gentleman selected cannot do so on that basis they ought freely to so state.

I should like to ask a question with reference to page 6 of the report.

> The bill divides responsibility for aeronautical and space activities of the United States by providing (1) that the Department of Defense shall be responsible for and shall direct such activities which are "peculiar to or primarily associated with the development of weapons systems or military operations."

Who is going to make that decision? Where is the dividing line to be?

Mr. JOHNSON of Texas. The committee has written the guideline in the English language, as clearly as possible based upon our knowledge of what it means, and our interpretations. Also it is based upon suggestions submitted by the officials concerned who are members of the administration. It is acceptable to the Bureau of the Budget. That is the guideline.

But for the purpose of determining any questions arising in connection therewith, and resolving any differences as to whether any particular project is an aeronautical or space activity, the Board will resolve them. Ultimately the President of the United States will resolve the differences, if it is desired to carry the question to him.

Mr. STENNIS. That would be one of the top policy decisions to which the Senator referred a while ago.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. STENNIS. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield for a brief observation?

Mr. BRICKER. I yield.

Mr. HUMPHREY. I wish to note for the RECORD that several Members of this body—and I have talked with a number of colleagues with respect to the joint committee which it is proposed to establish—very much hope that the joint committee idea will prevail. As I understand, the other House does not provide for a joint committee. I hope the conferees on the part of the Senate will insist upon the joint committee, because it seems to me to be a highly desirable idea.

Mr. BRICKER. Mr. President, of course this is a matter of real urgency. There has always been an appeal to mankind, from the earliest days when he exhibited intelligence, to migrate into new places, and to explore unknown fields. Evidently the same impulse prevails today, even when most of the hitherto unexplored places of the world have been at least visited. More things are learned from day to day about the universe. There is a desire not only on the part of our people, but of all the people of the world, to find out what there is in outer space which might be of benefit to mankind.

At the beginning of this consideration I attended practically all the meetings of the committee. I was present at the time the bill was marked up; and a thorough discussion was had on the controversial issues referred to on the floor of the Senate. Differences were resolved in the public interest, and in the interest of promoting the program, which will be so essential in the days to come.

In the beginning I was convinced that there was one thing I desired to do, and that was to protect the military interests, the defense of the United States.

Second, I wanted no interference with the Atomic Energy program, which has been conducted very successfully under the direction of the Commission created by the Congress.

I remember that in the very beginning of the discussion relating to the Atomic Energy Commission, and the approval of the nominations made by the President, the man nominated to be Chairman stated that 98 percent of the activities of the Atomic Energy Commission, as of that time, would be in the military field. It was a program for the defense of the people of the United States, and for the utilization for war purposes of the new power created by the mind and hand of the scientist.

I think I can report to the Senate today that the people of the United States understand that the peaceful uses of atomic energy within the past year have saved the industrial and agricultural interests of this country at least $1 billion. Some estimates run higher.

In the field of human health and personal welfare, the alleviation of pain, and the prevention and cure of disease, we cannot place a dollar tag on the creative work of the Atomic Energy Commission as a result of its research in the field of atomic energy, and particularly in the field of the isotopes.

The pending bill does protect the military responsibilities and the defense of our country. That is the way I want it. Even though the primary emphasis is upon the military, and only incidentally upon scientific interest on the part of the Atomic Energy Commission, nevertheless I hope that within years to come—the next ten or twelve years—the civilian benefits, the benefits to the people, will be even as great as those resulting from the activities of the Atomic Energy Commission.

I wish to compliment the distinguished chairman of the committee, Mr. JOHNSON of Texas, upon his leadership in this field. He has been aggressive, He has been forceful. He has kept everyone constantly at work on the job—not only members of the committee, but witnesses as well.

When the meeting was held to write up the bill I was in the frame of mind that I did not wish haste to create delay, and at the time of the hearing I objected to some of the provisions of the patent section. I did likewise today.

I know of no field of the law in which there is more complication, in which there is more detail and classification of the various provisions of the law, or in which there is more highly specialized activity then in the field of patent law. I believe that other lawyer Members of the Senate will confirm what I say when I state that very few general practitioners are in a position to criticize the patent provisions of the bill, or to make constructive suggestions, without a thorough consideration of the various provisions.

As a result of that feeling, and of the opposition which I have heard from patent lawyers in various parts of the country, I asked the distinguished chairman, the Senator from Texas [Mr. JOHNSON] if he would not delete that section, so that there might be an opportunity in conference to consider the objections which have been made, and perhaps devise a more constructive provision.

It is different from the atomic energy section. It varies somewhat from the law of the country with regard to the ordinary relationship between the individual employee and his employer. A new trail is being blazed in connection with the relations between the Government and scientists employed by it, on the subject of patents.

I wish to thank the chairman of the committee for going along with us. He offered to talk this subject over with me at the time of the meeting of the committee. I shall accept his invitation to present any constructive suggestions on the bill—and I am sure they will be constructive—before the bill goes to conference.

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

Mr. BRICKER. I yield.

Mr. SALTONSTALL. Is not the relationship of a man who may discover something new in space research, on which he can obtain a patent, different from that in civilian research activities?

Almost assuredly he will be an employee of some Government agency or engaged in work supported or directed by a Government agency when he makes his discovery.

Mr. BRICKER. That is altogether true. Yet the relationship of an employee of the Government, as it affects his creation or invention, and the obtaining of a patent for his creative work, is vitally important.

It is possible that the bill adequately covers the situation; but what I wish to do, if possible, is to protect the Government in all its rights which arise by reason of the expenditure of Government money. Yet, in doing so, I do not wish in any way to inhibit the creative urge on the part of the scientists to do something which may ultimately result in some benefit to him.

The chairman of the Armed Services Committee knows that several years ago we made provision for the payment of approximately a quarter of a million dollars to certain scientists who had invented or created one of the atomic energy schemes, and had obtained a patent on it. As a result, they were rewarded. I want a man who works on his own to have an opportunity for such reward, even though his work may be related to some Government activities in the space field.

I think the bill is a good bill. I believe that its provisions can be supported, not only on the floor of the Senate, but in conference. I hope it will be enacted in substantially its present form. I assure the chairman of the committee that if I have any constructive suggestions I shall send them to him in the course of a day or so—at least before the conference.

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

Mr. BRICKER. I yield.

Mr. JOHNSON of Texas. First, I wish to express my deep appreciation and gratitude to the Senator from Ohio for the undeserved compliments he paid me.

Second, I wish to thank the Senator for the constructive contribution he made during the hearings and the marking up of the bill. We shall lean heavily on him in the days ahead for advice and counsel, before we finally send the legislation to the White House.

I have served with the Senator from Ohio for many years in the Senate. During many of those years I have served on the same committee with him. I have always found him to be diligent, intelligent, and dedicated. I shall await with interest any suggestions he may care to make.

Mr. BRICKER. I thank the Senator from Texas for his kind remarks. I deeply appreciate them.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I shall take only a moment. I realize that there is a keen desire to get on with another bill.

On January 9, 1958, I introduced Senate Concurrent Resolution 53, to bring about the establishment of a Joint Committee on Earth Satellites and the Problems of Outer Space. It dealt with the very subject we are discussing today.

Of course, I shall not repeat the arguments so eloquently made by my colleagues with respect to the critical importance of dealing with this subject. I am very glad that we are dealing with it. I appreciate also the desirability for emphasis on Senate action, rather than stopping here to dot i's and cross t's.

I feel that one point of importance should be clarified in connection with this subject, with respect to which I should like to ask a question of the Senator from Texas, who has shown such very fine leadership in respect to this whole matter. I note that the bill, unlike the House bill, provides for a joint committee. That is all to the good. I note also that there is a difference of view as to the composition and the authority and the emphasis upon military questions of the National Aeronautics and Space Policy Board. I note also the rather interesting identity of authority between the Board and the executive department and the joint committee and the legislative branch of the Government. For example, both bills start off with the desirability of conducting a continuing survey of the plans, programs, and accomplishments of all agencies of the United States engaged in aeronautical and space activities.

I would, therefore, like to ask the Senator from Texas, so that the record may be clear, whether he believes, as the sponsor of the bill, that the joint committee would have the right to maintain legislative oversight over the Board. If that is the case, it would represent a great assurance to those who feel that the Board may be somewhat weighted in the military direction.

Mr. JOHNSON of Texas. The answer is Yes. I should like to say to the Senator that I was aware of his resolution and that I appreciate the interest he has in this field. He is always constructive and forward thinking. The committee has given consideration to the ideas he advocates. The joint committee named in the measure pending before the Senate is not identical with the plan of the junior Senator from New York. It is very similar, and we have borrowed from his ideas. We felt that the joint committee, if in its wisdom Congress decides to establish it, will have oversight jurisdiction, and it is given such jurisdiction. We feel that is a very necessary and desirable part of the joint committee's functions.

Mr. JAVITS. I thank the Senator.

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

Mr. JOHNSON of Texas. I yield.

Mr. CARLSON. I should like to ask a question of the Senator from Texas. Am I to understand that the National Advisory Committee for Aeronautics will be absorbed by the National Aeronautics and Space Agency?

Mr. JOHNSON of Texas. That is correct. The National Advisory Committee for Aeronautics is to be absorbed by the National Aeronautics and Space Agency.

Mr. CARLSON. The Senate last week concluded action on the classified pay bill, and I believe the House will act finally on it today or tomorrow, and it will then go to the President. In that bill we created 75 new supergrade positions for the National Advisory Committee for Aeronautics. In the pending bill not more than 190 supergrade positions are created. Does the Senator believe that after the Classified Pay Act becomes law, with 75 additional supergrade positions for the National Advisory Committee for Aeronautics, that that number would be in addition to or less the number of such positions provided by the pending bill?

Mr. JOHNSON of Texas. The House, as the Senator from Texas understands, provided for 260 such positions. Following the action taken by Congress on the pay bill, largely at the behest of the Senator from Kansas, the committee, instead of incorporating in the bill the House figure of 260, incorporated the figure which is now in the bill, 190. We acknowledge the jurisdiction of the Committee on Post Office and Civil Service, and the desirability of that committee carefully determining how many top-flight positions should be provided. As I recall, under the administration recommendation, there was no limit placed on either the number or the compensation to be paid. We felt, in view of the House action in providing 260, and in view of the action of Congress in providing 75 just a short time later, for the National Advisory Committee for Aeronautics, that we should reduce the figure and go to conference with the House on that figure, and attempt to determine with the aid of those who are in a position to know the minimum number that would be required.

Mr. CARLSON. I have no knowledge of the number that will be needed in the new Space Agency, but the National Advisory Committee for Aeronautics has been operating with 30 supergrade positions, and last week we gave them 75 additional supergrade positions. I am not saying that the new Agency should have 190 or 290, but I do wish the record to show that one committee of Congress has recommended 75 additional positions. I trust that when the committee of conference meets, it will give some consideration to the fact that there were 75 positions approved, in addition to the 30 that the National Advisory Committee on Aeronautics has been operating with; and if 190 additional positions are needed, that additional number should be provided. I would urge the distinguished majority leader to give some thought to that point when he goes to conference on the pending bill.

Mr. JOHNSON of Texas. I thank the Senator for his always helpful contribution. What we expect to do in conference is to determine what is needed, and then present the matter to the committee so well served by the Senator from Kansas, and finally determine whether the number should be 260 or 290, or whatever number it should be.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the

Special Committee on Space and Astronautics be discharged from the further consideration of H. R. 12575 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12575) to provide for research into problems of flight within and outside the earth's atmosphere, 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 House bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all after the enacting clause of the House bill be stricken out and there be substituted therefor the text of S. 3609, as amended.

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

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

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

The bill (H. R. 12575) was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move that Senate bill 3609 be indefinitely postponed.

The motion was agreed to.

Mr. KNOWLAND. Mr. President, I move that the vote by which the space bill was passed be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate insist upon its amendment, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. YARBOROUGH in the chair) appointed Mr. JOHNSON of Texas, Mr. RUSSELL, Mr. GREEN, Mr. MCCLELLAN, Mr. MAGNUSON, Mr. BRIDGES, Mr. WILEY, Mr. HICKENLOOPER, and Mr. SALTONSTALL conferees on the part of the Senate.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President, I am informed that the distinguished Senator from South Dakota [Mr. MUNDT], on behalf of himself and the Senator from Mississippi [Mr. EASTLAND], has an amendment which he desires to call up. The Senator has asked for the yeas and nays, and I have assured him that I will cooperate with him in that request.

Mr. MUNDT. Mr. President, I call up my amendment designated 6-14-58-C, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 40, line 16, it is proposed to strike out the comma following "(f)" and insert the word "and" in lieu thereof, and strike out the comma following "(g)" and the words "and (h)".

On page 40, beginning with the word "the" in line 20, strike out all down to and including line 23 on page 40, and insert in lieu thereof the following: "sections 9 (f), (g), (h)" and inserting in lieu thereof: "section (h)".

On page 43, between lines 13 and 14, to insert a new section numbered 611, as follows:

SEC. 611. No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by an employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by an employer under subsection (b) of section (10), unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by such employer, its officers if it is a corporation, that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or does not support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 1001 of title 18 of the United States Code shall be applicable in respect to such affidavits.

Renumber present section 611 as section 612.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MUNDT obtained the floor.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MUNDT. Mr. President, I yield to the Senator from New Jersey provided I do not lose the floor and that the time consumed by him will come from the general time on the bill allocated to the minority leader.

The PRESIDING OFFICER. Does the minority leader agree that the time consumed by the Senator from New Jersey will come from the time on the bill controlled by the minority leader?

Mr. DIRKSEN. That is agreeable.

Mr. SMITH of New Jersey. Mr. President, I wish to make a statement concerning the amendments I offered on behalf of the administration on last Thursday. I am not now referring to other amendments offered by myself and other Senators earlier in the day. All the amendments to which I am now referring were printed in the RECORD of Thursday, June 12, beginning on page 11002.

I am now referring to the 18 amendments which were recommended by the administration. Of that number, 2 were rejected and 7 were accepted. So a total of 9 of those amendments have been disposed of. Nine of those 18 administration amendments remain on the table.

To expedite matters, I shall simply make a brief statement, but I do not propose to call up any more of the amendments. I shall let them lie on the table.

Before the debate on the bill is closed, I propose to make a statement summarizing the purpose of the amendments that I introduced and those recommended on behalf of the administration, including those adopted and those rejected.

I have made this statement so that it will be understood that as of today I shall not call up any more of the administration's amendments which are now on the table.

The PRESIDING OFFICER. Does the Chair understand that the Senator from New Jersey waives the nine amendments remaining?

Mr. SMITH of New Jersey. That is correct.

PRIZE-WINNING ESSAY BY TONY DAVID, FORMER SENATE PAGE

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from South Carolina for the purpose of an insertion in the RECORD.

Mr. JOHNSTON of South Carolina. I ask unanimous consent that I may be permitted to speak for 1 minute.

Mr. MUNDT. I yield, with the understanding that the time for the statement will come from the time allotted to the majority leader.

Mr. JOHNSON of Texas. I yield 1 minute from the time on the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I think we would all agree that the opportunity to serve as a page in the Senate or in the House is a rewarding opportunity for any boy. A recent event is ample evidence that the debates which take place in the Senate Chamber have added to the knowledge and background of at least one of our pages. Tony David, who served last year in the Senate and who is now a page in the House of Representatives, was listed in the Washington Post of May 25, 1958, as the first-prize winner in an essay contest sponsored by the Washington Board of Trade. The judges tell me that Tony's essay was the only one which called attention to the main economic problem faced by the

District of Columbia—its small tax base. This is not news to those of us who vote annually on the contribution of the Federal Government, which occupies 43 percent of the land in the District of Columbia, to the District of Columbia budget. But apparently it is not taught in the schools

Mr. President, I ask unanimous concent that Tony's winning essay be printed at this point in the RECORD.

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

WHY GREATER METROPOLITAN WASHINGTON SHOULD BECOME A MAJOR OCEAN PORT

(Prize-winning essay by Tony David, Washington, D. C., Capitol Page School)

With a large percentage of its land occupied by Federal bulidings and, therefore, off the tax rolls, Washington, more than most cities, needs to exploit every potential asset.

Port development is a major unrealized asset for Washington. We have a tidewater location. We have one of the Nation's best systems for transporting by road or rail cargoes destined for points north, south and west of Washington, as well as for the metropolitan areas. Those cargoes would come here, as they did many years ago when ships were far smaller, if the Potomac Channel were widened and deepened. Now Washington's shipments of heavy freight from west coast and foreign ports are landed in New York and Baltimore and come here over the road at extra cost.

Like the horseshoe nail for want of which a battle was lost, lack of proper port facilities is depriving Washington of major assets in the battle of the tax base. Unquestionably new industries, new employment, new purchasing power, new profits, and, of course, new sources of tax revenue, would follow development of Washington's port potential.

TRANSFER OF AMERICAN SHIPPING TO FOREIGN REGISTRY

Mr. WILLIAMS. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I shall be happy to yield.

Mr. KNOWLAND. Mr. President, I yield to the Senator from Delaware 5 minutes on the bill.

Mr. MUNDT. That will be satisfactory; or I, also, will be willing to yield time to the Senator from Delaware.

The PRESIDING OFFICER (Mr. COTTON in the chair). The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS. Mr. President, on August 29, 1957, there was called to the attention of the Senate the fact that the Maritime Commission had entered into a contract with Mr. Aristotle Onassis for the purchase of 14 vessels at a reduced price, with the proviso that they would be sailed under the American flag; but that later, when the Maritime Commission gave him authority to transfer the ships to foreign registry, he automatically made a windfall profit of $20 million.

The Maritime Commission attempted to justify that decision on the basis that it was making a contract with Mr. Onassis whereby he would build 3 supertankers, at a cost of approximately $50 million, and that these ships would be kept under our flag.

I took exception to that argument, and pointed out that the contract contained, in fine print, a proviso that the contract could be canceled for an $8 million forfeit. In other words, Mr. Onassis could make the windfall profit of $20 million if he carried out the contract; but if he reneged on the contract, and was required to pay only $8 million, he would still profit to the extent of $12 million. In short, the ruling made by the Maritime Commission would be worth not less than $12 million to Mr. Onassis and perhaps $20 million. The Government was strongly advised not to agree to these terms.

It now comes to light—as shown by a news dispatch on last Friday—that Mr. Onassis is canceling the contract and is being sued by the Maritime Commission for $8 million. I ask unanimous consent to have the excerpt from the news dispatch printed at this point in the RECORD.

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

The Justice Department filed a multimillion-dollar damage suit today charging that the shipping interests of Aristotle Socrates Onassis repudiated an agreement to build three new supertankers for American ownership. The ships, to cost $50 million, were to be built in American shipyards.

The suit, filed in Federal court at New York, named as defendants Alexander S. Onassis Corp., Victory Carriers, Inc., and Grace National Bank of New York, a trustee for Onassis shipping interests. The Onassis Corp., is named after the shipping magnate's American-born son.

Assistant Attorney General George Cochran Doub, who heads the Department's civil division, said the suit is an outgrowth of a previous settlement agreement with the Greek-born multimillionaire shipping magnate who makes his headquarters at Monte Carlo.

Doub explained that years ago the Government had filed a suit against Onassis for recovery of 21 vessels—two Liberty ships and 19 tankers—purchased by Onassis-owned American corporations after World War II.

The Government charged Onassis, an alien, had purchased the ships in violation of a 1916 act which specifies sale of such vessels to citizens only.

An out-of-court agreement was reached in December 1955, under which Onassis agreed to pay the United States Government $7 million in addition to the $15 million he had already paid as the purchase price for the vessels.

In addition Onassis was required to turn over 75 percent of the stock of his shipowning corporations to Grace National Bank, which was to be a trustee. This was done in August 1956.

Since then, Doub said, the Grace Bank has been operating the vessels for Onassis' American-born children.

The suit charges that Grace National notified the Maritime Administration last April that it was canceling the shipbuilding program because of the depressed condition of the tanker market and the shipping industry. It said the cancellation violates the agreement with the Government.

Mr. WILLIAMS. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the letter dated July 9, 1957, which I received from the Maritime Administration, in which it attempted to justify its contract on behalf of the United States Government.

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

UNITED STATES
DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION,
Washington, D. C., April 9, 1957.

Hon. JOHN J. WILLIAMS,
United States Senate,
Washington, D. C.

DEAR SENATOR WILLIAMS: The receipt is acknowledged of your letter of March 25, 1957 enclosing a copy of an article which appeared in the Wilmington Morning News of March 15, 1957, concerning a proposed arrangement between the Maritime Administration and Mr. Aristotle S. Onassis involving the construction of new tankers. In connection therewith you request a complete report on the transaction, with particular reference to certain phases thereof, as listed in your letter.

On December 10, 1956, the Maritime Administrator granted approval in principle, pursuant to sections 9 and 37 of the Shipping Act, 1916, as amended, of the transfer to Panamanian or Liberian ownership and Panamanian or Liberian registry and flag of 11 United States flag T-2 tankers, the tanker *Olympic Games* and 2 Liberty dry-cargo ships, in consideration for the construction in the United States by United States Petroleum Carriers, Inc., or any United States affiliate or subsidiary thereof, for United States documentation and operation of 3 new tankers aggregating not less than 198,450 deadweight tons, as follows: One to be 100,000 deadweight tons or more, with trial speed of 18.5 knots and service speed of 17.5 knots; and 2 of the *World Glory* type to be of 46,000 deadweight tons or more, with speed of 16.9 knots or more.

The above approval in principle was subject to the terms and conditions set forth in part I, paragraph "B" and part III, paragraph "A" of the notice of policy setting forth the Maritime Administration's foreign transfer policy, effective November 5, 1956 (copy attached).

On January 25, 1957, the Maritime Administration formalized the approval granted in principle on December 10, 1956, of the "trade-out-and-build" proposal described above, by the execution of appropriate contracts with respect to the new ships, and also with respect to the vessels to be transferred to Liberian registry and flag. The Maritime Administration's transfer orders, in evidence of its approval pursuant to sections 9 and 37 of the Shipping Act, 1916, as amended, have been issued for 12 of the vessels—the remaining 2 orders, covering 2 Liberty dry-cargo vessels, are to be issued upon payment of the mortgage indebtedness due the Maritime Administration with respect to each ship. Attached is copy of executed contract No. MA-1439 dated January 25, 1957, between the Department of Commerce, Maritime Administration, and Victory Carriers, Inc., with respect to the construction of the three new tankers, namely, Builder's Hulls Nos. 1671, 1672, and 1681. This contract contains the essence of the Maritime Administration's approval of the "trade-out-and-build" program of Victory Carriers, Inc. Your attention is called to paragraph 2 of said contract, which provides for the payment of liquidated damages to the Maritime Administration, in the event the new ships are not constructed and documented under United States laws within the time limit prescribed.

Listed hereunder are the answers to your specific points of inquiry concerning the subject proposal:

1. The name of the company, a list of the officers or directors, and the amount of actual paid-in capital by the stockholders.

A. The name of the corporation which was agreed to construct the three new ves-

sels for United States documentation is Victory Carriers, Inc., which is a Delaware corporation with an authorized capital of 2,000 shares of no par value stock, all of which has been issued and is presently outstanding and is owned by United States Petroleum Carriers, Inc. The officers and directors of Victory Carriers, Inc., are: Granville Conway, president and director; Nicolas Cokkinis, vice president and director; Peter Spalding, vice president; Thomas R. Lincoln, vice president; Charles S. Cunningham, director; John C. Griswold, director; Edmond J. Moran, director.

United States Petroleum Carriers, Inc., is a Delaware corporation with an authorized capital of 1,000 shares of no par value stock, all of which has been issued and is presently outstanding. Seven hundred and fifty shares of the stock are held by Grace National Bank of New York, as trustee of the trust established under agreement dated August 10, 1956, between Aristotle S. Onassis, an Argentine citizen, and said bank (referred to as the trustee of the Onassis Trust). The remaining 250 shares are owned by Sociedad Industrial Martima Financiera Ariona, Panama, S. A., a Panamanian corporation. The latter corporation is owned or controlled by Mr. Aristotle S. Onassis and Messrs. N. Konialides, an Argentine citizen, and C. Konialides, an Uruguayan citizen.

2. The total expected cost of the tankers, broken down per ship:

A. On December 28, 1956 the Maritime Administration was furnished with an executed copy of construction contract dated December 13, 1956, by and between Bethlehem Steel Co. and Victory Carriers, Inc., which provides for the construction at Quincy, Mass., of two steel, single screw, steam turbine propelled, bulk oil tankers, builder's hulls Nos. 1671 and 1672, and one (1) steel, twin screw, steam turbine propelled, bulk oil tanker, builder's hull No. 1681, the total of maximum designed deadweights of such vessels to be about 198,450 tons.

As of March 8, 1957, Victory Carriers, Inc. had already paid $1,795,500 on account of the construction of these ships.

Under the construction contract the construction cost is $51,300,000, the contract price for the three vessels to be constructed. The construction contract also provides for the completion and delivery of the vessels as follows:

Hull No. 1671, on or before August 31, 1959.

Hull No. 1672, on or before January 31, 1960.

Hull No. 1681, on or before June 30, 1960, which dates are subject to the force majeure clause.

3. The extent of the Government financing, either in the form of construction differential, subsidy, or Government guarantees of mortgages.

(a) The interest rate involved in the guaranteed mortgage and the terms of payment.

A. There has been no financial assistance granted by the Maritime Administration in connection with the construction of the three new tankers by Victory Carriers, Inc., either in the form of construction differential subsidy, or insured mortgage guarantee, or other forms of Government aid.

4. The name of each tanker, Liberty ship, or other ship which the Maritime Administration has authorized transferred from American flag to foreign flag.

A. The names, owners, and types of United States flag vessels approved for transfer to Liberian registry and flag without change in United States citizen ownership, in connection with the new construction, are as follows:

United States, *Arickaree*, T–2 tanker, Petroleum Carriers, Inc., *Battle Rock*, T–2 tanker, *Camu Namanu*, T–2 tanker, *Fort Bridger*, T–2 tanker, *Lake George*, T–2 tanker, *Stony Point*, T–2 tanker.

Victory Carriers, Inc., *Heywood Brown*, Liberty cargo, *Lewis Emery Jr.*, Liberty cargo.

Western Tankers, Inc., *McKittrick Hills*, T–2 tanker, *Montebello Hills*, T–2 tanker, *William A. M. Burden*, T–2 tanker, *Olympic Games*, tanker.

Trafalgar Steamship Corp., *Federal*, T–2 tanker; *Republic*, T–2 tanker.

4a. With the name of each tanker or other type of ship include information as to the date this ship was constructed, the total construction cost, the date the ship was sold to Mr. Onassis or his company, and the net amount after all allowances received by the Government for such ship.

A. See attachment No. 2.

4b. The estimated valuation of each of these ships if placed under foreign flag and eligible for resale in world markets.

A. Under foreign registry the estimated valuation, on a restricted basis, of the 14 vessels will be: $3,400,000 for each T–2 tanker, and the *Olympic Games*, and $1,500,000 for each of the Liberty dry cargo vessels. However, these ships are not eligible for resale except with prior Maritime Administration approval.

5. If Mr. Onassis is merely transferring these tankers and Liberty ships to a foreign flag company of his own, then I want this information:

A. On January 29, 1957, the Maritime Administrator approved, in principle only, the transfer of the above-listed vessels, after their documentation under Liberian flag, to a Liberian corporation or corporations to be formed. The Maritime Administrator's approval in principle contemplated that the President and a majority of the directors of the said corporation or corporations would be citizens of the United States, that 75 percent of the stock in said corporation or corporations would be owned by a trustee for the benefit of the children (United States' citizens) of Mr. A. S. Onassis, and that the trustee so appointed for the children would be an individual or corporation acceptable to the Maritime Administration.

5a. The amount of money involved in the transfer and the names of the companies being transferred from and to.

A. The approval granted in principle on January 29, 1957, as referred to above, has not yet been formalized and the amount of purchase price or other monetary consideration involved in the proposed transfer of ownership, as well as the name or names of the Liberian purchasers or transferees, has not yet been filed with the Maritime Administration.

5b. After being transferred to one of his foreign flag companies would he need any further permission from the Maritime Administration if he desired to sell them in the world market?

A. The Maritime Administration has statutory control, under section 37 of the Shipping Act, 1916, as amended, so long as the present emergency exists, of the transfer to foreign ownership of the Liberian vessels. Pursuant to the terms of its formal approval of any transfer of these vessels to Liberian ownership, the Maritime Administration has contractual control over any subsequent changes in ownership of the vessels involved for the balance of the 20-year life of the ships, or for the duration of the national emergency, which ever is the longer period.

5c. The same information as to world market valuation as indicated in question 4b.

A. The answer to your question 5c would appear to be the same as the answer given to your question 4b.

Sincerely yours,

CLARENCE G. MORSE,
Maritime Administrator.

Mr. WILLIAMS. Mr. President, it is my understanding that the House Committee on Merchant Marine and Fisheries is investigating this case. I wish to have the RECORD show that I thoroughly agree with the committee that the circumstances surrounding the original award of the contract and the manner in which the Government's interests were not protected should be thoroughly examined.

There is no excuse for this example of almost complete disregard for the interests of the American taxpayers.

An explanation should be forthcoming, and I am glad the appropriate House committee is giving it their attention.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958

The Senate resumed the consideration of the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. HOLLAND. Mr. President, will the Senator from Texas yield 2 minutes to me?

Mr. JOHNSON of Texas. I yield 2 minutes on the bill to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, my constituents are expressing concern as a result of some difficulty with the interpretation, at least, on their part, of the provisions of section 604 (a).

Accordingly, we have prepared a question and an answer which have been agreed upon between the Senator from Massachusetts [Mr. KENNEDY] and myself. We hope this will clarify the matter. So I shall appreciate it if the Senator from Massachusetts will yield for a question at this time.

Mr. KENNEDY. I yield.

Mr. HOLLAND. Was it the intention of the committee that section 604 (a) shall require employers to enter into prehire agreements where the union had not been the recognized or certified bargaining agent of the employees involved?

Mr. KENNEDY. I shall answer the Senator from Florida as follows—and it is my intention, by so answering, to establish the legislative history on this question: It was not the intention of the Committee to require by section 604 (a) the making of prehire agreements, but, rather, to permit them; nor was it the intention of the Committee to authorize a labor organization to strike, picket, or otherwise coerce an employer to sign a prehire agreement where the majority status of the union had not been established. The purpose of this section is to permit voluntary prehire agreements. This is because of the inability to conduct representation elections in the construction industry.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator from Massachusetts, and also the distinguished majority leader.

The PRESIDING OFFICER. The question is on agreeing to the amend-

ment of the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, I ask unanimous consent that the amendment submitted by me, on behalf of myself and the Senator from Mississippi [Mr. EASTLAND], may be corrected for a typographical error, and I send the correction to the desk.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and the amendment will be corrected accordingly.

The amendment, as modified, is as follows:

On page 40, lines 16 through 23, inclusive, strike out all of section 607 and insert in lieu thereof the following:

"Section 607 (a) sections 9 (f) and (g) of the National Labor Relations Act, as amended, are hereby repealed, and subsection (h) thereof is hereby renumbered subsection (f).

"(b) Section 8 (a) (3) of the National Labor Relations Act, as amended, is hereby amended by striking out 'sections 9 (f), (g) and (h)' and inserting in lieu thereof 'section 9 (f)'.

"(c) Section 9 of the National Labor Relations Act, as amended, is hereby amended by adding the following new subsection:

"'(g). No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by an employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by an employer under subsection (b) of section (10), unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by such employer, including the partners if such employer is a partnership and the officers if such employer is a corporation or association, that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or does not support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 1001 of title 18 of the United States Code shall be applicable in respect to such affidavits'."

Mr. MUNDT. Mr. President, in brief, this amendment would reinstate the so-called anti-Communist oath, which has been in operation under the Taft-Hartley Act for the past 10 years. The amendment would extend identically the same oath to management and employers.

I do not know why, when the original Taft-Hartley Act was written, it was not made equally effective against employers and management. But for whatever reason—and I have heard a great many labor leaders complain about the inequity and unfairness of that, and I associate myself completely with that line of complaint—there is no reason in the world to impose upon labor an anti-Communist oath which is not equally applicable under the same circumstances to management. That is precisely what this amendment will do.

I may add that it will do it in the language which the Labor Committee itself suggested in 1954, and the amendment which was submitted to the Congress at that time, when the entire bill ultimately was recommitted to the committee.

At that time President Dwight D. Eisenhower in his message on labor legislation, said:

The Communist disclaimer provisions are not presently applicable to employers. I recommend that they be made applicable. Specific proposals for legislation dealing with Communist infiltration generally now are under study. If such legislation is enacted, making the Communist disclaimer provisions of the act unnecessary, I then will recommend that they be entirely eliminated.

I agree that the President is properly advised when he says this anti-Communist oath should be made applicable to both segments.

Mr. President, I point out the necessity of reinstating this Communist oath provision; and at the same time I commend organized labor for the considerable amount of progress it has made in the past 10 years in eliminating Communist elements from their unions; although, in fact, some unions have been kept entirely from having access to the National Labor Relations Board because of their refusal to take this Communist oath.

I think no Senator will say that the Communist menace has disappeared either from the United States or from the rest of the world. So, since it is fair, honest, and right that it be made applicable to management, as well as to employees, the Senator from Mississippi [Mr. EASTLAND] and I believe, first, that the anti-Communist oath, which was stricken from the committee bill, be reinstated; and, second, that it be extended also to include both management and labor.

Mr. EASTLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I am happy to yield to the Senator from Mississippi, who has been very helpful in connection with the amendment. In fact, I had originally submitted an amendment, and he called my attention to language which would tighten it up and make it more effective; and such language has now been included. So I am very glad to yield to my distinguished colleague.

Mr. EASTLAND. Does the Senator from South Dakota believe that unless the amendment is adopted, cases which have been prepared in several instances will have to be dropped?

Mr. MUNDT. That is correct, inasmuch as this provision has been the law for the past 10 years.

Mr. EASTLAND. Is the Senator from South Dakota also aware that eight or more persons have been convicted under this provision, and that some of them are serving penitentiary sentences, and that as to most of them, if this part of existing law is repealed, the parole boards would take that fact into consideration and probably would free those who have been convicted? Does not the Senator from South Dakota recognize that that is the strong probability?

Mr. MUNDT. There can be no question that that would certainly be an impelling argument for those who immediately would form organizations for the freeing of such persons.

Mr. EASTLAND. And Congress would be asked to enact legislation freeing them from the penitentiary.

Mr. MUNDT. In a television interview I had with Mr. Hoover, head of the FBI, which was released today, Mr. Hoover, in discussing the Communist menace to this country, pointed out that the menace is as significant today domestically as it has been at any time in the past 10 years during which the anti-Communist oath provision has been in effect. Mr. Hoover said:

The Communist Party, U. S. A., remains an inseparable arm of the international Communist conspiracy—just as it always has been. Now, as always, the Communists' ultimate goal is to destroy our Government by force and violence. The American people must not be misled by the party's hollow slogans and meaningless "double talk." In fact, the most rabid pro-Soviet forces recently have won virtually unchallenged control of the Communist Party. They now are consolidating their gains and making plans to further strengthen the party's bonds with the world Communist movement.

That is a quotation from what Mr. Hoover said, to which I should like to add by pointing out that the successes of Moscow in directing the dissolution of the Daily Worker in New York, in order to get rid of a recalcitrant editor whom they could not completely control should indicate to anybody how the long arm of international communism dips into the affairs of this country in order to implement Communist desires.

I felt that the Committee on Labor and Public Welfare perhaps through inadvertence had suggested that the anti-Communist oath requirement be stricken from the Taft-Hartley Act. I am hopeful the committee will not resist the attempt at restoration of that provision and an extension of it to include, as it should have included in the first instance, employers on the same identical basis with employees.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. SMITH of New Jersey. As a member of the committee, I am interested in the last statement of the Senator. I am not in any way speaking for the administration. I did represent the administration in offering the admendments which have been printed in the RECORD. I am speaking now as an individual Senator. I do not know what the administration's final feeling is on this matter—perhaps the Senator from South Dakota does. I understood that the committee felt the anti-Communist oath provision had outlived its usefulness because it did not seem to be effective, and that it would be wiser to strike it out than to require employers as well as employees to take the oath. Can the Senator enlighten us on that point?

Mr. MUNDT. I assume the administration is now as adamantly against communism as it was when the Chief Executive gave his admonitions to the Congress of the United States in 1954, when he said the Communist disclaimer provisions are not presently applicable to employers. I recommend that they be made applicable. Certainly there is nothing in the picture to indicate that

there is less danger from communism now than there was 10 years ago, when the Taft-Hartley Act was enacted.

Mr. SMITH of New Jersey. I do not think that is the question. The question is whether the Senator thinks the oath is doing any good, or whether it is ineffective.

Mr. MUNDT. It is doing a lot of good. We received testimony from Walter Reuther before the Select Committee on Improper Activities in the Labor or Management Field that in the utilization of the anti-Communist oath and in the utilization of the devices the UAW has employed to implement the oath, and to expose and eradicate Communists, the UAW has had a great deal of success in weeding Communists out of echelons of the UAW over which the international has control. The UAW has had less success in some of the locals, because it does not have the direct control over them that it has over its representatives in its official family. But by utilizing the existing tools of Government and union policy the UAW has made progress against Communists. I, for one, want to retain and strengthen these tools rather than scrap and destroy any of them.

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

Mr. MUNDT. I yield.

Mr. KNOWLAND. I think the Senator from South Dakota has made a constructive suggestion. What bothered a great many persons about the original anti-Communist oath affidavit required under the Taft-Hartley Act, and which I think caused a great many members of organized labor properly to take offense, because they felt it was unsound and unfair to require the oath of labor representatives, but not of employer representatives. To that extent it appeared to be one-sided, and perhaps even as casting a reflection one way, when the great body of American labor is as vigorously opposed to communism as is any other group of American citizens. Certainly, no employer or management representative should hesitate to sign a similar oath, provided he is not affiliated with a Communist organization. I think so long as the oath is made applicable to both sides of a contract, there cannot be a legitimate objection raised to the present provision of the Taft-Hartley Act.

Mr. MUNDT. I may add, along that line, that I have discussed this matter a great deal with organized labor. To their credit let it be said that I do not recall any of them opposing the application of this oath to labor, but they have rightfully and justifiably, in my own judgment, protested that it was made applicable to labor alone and not to management.

As a Member of the House when the Taft-Hartley law was enacted, I said at that time I thought the requirement should be made applicable equally to employers and employees. Be it said in behalf of the fact that the oath was not made applicable to employers at the time the Taft-Hartley law was enacted that we then had testimony and evidence showing that there then were some labor organizations led by Communists, but we did not at that time have available specific evidence that management was led by Communists. Such evidence might or might not become available, but certainly today, when we are trying to see that the security of the United States is safeguarded, in an era when we are dealing with missiles, atomic weapons, Explorers, and Vanguards, it is important that such an oath be made equally applicable to management and labor.

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

Mr. MUNDT. I yield.

Mr. ALLOTT. First of all, I should like to ask which officers would be required to file an oath in the event the Senator's amendment should be adopted.

Mr. MUNDT. In the case of management—and I presume that is the part to which the Senator makes reference——

Mr. ALLOTT. Yes.

Mr. MUNDT. In the case of management, it would be made applicable to employers themselves in the case of employers. When an employer was a corporation, it would then be made applicable to the officers of the corporation. That would be covered by the charter of a corporation, and anybody listed as an officer of a corporation in a charter would be covered by this proposal.

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

Mr. ALLOTT. Does the Senator desire me to yield to him?

Mr. EASTLAND. I wanted to place in the RECORD a list of the indictments and dispositions of cases under this particular section.

Mr. ALLOTT. I am willing to let the Senator proceed.

Mr. MUNDT. I am happy to have the Senator place the matter in the RECORD.

Mr. EASTLAND. I desire to read it. So that Senators may know what is involved here, I wish to call attention to some of the cases under the statute in question, and explain the present posture of these cases.

Walter Cornelius Lowman, Jr., of Ohio, an official of the United Electrical, Radio, and Machine Workers Union—U. E.—was convicted of a violation of section 9 (h) of the National Labor Relations Act. His conviction was reversed on the basis of the Supreme Court decision in the Jencks case. Lowman now is being retried for the same offense. In that instance Mr. Lowman would be discharged if the statute were repealed.

Lee Brown, of Louisiana, an official of Harry Bridges' International Longshoremen's and Warehousemen's Union, was convicted on March 27, 1958, in the United States district court for the eastern district of Louisiana, for violating section 9 (h) of the National Labor Relations Act. His case is now awaiting appeal.

If we repeal the law, Mr. Brown will be turned loose.

Maurice E. Travis of the Mine, Mill, and Smelter Workers Union was convicted of a violation of section 9 (h) of the law, the conviction subsequently was reversed under the doctrine of the Jencks case, and Travis was retried and reconvicted on February 5, 1958. Appeal in his case is pending.

Newell Chilton Sells of Colorado, a UAW official, was convicted under section 9 (h) on March 27, 1958, and still is awaiting sentence.

Avilo Allison Fisher, an official of the International Woodworkers of America, was indicted for violation of section 9 (h) and was convicted in the United States District Court for the Western District of Washington. The court of appeals ordered a new trial, and he was retried and reconvicted, and his case is now up on appeal.

The PRESIDING OFFICER. The Chair is compelled to inform the Senator from South Dakota that his 15 minutes have expired.

Mr. MUNDT. May I suggest, Mr. President, that the Senator from Mississippi may require more time, and that he be permitted to continue on his own time, if time is available?

Mr. EASTLAND. I ask for an additional 5 minutes.

The PRESIDING OFFICER. The use of time will be dependent upon who has control, on the other side.

Mr. McNAMARA. Mr. President, I am glad to yield 5 minutes on the bill to the distinguished Senator from Mississippi, so that he may complete his statement.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for an additional 5 minutes.

Mr. EASTLAND. I thank the Senator.

In Ohio, 8 persons were indicted for conspiring to violate section 9 (h) of the National Labor Relations Act. They were James E. West, Edward Joseph Chaka, Andrew Remes, Hyman Lymer, Sam Reed, Eric Reinthaler, all Communist Party functionaries; Marie Reed Haug, of the UE; and Fred Haug, of the Mine, Mill and Smelter Workers Union. Seven of these eight—all but Chaka—were convicted, and their cases are pending appeal. Marie Reed Haug and her husband, Fred Haug, were also separately indicted for direct violation of section 9 (h), and their trial is pending.

John J. Killian of Chicago, an official of the United Electrical, Radio, and Machine Workers—UE—was indicted and convicted for violation of section 9 (h), the case was reversed under the Jencks decision, he was retried and convicted May 2, 1958; and the case is pending on appeal.

Everest Malvin Hupman, of Ohio, UE; Hugh Bryson, of California, Marine Cooks and Stewards Union; and Olga Zenchuk, of Michigan, Packinghouse Workers Union, all were convicted for violation of section 9 (h) of the National Labor Relations Act. The first two are serving prison terms, while Olga Zenchuk was put on probation.

Bruno Maze, an official of the United Auto Workers, in the United States District Court for the Eastern District of Michigan pleaded guilty to violation of section 9 (h), and was placed on probation.

Clinton E. Jencks of the Mine, Mill, and Smelter Workers Union was tried for violation of section 9 (h), and convicted, but the conviction was then reversed; and after the Government's attorneys decided that the Supreme Court's decision made it impossible to retry Jencks with any hope of securing a conviction, his case was dismissed.

Ben Gold of the Fur Workers' Union also was tried for a violation of section 9 (h), and was convicted, but was freed when the Supreme Court ruled that the action of an agent of the FBI in contacting a member of the jury about a matter having nothing to do with Gold's case nevertheless was prejudicial to Gold.

Anthony Valenti, of the Food, Tobacco, Agriculture and Allied Workers Union, one of the first persons indicted for violation of section 9 (h), had his case dismissed on a question of venue.

Out in Denver a man named Bezzati and 13 other officers of the United Mine, Mill and Smelter Workers Union have just been indicted for conspiracy to violate section 9 (h) of the National Labor Relations Act, and their trial is pending.

All of these malefactors I have mentioned who have been convicted for a violation of section 9 (h) of the National Labor Relations Act, all of those who have been indicted or reindicted and are still to be tried, and all of those who have in fact violated this law but have not been indicted, will be helped if we act here to strike section 9 (h) from the law books. I do not believe Senators have any real desire to give aid and comfort to these servants of communism who are at one and the same time the enemies of this country and the exploiters of the rank-and-file members of the unions they have purported to serve.

Mr. DIRKSEN. Mr. President, is my understanding correct that the time of the Senator from South Dakota [Mr. MUNDT] has expired?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Mr. President, I shall be glad to yield the Senator 2 minutes on the bill.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. DIRKSEN. Or more, if desired.

Mr. MUNDT. Mr. President, will the Senator yield 5 minutes to me?

Mr. DIRKSEN. I yield 5 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. McCLELLAN and Mr. ALLOTT addressed the Chair.

Mr. MUNDT. I yield first to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I wish to express my gratitude to the Senator for offering the amendment. I have a similar amendment on my desk which I would have offered if the amendment had not been presented by the distinguished Senator from South Dakota.

There is no reason in the world to repeal this particular provision of the law. At the time the law was passed I sponsored the provision in the Senate. The objective is to help labor itself clean the Communists out of the labor movement. I am sure this provision has made a substantial contribution in that direction. I know now of no reason, either because of a change in world conditions or any relaxation of the Communist conspiracy in this country, to strike out that provision of law.

I hope the amendment will be adopted. I thank my distinguished friend for yielding to me.

Mr. MUNDT. I thank very much the Senator from Arkansas, the distinguished chairman of the investigating committee, for his very significant contribution.

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

Mr. MUNDT. I yield to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator. As the situation now stands, as the result of our action the other evening, we provide for the repeal of section 9 (h) of the Taft-Hartley Act, which provides for the anti-Communist oath.

Mr. MUNDT. The Senator is correct.

Mr. ALLOTT. Unless the Senator's amendment is adopted there will be nothing related to the anti-Communist oath in any of our statutes with respect to our labor laws.

Mr. MUNDT. The Senator is correct.

Mr. ALLOTT. The second question which occurs to me, and to which the Senator from Arkansas referred, is this: In the present world situation I feel we cannot afford to be without the protection of the anti-Communist oath in this sensitive field. Does the Senator feel that way?

Mr. MUNDT. I certainly feel that way, most emphatically.

Mr. ALLOTT. The Senator would concur completely in what the Senator from Arkansas said in that respect?

Mr. MUNDT. Emphatically.

Mr. ALLOTT. In other words, if it is a question of doing without any oath or extending the oath to management and labor, the latter is entirely the preferable choice.

Mr. MUNDT. I certainly believe that is correct. I think it is preferable to simply restoring the oath for labor alone. I think the oath should be made equally applicable to both.

Mr. ALLOTT. I am completely in accord with that thought. I never thought it was fair to have the oath applicable to only one side.

As a third question, I understand that under the amendment all officers of corporations—which would include, I presume, every elective officer provided for in the articles of incorporation or every man who is designated as an officer in the articles of incorporation—would be subject to the provision. Is that a correct understanding of the purpose of the amendment?

Mr. MUNDT. The Senator is correct. That is the legislative intent, and I think that would have to be the construction placed upon the law.

Mr. ALLOTT. I do not see the Senator from Mississippi on the floor. Is that the understanding of the Senator from Mississippi, or does the Senator from South Dakota have knowledge in that respect?

Mr. MUNDT. Yes. We discussed that matter in rephrasing the amendment, and certainly that is our joint intention.

Mr. ALLOTT. I thank the Senator.

Mr. MUNDT. Mr. President, counsel for the committee has suggested perhaps we could tighten the language up a little bit more so far as employers are concerned by adding a phrase to the amendment. I ask unanimous consent, therefore, that after the word "employer," for the purpose of definition, parenthetically the following be added:

(Including the partners, if such employer is a partnership, and the officers if such employer is a corporation or association.)

The PRESIDING OFFICER. The Senator from South Dakota seeks to modify his own amendment. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and the Senator may modify his amendment.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. May we have the amendment, as modified, read?

The PRESIDING OFFICER. Without objection, the amendment, as modified, will be read.

Mr. MUNDT. After the word "employer", on page 2, line 12 of the amendment, for purposes of clarity, I ask unanimous consent to insert, parenthetically, the language "(including the partner, if such employer is a partnership, and the officers if such employer is a corporation or association)."

The PRESIDING OFFICER. There was no objection, and the modification already has been made.

Does the Senator from Oregon desire to have the amendment read?

Mr. MORSE. No. I wish to speak against it.

Mr. MUNDT. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY. Mr. President, as acting majority leader I yield 5 minutes to the Senator from Michigan [Mr. McNAMARA].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. McNAMARA. Mr. President, I am in favor of the position of the committee. The question raised by the distinguished Senator from South Dakota and the Senator from Mississippi [Mr. EASTLAND] was directed to the issue of who would be helped by the extension of the non-Communist oath to other people. The committee received some testimony on this question. The testimony I have before me is found on page 1177 of the hearings. The Senator from Massachusetts [Mr. KENNEDY] asked Mr. James Carey, president of the International Union of Electrical Workers:

Now, having been into this long fight against the Commie unions, can you tell me whether you think the affidavit has been of any help at all, and do you think we ought to repeal that, Mr. Carey?

Mr. Carey replied:

Well, it has been a tremendous help to the Communists.

Senator KENNEDY. In what way?

Mr. CAREY. Well, it has served as sort of a Maginot Line. People like United Electrical Organizational Director James Matles are able to say to the workers in the electrical industry, "I signed a dozen or two dozen non-Communist affidavits." They can sign them by the barrel. Of course, the affidavits didn't fool anybody, except perhaps the people in Government. But they've made United Electrical propaganda, which certainly didn't do any good.

The Senator brings up a point with me that I think has important implications. I am an elected national officer now in my 25th year of union service. It has been said that labor made a mistake in not talking with Senator Taft in advance about the Taft-Hartley Act. Well, I was one who did talk with Senator Taft, and I talked specifically on that point of the non-Communist affidavits.

Senator Taft told me: "I know how silly it is, but I have to put in some of these things that I am opposed to in order to get enough votes to get it enacted."

The testimony continues on the next page, and the witness concludes by saying:

I resent signing a non-Communist affidavit because I am more than a non-Communist—I am an anti-Communist. At least I should have been given the privilege of saying I was something more than just non-Communist.

There was other testimony, but it was along the same line. So it seems that those who have had the most experience with the non-Communist affidavit think it has been helpful to the Communists.

Therefore, the committee made the recommendation which is in the bill to repeal the section. It did not seek to extend it to the employers, thus reflecting on more American citizens and casting doubt on their Americanism or patriotism by forcing them to go before a notary public and swear that they are loyal Americans, as union leaders have had to do in the past.

I believe that the pending amendment is the wrong approach, and I am opposed to it.

I yield back to the Senator from Massachusetts any time which remains to me.

Mr. LAUSCHE. Mr. President, will Senator yield for a question?

Mr. McNAMARA. I have no control of the time.

Mr. KENNEDY. I yield 1 minute for a question. Then I wish to yield to the Senator from Oregon [Mr. MORSE].

Mr. LAUSCHE. What interpretation did the Senator from Michigan place upon the statement attributed to James Matles, in which he said: "I signed a dozen or two dozen non-Communist affidavits"?

Also, what interpretation does the Senator place upon the comment by Mr. Carey: "They can sign them by the barrel. Of course, the affidavits didn't fool anybody, except perhaps the people in Government"?

What is the Senator's interpretation of those statements?

Mr. McNAMARA. This is an example showing how those who are charged with being Communists, or at least fellow travelers, are using the non-Communist affidavit to their advantage. They say, "The United States Government recognizes me as a citizen. I have signed these affidavits; and my declaration that I am not a Communist has been accepted over and over again by the Government."

That statement is used with employers and union members, and with the general public. The non-Communist affidavit is turned to their advantage. As Mr. Carey says, the non-Communist oath has been helpful to the Communists, and not to loyal, patriotic Americans.

Mr. LAUSCHE. I gather that Mr. Matles meant to imply that it makes no difference whether one is a Communist or not; he can sign such affidavits by the barrel, and no one does anything about the affidavits, anyway.

Did the Senator draw such an inference?

Mr. McNAMARA. No. I gathered that Communists were using the non-Communist affidavit to their advantage. As the testimony shows, the non-Communist affidavit has been helpful only to the Communists.

Mr. KENNEDY. Mr. President, I yield 5 minutes to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I desire my Republican friends in the Senate to take note of my first argument in support of the President of the United States, on the theory that he cannot be wrong every time. This time I think he is absolutely right. I refer to his message of January 1958 in which he said:

In view of the enactment of the Communist Control Act of 1954, amend the act to eliminate the provision requiring the filing of non-Communist affidavits by officers of a union seeking to use the act's processes.

I hope my Republican friends will take note of the fact that the senior Senator from Oregon is supporting a recommendation of the President on this subject.

I should like to have the attention of the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Massachusetts [Mr. KENNEDY]. The three of us were authors of the major amendment, the Communist Control Act of 1954, which really put teeth into the law along the lines of the previous recommendation of the distinguished lady from Maine [Mrs. SMITH] when she proposed the Smith Communist Control Act earlier.

We proposed an amendment which put teeth into the law with regard to action against Communists. I ask the proponents of this amendment, What is wrong with the Communist Control Act of 1954? Why not use it? It is nondiscriminatory. It applies to all segments of American life—not only union officials, but now employer officials, and all segments of American life. It is the most effective kind of law we could have on the books for Communist control.

My third point is made in behalf of the employers of the country. The pending amendment, I respectfully submit, for reasons I am about to outline, would impose a terrible burden on American employers. In the first place, I ask the question: What officers will file? The amendment provides that officers of a corporation shall file. It does not say which officers. There are many large corporations which have dozens of officers. I have in my hand Moody's Industrial Manual, which lists various statistical data and other information about American industrial corporations. It lists literally tens of thousands of officers of corporations. I ask Senators to look at the size of the book. Of course, it lists other information besides the names of corporations. However, there are thousands and thousands of officers of corporations. There is nothing definitive in the wording of the amendment which would exempt all these thousands of officers from filing the non-Communist oaths. The National Labor Relations Board, we have been told throughout the debate, is already flooded with procedures and requirements of paperwork, and there is already a great lag and a big backlog in its work. That is true, of course.

Now it is proposed to flood them with this additional paperwork. At the same time we criticize them because they are experiencing difficulty in accomplishing the administrative tasks which go along with their work.

I say it is unfair to the National Labor Relations Board to adopt the amendment, and its provisions are unnecessary so far as the officers of corporations are concerned.

I would have Senators keep in mind that many of the large corporations are subsidiaries of still larger corporations. Let us suppose that a division of Western Electric were to have its officers sign non-Communist oaths.

The PRESIDING OFFICER (Mr. COTTON in the chair). The time of the Senator from Oregon has expired.

Mr. MORSE. May I have 5 additional minutes?

Mr. KENNEDY. I yield 3 minutes on the bill to the Senator from Oregon.

Mr. MORSE. Let us take, for example, the American Telephone & Telegraph Co., the parent of Western Electric. Would all their important officers have to file non-Communist oaths? In order to have their cases processed by the National Labor Relations Board, they would have to have their affidavits on file every year, just in case they were to file a representation case, or an election case, or an unfair labor practice case? They would have to have these affidavits on file with the National Labor Relations Board, so that they could have their cases considered. Under such a procedure, if their affidavits were not on file, they would not be able to process their cases, and no action could be taken until the affidavits were on file. In some instances literally thousands of their corporate officers in all their branches, large and small, across the country, would have to file such affidavits.

Therefore I say that the amendment involves the great danger that corporations will feel that they must play it safe and file such affidavits. In other words, they would have to keep those affidavits

on file at all times so that they could bring cases before the National Labor Relations Board. It would involve affidavits of thousands and thousands of officers.

Who will take care of those affidavits in the National Labor Relations Board? Who will ascertain whether they have been duly processed?

In my judgment, the requirement that officers of corporations should file affidavits would serve no useful purpose. I ask, in the name of so-called mutuality, are we going to require this action on the part of thousands of corporate officers merely because we know that some Communists in the past have wormed their way into the labor movement and because there may still be some remaining in the labor movement?

Let me say something about that situation. So far as the unions are concerned, Communist-dominated unions are fragments today. Their number is constantly becoming smaller and smaller. The unions are doing it themselves. It is being done by the union movement across the country.

The 1954 Communist Control Act deals with this problem. It is my recommendation to the Senate today that it permit action in these cases to be taken under the law which it helped put on the statute books. Let us not proceed to increase the paperwork for no good purpose. Let us not insult employers and union leaders across the country with this kind of requirement. Let us back up President Eisenhower's recommendation in regard to this matter. Let us not use other parties or the National Labor Relations Board, and encumber the Board with this filing requirement. Let the Board do its job. Let us not handicap it with this additional paperwork.

I close with an answer to the argument made by the Senator from Mississippi. He said that if we do not adopt the amendment, it will free men now serving in prison. There is no basis in legal fact for that statement. This is not an ex post facto amendment. Those men were sentenced to prison under the law which was on the books at that time. The enactment of a law to eliminate that section from the present law would not free those men in prison. They were sentenced under the law which was on the books at the time. The Senator from Mississippi has made a very novel argument. There is no basis in legal fact for it.

I close by saying that the amendment is not needed. If it is adopted, it will add greatly to the paperwork of the National Labor Relations Board. In addition, in my judgment, there is an implied reflection upon the corporate officers of this country. We need to keep in mind that the Senator from Minnesota, the Senator from Massachusetts, and the Senator from Oregon were all being attacked—at least I was, and I will speak only for myself—by some so-called liberal organizations in America. They said to me, "What do you, as a liberal, mean by supporting the Communist Control Act, which puts teeth into a real Communist control in this country?"

I pointed out that it was because I am a constitutional lawyer. I believe in providing teeth, namely, grand jury indictment, and trial before a jury in a Federal court, where it can be shown that a man or woman, knowingly and willfully and intentionally belongs to the Communist Party, seeking to overthrow the Government by force. That is the essence of communism in the United States. The law is on the books. It is interesting that there have been so few prosecutions under a law which has teeth in it.

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

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

Mr. MORSE. I have yielded the floor.

Mr. KENNEDY. I believe I have 3 minutes remaining. I yield myself the remaining 3 minutes, and I now yield to the Senator from Minnesota for a question.

Mr. HUMPHREY. I should like to make this observation. In the years 1950, 1951, and 1952 the Committee on Labor and Public Welfare conducted an intensive investigation into what we called Communist infiltration into certain unions. Nine Senate reports were published on the subject. The reports were heralded by the press and by management and labor. The reports were so well received by American labor and American employers and by governmental agencies that the reports had to be reprinted.

I would also note that in our investigations—and I was chairman of the subcommittee which conducted the studies, and the Senator for Oregon was a member—we found that the non-Communist oath was used very cleverly to permit Communists to control a union while their stooges were the duly constituted officers of the union, who signed the non-Communist oath. We had concrete evidence of unions four or five of whose officers were good clean American citizens, but above those officers there were men who ran the union and who dominated the organization, and those men were Communists.

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

Mr. HUMPHREY. I yield.

Mr. MORSE. We also found that a part of the philosophy of communism is to lie. A Communist who worms his way into an American union in an effort to destroy it or to take it over for Communist purposes is not going to stop at signing a non-Communist oath. He will lie about it. The way to get at him is not by taking away union benefits before the National Labor Relations Board, but by getting him before an American jury and convicting him and penalizing him under the Communist Control Act of 1954. That is the way to deal with communism, not by penalizing the rank and file members of the union and taking away their rights before the National Labor Relations Board merely because a Commie has wormed his way into their union.

Mr. KENNEDY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Massachusetts has 1 minute remaining on the amendment.

Mr. KENNEDY. I yield myself 3 minutes from the time on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 4 minutes.

Mr. KENNEDY. The section of the bill now under consideration was included at the suggestion and request of the President of the United States, speaking through the Secretary of Labor. I call the Senate's attention to page 38 of the hearings, when the Senator from Michigan [Mr. McNAMARA] asked Mr. Mitchell whether he recommended that the provision be eliminated:

Mr. MITCHELL. Yes, sir.

Senator McNAMARA. You have not changed your mind on that situation?

Mr. MITCHELL. No.

On page 39, the Senator from New York [Mr. IVES] said:

What that bill was written, that—

The Communist affidavits—

was not in it. It was put in on the floor of the Senate over the strenuous objection of some of us, including Senator Taft. We did not agree with the idea of having it in the law.

The fact is that the provision has been wholly ineffective in the 11 or 12 years it has been in effect. According to the records I have obtained, it has resulted in only 11 convictions, none in recent times.

Now, in order to enable them to get recognition before the National Labor Relations Board, it is proposed to have all the labor leaders and employers of the United States file non-Communist affidavits when they submit their records to the National Labor Relations Board.

Very effective laws are now on the books to deal with Communists. It seems to me to be a ridiculous procedure to require the employers of the United States to follow this provision of the law. It will have no effect on the conduct of employers.

Jim Carey, of the IUE, had the toughest struggle anyone could have against Communists, when he fought against the United Electrical Workers Union, which has been dominated by them. I do not believe the UE since then has thrown them out.

Carey came before our committee and said that the "Commie" affidavit, so far in his work against the Communists—and there are a great many locals in Massachusetts—has not had any results in eliminating Communist leadership from the UE.

I think it would be a mistake, in order to establish equity, to have employers and employees file affidavits, when the requirement has been so ineffective, and there are so many ineffective laws on the books.

Falkland's classic definition of conservatism is:

When it is not necessary to change, it is necessary not to change.

The proposed action is not necessary; therefore, I think it is necessary that we

do not act. I hope the amendment will be rejected.

Mr. MUNDT. Mr. President, will the minority leader extend me 3 minutes?

Mr. CURTIS. I yield 3 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, the echoes of a previous vote would be reverberating through this Chamber were it not for the fact that the Senate was then meeting in the Old Supreme Court Chamber when this provision was being first enacted by the Senate in the so-called Mundt-Nixon Act, which became the first 17 sections of the Internal Security Act. It was passed by a yea-and-nay vote over the veto of President Truman, with only 11 Senators voting against it.

The Internal Security Act was an act which gave some key significance and importance to the clause of the Taft-Hartley Act providing for the non-Communist oath.

I grant that Mr. Carey has done good work in his union, so far as communism is concerned. But when it comes to communism, I am more willing to follow the voice of J. Edgar Hoover than I am of any labor leader. We cannot erect too many safeguards to protect the country from the conspiritorial activities of communism, whether those activities be in labor unions or in the field of management or somewhere else.

While Secretary Mitchell may have disagreed with the President concerning some of the testimony before the committee, I will take the words of the President himself, when he said, in 1954:

> The Communist disclaimer provisions are not presently applicable to employers. I recommend that they be made applicable.

The Commander in Chief, who is in charge of the security of the Nation, believes in this kind of provision. The FBI believes in every possible safeguard against communism which can possibly be made. I hope and expect that the Senate will support my amendment to expand rather than curb the weapons we have available for fighting communism.

The Internal Security Act has established mechanism which provides that if a man makes a false affidavit concerning his communist connections, he can be hauled into court under penalty of perjury and imprisoned in a Federal penitentiary.

Until that act was passed, there was no way whereby a man could be forced to demonstrate whether he was a Communist or not a Communist. The Taft-Hartley Act provides the machinery. When we have an act which has worked successfully for 10 years in an era when the world is on fire with communism, I for one refuse to walk downhill and eliminate the safeguard. I prefer to extend it and to include employers in the way which will make the requirement fair and equitable for all.

I do not think we can now afford to weaken, rather than strengthen, the security of the country. I shall be surprised if the Senate, which voted overwhelmingly, over the veto of President Truman, to establish safeguards in the Internal Security Act, will now vote to weaken our shield against communism and thereby make it easier for Communists to infiltrate either unions or management.

No one can complain that the amendment is not fair. It applies equally to all Communists, whether they seek to infiltrate unions or management. It is not discriminatory. The question is whether we will reinstate a safeguard which has worked well for 10 years; whether we will vote for a budget of some $80 billion, most of which goes for national defense, and at the same time destroy an effective safeguard against communism.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. To whose time will the time for a quorum call be charged, if to either side?

The PRESIDING OFFICER. The time used for a quorum call preliminary to a vote is not charged to either side.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

The question is on agreeing to the amendment, as modified, offered by the Senator from South Dakota for himself and the Senator from Mississippi [Mr. EASTLAND]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). I have a pair with the junior Senator from Indiana [Mr. JENNER]. However, I understand that if present and voting on this amendment, he would vote as I intend to vote. Therefore, I am at liberty to vote. I vote "yea."

The rollcall was concluded and was recapitulated.

Mr. NEUBERGER. Mr. President, how am I recorded?

The PRESIDING OFFICER (Mr. COTTON in the chair). The junior Senator from Oregon is recorded as voting in the negative.

Mr. NEUBERGER. I did not hear my vote announced during the recapitulation.

The PRESIDING OFFICER. The clerk inadvertently omitted announcing how the vote of the Senator from Oregon is recorded; but it is recorded in the negative.

Mr. NEUBERGER. Mr. President, I am very pleased to be recorded as voting in the negative on this question.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senators from Connecticut [Mr. BUSH and Mr. PURTELL], and the Senator from Michigan [Mr. POTTER] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Maine [Mr. PAYNE] are absent on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Vermont [Mr. FLANDERS], the Senator from Nebraska [Mr. HRUSKA], the Senator from Indiana [Mr. JENNER], the Senator from Maine [Mr. PAYNE], and the Senator from Michigan [Mr. POTTER] would each vote "yea."

The result was announced—yeas 66, nays 20, as follows:

YEAS—66

Aiken	Goldwater	Mundt
Allott	Hickenlooper	Murray
Anderson	Hill	Pastore
Barrett	Hoblitzell	Proxmire
Beall	Holland	Revercomb
Bennett	Ives	Robertson
Bible	Jackson	Russell
Bridges	Johnson, Tex.	Saltonstall
Butler	Johnston, S. C.	Schoeppel
Byrd	Jordan	Smathers
Capehart	Kerr	Smith, Maine
Carlson	Knowland	Smith, N. J.
Case, N. J.	Kuchel	Sparkman
Case, S. Dak.	Langer	Stennis
Church	Long	Talmadge
Cotton	Magnuson	Thurmond
Curtis	Malone	Thye
Dirksen	Mansfield	Watkins
Dworshak	Martin, Iowa	Wiley
Eastland	Martin, Pa.	Williams
Ellender	McClellan	Yarborough
Frear	Monroney	Young

NAYS—20

Carroll	Green	Lausche
Chavez	Hayden	McNamara
Clark	Hennings	Morse
Cooper	Humphrey	Morton
Douglas	Javits	Neuberger
Ervin	Kefauver	Symington
Fulbright	Kennedy	

NOT VOTING—10

Bricker	Hruska	Potter
Bush	Jenner	Purtell
Flanders	O'Mahoney	
Gore	Payne	

So Mr. MUNDT's amendment, as modified, was agreed to.

Mr. MUNDT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. CURTIS. Mr. President, I call up my amendments, designated 6–12–58–H, and ask their consideration.

The PRESIDING OFFICER. The amendments of the Senator from Nebraska will be stated.

The CHIEF CLERK. It is proposed: On page 43, between lines 13 and 14, to insert the following section:

> SEC. 611. The Labor-Management Relations Act, 1947, as amended, is hereby further amended as follows:
>
> (a) Section 8 (b) (4) of title I of such act is amended to read as follows:
>
> "(4) To exert, attempt to exert, or threaten to exert (regardless of the provisions of any collective bargaining or other contract) against an employer, or employees of an em-

ployer, economic or any other type of coercion, by picketing or by any other means, where an object thereof is—

"(A) causing or attempting to cause any employer or self-employed person to join any labor or employer organization;

"(B) causing or attempting to cause any employer or other person to cease doing business with any other person;

"(C) causing or attempting to cause any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provision of section 9;

"(D) causing or attempting to cause any employer to interfere with his employees' right to join or refrain from joining a labor organization as set forth in section 7;

"(E) causing or attempting to cause employees to join or refuse to join a labor organization except as provided in the first proviso to section 8 (a) (3);

"(F) causing or attempting to cause any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this act."

(b) Section 10 (1) of title I of such act is amended by striking out the first sentence and inserting in lieu thereof the following: "Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4) (A), (B), (C), (D), (E), or (F) of section 8 (b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred."

(c) Section 303 of title III of such act is amended to read as follows: "Whoever shall be injured in his business or property by reason of any act or acts which are made an unfair labor practice under sections 8 (b) (4) of the National Labor Relations Act, as amended, may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 of this act without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and cost of the suit."

On page 43, line 14, to strike out "SEC. 611" and insert in lieu thereof "SEC. 612."

The PRESIDING OFFICER. How much time does the Senator from Nebraska care to yield to himself?

Mr. CURTIS. Fifteen minutes.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Senate will be in order. Senators will desist from conversation.

The Senator from Nebraska may proceed.

Mr. CURTIS. Mr. President, this amendment, referred to as the amendment to outlaw secondary boycotts, has had a great deal of attention by well qualified persons over a substantial period of time. It was offered as a bill by the distinguished Senator from Kansas [Mr. SCHOEPPEL] in the 83d Congress. In the 84th and in the 85th Congresses I offered it as a bill. It is S. 76 in this Congress.

The hearings which are on the desks of Senators, at pages 296 to 342, recite the hearing we obtained from the committee on this point. A very distinguished lawyer, Mr. Gerald D. Reilly, appeared, not as one employed by any of the interested parties.

The PRESIDING OFFICER. The Senator from Nebraska will suspend until the Senate comes to order. Senators will please desist from conversation, so the Senator from Nebraska may be heard.

The Senator from Nebraska.

Mr. CURTIS. Mr. Gerald D. Reilly did not appear for any interested party, but as a public servant, and answered questions as to the language of the proposal. His testimony was supported by many witnesses who appeared before the legislative committee in its recent hearings.

A detailed analysis of the amendment was placed in the RECORD on June 13, for the purpose of explaining the proposal as well as its legislative intent.

Mr. President, this is what the amendment would do: First, it would close the loopholes in the present secondary boycott section of the Taft-Hartley law. Second, it would outlaw coercive action interfering with workers' freedom of choice in selecting a bargaining agent. It would do this by dealing with organizational picketing and recognitional picketing.

Mr. President, what is a secondary boycott? We grant—and we would defend—the right of employees to exert every pressure they can lawfully exert against an employer with whom they have a dispute. The employees are primary parties in the controversy. However, when such a contest is extended to third neutral persons it becomes a secondary boycott. It was the intent of the Taft-Hartley Act to outlaw all secondary boycotts. Congress thought it was so doing.

This amendment does not embody any new principle. It is not a new departure. It does not ask the Congress to take a position which was not intended all along to be the law of the land. However, there have developed certain loopholes in the law in respect to secondary boycotts—the law that one cannot carry a contest to a neutral third person and injure him in order to win a point against the primary employer. What are those loopholes?

Mr. President, the Taft-Hartley Act, in dealing with the secondary boycott, prohibited the applying of economic force against the employees of a neutral third concern. The Congress failed to include the term "employer." Therefore, while it is unlawful for a union to go to a concern with which it has no dispute and apply pressure on the employees, to cause them to stop buying goods and services of another plant, the law can be nullified by going in the front door and saying to management, "If you buy this company's product or if you place advertising over his radio station we will picket you or do other things."

The amendment I have offered would plug up that loophole, and would provide that a secondary boycott cannot be carried on by applying pressure against the neutral employer. I think that was an oversight in the first attempt to deal with the question in the Taft-Hartley Act.

The second loophole which would be closed is the so-called hot cargo clause. The Supreme Court joined us today in a 6 to 3 decision which held that the hot cargo clause in a contract was not a valid defense for carrying on a secondary boycott. My proposal would outlaw the hot cargo secondary boycott clause. Such clauses are used very extensively by the Teamsters and building trades unions. Among the building trades it is a type of boycott clause well known as a standard form of agreement. In effect these clauses permit employees to refuse to handle goods which are labeled as unfair or hot by the union. The clauses are intended to serve as a defense to an otherwise unlawful inducement of neutral employees to enforce a secondary boycott. Hot cargo may be used to force unionization of employees of a secondary employer or used to bring pressure on a secondary employer who is having a labor dispute.

Let me explain how this procedure works in a well-known situation. When the employees of the Galveston Truck Lines of Houston, Tex., refused to join the Teamsters Union, the union applied pressure on the interline carriers in Oklahoma City to compel them not to accept freight from Galveston unless the Galveston employees joined the union. There was inserted in the contract a provision that the employees were not to take the work of any employer which the union determined to be unfair. That is the hot cargo clause. The amendment would outlaw that.

There is another loophole which has developed.

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

Mr. CURTIS. I am sorry, but I have limited time, with only 15 minutes. Later perhaps I shall be able to yield.

Another loophole in the Taft-Hartley Act is that its present language provides that the refusal to handle the goods of a natural third concern must be a concerted refusal. The boards and courts have ruled such language to mean a great number of people. The facts are that pressure applied to a single key employee can close down a business.

The Congress intended to outlaw all secondary boycotts, so I have provided for the closing of that loophole by eliminating that language.

Another loophole which would be closed by the amendment comes about by reason of the words "in the course of their employment." It is unlawful to apply pressure to employees to carry on a boycott, but the law says "in the course of their employment."

That language has created a loophole, because the union attorneys have found a usable device. They have said, "We will withhold workers from a job against

a neutral third employer if the neutral third employer does business with the man with whom we have a quarrel." The workers in that case have not reached the job; therefore, they are not in the course of their employment. That is how the loophole comes into being.

My amendment would make effective the law which prohibits secondary boycotts. The amendment would outlaw what is known as the secondary customer boycott. A union can apparently picket the customer entrance of a retail store which is selling a product manufactured by a company with which the union has a primary dispute. Similarly, a union can organize a consumer or customer boycott against a soft-drink distributing company, merely because the company advertises on the radio or television station or in a newspaper with which the union has a primary dispute. These are examples of the secondary customer or consumer boycotts. They are a potent form of economic pressure and are intended to be made unlawful by my amendment.

Mr. President, there have been many shocking cases. One came from the State of Alabama. A strike was on at a radio station. The businessmen who patronized the radio station were threatened with picket lines if they continued to advertise over that station. Those businessmen, those neutral third persons, did not have a labor difficulty. They had no trouble. They were innocent third persons, but there had been consumer picketing so that the members of the public would be embarrassed, harassed, and threatened if they entered the stores to make purchases. That is a secondary customer boycott, and would be outlawed by my amendment.

There is another loophole which I take care of. It has to do with the word "employee." The act provides that it is unlawful to apply pressure to induce an employee to refuse to handle goods or services from another employer. The term "employee" has been interpreted by the court to mean an employee within the language of the Taft-Hartley law. That left a loophole to apply pressure on employees of a railroad company, or Government employees, or agricultural employees. They could be compelled to enter into a boycott.

The McClellan committee made a rather extensive study of secondary boycotts in connection with the Kohler strike. In one case it was found that a railroad was compelled not to make deliveries of material which Kohler wanted. There was no dispute between the railroad and its employees. It was a neutral third party. There was a secondary boycott of its business. It was not unlawful, because the term "employee" had been construed to mean an employee within the purview of the Taft-Hartley Act, and, of course, railroad employees are not included.

Mr. President, how much time have I consumed of my 15 minutes?

The PRESIDING OFFICER. The Senator has one-half minute left.

Mr. CURTIS. When I appeared before the subcommittee presided over by the distinguished Senator from Massachusetts [Mr. KENNEDY] a question was raised concerning the effect of this proposal on struck work.

Suppose there is a strike in a factory, and the employer farms the work out to another plant. Can the union follow it, or would the pressure applied in such a case be a secondary boycott?

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

Mr. CURTIS. I ask the minority leader if he will yield me additional time?

Mr. HOBLITZELL. Mr. President, as acting minority leader, I yield 20 minutes on the bill to the Senator from Nebraska.

Mr. CURTIS. I should like to state the applicability of this amendment to so-called struck work.

My amendment relating to secondary boycotts is not intended to change, and would not change, existing law so far as struck work is concerned. Under existing law if a recognized or certified union is engaged, for example, in a strike against an employer, and the employer proceeds to make arrangements with another employer to have such employer perform for him the work which his employees would have performed; and the second employer, aware of these facts, performs the work, picketing by the union of the second employer is not a secondary boycott. Under those circumstances the second employer is an ally of the struck employer, and is not a neutral—*Douds* v. *Metropolitan Federation of Architects* (75 F. Supp. 672 (S. D. N. Y.)); *NLRB* v. *Machines and Office Appliance Mechanics* (278 F. (2d) 553 (C. C. A. 2) certiorari denied, 351 U. S. 962).

On the other hand, if the customer makes the arrangement for having the work performed by the second employer, picketing of the second employer, both under existing law and under my amendment, is a secondary boycott. Surely a completely independent person who may need supplies to complete the articles he is manufacturing should have the right to make his own arrangements to get them from a second employer without harassment if the first employer is being struck.

Both existing law and my amendment make it unlawful to picket a second employer who is simply continuing his normal relationship with the struck employer, and performing no work in excess of or of a different kind than that performed before the strike—Metal Polishers Union (25 LRRM 1052).

In addition to plugging loopholes in the present provisions of the Taft-Hartley law which outlaw secondary boycotts, I also deal with coercive picketing, because it is so related to and used in connection with boycotts that they really constitute one subject.

Coercive picketing, as I use the term, means picketing for representation purposes. It is variously called organizational or recognition picketing. Sometimes an effort is made to distinguish between the two. Most of such efforts have always struck me as being somewhat abstract.

The heart of the matter is this: The cornerstone of our national labor policy is section 7 of the Taft-Hartley Act. This significant addition is the same as section 7 of the old Wagner Act. The Wagner Act guaranteed to the employees the right to self-organization, and to join a union. Section 7 of the Taft-Hartley Act reaffirms this right, and adds the correlative right to freely reject a labor organization. It is based upon the principle that there can be no real freedom to select a union unless there is also freedom to reject a union.

My amendment seeks to treat the problem directly by declaring unlawful union conduct—picketing or otherwise—which has the effect of coercing employees in their right freely to select or reject a bargaining agent. I am willing to leave to the courts the final determination as to when activity becomes coercive. I do not think this is a difficult question to determine in most situations.

Let me make it clear for the RECORD that I am talking about picketing which, on all the facts, has as its objective interference with the right of employees freely to select or reject a bargaining agent. Those who defend picketing of this type normally do so on two grounds: First, that such a prohibition raises a constitutional question; second, that although coercive, such picketing is necessary in order to maintain the labor movement.

I do not believe that my amendment raises any significant constitutional problem. The present law prohibits a single picketer from peacefully walking up and down before the employees' entrance of a secondary employer's plant. Why? Because the conduct which the union is trying to induce, that is, the refusal of the employees of a secondary employer to perform work, creates and continues the coercion, and thus the inducement is unlawful. Similarly, when pickets walk up and down in front of the premises of an unorganized employer, they are not normally trying to induce the employees of that employer to join the union. That is not a rational appeal. They are trying to get suppliers and customers to refuse to do business with the picketed employer, and they are trying to create a context of the kind to which I have referred. In my judgment Congress should not permit such a situation to continue, for the practice I have outlined is wrong.

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

Mr. CURTIS. I will yield in a moment. A vote against my amendment is a vote to continue to permit the use of these loopholes and the continued use of coercion in organizational and recognition picketing.

I now yield briefly to the Senator from South Dakota, because the time is limited.

Mr. MUNDT. Is the Senator from Nebraska familiar with the testimony given before the McClellan committee, when witnesses from Flint, Mich., testified, and does he recall 20 or 22 employers complaining that picket lines had been thrown about their places of business and they were being put out of business at a time when the employees within their plants were against the picketing?

Mr. CURTIS. Yes; I do. The businessmen and employees were being

harmed by the picket lines, which were keeping business away from the companies.

Mr. MUNDT. The employees themselves were against the picket lines, but they had no recourse, because picketing is legal in the State of Michigan.

Mr. CURTIS. Yes.

Mr. MUNDT. Would the Senator's amendment correct that type of situation?

Mr. CURTIS. It would.

Mr. MUNDT. I thank the Senator.

Mr. CURTIS. I now yield to the Senator from Utah.

Mr. WATKINS. I appreciate the Senator's offering his amendment, and I believe I am in full accord with it. I wonder whether the amendment would apply in a situation where a union, which has no connection whatever with the business of the company, goes to the manager of the company and says to him, "We want your place organized." The owner says, "So far as I am concerned, if the men wish to be organized voluntarily, that is all right with me." The union man, however, says, "That is not the point. We want you to insist upon those employees joining the union. If they do not want to join the union you must fire them."

Mr. CURTIS. My amendment will affect that situation in two particulars. The present act prohibits secondary boycotting, but omits the word "employer." Therefore it is lawful to coerce employers. I insert the word "employer."

Mr. WATKINS. Does the Senator believe that that will take care of the situation I have outlined?

Mr. CURTIS. Yes; and in addition the amendment outlaws organizational picketing. I wish to call attention to a case with which no doubt the Senator is familiar. I have received a letter from the Industrial Relations Council of Utah, dated May 2, 1958. It says, in part:

INDUSTRIAL RELATIONS
COUNCIL OF UTAH,
Salt Lake City, Utah, May 2, 1958.

Senator CARL T. CURTIS,
Senate Office Building, Washington, D. C.

DEAR SENATOR CURTIS: We certainly approve of your bill (S. 76) to outlaw secondary boycotts and organizational picketing, and we hope the Congress will lose no time in adopting it.

As you know, with few exceptions this vicious boycott activity is shunned by many of the unions, but often resorted to by the Teamsters and various building trades unions.

Mr. WATKINS. I remember the case very well.

Mr. CURTIS. I continue to read:

This boycott was a terrible thing. It caused great inconvenience to many innocent people, including farmers, truckers, employees of the cheese buyers in New York and those employed in Utah to make the cheese. Some employees lost work and pay because of the boycott. The union gained nothing through this organizing attack except the satisfaction of having caused much trouble and perhaps the notoriety will make some other employer concede rather than resist forced organization of his employees.

In many cases the secondary boycott has been carried on to compel an employer to force his men into a union against their will. I cite the case of the Coffey Transfer Co., of Alma, Nebr. Mr. Coffey had been in business for a quarter of a century. He had 22 employees. They were satisfied. They did not want to belong to a union. The union representatives did not try to force the employees to join. Instead, they went to Mr. Coffey and said, "You sign up and put your men into the union or we will turn no freight over to you." He refused. The unionized warehouses and other unionized carriers made use of the hot cargo clause—which the Supreme Court has held is not a valid defense—and shut off his freight. Without freight, there was no business for Mr. Coffey to haul. He could not meet his payroll. He could not maintain his trucks and trailers and pay his taxes and keep his offices open.

He asked the National Labor Relations Board to help him. They struggled back and forth, until finally an election was held. The Teamsters Union did not receive one vote of an employee. Not one employee wanted the Teamsters to represent them. One month before the election results were made known, Mr. Coffey went out of business. He was liquidated. He lived in a small county-seat town of about 2,000 people. I was there a few months ago. I asked, "What happened to the 22 employees who worked for the Coffey Transfer Co.?" I was told "21 of them have gone away, and the last 1 is moving out next week."

Mr. Coffey had his property confiscated by a boycott. The unions would not turn any business over to him, even freight which was directed to be hauled by him. Even such freight was denied to him, and his property was taken away. The men lost their jobs. They had to move elsewhere. All that happened because of the Teamsters Union, the racket-ridden Teamsters Union, which applied pressure to the employer to compel him to have his men join the union.

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

Mr. CURTIS. I yield.

Mr. WATKINS. I commend the Senator for bringing that point to the attention of the Senate. I certainly will support his amendment. Such an amendment has long been overdue. Such a situation certainly should be corrected. I believe that in my State most of the unions would not permit that kind of activity by other unions. I believe the Senator called attention to the fact that it was the Teamsters Union which was responsible.

Mr. CURTIS. Yes. The Teamsters Union is the worst offender, because it can stop the flow of goods into a business and out of a business. I might tell the Senator about a case which occurred in Center, Tex. I have before me a letter written to our former colleague, Senator Daniel, of Texas. It was written to him by Mr. John O. Mooseberg, a former county agent in Texas. Mr. Mooseberg said in his letter:

At the present time some 800 farm families of Shelby County have invested $4,500,000 in houses and equipment for the growing of 18 million broilers annually. The litter from these broilers is being used to build up the fertility of the crop and pasturelands of the county for the better welfare of every citizen of the county.

In addition to the farmers of the county there are 300 persons receiving employment in the 3 dressing plants in Center, 100 persons have employment in the 4 hatcheries in the county and 200 persons have employment in the feed-mixing plants and feed stores of the county.

From this statement you can readily see that broiler growing has become the major industry of the county.

Further in the letter he told of an attempt to force a union onto these people when they did not want it. He said:

But the union bosses possessed a weapon which prevented the resuming of full scale operations. This was the secondary boycott and "hot cargo." Thousands of miles away in Colorado, California, Oregon, and Washington, representatives of organized labor picked up their telephones and called to brokers and distributors to tell them that certain east Texas chickens were unfair to organized labor. And markets are lost.

The supermarkets had no labor difficulty. There was no trouble there. But they were told, in effect, "If you handle the chickens from the plant in Texas, we will boycott you."

When boycotting takes place, the consumers do not want to enter the markets. They are threatened and coerced. So by the coercion of a third person, the labor union tries to force someone else to join a union. That is what the amendment will prohibit.

Incidentally, Mr. Mooseberg points out the disastrous effect of the bill on employment. He said that the price of broilers had fallen 6 cents a pound in that area because of the unlawful coercion through the secondary boycott.

Mr. WATKINS. As I understand, the secondary boycott will put that industry out of business.

Mr. CURTIS. If it continues, yes.

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

Mr. LAUSCHE. Mr. President, I am for the amendment. May I have time yielded?

Mr. HOBLITZELL. I yield 8 minutes to the Senator from Ohio.

Mr. LAUSCHE. I support the amendment offered by the Senator from Nebraska. It is my understanding that he urges the inclusion in the bill of a section which will deal with the evils resulting from secondary boycotts. My own belief is that if the bill remains devoid of such a section, while carrying several weakening sections of the Taft-Hartley Act, an injustice will be done to the workers, to the employers, and to the general citizenry of the United States.

The first five titles of the bill, in my opinion, are laudable. They contemplate dealing with evils existing within unions, evils which result from the debased interloping by employers with the management of labor unions.

The sixth title, however, deals primarily with the weakening of decent and proper provisions contained in the Taft-Hartley Act.

I have some idea of the unjust impact of secondary boycotts upon innocent workers and innocent employers. For

Congress to fail to deal with that problem would be, in my opinion, a travesty. We cannot, with justification, begin to weaken the Taft-Hartley Act in the bill, unless we proceed also to plug the loopholes which labor leaders have found in the Taft-Hartley Act.

I point out a situation which exists in Ohio. In Akron there is what is known as the Burt Manufacturing Co. It manufactures ventilators to be put in buildings. For 10 years that company has had a legitimate labor contract with the CIO union. The Sheet Metal Workers Union of the American Federation of Labor has claimed that it has jurisdiction over the work done by the CIO union in the Burt Manufacturing Co.'s plant. The Burt Manufacturing Co. was in the process of bidding for the installation of ventilators at the Ohio State University. The Sheet Metal Workers went to the State architect, while I was Governor, and said: "If you buy ventilators from the Burt Manufacturing Co., in Akron, the Sheet Metal Workers Union will not install them."

There stood my architect. Without speaking to me, he informed the Burt Manufacturing Co.: "We cannot accept your bid, even though you are the low bidder, because the AFL Sheet Metal Workers Union have informed us that they will boycott the job and not install the ventilators."

This is the proposition I submit to the Senate and to the people of the United States: There was a union telling the State of Ohio: "If you accept the bid of the lowest and best contractor, we will boycott the job."

Mr. CURTIS. Mr. President, will the Senator yield briefly?

Mr. LAUSCHE. Yes; I yield.

Mr. CURTIS. My amendment would prohibit such a boycott as has been going on at the Burt Manufacturing Co. for more than 10 years. The Burt Manufacturing Co. has a certified union. There is no dispute there. Yet that company's goods have been boycotted in every State of the Union for 10 years. This amendment would put an end to that practice.

Mr. LAUSCHE. I put this query to my colleagues: How can we justify the situation of a labor leader having power practically to intimidate the sovereign State of Ohio? The State architect, in determining in his own mind upon whom he should rely, when the dignity and the sovereignty of the State of Ohio was in question, abjectly and supinely yielded to the intimidation of a labor union.

The Burt Manufacturing Co. called me and asked if I intended to countenance that situation. I told my architect: "Award that bid to the lowest and best bidder, even though the building is never constructed."

To the proponents of the bill to the members of the committee, I ask, How can you, with courage and fairness and justice, not only to the workers, but also to the labor leaders and the people of the United States, fail to deal with that kind of situation? How can we justify allowing labor leaders to impose upon innocent employers and innocent workers the damages which come from secondary boycotts? But the bill is silent so far as secondary boycotts are concerned. However, nothing which confronts the country is more crucial than the evils which arise from that situation.

In conclusion, let me say that title VI would weaken the Taft-Hartley Act. To that extent we would have invaded the general field of the problems of labor and management. But the bill would do nothing to strengthen the act where justice cries out with its full strength that action to strengthen the act should be taken.

I am certain that the Senator from Arkansas [Mr. McCLELLAN], the chairman of the select committee, recognizes the seriousness of this problem. If the members of the committee were justified in omitting from the bill any provision which would deal with secondary boycotts, hot cargoes, and organizational picketing, what justification did they have to deal with the other subjects, by means of provisions which tend to debilitate the Taft-Hartley Act?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The time yielded to the Senator from Ohio has expired.

Mr. LAUSCHE. I ask for 1 more minute.

Mr. DIRKSEN. I yield 1 additional minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 more minute.

Mr. McCLELLAN. Mr. President, will the Senator from Ohio yield for a question?

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 10 minutes.

Mr. McCLELLAN. Mr. President, there is a large area which the committee has not yet sufficiently covered. We did not undertake to do so in the interim report. We did not have time to make a study and a report on everything with which we should deal.

The Senator from Ohio asks why the bill is silent in regard to the matters he has mentioned. Those matters come within the scope of the legislative committee in this field. We intend to cover this in our work. But the select committee cannot do a 5-year job in 1 year's time.

Mr. LAUSCHE. I concur in the statement the Senator from Arkansas has made. I have full faith in him and in his committee.

But my point is that unless in the bill we deal with secondary boycotts, organizational picketing, and hot cargoes, then the bill should not deal with anything which pertains to the Taft-Hartley Act. I would be in favor of striking all of title VI from the bill, rather than to have any of title VI remain in it, in the absence of provisions dealing with the subjects I have mentioned.

Mr. McCLELLAN. Mr. President, I thoroughly agree with the Senator from Ohio about not having the bill deal with the Taft-Hartley Act as such. I do not think the bill should do so.

As the Senator from Ohio knows, I will support amendments, and will submit some of my own, to strike from title VI of the bill the provisions which deal with the Taft-Hartley Act.

Mr. LAUSCHE. I thank the Senator from Arkansas.

Mr. KENNEDY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes.

Mr. KENNEDY. Mr. President, let me say to the Senator from Ohio that the Subcommittee on Labor, which began its work at the time when the McClellan select committee had made its report, was interested in carrying out the legislative recommendations which had been made by the select committee.

When the bill was referred to our committee, we agreed that we would report a bill by June 10. The Senator from New Jersey [Mr. SMITH] insisted that the committee also consider the recommendations of the administration, insofar as the administration proposed amendments to the Taft-Hartley Act.

As Senators will recall, we offered two amendments in that field.

I realize that the Senator from Ohio is interested in the enactment of legislation which will deal with secondary boycotts. But I do not know whether he has studied carefully the way in which the amendment of the Senator from Nebraska [Mr. CURTIS] is drawn. If the Senator from Ohio will study that amendment carefully, and if, in addition, he will stop to realize that the Supreme Court has rendered a decision which outlaws the hot cargo, I believe he will conclude that it would be extremely unwise to vote for the Curtis amendment.

Secondary boycotts of many types are indefensible. I am completely opposed to them.

The Senator from New Jersey submitted 18 amendments on behalf of the administration, and several of them are still on the agenda. One deals with contributions for political purposes, for political spending. Another deals with the secondary boycott.

My position is that on the basis of the testimony of only one witness, in the case of an extremely complicated proposal—and I think even the Senator who is the proponent of the amendment found it necessary to have an attorney with him at the hearing, to answer many of the questions—we are not going blindly to accept such an amendment as that now proposed, an amendment which has not been given any study.

Mr. CURTIS. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. No, Mr. President; I will not yield until I finish.

Mr. CURTIS. The Senator has made a misstatement.

Mr. KENNEDY. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. Particularly in view of the decision of the Supreme Court which outlawed the hot cargo, we are not willing to accept a proposal of this sort which has not been given study.

Mr. LAUSCHE. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield.

Mr. LAUSCHE. I could gladly go along with the proposal of the Senator from Massachusetts if title VI were entirely silent as regards the Taft-Hartley Act. However, title VI would weaken the Taft-Hartley Act in regard to important matters; but it does nothing to plug the loopholes by means of which those who should have been dealt with have escaped the application of the provisions of the Taft-Hartley Act.

Mr. KENNEDY. But title VI also includes provisions which deal with matters affecting employment which were dealt with in the select committee's report. For instance, one section deals with the building trades—a matter about which the Senator is especially concerned.

If I were the Senator from Ohio, and if I felt as he does, I would move to strike out that part of the bill. But the Senator's attitude on that matter does not justify acceptance of the amendment of the Senator from Nebraska, to which no consideration or study has been given, and particularly in view of the Supreme Court's decision, which I believe eliminates a considerable part of the necessity for the inclusion of such a provision, inasmuch as it eliminates the hot cargo.

Mr. McCLELLAN. Mr. President, will the Senator from Massachusetts yield 2 minutes to me?

Mr. KENNEDY. I yield 5 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, I wholeheartedly agree with the Senator from Ohio in regard to this problem. It must be dealt with. But our committee has only begun to investigate that particular area. We have received some testimony regarding it, and I have repeatedly stated that the secondary boycott problem must be dealt with.

I could vote blindly for numerous amendments on this floor, and no doubt many persons then would say that I did exactly what I said I would do.

But it is my theory that if we are to have good legislation, we must give it some care and thought. That is all I am asking for.

I do not know about this particular amendment; I might support it, as now written, after I made a study of it.

But I say the secondary-boycott area presents an evil—from what I have already learned—that should be dealt with.

I agree with the Senator from Ohio. So far as I am concerned, I did not want to have attempts made in connection with this bill to revise the Taft-Hartley Act. We wanted to deal primarily with the recommendations the select committee made in its interim report.

If the Senate is now to try to legislate at this session, by means of this bill, in the entire labor and management field, then the select committee should be discharged, because then there would be nothing left for it to do.

I want to have good legislation enacted, and I want the Senate to go into this field. But I repeat that I want these proposals properly investigated and considered, rather than to take hasty action and get bad legislation enacted.

So I shall appeal to my colleagues. The other day I appealed to those who wanted to have the Senate adopt some amendments which would deal with some of these highly controversial proposals. Perhaps my appeal did not have any effect.

But I intend to make another appeal, namely, to strike out of the bill section 604, section 605, and part of section 610, because, so far as I am concerned, I think they would do the very thing that I urged, the other day, not be done, namely, they would load down the bill with provisions which might result in its defeat and might prevent the Congress from enacting any legislation at this session. Therefore, I shall move to strike those provisions from the bill.

Since we are having to make some concessions, in an effort to obtain the enactment of legislation in this field, I hope Senators who favor some revisions of the Taft-Hartley Act will make the concession of permitting the Senate to pass a bill which will deal with corruption and with democratic processes, and thus make it possible for that bill to be enacted at this session. I hope there will be give-and-take on both sides.

But it is difficult for those of us who are trying to cooperate in the effort to enact such a bill—one dealing with the three principal things the select committee has reported on—and after we had to turn down some amendments which were offered and which in principle we support—and I do not know whether they were technically correct—now to be asked to include the provisions which have just been referred to.

I do not say that such practices are not evil and bad, but I say that we have not had time to investigate these matters sufficiently to make a report on them.

If we now strike out the sections to which I have referred, and omit those provisions, later we can give proper attention to revisions of the Taft-Hartley Act.

But, in the meantime, this committee will go forward with its investigation, and will make disclosures wherever we find improper practices being engaged in, insofar as such matters need legislative treatment.

But again I say that if some Senators wish to have the bill thrown wide open and if they wish to have the Senate legislate now, in this bill, on all conceivable subjects which might be legislated on in the labor-management field before they are properly investigated and reported on, both in the case of improper practices which are now permitted by existing provisions of the Taft-Hartley Act and in the case of improper practices which are not dealt with by that act, then the select committee will have no purpose to serve, and there will no longer be need for it to continue. Our work will be stopped before it is half finished.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield 1 more minute to me?

Mr. DIRKSEN. I yield an additional minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 more minute.

Mr. LAUSCHE. Mr. President, I applaud the statement the Senator from Arkansas [Mr. McCLELLAN] has made. I am prepared to vote for a bill which will deal with all phases of the management-labor relations problem, or for a bill which will deal only with the internal management of the unions and the prevention of corrupt influences in that area.

But I refuse to go along with a bill which, in its first five titles, deals with union internal management matters, and then proceeds to deal with the Taft-Hartley Act, but only to the extent of weakening the act, not to the extent of plugging up the loopholes through which bad labor leaders have escaped the application of that act.

Mr. MORSE. Mr. President, will the Senator yield 2 minutes to me?

Mr. KENNEDY. I agreed to yield to the Senator from North Carolina [Mr. ERVIN], and I should like to yield to him.

The PRESIDING OFFICER. How much time does the Senator from Massachusetts yield to the Senator from North Carolina?

Mr. KENNEDY. Such time as he may desire.

Mr. ERVIN. I think I can complete my statement quickly. I wish merely to reiterate that if we use the pending bill as a vehicle for either weakening or strengthening the provisions of the Taft-Hartley law, we shall insure that there will be no labor legislation in this session of Congress.

I agree in principle with the Senator from Nebraska that there ought to be legislation in the field of secondary boycotts, and I would support such legislation in a separate bill.

I wish to go on record as saying that I endorse in every respect, and associate myself with, the remarks made by the distinguished chairman of the select committee, the Senator from Arkansas [Mr. McCLELLAN]. For those reasons I have to say again that the lot of a legislator is an unhappy one in that he is required sometimes to vote against proposals whose principles he favors, in order to get effective legislation which ought to be enacted immediately.

Mr. MORSE. Mr. President, will the Senator yield 2 minutes to me?

Mr. KENNEDY. I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Ohio for a moment. The Senator from Ohio has made pretty strong criticism of the action of the committee. If I accepted his major premise, I would have to agree with him. I desire to emphasize the point that we have not had the type of hearings on secondary boycotts which we should have. The

amendment itself proves my case, and I turn to page 2 of the amendment. When we are dealing with secondary boycotts, we are dealing with a complicated set of legal problems. There has just been a Supreme Court decision handed down that in and of itself should receive serious consideration by the Committee on Labor and Public Welfare in approving legislation in this field.

I assume, from what the Senator from Ohio has said, he believes that items (A), (B), (C), (D), (E), and (F) on page 2 of the amendment involve a secondary boycott situation. It is that very situation which supports my argument that we had better have prolonged hearings on this question, get legal experts to testify, and examine the case law in the statute books.

It cannot fully be argued on the floor of the Senate, but I will tell the Senator what I think about the matter. Item (A) is not secondary. (B) is secondary. (C) is secondary. I may mention that (B) is already in the law. (D) is primary. (E) is primary. (F) is principally primary, if there are some fact situations which bring it within the meaning of the law under a certain set of conditions.

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

Mr. MORSE. May I have 1 more minute?

Mr. KENNEDY. I yield 1 more minute to the Senator from Oregon.

Mr. MORSE. The very assumption that they are secondary boycotts, I respectfully say to the Senator from Ohio, would not stand up under a careful examination of the law. That is why we should not be writing this kind of legislation on the floor.

Mr. LAUSCHE. May I ask the Senator from Oregon whether he believes the evils of secondary boycotts should not be imposed upon innocent employers and employees?

Mr. MORSE. The Senator from Oregon is on record as saying time and again that there are two types of secondary boycotts. There are legitimate ones and there are illegitimate ones. I am against the illegitimate ones. I have spoken at length on the floor of the Senate about what I consider to be legitimate secondary boycotts. I wrote a paper, which is still controlling in arbitration law, on a secondary boycott which is an illegitimate one. I have also written one on legitimate secondary boycotts.

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

Mr. MORSE. May I have 1 more minute?

Mr. KENNEDY. I yield 1 more minute to the Senator from Oregon.

Mr. LAUSCHE. Did the Senator hear my statement about the Burt case in Ohio?

Mr. MORSE. I did not hear it. I heard some of the criticisms of the bill that the Senator made. I knew that if the Senator from Ohio was aware of all the facts the committee considered, he would not be criticizing, but would be commending, the committee, because the subject matter of which he has spoken was not one which, in our opinion, should have received a hearing and the consideration of the committee if the committee was to submit a report on the McClellan committee's findings by June 10.

Mr. LAUSCHE. I do not hesitate to say that the people of the United States knowing that $1 million was spent in that investigation, knowing of the disclosures which were made of the evils, will not rest content until adequate legislation is enacted by the Congress to deal with those evils.

Mr. MORSE. I was not quarreling about that statement.

Mr. SMATHERS. Mr. President, will the Senator yield me 2 minutes?

Mr. KENNEDY. I yield the Senator from Florida 2 minutes on the amendment. Then I shall yield to the Senator from New York [Mr. IVES] such time as he may desire from time on the bill.

Mr. SMATHERS. I should like to direct my attention to what the Senator from Arkansas stated. I completely agree with what he has said with reference to the evils and abuses of secondary boycotts. Did I understand the Senator from Arkansas to say that his committee was going to give to this particular problem, involving the abuses of secondary boycott, consideration at this particular session?

Mr. McCLELLAN. I would not say at this session, but I expect the committee to make a report. Whether that will be an interim or a final report, I cannot say; but I am firmly convinced, and it is my deep conviction, that there are serious improper practices in the boycott area. I could vote for an amendment at this time if I knew it was properly worded to cover some aspects of that field, but I know the committee has not concluded its work in that area, and I think it would be well for us not to undertake to legislate in that field at this time.

Mr. SMATHERS. Would I be correct in stating I share the sentiment of the Senator from Arkansas, that we should not vote for the amendment offered by the Senator from Nebraska, but wait until the select committee proposes legislative recommendations to cure the evils now involved in secondary boycotts?

Mr. McCLELLAN. That is what the Senator from Arkansas proposes to do. If I thought this was the last opportunity to get legislation in that area, I might vote for something blindly, merely to express my conviction about it; but I do not want to vote blindly until we have actually been given the opportunity to make proposals.

I say to the distinguished Senator, as I said a moment ago, it has been impossible for the select committee—and I have given two-thirds of my time to it since it has been created—to cover all improper practices in the labor-management field. We have covered only 8 or 9 labor organizations. We have much information in other areas. It is a matter of human, physical impossibility to do this job, and do it effectively, and cover all the vast area in this field, within the limited time the committee has been in existence.

Mr. KENNEDY. I yield 5 minutes on the bill to the Senator from New York [Mr. IVES].

Mr. IVES. Mr. President, I shall not take 5 minutes. I merely wish to say I commend the distinguished Senator from Arkansas for his excellent explanation of what this is all about when it comes to consideration of the matter by the select committee. As the Senator said, the select committee has not had time to go fully into the question of secondary boycotts and picketing. When we came to the point of making our recommendations, we decided it would be most advisable not to cover such matters in an interim report. That is the reason we have not recommended anything in connection with either item. That is the reason the standing committee left these items out.

Anyone would think, to listen to the discussion on the floor, that the Taft-Hartley Act does not have anything to do with secondary boycotts. I well remember a dispute I had in 1947 on that very question. The Taft-Hartley Act does outlaw secondary boycotts.

The hot-cargo problem has been considered by the Supreme Court. That provision is unenforcible. That is exactly what the court said. The decision has been rendered.

The matter is covered in the Taft-Hartley Act as it stands. Before we legislate further, if we are going to legislate intelligently, what we have to know is more about the field and what is happening in it. That is something which the select committee cannot provide and has not been able to provide to date.

The distinguished Senator from Nebraska has introduced a bill which is very far reaching. The bill introduced by the Senator would, as I understand it, outlaw most boycotts, with the exception of a few primary ones. Certainly, all secondary boycotts would be outlawed. The bill also would deal to a substantial extent with primary boycotts, as I understand. The bill further would outlaw all organizational picketing.

Some of those matters should not be dealt with at this time. I think the secondary boycott provisions of the law should be stepped up. I think there should be further provisions regarding picketing. I, myself, have introduced a bill on the subject. I am not pressing for passage of that bill, for the reason we have not gone into these matters sufficiently.

I think we are considering a very good bill at the present time. If we stop now and pass the bill, we will not have anything of which to be ashamed. As a matter of fact, we will have legislation of which to be proud. We should be proud of being able to do so much in the limited time in which we have had to work, bearing in mind that we have done all this since April 15, the earliest date on which we could start. I think that is almost miraculous.

Mr. THYE. Mr. President, will the distinguished Senator from Massachusetts yield me a few minutes? I should

like to read a couple of paragraphs from a letter I have received, in order that we may have comment made on the question raised in the letter.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield time to the Senator from Minnesota?

Mr. KENNEDY. Mr. President, I yield 3 minutes to the Senator.

Mr. THYE. It will take possibly 3 or 4 minutes to read the paragraphs and get an answer.

Mr. KENNEDY. Mr. President, I yield 5 minutes to the Senator from Minnesota.

Mr. THYE. I thank the Senator.

Mr. President, I am very much impressed with the remarks of the distinguished Senator from Arkansas [Mr. McCLELLAN]. I, too, am greatly concerned about the questions which confront us. I first want to make certain we enact legislation which will be a step in the right direction, toward dealing with union abuses or union management abuses in connection with moneys with which officials are entrusted as well as the field of welfare funds and money from the dues of the workers.

I have in my hand a letter which came to me from one of the outstanding firms in my State. I know the management and I know of the great concern about the matter. I will read a few paragraphs.

> In our west coast situation, our production people and our truck drivers are organized, but our small office force (10 people) is not. Union organizers have announced that they are going to organize our office. Although this intention was announced some weeks ago, and although we even permitted the organizers to talk to the employees on company time on one occasion, so far as we know, none of the employees has joined the union, and the union does not claim to represent a majority of them.
>
> We have offered to consent to an NLRB representation election and to bargain collectively with the union if it is certified as the bargaining agent by the NLRB as a result of the election.
>
> The union will have none of this and threatens to picket our premises with nonemployees. (The union has actually shut down one of our competitors and this gives added meaning to their threat.) A result of this would be that our production employees and truck drivers would refuse to work, we would have to shut down, and the few office employees would be without work until such time as they decided to come to terms with these people who are seeking to "represent" them.

I have read three paragraphs from the letter. I shall not disclose who sent me the letter. This is a problem with which the employer is confronted. That is the reason there is grave concern on the floor this afternoon, while we are dealing with labor-management questions in consideration of the pending bill. Shall we take a step to correct such a situation and such an abuse as is revealed by the letter?

If I may, I should like to have some comment on the problem by the distinguished senior minority member of the committee [Mr. IVES] or by the chairman of the subcommittee, the Senator from Massachusetts [Mr. KENNEDY]. I would appreciate such comment, because I want the employer who sent me the letter to know that we are going to consider his problem and are not merely glossing it over.

Mr. IVES. Mr. President, may I try to answer the question?

Mr. THYE. I should be delighted to have the Senator do so.

Mr. IVES. In the first place, the picketing which the Senator describes, as to which the company complains, would be perfectly legal under present law.

In the next place, I point out the bill to which I referred in my earlier remarks concerning picketing would have taken care of that situation and would have stopped that kind of "monkey business." Under the bill to which I refer the employer could have filed a petition for an election.

I did not press for passage of the bill for the very simple reason, which I have already indicated, that the select committee decided not to recommend anything in this field. I am talking about the work of the McClellan select committee.

Mr. THYE. Yes.

Mr. IVES. That is why I did not press for passage. The bill has been introduced. My bill would not outlaw all organizational picketing, but it would correct a situation such as that referred to.

Mr. THYE. What comfort will the person who sent me the letter get from a reply of mine, when I recognize and acknowledge there is an abuse which should be corrected, but state I do not believe it advisable to take steps to correct it at the present time? Will he receive any comfort from that kind of reply?

Mr. IVES. I do not know exactly what kind of individual the person the Senator is describing is. Some might receive comfort. Others would not receive any comfort at all. I daresay most people would not receive any comfort at all from that kind of reply.

If a constituent of mine wrote me in that way, I would not reply in that manner. I would simply point out that we are exploring the field, that we anticipate some legislation will be enacted into law, that legislation to handle the matter has been introduced; but that a sufficient investigation has not yet taken place so that recommendations can be made by the select committee, which is doing the investigating, to cover the field in a preliminary report this year.

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

Mr. THYE. Will the Senator yield me 2 additional minutes on the bill?

Mr. KNOWLAND. I yield 2 additional minutes on the bill.

Mr. THYE. The question is this: Either we should modify and amend the Curtis amendment, or otherwise we shall have to say to the Senator from Nebraska [Mr. CURTIS]: "We recognize certain phases of the amendment are sound and should be adopted, but we are not prepared to say that we have all the knowledge which is necessary to deal intelligently with the question as to how the amendment should be perfected before we adopt it."

Mr. IVES. I think the latter alternative would be the better one. I do not think anyone has an amendment to offer as a substitute to the Curtis amendment. I certainly would not want to do so, because, as I indicated, I am not willing to press for passage of my bill in the first instance.

Mr. THYE. If we adopted the Curtis amendment and then found ourselves confronted with the difficulty of getting the amendment accepted by the House, and found ourselves in a position which jeopardized the passage of the bill, then we would possibly leave unfinished some work which has been very ably done, which could be accomplished if we passed what is in the committee bill before us.

Mr. IVES. I think that is well put, and I commend the Senator for thus describing the situation. I think that is exactly what might happen. I predict that if some of the amendments which are to be offered are adopted we will end up with nothing at all. It is a question of whether we are to be satisfied with what we have, or whether we do not want anything.

Mr. KNOWLAND. I yield 2 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, it seems to me that the frank answer to the gentleman who wrote to the Senator from Minnesota is that every expert on the floor who speaks on this subject admits that there are abuses, and that something must be done, but we have no time to do it.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I think we should get the record straight. We should keep in mind that the select committee does not write legislation. It does not draft legislative measures. We have already taken some testimony on secondary boycotts; but the information necessary to write a bill does not have to come from any one source.

The distinguished Senator from Massachusetts [Mr. KENNEDY] made the statement that we were asked to accept this amendment upon the testimony of one witness. Let us look at the record.

Mr. Harry L. Browne, an attorney appearing in behalf of the American Retail Federation, testified in favor of the amendment, as is shown on page 737 of the record.

Mr. Robert G. Kelly, of Charleston, W. Va., representing the Chamber of Commerce of the United States, testified in favor of the amendment, as appears on page 852 of the record.

Mr. Horace E. Sheldon, representing the Commerce and Industry Association of New York, N. Y., testified in favor of the amendment, as shown on page 867.

Mr. Donald Hardenbrook, Jr., vice president, Union Bag-Camp Paper Corp., and chairman of the industrial relations committee, testified in favor of the amendment, as shown on page 3907 of the record.

Mr. Theodore R. Iserman, an attorney from New York, testified for the proposed legislation, as appears on page 946.

Mr. Charles H. Tower, manager of the Employer-Employees Relations Department of the National Association of Broadcasters, testified for the amendment, as appears on page 1010 of the record.

In addition, there is considerable evidence from people who have sent in communications. I wish to read one of them. It comes from Little Rock, Ark. It is found on page 326. This letter is addressed to me. The list of names which I read constituted a list of witnesses who appeared and testified. They did not write letters.

Mr. President, we are facing the fact that there are those who are not opposed to secondary boycotts. There are Senators who will never vote to close the loopholes. They say, "Let us do it another day." We are either for these proposals or against them.

I read the letter addressed to me from Little Rock, Ark., dated May 5, 1958:

ARKANSAS RESTAURANT ASSOCIATION, INC.,
Little Rock, Ark., May 5, 1958.

Senator CARL T. CURTIS,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CURTIS: First of all I should like to say the Arkansas Restaurant Association and Arkansas Motel Association are completely behind your S. 76, which would outlaw secondary boycotts and organizational picketing.

It is our understanding that you will testify on May 12 before the Senate Labor Committee and we wish to provide the following instance for your information:

"The Teamster Union (local), in the summer of 1956, attempted to organize Terryland Dairy here in Little Rock, and as part of this effort advised some 14 restaurants in downtown Little Rock to quit using Terryland milk until the strike was over. Failure to do so would result in picketing, according to the callers.

"We advised the operators to use whatever type milk they so desired, without naming any of the 5 Little Rock dairies. This resulted in picketing in front of restaurants, and in some cases fractional remarks to customers. In one instance, 5 customers came into the Maxwell House Restaurant at noon and ordered steaks. After eating the salad they left one at a time with the last party distributing literature over the floor. It was impossible to locate the offending parties.

"This resulted in our court action which gave us temporary relief and later a permanent injunction was given prohibiting any further picketing."

Very truly yours,
WILLIAM M. BYRD,
Executive Director.

The issue is not, What day is a nice day to legislate? We have the evidence before us. There were ample hearings. The committee did not act. We have no assurance that it will ever act. The teamsters union and the other groups are carrying their fight away from the primary parties to a controversy. They are carrying the contest to neutral third parties. That is what constitutes a secondary boycott.

The Taft-Hartley Act attempted to outlaw that practice. It did a pretty good job. However, the connivers schemed and planned with their clever attorneys to find loopholes in the law. My amendment would plug those loopholes. It would restrict organizational picketing. We now have an opportunity to vote against such practices.

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

The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. CURTIS].

Mr. KENNEDY. Mr. President, I yield myself 1 minute.

The amendment of the Senator from Nebraska would prohibit even a majority of the employees in the No. 1 employer's plant from striking and picketing. It would prevent a union from picketing a sweat shop which was undermining fair wage standards in an industry.

I hope the Senate will reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. CURTIS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the Senator from Wyoming [Mr. O'MAHONEY]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. IVES (when his name was called). On this vote I have a pair with the distinguished senior Senator from Ohio [Mr. BRICKER], who left the Chamber with the understanding that I would have this pair with him, otherwise he would not have left. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. ELLENDER (when his name was called. On this vote I have a pair with the junior Senator from Indiana [Mr. JENNER]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], and the Senators from Connecticut [Mr. BUSH and Mr. PURTELL] are necessarily absent. The pair of the Senator from Indiana [Mr. JENNER] has been previously announced.

The Senator from Nebraska [Mr. HRUSKA], the Senator from Maine [Mr. PAYNE], and the Senator from Delaware [Mr. WILLIAMS] are absent on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

The Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Maine would vote "nay."

The Senator from Ohio [Mr. BRICKER] is necessarily absent, and his pair has been previously announced.

The result was announced—yeas 32, nays 51, as follows:

YEAS—32

Allott	Dworshak	Mundt
Barrett	Eastland	Potter
Bennett	Frear	Revercomb
Bridges	Goldwater	Robertson
Butler	Hickenlooper	Russell
Byrd	Hoblitzell	Schoeppel
Carlson	Knowland	Stennis
Case, S. Dak.	Lausche	Thurmond
Cotton	Martin Iowa	Watkins
Curtis	Martin, Pa.	Wiley
Dirksen	Morton	

NAYS—51

Aiken	Holland	McNamara
Anderson	Humphrey	Monroney
Beall	Jackson	Morse
Bible	Javits	Murray
Carroll	Johnson, Tex.	Neuberger
Case, N. J.	Johnston, S. C.	Pastore
Chavez	Jordan	Proxmire
Church	Kefauver	Saltonstall
Clark	Kennedy	Smathers
Cooper	Kerr	Smith, Maine
Douglas	Kuchel	Smith, N. J.
Ervin	Langer	Sparkman
Fulbright	Long	Symington
Green	Magnuson	Talmadge
Hayden	Malone	Thye
Hennings	Mansfield	Yarborough
Hill	McClellan	Young

NOT VOTING—13

Bricker	Gore	Payne
Bush	Hruska	Purtell
Capehart	Ives	Williams
Ellender	Jenner	
Flanders	O'Mahoney	

So Mr. CURTIS' amendment was rejected.

Mr. KENNEDY. Mr. President, I move that the vote by which the amendment offered by the Senator from Nebraska was rejected be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I call up my amendments designated "6–12–58–GG."

The PRESIDING OFFICER. The amendments will be read for the information of the Senate.

The CHIEF CLERK. On page 39, beginning with line 17, it is proposed to strike out all through line 9, page 40.

On page 40, line 10, strike out "SEC. 606", and insert in lieu thereof "SEC. 605."

On page 40, line 16, strike out "SEC. 607", and insert in lieu thereof "SEC. 606."

On page 40, line 24, strike out "SEC. 608", and insert in lieu thereof "SEC. 607."

On page 42, line 3, strike out "SEC. 609", and insert in lieu thereof "SEC. 608."

On page 42, line 23, strike out "SEC. 610", and insert in lieu thereof "SEC. 609."

On page 43, line 14, strike out "SEC. 611", and insert in lieu thereof "SEC. 610."

The PRESIDING OFFICER. Does the Senator from South Carolina desire to have his amendments considered en bloc?

Mr. THURMOND. Mr. President, I ask unanimous consent that the names of the senior Senator from Arkansas [Mr. MCCLELLAN] and the senior Senator

from South Dakota [Mr. MUNDT] be added as cosponsors of the amendment.

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

Does the Senator from South Carolina desire to have his amendments considered en bloc?

Mr. THURMOND. I ask that they be considered en bloc.

Mr. MORSE. Mr. President, reserving the right to object, I ask that the request to have the amendments considered en bloc be withheld until I can hear a part of the debate.

The PRESIDING OFFICER. The request of the Senator from South Carolina to have his amendments considered en bloc will be withheld temporarily because the Senator from Oregon reserves the right to object.

Mr. THURMOND. The purpose of the amendment is to strike section 605 of the bill, which begins on page 39 and extends to page 40. The rest of the amendments relate simply to the renumbering of the sections to correspond. After that explanation, I think the Senator from Oregon will agree that there is really only one amendment.

The PRESIDING OFFICER. How much time does the Senator from South Carolina yield himself? He has 15 minutes on the amendment.

Mr. THURMOND. I yield myself 8 minutes.

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

Mr. THURMOND. I yield for a question, but the time not to be charged to me.

Mr. MORSE. When I listened to the Senator's request, I did not have the bill before me. I did not know whether the amendment extended beyond section 605.

Mr. THURMOND. No; it applies chiefly to section 605.

Mr. MORSE. Then I have no objection to having the amendments considered en bloc.

The PRESIDING OFFICER. Without objection, the request of the Senator from South Carolina to have his amendments considered en bloc is granted.

Mr. THURMOND. Mr. President, speed and prompt action in judicial or quasijudicial determinations constitute a most important factor in the determination of procedures to be prescribed for use by a particular judicial or quasi-judicial body. It should be noted, however, that in order to be consistent with the democratic processes which form the basis for the protection of individual rights in this great democracy the lapse of time is not given so high a priority as in those countries which utilize an authoritarian form of government. As important as speed may be, the safeguarding of individual rights has never been sacrificed in the interest of haste in our democratic system. Neither have we let financial considerations determine the extent to which full due process could be accorded to our citizens or a portion of them.

Section 605 of the bill departs from these laudatory principles. Section 9 (c) of the National Labor Relations Act, as amended, provides that a hearing shall be accorded by the National Labor Relations Board upon the request of either party prior to a certification election. The hearing is provided for the explicit purpose of determining whether a question of representation exists. Section 9 (c) (4) provides that the parties may waive such a hearing by stipulation. The bill, under the provisions of section 605, would authorize the National Labor Relations Board to conduct so-called prehearing elections. This is another way of saying that the parties no longer have the benefit of a hearing as a matter of right. Under section 605 of the bill, the National Labor Relations Board would be required to hold a hearing after the election at the insistence of either of the parties.

The committee, in its report, gives as the principal reasons for the abolition of hearings as a matter of right prior to an election, the considerations of time, workload of the National Labor Relations Board, and the expense entailed in conducting the hearings and preparing reports thereon. There is no question that parties entitled to these hearings have availed themselves of this stage of the proceedings, as is brought out by the tables included in the committee report on page 28. The procedure sought to be abolished by section 605 is not one which has fallen by the wayside from disuse but, on the contrary, is a procedure of which both labor unions and managements have utilized consistently when it was applicable.

It may be true, as the committee states, that on occasions a party has demanded a hearing under section 9 (c) of the National Labor Relations Act for tactical purpose or for purposes of delay. This could be said of almost any judicial procedure or quasi-judicial procedure afforded to parties under our system of Government, and is certainly no justification for abolishing this particular step in the proceedings. Unquestionably, the Board, upon the hearing, can determine whether either of the parties is relying upon a sham claim and take the appropriate action with the result being no more than the attendant delay. For my part, I would rather countenance many delays than to deny substantive due process to one party, whether it be a labor union or an employer.

The requirement of a hearing subsequent to an election is, as a practical matter, a nullity. We must not be so naive as to expect that the National Labor Relations Board will, as a quasi-judicial body, reverse its own previous decision handed down as a quasi-administrative body. Such a reversal might sound feasible in theory, or read well in a statute, but, as a practical matter, it might as well have been omitted from the bill except insofar as it would diminish the apparent effect of the change in the minds of the legislators who must vote on the provision.

The hearings which are afforded to parties as a matter of right under section 9 (c) of the National Labor Relations Act are a necessary and vital step in the procedure for collective bargaining established in the act. Even in cases where the issues to be determined by the hearing are most narrow, and where the decision at the hearing would be in the most circumscribed area, the hearing provides a forum in which the issues to be presented to the workers in the election are formally drawn and the positions of the labor unions and management are brought into focus, thereby enabling the workers to vote more intelligently in the election which follows. If the hearings accomplished nothing more than to present the issues clearly drawn to the workers there would be sufficient reason for retaining the hearings as a matter of right, prior to any certification election.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The time the Senator from South Carolina has yielded to himself has expired.

Mr. THURMOND. Mr. President, I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 2 more minutes.

Mr. THURMOND. Mr. President, I cannot reconcile leaving such an important decision—as to whether a hearing is to be granted prior to the election—to an administrative agency, or, indeed, to any person, for that would amount to accepting the allegations of one of the parties at face value, without the verification obtained in accordance with prescribed rules followed during a hearing.

The amendment which I offer, and which the Senator from Arkansas [Mr. MCCLELLAN] and the Senator from South Dakota [Mr. MUNDT] have joined me in sponsoring, would delete section 605 from the bill. This amendment involves the basic right of the workers themselves and of management to due process which they have in the past been accorded, and on which they have relied for protection of their basic rights.

During any debate on proposed legislation of this nature, almost every proposal which is discussed is declared to be more favorable either to management or to labor; and on these matters there is room for a great difference of opinion.

Mr. KNOWLAND. Mr. President, which amendment is the Senator from South Carolina calling up at this time?

Mr. THURMOND. The one which would strike section 605 from the bill.

Mr. KNOWLAND. Is it the amendmen identified as "6-12-58-GG"?

Mr. THURMOND. Yes.

Mr. KNOWLAND. I have difficulty finding how the amendment would make the text of the bill read—for instance, on page 39 beginning in line 17. There would seem to be a break in the text, as a result. But perhaps I have the wrong print.

Mr. THURMOND. I believe the Senator from California may have the wrong print of the bill before him.

The PRESIDING OFFICER. The additional time the Senator from South Carolina has yielded to himself has expired.

The Chair is advised by the Secretary that the Senator from California has the wrong print of the bill before him.

Mr. KNOWLAND. It is the print which was furnished to me and to other Senators, I believe. In following the remarks of the Senator from South Carolina, we should like to have the correct print of the bill before us.

Mr. THURMOND. Mr. President, I hope the correct print of the bill will be furnished to the Senator promptly, so he can see that my amendment would strike out all of section 605.

The PRESIDING OFFICER. Does the Senator from South Carolina yield additional time to himself?

Mr. THURMOND. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 2 additional minutes.

Mr. THURMOND. Mr. President, the amendment I propose is not only favorable, but is vital, to both labor and management equally. I cannot even see how it would adversely affect the National Labor Relations Board, for it is the duty of Congress to provide sufficient funds and to authorize sufficient personnel, so that these essential procedures can be afforded to the parties without undue stress and extra labor on the part of those in the National Labor Relations Board. The decisions which result from the hearings, and from the elections that follow, are basic to this country's system of collective bargaining. Any delays which might result from a continuance of the existing procedure are more than offset by the protection afforded to basic rights of the parties.

Let us not destroy the best parts of the existing law, under the pretext of streamlining the procedure, or in an effort to meet the demands to enact some labor legislation. It would be preferable to enact no new legislation at all, rather than to destroy the good and workable portions of the legislation now in existence, thus abolishing the progress which predecessor Congresses have made.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. MORSE. Mr. President, I wonder whether the Senator who is in charge of the time in opposition to the amendment will yield 10 minutes to me.

I have just been advised that, for the time being, I can control the time in opposition to the amendment. Therefore, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. MORSE. Mr. President, two problems about this matter concern me. One is the problem of what to do with title VI of the bill.

It has been argued by the Senator from Arkansas [Mr. McCLELLAN] and other Senators that title VI includes some amendments to the Taft-Hartley Act, as well as other provisions. So it does. Most are not major amendments to the Taft-Hartley Act. They are merely perfecting amendments, in a way, and would greatly improve the administration of the act, and would prove to be of great convenience to the Board. I think there is much merit to the argument that perhaps we should stop short of making any amendments to the Taft-Hartley Act. I would say "Yes," so far as major amendments to the Taft-Hartley Act are concerned, but not in the case of amendments of the type of the ones we are dealing with here. At least, I am not convinced yet that we should.

However, title VI deals with more than amendments to the Taft-Hartley Act as such. As the debate progresses we shall see there are parts of title VI that really have to do with carrying out provisions of the first five titles. Certainly it would be a shame to have a blanket striking out of title VI without giving consideration to the parts of title VI which bear on the implementation of the first five titles.

I should like to have the attention of the Senator from Arkansas, as well as other Senators, on this matter. This particular section deals primarily with the no man's land problem. The purpose of this particular section of the bill is to authorize the Board to expedite the job it does so as to meet the no man's land problem effectively.

Let us consider what is in the bill at the present time. There is contained in it the Ives amendment. The Ives amendment in effect provides that the Board shall assert jurisdiction over all cases we feel is within its power. We have said that to the Board.

Now we have an opportunity to adopt an amendment which will be of great procedural assistance and of great time-saving assistance to the Board, as the Board, through its spokesmen, pointed out in the hearings.

I do not deny that this is, in effect, an amendment of the Tart-Hartley law. But what kind of an amendment? Let me stress, this is no prolabor amendment. This is basically a proemployer amendment. This is an amendment which will be of great assistance to employers who are confronted with election cases, because it will cut down to reasonable periods the election campaigns during which production frequently is disrupted as management and employees are distracted from their main tasks.

So I ask my colleagues to turn to page 795 of the hearings. The Senator from Massachusetts [Mr. KENNEDY] asked the Chairman of the Board:

> Now what about reinstating the prehearing election?

Where did the prehearing election reinstatement spring from? It sprang from the Barbash report. The Barbash report was a report which was made under the auspices of a Senate committee a few years ago—1952, I think it was—proposing procedural remedies which might expedite the work of the Board. This was one of them.

Listen to what the Chairman of the Board stated, as appears on page 795 of the hearings, in answer to the question of the Senator from Massachusetts:

> Mr. LEEDOM. I think that ought to be considered. I think that that is worthy of consideration.
>
> As you know, the law now holds us to that. We must hold a hearing. We cannot eliminate the hearing ourselves in a proper situation. The law is so written. So there would be a problem as to whether or not Congress wants to change that.
>
> And bearing on the advisability of a change, I might say that we have quite a few cases come through where the parties insist on a hearing which we treat as "no issue" questions. We cannot see any real dispute in many of the cases that come to us—indicating that maybe a hearing serves as a means of delay only.

In other words, he is pointing out that sometimes both employers and unions that are seeking a dilatory tactic in the handling of a case fall upon this hearing device as a way of delaying hearings. Now that we are going to ask the Board, and rightly so, to assert jurisdiction in all cases that fall within its authority, I think we should expedite the proceedings of the Board.

Before we get through, Mr. President, I shall offer a perfecting amendment to the committee amendment.

Before I do that, I wish to call attention to the committee report, because if we could only get our colleagues in the Senate to give attention to the work the committee has put into a bill such as this, and told about in its committee report, I think much of the misunderstanding which develops on the floor of the Senate with respect to an amendment such as this would be avoided. The best speech I can make is to take the committee report and amplify it, and I so do. Now, turning to page 25 of the committee report:

> As an additional means of eliminating delays in NLRB case handling and enabling the Board to handle more cases effectively, the bill provides in section 601 for a prehearing election procedure.
>
> Section 9 (c) of the National Labor Relations Act provides that when a question concerning representation exists a formal hearing must be held before an election unless waived by all of the parties.

Let us take note of what this formal hearing is. The Senator from South Carolina [Mr. THURMOND] stated this would be of assistance to employees before an election in making their decisions about an election. Employees do not attend such hearings. These are hearings that deal entirely with legal issues. Employees are at work. They know little or nothing about these hearings. But the case cannot be proceeded with on its merits until work on the election matter is completed. So these hearings will be of no assistance to workers whatsoever in regard to informing them as to how they should vote in a representation case.

Going back to the report:

> The result of this requirement, as testified to by NLRB officials, is that hearings are held on many no-issues cases. In addition, hearings also are held in election cases where the contentions are made for the purpose of delay or are, in fact, insubstantial. The resultant delay affects not only the cases which are stretched out but also the handling of other cases.
>
> Section 601 would permit prehearing elections by secret ballot. During the last 19 months of the Wagner Act (7 months of fiscal 1946 and all of fiscal 1947), a form of prehearing election was used by the NLRB. The proceedings authorized by this new section would be similar to the earlier methods employed by the Board but would differ in two major and important respects. In 1946 and 1947, some of the prehearing elections were conducted by card checks. This prac-

tice was one reason for its elimination. Under the amendment the prehearing election would have to be by secret ballot. In 1946 and 1947, the prehearing elections were almost exclusively on behalf of unions seeking representative status. Under the amendment, the prehearing election would be available not only to such unions, but also would be available in cases of petitions by employers and decertification petitions by employees.

I want to stress that this is quite different from the procedure in 1947. The amendment makes the preelection hearing available to employers as well as to unions.

I resume reading from page 28 of the report:

The principal utility of the availability of the prehearing election procedure is that it results in many more elections held pursuant to agreement of the parties.

Remember this—it is not pointed out in the report, but I supplement the report——

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

Mr. MORSE. I yield myself 5 more minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 additional minutes.

Mr. MORSE. Before the 1947 act an employer had to have at least two unions seeking recognition before he could get an election. Now only one union claimant is necessary, which is also of great benefit to the employer.

We see on page 28 of the report a table which the National Labor Relations Board has supplied the committee, containing statistics in regard to the number of times such elections have been held. We see that relatively few were ordered, but the procedure is there, particularly available in the so-called no-issue cases.

It will be seen that during 1947, the only full year in which the prehearing election was in use, prehearing elections accounted for only about one-ninth of all the elections held without hearing. However, during 1947, hearings were required in only 20.6 percent of the election cases as compared with 47.9 and 44.2 percent in the years 1944 and 1945, and as compared with 44.2 and 47.2 percent in the 2 most recent years covered by the Board's chart. A reasonable deduction from this data, as well as the Board's experience, is that the existence of the prehearing procedure is very conducive to consent elections.

That is what is desirable, to get the parties to agree in respect to their collective bargaining problems. This would lighten the workload of the Board. That is what is sought to be accomplished by the prehearing election.

Not only are the percentages of hearings required lower in 1947; the absolute number of consent elections was very substantially higher than in the preceding and subsequent years.

Under the proposed amendment an election could be ordered by the Board or the officer it designates (probably its regional directors) in (a) cases presenting no substantial issues, (b) cases in which the issues might be resolved by the election, and (c) cases in which the issues requiring a hearing are small and need not delay the determination of the major question of whether a union does in fact represent a majority of the employees in a large unit.

What is the danger we have to watch for? Senators should keep this in mind as I discuss the perfecting amendment. We have to watch for a rush order in a case. We have to watch for an attempt to get a preelection hearing rushed through to the detriment of either the union or the employer. I recognize that. I think we ought to be on guard against it. I make a proposal to be on guard against it.

I now refer to point (b) on page 29:

In other election cases, a party may refuse to state the issues he claims will be developed at a hearing and does not present his prima facie evidence in support of his claims. Board personnel should be enabled to discourage and prevent such secretive and dilatory tactics. In many cases, as Board officials indicated, insubstantial claims are made for the purpose of delay. The party seeking delay of the election may be a union or an employer who wishes to improve its chances for prevailing in an election by having the additional time for electioneering. The committee takes notice of the fact that after the expulsion of several unions by the CIO in 1949 and 1950 for alleged Communist domination, locals of those unions frequently sought to avoid elections by injecting insubstantial issues and insisting upon hearings. When elections were ordered, it was not unusual for unions holding such deteriorating positions to withdraw from the election.

In other words, this procedure is a scheme to check the person who is seeking to prevent a determination of issues by way of an election procedure.

Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I have a perfecting amendment to the language of the bill which the Senator from South Carolina [Mr. THURMOND] proposes to strike. My parliamentary inquiry is, first, am I in order to offer that perfecting amendment at this time; second, if it is in order for me to offer the amendment, will I then have time allocated to me under the time limitations of the unanimous-consent agreement which pertain to the parent amendment; namely, the amendment offered by the Senator from South Carolina.

The PRESIDING OFFICER. The Chair will advise the Senator that when his time has elapsed on the pending matter, he may offer the perfecting amendment. The amendment will then be in order, and the Senator will be entitled to have an allowance of time, as provided by the unanimous-consent agreement, upon the perfecting amendment.

Mr. MORSE. I shall finish the 5 minutes I have allotted to myself, and then offer the amendment.

The PRESIDING OFFICER. The Chair must advise the Senator that his time has elapsed.

Mr. MORSE. Then, Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The Senator from South Carolina [Mr. THURMOND] has 3 minutes, unless he wishes to yield it, upon that issue.

Mr. MORSE. Then I shall wait until the Senator uses his time.

Mr. McCLELLAN. Mr. President, will the Senator yield to me for a suggestion?

Mr. MORSE. I yield.

Mr. McCLELLAN. I am not sure the Chair has clarified the full parliamentary inquiry made by the Senator. Can the perfecting amendment, as so termed, be offered to the amendment to strike out the section?

The PRESIDING OFFICER. The perfecting amendment can be offered to the text of the bill. That was the proposal made by the Senator from Oregon, as the Chair understood it.

Mr. MORSE. The Presiding Officer is correct. I want the Senate to know what it would be striking out. With the perfecting amendment, I think we could remedy one of the serious problems.

The PRESIDING OFFICER. The Chair ruled that the perfecting amendment should not be offered until time has been consumed on the pending amendment, offered by the Senator from South Carolina [Mr. THURMOND], and other Senators. The Senator from South Carolina has 3 minutes remaining, if he cares to use the time.

Mr. McCLELLAN. Mr. President——

Mr. THURMOND. I yield to the Senator from Arkansas, Mr. President.

Mr. McCLELLAN. I am not sure the parliamentary situation is clear. Before the vote on the pending amendment, can a perfecting amendment be offered?

The PRESIDING OFFICER. The perfecting amendment to the text of the bill may be offered after the time has elapsed upon the pending amendment and would then become the pending amendment until acted upon. The perfecting amendment would be acted upon before action on the amendment offered by the Senator from South Carolina, which is in effect a motion to strike.

Mr. McCLELLAN. Mr. President, I shall take only 1 minute. I made remarks earlier this afternoon regarding these provisions in title VI, when there were more Members on the floor. I shall not repeat those remarks at this time, because I intend to offer amendments to strike out some other sections of the bill.

I see nothing in the proposal except what is termed "expediting." Mr. President, the expedition which is proposed, in my judgment, simply would deny some folks a right to be heard before an election call. By providing for a hearing after an election, we would be providing a remedy after the fact or after the act had been committed. The law as it is now written is preventive of such being done, whereas if the section remains in the bill there would be no preelection hearing. Afterward perhaps there would be one, and perhaps not. The evil we are trying to obviate would already have occurred in such circumstances.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. THURMOND. I yield the remainder of my time to the Senator from Kentucky [Mr. COOPER], Mr. President.

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

Mr. COOPER. Mr. President, will the Senator yield for 5 minutes?

Mr. GOLDWATER. Mr. President, I will yield whatever time the Senator from Kentucky may need from the time on the bill.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 5 minutes on the bill.

Mr. COOPER. Mr. President, I expressed a position several days ago that I intended to vote against an amendment which I thought went beyond the main purpose of the bill, which is the purpose of bringing about union democracy and proper management of union funds.

I shall vote for the pending amendment. I have no doubt, as the Senator from Oregon has said, that if we retain in the bill the provision which the committee adopted it will speed up the work of the NLRB. The problem which worries me is that, laudable as such a procedure may be, I feel it will take away substantive rights. Perhaps employers have violated this provision of the Taft-Hartley Act. Perhaps employees have. As I understand, in the hearings held before an election is ordered there is an opportunity to determine the kind of unit which might be representative, and there is an opportunity to determine who would be eligible to vote. If the amendment is adopted and there is not that right of appeal before an election, after the election I am afraid the issue would have been decided.

I believe there is a question of maintaining the full substantive rights of employees or employers. For that reason I intend to vote for the amendment offered by the Senator from South Carolina.

Mr. GOLDWATER. Mr. President, I yield myself 2 minutes from the time on the bill.

Mr. President, I rise in support of the amendment offered by the distinguished Senator from South Carolina [Mr. THURMOND]. In fact, in the substitute bill which I had drafted and which I offered to the full committee, I had eliminated this particular section. I did it for two reasons.

First. Nothing we have heard in the McClellan hearings over a period of a year and a half has indicated any need for this provision.

Second. There have been insufficient hearings on this subject before the Subcommittee on Labor. According to my recollection—and I may be mistaken—the only direct testimony as to the desirability of this provision was by Mr. George Meany himself, although I will admit that there was some brief discussion of it, with no positive assertions, with at least one witness from the National Labor Relations Board.

Section 605 of the committee bill reinstitutes a device which was used by the Board during the 2-year period preceding passage of the Taft-Hartley Act. The Taft-Hartley Act directed hearing before an election in a case where any of the parties so desired. Section 605, as drafted, would permit one union to raid an incumbent union by a quick election when the incumbent would not have the time to properly inform the employees as to the advantages which it obtained for them. It would also permit an employer during the course of bargaining in some cases to obtain a quick election without a hearing.

This section is a radical step, and was proposed during the hearing by only one witness, Mr. Meany, without giving any substantiating facts to support such an amendment. Surely the Senate should not take such a step without an investigation of those cases where prehearing elections were held during the last years of the Wagner Act to determine whether or not any time was really saved. Those cases should also be examined to find out how many resulted in refusal to bargain charges thus delaying bargaining for a greatly extended period.

"Every man is entitled to his day in court" has been a familiar American slogan. But to have one's day in court after the facts of one's case have already been decided is not the American tradition.

Mr. President, I will support this amendment, as I will support all other amendments which attempt to strike from title VI subjects not considered before the McClellan committee.

The PRESIDING OFFICER. All time has expired on the amendment offered by the Senator from South Carolina for himself and other Senators.

The Senator from Oregon [Mr. MORSE] is recognized to offer a perfecting amendment to the text of the bill.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The LEGISLATIVE CLERK. On page 39, line 20, after the word "notice", it is proposed to insert a comma and add "but in no event shall an election be held earlier than 30 days after the filing of the petition and without 10 days' notice except with the agreement of the parties."

Mr. MORSE. Mr. President, before beginning the explanation of my amendment, I should like to have the attention of the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. MORSE. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. MORSE. I should like to have the attention of the Senator from Kentucky [Mr. COOPER], who, if I understood him correctly, made the comment that if there is a hearing after the election, the rights of contesting parties may thereby be waived or lost.

The Senator from Kentucky should bear in mind the fact that the contested ballots of workers are preserved under the pre-election hearing procedure. Subsequent hearings will be with respect to such contested ballots if it is found that an issue is involved.

However, as the statistics we placed in the RECORD show, cases of preelection hearings are the so-called no-issue cases, not cases in which the parties are really at issue.

The fundamental problem here is with regard to the so-called quickie election. I am just as much opposed to the quickie election as anyone else could be. Therefore I offer this perfecting amendment, and explain it, as follows:

The fear has been expressed that the prehearing election provision of section 605 might result in quickie elections without adequate notice to interested parties. This could not be done because the Board and its agents must obtain certain basic information before an election could be held. Even without the heavy caseload now existing the mechanics of arranging for elections takes several weeks. Moreover, as the prehearing election technique can be expected to be used primarily as a means of obtaining consent elections, it is reasonable to expect that the Board's regional offices would explore such possibilities before ordering an election without a preceding hearing. It is standard for Board practice to require that notices of elections be posted for 10 days preceding an election.

To remove all doubts the proposed amendment to section 605 specifies that a prehearing election cannot be held earlier than 30 days after the filing of a petition and 10 days notice of the election must be given to the parties, so that the notice cannot be given earlier than 20 days after the petition is filed and the election cannot be held earlier than 30 days after the petition is filed.

I think that is a very fair guaranty that the danger of a "quickie" election would be nonexistent.

That is all I wish to say in regard to my perfecting amendment. I submit the amendment.

Mr. GOLDWATER. Mr. President, I yield myself 1 minute to argue very quickly against the substitute offered by the distinguished Senator from Oregon.

The PRESIDING OFFICER. Does the Senator yield time to himself from the time on the amendment or the time on the bill?

Mr. GOLDWATER. I yield time on the amendment.

Mr. MORSE. Mr. President, will the Senator yield for a clarifying observation?

Mr. GOLDWATER. I yield.

Mr. MORSE. The Senator used the term "substitute." I do not know whether the Senator is under the impression that this is a substitute for the Thurmond amendments. It is not. It is a perfecting amendment in the language of the bill.

Mr. GOLDWATER. I am sorry. I realize my mistake. I should have referred to it as a perfecting amendment.

Mr. President, all we are talking about is due process. I have heard the term "due process" used a great deal in this body. I think it is a very sacred and hallowed part of American law which we should protect.

Due process requires a hearing before election. Nothing in the perfecting amendment of the Senator from Oregon would change the further language in section 605, as it now stands, which provides that a designated officer may direct an election by secret ballot, either before or after an appropriate hearing after due notice.

I suggest that we would be greatly in error if we were to adopt the perfecting amendment, because, in effect, we would be denying due process to members of

the union, or to any group seeking elections under the law.

Mr. MORSE. Mr. President, I yield myself one minute, to say that no violation of due process is involved in a so-called no-issue case, in which the parties are not an issue. All that is involved is the question as to whether there shall be an election, and when it shall be held.

Do we want to cause the waste of time and delay involved in a so-called hearing when there is nothing to hold a hearing about? Or do we want to put the parties in a position in which by consent, they can have a preelection hearing?

I think it is perfectly obvious that this amendment would be a great timesaver. If there were a contest, no one would be more insistent than I that if there are issues in dispute, there must be a hearing.

Mr. GOLDWATER. Mr. President, I yield myself one minute from the time on the amendment.

In answer to the comments of the distinguished Senator from Oregon, we do not know whether there are real issues until the hearing is held. No one can talk about issues until the hearing is held. That is one of the things the junior Senator from Arizona is getting at. It is proposed to deny due process and to say, "We will hold a hearing afterward."

Mr. MORSE. Of course we know about it, because that is what the parties state to the Board when the Board determines whether there shall be a preelection hearing. Unless the parties are in a contest——

Mr. GOLDWATER. Issues may develop. Issues are determined in the hearing.

Mr. MORSE. The parties would not go to hearing except on what would be analogous to pleadings. They go to hearing on the contentions. If there are no contentions, why go through the formality of a hearing?

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

Mr. MORSE. I yield.

Mr. LAUSCHE. Did I correctly understand the Senator from Oregon to say in his remarks that when a waiver is filed by both parties, no hearings are held?

Mr. MORSE. That is correct.

Mr. LAUSCHE. That, it seems to me, would answer the proposal which was made by the Senator, that when there are no issues, no hearings are needed.

Mr. MORSE. But many times it is not possible to get a party to consent to a waiver, because he wants to buy time for delay in order to harass the opposing party. The Board cannot order a prehearing election.

Mr. LAUSCHE. Probably I misunderstood the Senator from Oregon. I thought he was arguing: What is the sense of having a prehearing when the parties are in agreement? If they are in agreement, they may file a waiver, and no prehearing is had.

Mr. MORSE. There are agreements on occasions, but many times one or the other party will say, for some reason or other, "I am not going to agree."

The PRESIDING OFFICER. All time yielded has expired.

Mr. LAUSCHE. Mr. President, will the Senator from Arizona yield me 2 minutes?

Mr. GOLDWATER. I yield 1 minute to the Senator from Ohio. How much time do we have remaining on the amendment?

The PRESIDING OFFICER. The opposition has 12 minutes. All time in favor of the amendment has been consumed.

Mr. LAUSCHE. I understand we are talking about the amendment of the Senator from Oregon to the amendment offered by the Senator from South Carolina.

Mr. MORSE. It is an amendment to the bill. It is a perfecting amendment to the bill. It has nothing to do with the amendment offered by the Senator from South Carolina. We must decide whether we want this language in the bill. The amendment of the Senator from South Carolina would strike the section from the bill, including the language of my amendment.

Mr. LAUSCHE. Mr. President, I do not desire to speak on this amendment at this time.

The PRESIDING OFFICER. Does the Senator from Arizona yield back the remainder of his time?

Mr. GOLDWATER. I yield 1 minute to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I will not need more than a minute. I have no objection to the language the Senator from Oregon has offered, but it does not correct the real objection. I have no objection to his amendment being adopted. If it is adopted, I will still vote to have this section stricken from the bill.

Mr. GOLDWATER. Mr. President, if no other Senator desires to speak against the amendment, I have nothing further to say, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Oregon. Without objection, the amendment is adopted. The question recurs on the amendment offered by the Senator from South Carolina [Mr. THURMOND], to strike section 605 of the bill, as now amended.

The amendment was agreed to.

Mr. ERVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion to lay on the able was agreed to.

Mr. ERVIN. Mr. President, I call up my amendment.

The LEGISLATIVE CLERK. On page 17, line 3, it is proposed to insert the following: "(a)" between the period and the words "any person," and on page 17, line 11, insert a new subsection reading as follows:

SEC. 108. (b) When any officer of any labor organization misappropriates or misapplies in any way any money or property of the labor organization in violation of any of the provisions of this section and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same after being requested to do so by any member of the labor organization, any member of the labor organization may sue the offending officer in any district court of the United States or in any State court of competent jurisdiction to recover such money or property or the value of the same for the benefit of the labor organization. No such proceeding under this subsection shall be brought except upon leave of the court obtained upon verified application on good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation. Nothing in this subsection shall be construed to impair any remedy, either legal or equitable, available to a member of the labor organization under any other law of the United States or of any State.

Mr. ERVIN. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 5 minutes.

Mr. ERVIN. I have offered a very simple amendment. The other evening, when the senior Senator from New Jersey offered his amendment, I said I was in favor of the objective of his amendment but I thought it had some serious legal defects because of its vagueness. Section 108 of the bill as the section being amended was originally designated makes it a criminal offense for any person to embezzle, steal, or unlawfully and willfully abstract or convert to his own use or the use of another any moneys of a union, and so forth.

My amendment provides that if an officer of a union misappropriates any moneys of the union in violation of section 108 as originally designated, a member of the union may bring suit to recover the funds for the benefit of the union if the union or its governing board or officers refuse or fail to do so after demand to do so is made. Any member of the union may apply to the court after the demand is made and refused and, by showing good cause to the court, may obtain leave of court to bring suit for the benefit of the union to recover the misappropriated moneys. Such a suit may be brought in the district court of the United States or in any State court of competent jurisdiction. In the event of a recovery, the trial judge may order a reasonable portion of the recovery to be used to pay the fees of counsel representing the member of the union who brought the suit for the benefit of the union and the reasonable expenses necessarily incurred by the member of the union in connection with the suit.

I believe my amendment makes the objective of the distinguished senior Senator from New Jersey perfectly clear and carries out the ultimate objective of his defeated amendment. In addition to a criminal penalty, which is provided in the bill in its original form, my

amendment would provide civil relief also under appropriate procedure. I yield 5 minutes to the distinguished junior Senator from New York.

Mr. JAVITS. Mr. President, I believe the amendment now pending before the Senate, offered by the distinguished Senator from North Carolina, deals with a problem which deserves to be dealt with by the Senate, and deals with it superbly well.

Such an amendment had been drafted by the Senator from New Jersey [Mr. CASE] and myself. When we were informed of the work being done on the same subject by the Senator from North Carolina, we were delighted to yield to him. He has been kind enough to incorporate some of our suggestions in his draft.

I shall take only a minute or so of the time of the Senate to analyze the amendment. In the first place it makes clear that when property or money is misapplied, it is not only desirable to have a criminal penalty applied against the one who misapplied the fund, but also to recover the money or property involved, particularly because it is property of an organization of a cooperative character, a trade union. The fundamental purpose of having an opportunity and right to recover it in specie is extremely important. All that is served by the pending amendment.

The second point is to find some technique by which an individual shall have the right to sue if the so-called corporate body—using the term in its informal sense—fails or refuses to sue. Let us suppose that it fails or refuses unreasonably to sue, even after demand has been made. Then what? Shall an individual have the right to sue? The Senator from North Carolina has dealt with both of these subjects by providing a petition for leave to sue. That is a very well-established ex parte procedure. It requires an individual only to show probable cause and a demand which has been refused; or where it is unnecessary to make the demand, or where it has been unreasonably neglected in terms of any response at all. All of this can be covered in an ex parte application to the court.

Finally, we are very well acquainted with the cases of stockholders who, under similar circumstances, might sue to recover funds misapplied by an officer, a director, or an employee of a corporation, when the corporation fails or refuses to sue. The way in which such a stockholder can get counsel is that the amount recovered then becomes a fund out of which counsel may be paid. So there is an automatic, built-in means for inducing competent lawyers to undertake this kind of litigation. Our colleague provides exactly that in the amendment.

Based upon the equities of the situation and upon practical experience in terms of the trial of such cases, I respectfully submit that the amendment deserves the approval of the Senate. I think it will go a long way toward materially strengthening the bill.

In deference to our colleague, the senior Senator from New Jersey [Mr. SMITH], who first proposed the across-the-board idea of treating all these funds as fiduciary or trust funds, but which the Senate did not see fit to accept, I think this amendment meets the fundamental objective. The law now will embrace trusts in the various type of operations in which an officer may engage with his own trade union. What is needed is a piece of machinery by which the individual member will not have to call upon the trade union or a particular criminal penalty alone.

I hope the amendment will be agreed to.

Mr. MORSE. Mr. President, I think the Senator from North Carolina has made a very much needed contribution toward improving the bill. I am very happy to associate myself with him.

Mr. ERVIN. I thank the Senator from Oregon.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The time in opposition to the amendment is controlled by the majority leader.

Mr. ALLOTT. I am not sure that I want time yielded to me, but I should like to ask a question.

Mr. GOLDWATER. Acting as minority leader, I yield the Senator from Colorado 2 minutes. He may do with it what he wishes.

Mr. ALLOTT. The other evening the Senate debated the question of fiduciary responsibility. I have in my hand an article entitled "Union May Have To Pay Teamster's $5,000 Fine," published in the Denver Post of June 8, 1958. The article reads, in part, as follows:

> George Harper, the ousted leader of Teamsters Local No. 961, may not have to pay a cent of the $5,000 district court judgment imposed on him Friday for illegally expelling a member.

The fact is that the union illegally expelled several members last year, but when they did so, they entered this cute little item in their minutes. The article reads:

> According to the minutes of the January 19 membership meeting:
>
> The first order of business was a motion and recommendation of the executive board * * *.
>
> With respect to any and all action in courts of law now pending or later to be filed, whether directed at the organization as a whole or naming individuals acting in their capacities as agents of the organization, the sole responsibility of ultimate findings or decisions that may be levied by such courts shall rest with the organization.
>
> They shall not be a responsibility of individuals who have acted as agents for the local union and whose term of office has been terminated.
>
> Motion put to a vote and carried unanimously.

That was not the situation in this case. The man and his compatriots or comrades in the union, who had been illegally fired from the union, brought suit against the individual and secured judgment by reason of the motion which had been adopted unanimously. But now it appears that the union will have to pay the fine, and the man who got the judgment of $5,000 will not have to pay a part of the fine.

I address this question to the Senator from North Carolina. Will his amendment help to cure such a situation?

Mr. ERVIN. No; the amendment would have no application whatsoever, because it is restricted only to provide a remedy for the funds of the union which are misappropriated.

Mr. ALLOTT. I thank the Senator from North Carolina.

Mr. President, I ask unanimous consent to have the article from the Denver Post, written by Zeke Scher, printed in the RECORD at this point in my remarks.

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

UNION MAY HAVE TO PAY TEAMSTER'S $5,000 FINE

(By Zeke Scher)

George Harper, the ousted leader of Denver teamsters local 961, may not have to pay a cent of the $5,000 district court judgment imposed on him Friday for illegally expelling a member.

The bill may have to be paid by the very union members who opposed Harper's tactics and voted him out—and a reform slate in—last January.

One of the sharpest maneuvers during Harper's tenure as local secretary-treasurer took place last January 17 at the last executive board meeting over which Harper presided.

The action taken at that meeting was rammed through a general membership meeting 2 days later during the excitement over installing the victorious reform slate of officers.

Minutes of that meeting, disclosed for the first time Saturday, showed that Harper won approval of a motion that apparently takes him off the hook for any judgment imposed against him.

According to the minutes of the January 19 membership meeting:

"The first order of business was a motion and recommendation of the executive board * * *.

"With respect to any and all actions in courts of law now pending or later to be filed, whether directed at the organization as a whole or naming individuals acting in their capacities as agents of the organization, the sole responsibility of ultimate findings or decisions that may be levied by such court shall rest with the organization.

"They shall not be a responsibility of individuals who have acted as agents for the local union and whose term of office has been terminated.

"Motion put to a vote and carried unanimously."

John J. Gibbons, attorney for Harper and counsel for 961 until Harper was ousted, said Saturday that he is familiar with the motion. "It guarantees that the union itself will assume any liability that may be attached to George Harper," Gibbons said.

Gibbons said that, notwithstanding, he will appeal to the highest courts the Denver jury verdict assessing Harper actual and punitive damages for the November 1956, expulsion.

Mr. GOLDWATER. Mr. President, I yield myself 2 minutes. I support the amendment.

I support the amendment, although I am sorry that the Senate did not accept the Smith of New Jersey amendment the other evening, an amendment which would have placed real fiduciary responsibility on the leaders of labor. This amendment, to a rather sizable degree, removes some of the abuses which those of us who have been working for a really

effective bill, as against the present measure, have sought to eliminate.

I have served for a year and a half on the McClellan committee, and I am also a member of the Subcommittee on Labor of the Committee on Labor and Public Welfare, but particularly I shall refer to my association with the Senator from Arkansas [Mr. McCLELLAN]. I read from the interim report, page 451, to express my disappointment that the Senate did not adopt the Smith of New Jersey amendment:

> Since union-dues money, as well as health and welfare funds are, in actuality, a trust, being held for the members of the union by their officers, the committee feels that attention should be given to placing certain restrictions on the use of these funds, such as are now imposed on banks and other institutions which act as repositories and administrators for trust funds.

I wish that the Senate had seen fit to accept the recommendations of the McClellan committee in this manner; but having, in their wisdom, decided not to do so, I think the amendment offered by the Senator from North Carolina is far better than what is in the bill up to this time. Therefore, I shall support the amendment.

Mr. ERVIN. Mr. President, I yield myself 2 minutes. On reflection, I think I gave a wrong answer to the distinguished Senator from Colorado when I said the amendment would not cover the situation to which he called attention.

If union funds are taken for an unauthorized purpose, with the knowledge that they will be applied to an unauthorized person, an ultra vires act is being committed, and the amendment would permit a member to sue to recover the funds under the circumstances stated in it.

Mr. ALLOTT. I think it is very important that we have a little legislative history. In the case to which I refer, a man sued an individual officer of the union for what was clearly an illegal act. Not only he, but several of his friends, were in the same situation. They secured a judgment for $5,000 against the individual. Is it the understanding and the legislative history of the amendment that in such an instance a union could not adopt a motion or a bylaw which would put the responsibility for such acts on the union?

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

Mr. ALLOTT. I yield.

Mr. JAVITS. I have conferred with the Senator from North Carolina. We believe this would follow corporate practice, under which an officer cannot be reimbursed by his corporation, if the action which he has performed is an illegal one or is ultra vires his own authority as an officer of the corporation.

Therefore, one would have to get the exact circumstances to which the Senator from Colorado referred. But I think it is important to have the fundamental principle set forth in the RECORD that where money is sought to be paid to a union official, to hold him harmless for a sum which he has paid by way of penalty, that would have to be justified under the applicable law as an act within the authority of the union. If it were not, then it could be recovered under the provision which will be written into the bill if the amendment is agreed to.

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

Mr. ALLOTT. I do not think I have the floor; I should like to have it.

Mr. GOLDWATER. I yield 5 minutes to the Senator from Colorado from my time. He can do with it what he wishes.

Mr. ALLOTT. I yield to the Senator from Oregon.

Mr. MORSE. I have conferred with the senior Senator from North Carolina, and the junior Senator from New York in regard to this matter. I think it is important, as the Senator from New York has said, to make a legislative history.

The junior Senator from New York has set forth his answer to the hypothetical raised by the Senator from Colorado concerning legislative intent. I support and associate myself with the amendment offered by the Senator from North Carolina. The important thing is to make clear that the union will not pay for the ultra vires act, in effect, of a union official who is guilty of misconduct.

Mr. ALLOTT. I thank the Senator from Oregon. I appreciate his remarks, because they help to clarify the situation.

The other day I tried to call the attention of the McClellan committee to situations which existed in my own State, but I could not get anything but a written acknowledgement of my application. I do not cast criticism on them for that, because I know they had so much to do that they could not even get to them. But this is important. It is important that we understand that it is the intent of this section, no matter what action the union may take by itself it cannot assume as an obligation the ultra vires acts of the union or its officers in a situation of this sort.

If there is no one who wants to contradict that understanding or modify it, I assume that it will be the legislative history backing the matter.

I thank the Senator from North Carolina, the Senator from Oregon, and the Senator from New York for their statements concerning this situation, which I think is a very important one.

Mr. GOLDWATER. Mr. President, I yield back the remainder of the time under my control.

Mr. ERVIN. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). All remaining time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN].

The amendment was agreed to.

Mr. KENNEDY. Mr. President, I call up my amendment lettered "E," which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, after line 11, it is proposed to insert the following new subsection:

> (d) The Secretary may exempt from the requirements of paragraph (b) of this section for such definite or indefinite periods as he may determine any labor organization or class thereof having fewer than 200 members and having gross annual receipts of less than $20,000, including all sums paid over as dues or per capita tax to a parent, or affiliated labor organization (excluding payments received by trustees under section 302 (c) (5) or (6) of the Labor-Management Relations Act, 1947, as amended) if he finds that the exemption of such labor organization or class thereof would not interfere with the attainment of the objectives of this act.

Mr. KENNEDY. Mr. President, I think the amendment constitutes a harmonious compromise between having every union, regardless of size, report; and, on the other hand, giving the Secretary of Labor sufficient power to exempt unions when he believes it would be unduly burdensome to require them to report and when he believes there would be no public necessity for them to report.

I have discussed the amendment with Senators on both sides, and I hope the Senate will accept the amendment.

Mr. GOLDWATER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 1 minute.

Mr. GOLDWATER. Mr. President, the Senator from Massachusetts and I had considerable discussion about this provision, both in the subcommittee and in the full committee.

Both of us believe it would be wrong to impose extremely on small unions a requirement for full reporting.

However, those on our side felt it would be wrong to include a provision which would be so broad that some unions which we believe should report would be able to avoid reporting.

Therefore, the amendment now proposed is in complete accord with my thinking. I believe that by giving the Secretary of Labor authority to exempt small unions which he believes should be exempted we shall be making a wise move.

Therefore, I shall support the amendment.

The PRESIDING OFFICER. Does the Senator from Arizona yield back the remainder of the time under his control?

Mr. GOLDWATER. Yes; if no other Senator wishes to speak on this side of the question.

Mr. KENNEDY. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. KENNEDY].

The amendment was agreed to.

Mr. McNAMARA. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 28, in line 1, it is proposed to strike out the words "unless 1 year has elapsed subsequent," and to insert in lieu thereof the word "prior."

Mr. McNAMARA. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Michigan yield to himself?

Mr. McNAMARA. Five minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. McNAMARA. Mr. President, this amendment will accomplish something which I thought was achieved on last Thursday night, when the Senate adopted my amendment, as amended by the amendment of the Senator from Colorado [Mr. ALLOTT].

As originally written, section 305 (a) of the bill reported by the committee prevented a person convicted of certain crimes from serving as a union official unless 1 year had elapsed following the restoration of his right to vote within his State.

My amendment sought to remove the 1-year restriction, for reasons which I set forth in a statement which is to be found on page 10991 of the CONGRESSIONAL RECORD for Thursday, June 12. The managers of the bill accepted my amendment.

Then the Senator from Colorado [Mr. ALLOTT] submitted an amendment to my amendment, which substituted the words "any felony" for the list of crimes specified in my amendment.

My amendment, as amended, or as modified, as the case may be—was then accepted by the Senate.

I believe that a reading of the debate on this matter, as it appears in the CONGRESSIONAL RECORD of Thursday, June 12, clearly establishes that the Senate intended to adopt the language of my amendment, together with the modification submitted by the Senator from Colorado [Mr. ALLOTT].

However, on Friday, when I checked the matter at the desk, I was surprised to find that the only amendment recorded to this section of the bill was that of the Senator from Colorado.

Since his amendment in no way corrects the matter I was seeking to correct, I have offered the amendment now pending, which will clear up the situation.

Mr. President, I am glad that the Senator from Colorado [Mr. ALLOTT] is in the Chamber at this time.

Mr. ALLOTT. Mr. President, will the Senator from Michigan yield to me?

Mr. McNAMARA. I am glad to yield.

Mr. ALLOTT. Mr. President, the Senator from Michigan is entirely and completely correct in the statement he has made. I believe that both he and I had a different idea about what would happen when he offered his amendment and when I offered by amendment to it.

The morning afterward, when we found out how the RECORD then read, I told him I would be very willing to join him in an attempt to straighten out the matter.

For that reason and for that purpose, Mr. President, I urge that my colleagues support the pending amendment of the Senator from Michigan.

Mr. McNAMARA. I thank the Senator from Colorado.

The PRESIDING OFFICER. Does the Senator from Michigan yield back the remainder of the time under his control?

Mr. McNAMARA. I do.

The PRESIDING OFFICER. Does the acting minority leader yield back the time under his control?

Mr. GOLDWATER. I do.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Michigan [Mr. McNAMARA].

The amendment was agreed to.

Mr. POTTER. Mr. President, I call up my amendment identified as "6–12–58–U," which previously was temporarily laid aside.

The PRESIDING OFFICER. Does the Senator from Michigan desire to have the amendment read?

Mr. POTTER. Mr. President, I ask unanimous consent that I may be allowed to amend my amendment by means of a substitute which I now send to the desk.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Have not the yeas and nays been ordered on the question of agreeing to the amendment of the Senator from Michigan?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. Is unanimous consent required in order that the Senator from Michigan may amend his amendment at this time?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. Then, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. POTTER. The normal courtesy shown by Members of the Senate to one another is to permit a Senator who has submitted an amendment to amend his own amendment. That is not unusual or difficult. So I regret that the senior Senator from Oregon feels constrained to object.

Therefore, Mr. President, I move that my amendment be amended by the amendment which I have sent to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. In the amendment submitted by Mr. POTTER, on page 36, between lines 6 and 7, it is proposed to insert the following section:

SEC. 503 (a) Any member of a labor organization whose employment is conditioned upon such membership may file a petition with the Secretary requesting that moneys paid as membership dues or fees to such labor organization be expended exclusively for collective bargaining purposes or purposes related thereto. Upon the filing of such petition the Secretary shall conduct an investigation to determine whether such moneys are being or have been expended by such labor organization for purposes other than collective bargaining or purposes related thereto during the term of the collective bargaining agreement which requires membership in such labor organization as a condition of employment.

(b) When the Secretary shall have determined that such moneys have been so expended, he shall bring in behalf of such petitioner a civil action in any court of competent jurisdiction against such labor organization for the recovery of all the moneys paid by the petitioner to such labor organization during the life of such agreement and for such other appropriate and injunctive relief as the court deems just and proper. Any amount so recovered shall be paid to the petitioner on whose behalf such action was brought and in whose favor judgment was rendered. Any suit under this section may be instituted in any district court of the United States notwithstanding any monetary limitation of jurisdiction of such court.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Am I correct in understanding that after the yeas-and-nays have been ordered on the question of agreeing to the amendment of the Senator from Michigan, he can offer what amounts to a substitute amendment? If I correctly understood the reading of the amendment, it is in the form of a substitute.

Mr. POTTER. Yes, it is in the form of a substitute.

Mr. MORSE. Mr. President, on that basis, I have no objection.

I want the Senator from Michigan to know that the way he has endeavored to handle the parliamentary problem which confronts him is, in my opinion, the proper way. Therefore, on the basis that he desires to have a substitute considered, I withdraw my previous objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Michigan? The Chair hears none.

Without objection, it is so ordered.

Mr. POTTER. First, Mr. President, I ask unanimous consent that I be allowed to amend my amendment by offering an amendment in the form of a substitute, which the clerk has just read.

The PRESIDING OFFICER. Without objection, the Senator has modified his amendment.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry, if the Senator will yield.

Mr. POTTER. I yield.

The PRESIDING OFFICER. The Senator from Illinois will state his parliamentary inquiry.

Mr. DIRKSEN. The order for the yeas and nays on the amendment is in effect, notwithstanding the fact that it is a substitute? Is that correct?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Michigan has 15 minutes on his amendment. How much time does he yield himself?

Mr. POTTER. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

Mr. POTTER. Mr. President, this amendment differs from my amendment which was offered and debated on Saturday in two major respects. In the first place, rather than have the petition go to the Attorney General, the petition goes to the Secretary of Labor. The Secretary of Labor ascertains whether union dues are being used for other than collective bargaining purposes or purposes related thereto, and the Secretary of Labor then acts in behalf of the petitioner, in civil court, to recover the funds.

The amendment differs in another respect, in that if it is found the union is using dues for purposes other than collective bargaining or purposes related thereto, then the dues which the petitioner has paid during the term of the contract will be returned to the petitioner.

Those are the two main differences between the amendment I have now offered as a substitute and the amendment which was debated on Saturday.

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

Mr. POTTER. I yield to the Senator from Nebraska.

Mr. CURTIS. I think it is important to point out that one of the defenses made for compulsory membership in a union is that the unions contend there should be no free riders, that every person employed by the employer should pay his just share of the cost of collective bargaining and related items so he may pay his share of the cost of obtaining improved working conditions, increased wages, and so on.

While I do not accept that contention as valid and binding, I think the amendment of the Senator from Michigan strikes at the very heart of the matter, because under the Senator's amendment the worker would still be paying his share of the cost of negotiating with his employer, in an attempt to get whatever gains he might seek. Certainly we in this country do not believe in compulsory contributions, whether they be to a worthwhile charity, to the National Association for the Advancement of Colored People, or to a political party. Such contributions should be the free will act of individuals making them or of voluntary organizations which persons may join of their own choosing.

Mr. POTTER. If the Senator will yield at that point, I should like to refer to the comments which appear in the RECORD, made by the senior Senator from Oregon [Mr. MORSE] on Saturday, when my amendment was being discussed. He stated my amendment would destroy the union shop. That is not so. I think we must recognize the fact that a union by law is allowed to negotiate and enter into a union shop contract with an employer.

Congress gave unions certain benefits. In the first place, unions are exempt from the antitrust laws. Second, they have a nonprofit status for tax purposes. It is provided by law that in the collective-bargaining practices of unions, they may enter into a union shop contract.

I am sure Congress did not intend that when an agreement for a union shop was entered into, a union member could be forced to have his dues used for contributions to, for example, the Hells Canyon Association, or Americans for Democratic Action, or any other organization, whatever the purpose might be, or whether the purpose was good or bad. I do not believe it is consistent with our freedoms under the Bill of Rights to compel a person to contribute to something, even though its purpose may be good.

Mr. CURTIS. Mr. President, will the Senator yield further?

Mr. POTTER. I yield.

Mr. CURTIS. I think it is abundantly clear that when the Congress authorized compulsory unionism it never intended to authorize compulsory membership in a political party or compulsory contributions to it. Congress never intended to authorize compulsory support of organizations with social objectives which leaders of a union might decide to support.

Mr. POTTER. I will say to the distinguished Senator from Nebraska this issue is simple and clear cut. It is whether members of unions should be compelled to use their dues for such contributions. I agree it is perfectly legitimate, and the law so provides, that union dues may be used for collective bargaining purposes; but I say there is no right to take the dues of members and use them for any purpose union leaders might desire, whether it be for political activity or for purposes which the senior Senator from Oregon [Mr. MORSE] stated, such as safety procedures, or a safety program, whatever it might be, even though it might be a very laudable type of activity. We have no right to force a union member to contribute to an activity of that kind in order that he may maintain his livelihood.

It is provided by law that an employer and a union can enter into an agreement for a union shop. I thoroughly agree that when that is done there should not be freeriders so far as concerns benefits such an agreement might provide for the workers. I say we should deny the right of any organization—and it has been cited in court cases—to compel a member to contribute to something, outside the field of collective bargaining, for which he does not want his dues to be used.

Mr. CURTIS. Mr. President, will the Senator yield further?

Mr. POTTER. I yield.

Mr. CURTIS. If a member must pay sufficient dues to carry on all the costs of collective bargaining and other activities rightly related thereto, can that in any way hamper the legitimate objective of a union, to wit, the improvement of working conditions of its members?

Mr. POTTER. Of course not. I think the term "collective bargaining" has been pretty well defined. What does it mean? It means a union may bargain with an employer for benefits for its employees, such as settling wage disputes and disagreements, and matters of that kind. That is collective bargaining, and the use of dues of members is certainly contemplated for that purpose.

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

Mr. POTTER. Mr. President, I yield myself 5 minutes additional.

To use the dues of union members for Americans for Democratic Action, as an example, or for a safety committee, I do not believe is proper. Unless the member wants to contribute to that type of activity, it would certainly fall outside the area of collective bargaining. By such a process the individual's property is being taken from him without due process of law.

Mr. CURTIS. Mr. President, will the Senator yield further?

Mr. POTTER. I yield.

Mr. CURTIS. I do not believe it could be shown that even a majority of the union members wish to have their money used to support such organizations as the Americans for Democratic Action, but even if a majority should want that to be done, which I doubt, it would be grossly unfair to impose such a condition upon the minority as a condition in enabling them to continue in their jobs.

The Senator is rendering a distinct service to the working people, in seeking to attain the end that their money may be used for the very purpose for which unions exist, to bring about higher wages, better working conditions, and fringe benefits.

Certainly if we permit unions to do all the things which are being done, and to take from their members the money for which they have worked and which they need to support their families, we shall create an atmosphere of unrest among the working people.

It is not strange that the distinguished Senator from Michigan brought facts before us Saturday evening to show that in one great industrial area in Michigan 63 percent of the union members polled were dissatisfied with the way their dues money was being handled. I refer to the survey made at Flint, Mich.

We are now considering an amendment which has the workers on one side appealing to the Senate to give them relief and the labor "bosses" on the other side in opposition.

Mr. POTTER. I will say to the distinguished Senator from Nebraska that this is a very simple, clear-cut issue. There is no question about a violation of the union shop provisions. If activities are confined to collective bargaining, there is no violation of the union shop provisions.

Our labor laws were enacted so that organized labor could bargain with employers to secure the best possible working conditions, the best possible wages, and best possible hours, as well as to settle grievances in the best interests of the employees.

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

Mr. POTTER. I will yield in a moment.

This matter has nothing to do with collective bargaining. Union dues are used for political purposes. Whether the union member supports either political party or any individual in either

party, I say that fact has nothing to do with collective bargaining.

Mr. KUCHEL. Mr. President, will the Senator yield at that point?

Mr. POTTER. I yield.

Mr. KUCHEL. I should like to have the Senator give me a little more enlightenment, because it is my understanding that it is a violation of the law today for either a corporation or a labor union to make a political contribution.

Mr. POTTER. Under the Corrupt Practices Act it is unlawful for a labor organization, a bank or a corporation to make contributions.

The PRESIDING OFFICER. All time of the proponents of the amendment under the unanimous-consent agreement has expired.

Mr. GOLDWATER. Mr. President, I yield the Senator whatever additional time he feels he needs, from the time on the bill.

The PRESIDING OFFICER. How much time does the Senator request?

Mr. POTTER. Mr. President, will the Senator yield 5 minutes?

Mr. GOLDWATER. I yield 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. POTTER. Under the Corrupt Practices Act it is illegal for a corporation, a bank, or a labor organization to contribute funds for political purposes. However, this provision has been tested in the courts.

There was a court decision in Michigan, in the Federal court. After a jury trial, the decision was that activities by a labor organization, in the form of radio and television programs which were alleged to be political, were in fact educational and therefore did not fall within the purview of the Corrupt Practices Act.

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

Mr. POTTER. There is also a question as to the constitutionality of the Corrupt Practices Act, with reference to the first amendment.

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

Mr. POTTER. I yield to the Senator from Arizona.

Mr. GOLDWATER. I thank the Senator, because I wanted him to yield at this point so that I might further answer the question of the Senator from California [Mr. KUCHEL]. I know the Senator from California is deeply concerned about this matter, because we have discussed it privately.

Mr. President, I think it proper at this point in the discussion to ask unanimous consent——

Mr. ALLOTT. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that section 313 of the Labor-Management Relations Act, 1947, be printed in the RECORD at this point.

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

SEC. 313. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Mr. GOLDWATER. Mr. President, in further answer to the question of the distinguished junior Senator from California, the way union officials get around the act and around the prohibition is the use of the Committee on Political Education.

Prior to the amalgamation of the CIO–AFL, there was what was called the Political Action Committee. The Committee on Political Education has, as its purpose, ostensibly the education of the union members. What kind of education is it? It is political education.

If the Senator will read the RECORD for Saturday, he will find I had printed quite a bit of material to indicate the tremendous amounts which were spent on political campaigns.

I am fortunate in having in my hand at the moment when the question is asked a clipping from the Detroit Times of the 8th of June, the headline of which is "Army of 4,000 To Aid Union At Polls."

I will read the first paragraph of the item.

LANSING, June 7.—Democratic State Chairman Neil Staebler revealed today that the UAW this year will furnish about 4,000 workers on election day who will be paid $20 each by the union.

That money will be taken from the general fund, and it represents $80,000 for 1 day. I remind Senators that while it is the plan to have 4,000 workers on election day duty, we do not know how many there will be starting the 1st of September or the 1st of October.

The material which I had printed in the RECORD last Saturday night showed some 1,549 workers, if my memory serves me correctly, at a total cost of about $37,500 a day, which the investigators working for the select committee to investigate lobbying and campaign expenses discovered. The investigators were unable to determine how long the work had continued.

That is the secret of the political activity. That is the means for bypassing section 313 of the Taft-Hartley Act.

I am now convinced that the money is not given to candidates unless the money comes from a voluntary fund, and the voluntary funds do exist. In other words, if candidate X is given $1,000, the $1,000 comes from voluntary contributions. I am sure, however, the Senator will agree with me, after long years of experience in politics, that he would rather have a thousand men working for him than $10,000 any day of the week.

That is what is being done in this country. These people are doing the kind of political work neither the Democrats nor the Republicans are doing, because they cannot afford to.

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

Mr. GOLDWATER. I do not have the floor. I was answering a question.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. KUCHEL. Mr. President——

Mr. POTTER. Mr. President, I have the floor. I will yield to the Senator from California to comment on the remarks of the Senator from Arizona.

Mr. KUCHEL. Does the Senator believe that the practices to which he alludes, and which he suggests take place in Michigan, constitute a violation of the present law?

Mr. GOLDWATER. To my mind——

The PRESIDING OFFICER. The 5 minutes allotted to the Senator from Michigan have expired.

Mr. GOLDWATER. I will yield an additional 10 minutes to the Senator from Michigan, so that I may answer that question in part.

Before I proceed, I ask unanimous consent to have printed in the RECORD at this point an article entitled "Army of 4,000 To Aid Union at Polls," from the Detroit Times of June 8, 1958.

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

[From the Detroit Times of June 8, 1958]

ARMY OF 4,000 TO AID UNION AT POLLS

(By Frank Morris)

LANSING, June 7.—Democratic State Chairman Neil Staebler revealed today that the UAW this year will furnish about 4,000 workers on election day who will be paid $20 each by the union.

This huge army will be mobilized principally in Detroit, where Staebler is perfecting the most vigilant political organization in Michigan's history.

Directed by division captains, the union members and volunteer party workers will undertake to get every voter to the polls in all Democratic precincts.

The UAW has furnished the party with paid hands in past elections. But never has the force been as big as it will be in 1958,

and never has the party organization been tuned to such a pitch.

One reason for the new energy is Staebler's determination to boost Governor Williams a notch higher in the 1960 presidential race by giving him a record majority in his bid for a sixth term.

Another is fear that the people may be growing weary of voting for Williams. There will be thousands at the polls next November, some now in their thirties, who never have voted for anyone else for Governor.

In completing organization strategy, Staebler came up with the startling announcement that his party hasn't been doing well in Wayne County.

He didn't have tongue in cheek, either, despite the fact that Williams carried the county by 382,000 votes in 1956 against the late Mayor Cobo.

He was not kidding when he said:

"Republicans do a better job in Wayne County than we do."

Staebler's reasoning is based on a discovery than only 60 percent of citizens are register to vote in Detroit precincts where Democrats get 80 percent of the ballots. In these precincts, the State chairman said, only 75 percent of the registered voters went to the polls in 1956.

"The contrary is true in the Republican precincts in Wayne County," Staebler continued.

"In precincts where they have over 60 percent of the vote, they have 80 percent of the citizens registered—and they get their voters to the polls.

"They do a conspicuously better job.

"If we did as well, our percentage in Wayne would increase to 80 percent of the total vote."

Because of the Governor's personal popularity, Staebler uses the vote for secretary of state in analyzing the strength of his party.

On this basis, the Democratic edge in Wayne in 1952 was 61 percent. It increased to 63 percent in 1954 and to 65 percent 2 years ago.

"Normally, we can expect a growth in 1958 to 67 percent of the total," Staebler said. "But don't be surprised if it is over 70 percent."

This year, Democrats will have a full slate of candidates for every office in every county for the first time.

Staebler said his party has a good chance this year to capture control of the house of representatives in Lansing. At present, Democrats have 49 seats and need 56 for a majority.

The fight will be centralized in 17 districts now held by Republicans, as well as in a half dozen districts where Democratic incumbents had thin majorities in 1956.

Mr. GOLDWATER. To my mind there has never been a test of the constitutionality of this provision. It is my understanding, under the Michigan decision involving television and radio, that corporations can get into this educational work, too. Therein lies the danger. Let us assume that they get into it to an extent comparable with the activities of the unions. That would mean that our total political funds would be coming from the corporate structure and the union structure. I do not think that would be a good thing. Personally I feel that we should enact the legislation proposed by the Senator from Michigan, so that we can preclude such a result.

Mr. POTTER. If a corporation did such a thing, there would probably be a stockholder's suit. In the case of the labor organization, the stockholders cannot sue.

Mr. CASE of South Dakota. Mr. President——

Mr. GOLDWATER. Before the Senator concludes, I have some insertions I wish to make in the RECORD. However, so long as we are speaking of education, for the education of Senators, particularly on this side of the aisle—and one on the other—not that any of us needs this particular education or information, on the wall of Mr. James McDevitt's office—he is the gentleman who conducts the committee on political education—there is a large map of the United States. Red and blue pins are stuck in the map. The red pins mean "kaput" for the particular Senator referred to. They are out to get him. He is not coming back. Why? They do not think he is friendly to labor. I have never been able to understand all of their reasoning. Their principal objection to an individual Senator seems to be that he is a Republican. In Mr. McDevitts' mind, a Republican is born with horns, a sharp tail, and a pitchfork. He is running around raising Cain with the union movement.

It is surprising that they are against me. I cannot understand it. [Laughter.]

In California they are against Senator KNOWLAND for Governor.

In Connecticut they are against Senator WILLIAM PURTELL.

In Delaware they are against Senator JOHN WILLIAMS.

In Florida they are against Democratic Senator SPESSARD HOLLAND.

In Indiana—Senator JENNER took care of that. He announced he was retiring from the Senate.

In Maine they are against Senator PAYNE.

In Maryland they are against Senator BEALL.

In Michigan they are against Senator CHARLES POTTER. It is rather surprising.

In Minnesota they are against Senator EDWARD THYE.

In Nevada they are against Senator GEORGE MALONE. I may say that, judging from Senator GEORGE MALONE'S voting record, there is no stancher friend of labor on the floor of the Senate. I say that in all sincerity and honesty.

In Ohio they are against JOHN BRICKER.

In Pennsylvania—Senator ED MARTIN took care of that.

In West Virginia there are two red pins, because both Senators are running.

In Wyoming, Senator FRANK BARRETT is on the list.

The only Republicans who are not represented by red pins are the Senator from Nebraska [Mr. HRUSKA], the Senator from Utah [Mr. WATKINS], and the Senator from Vermont [Mr. FLANDERS]; and there is no pin up for the Senator from Virginia [Mr. BYRD]. They do not feel that they can defeat those Senators, and, being wise investors, they do not wish to waste their money.

I read those names so that my colleagues on this side of the aisle who might be tempted to vote against this provision may realize that they may be playing Russian roulette with their political future by supplying the single bullet in the chamber. They should think long and hard how friendly these bosses are to the Republican Party, although I say to them that I think the Republican Party has done more for labor than has the Democratic Party. I think it will continue to do more. I do not believe that we have played politics on the labor issue during the past 10 years to the extent that the Democrats have done so.

Mr. President, I do not wish to take any more of the valuable time of my friend. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article from the Congressional Quarterly of March 21, 1958, dealing with labor's plans for the 1958 election; and an article entitled "Labor Prepares for November Elections," from the CQ Fact Sheet.

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

LABOR CHARTS PLANS FOR 1958 ELECTION

(By Congressional Quarterly)

WASHINGTON, March 31.—A huge wall-map of the United States, dotted by 16 red pins, dominates the top command post of organized labor's political headquarters, the AFL–CIO Committee on Political Education (COPE).

Each of the pins represents a Senator with an antilabor record whose seat is up for election this year. Removing those pins from public life is labor's top political goal this year.

Seated in front of the map, COPE Director James L. McDevitt rejects the notion that the 16 pins are tipoffs to labor's 1958 purge list. Political endorsements, he explains, are made at the State level; there is no national purge list.

"These just indicate States where the incumbent has an antilabor record," he says.

Thus described are the Republican Senators whose terms expire this year in Arizona, Connecticut, Delaware, Indiana, Maine, Maryland, Michigan, Minnesota, Nevada, Ohio, Pennsylvania, West Virginia (two pins), and Wyoming.

There's a pin for Senator WILLIAM F. KNOWLAND, Republican, of California, seeking the governorship of that State, and one for a Democrat, Senator SPESSARD L. HOLLAND of Florida. Labor hopes to knock him off in the September 9 primary.

There are no pins for a few other Senators like HARRY FLOOD BYRD, Democrat, of Virginia, who are antilabor in COPE's books. "We're not going to waste our money in places where we have no chance," McDevitt explains. "We need it for the States where we can do some good."

OPTIMISTIC ON CHANCES

"Some good" is a vast understatement of labor's 1958 hopes. The COPE director figures the Congress elected in 1956, despite the Eisenhower landslide, was more liberal than its predecessor. Labor also backed the winners in the two special Senate elections of 1957, in Texas and Wisconsin.

"If the 1958 elections were held today," McDevitt says, "there would be a tremendous gain on the liberal side."

To make that prediction stand up until November, McDevitt and the 45-man national COPE staff are already hard at work. Eight field directors and three special representatives for minority groups are keying State and local COPE organizations for the job to be done.

Their efforts, along with the political work of the separate AFL–CIO and independent unions, will play a major part in the outcome of the 1958 races.

The unions' political power is controlled, to some extent, by the legal requirement that all their partisan work must be voluntarily financed. COPE itself tries to get a voluntary $1 gift from every one of the 13.5 million AFL–CIO members, but it never comes close to that goal.

In 1956 it raised $541,000; last year, $227,000. "If we're lucky this year," McDevitt says, "we might get $600,000 or $650,000."

This hard money, as COPE people call it, is used chiefly as direct contributions to the campaigns of labor-backed candidates. COPE claims—and, the available records indicate, rightly—that its direct contributions are outweighed by the money businessmen put into politics.

MONEY FOR EDUCATION

But backing the hard money contributions are the dues-financed educational activities of COPE, supported from the general treasury of the AFL–CIO and its member unions. From December 1955 through June 1957 COPE spent $718,000 on education, which lays the groundwork for its success in direct politics.

The educational fund pays for voter registration drives, the distribution of pamphlets on political issues and voting records in which Congressmen are marked "right" or "wrong" on selected rollcalls.

In 1956, COPE distributed 30 million pieces of this educational literature, including over 10 million voting records. The rule of thumb, a COPE official says, is that anything short of a direct appeal to vote for candidate X can be included in educational material.

REGISTRATION DRIVE

At the moment, most of COPE's energy is going into a drive to see that all eligible union members are registered to vote. There are no hard figures on how the drive is succeeding, but COPE officials say the response is better than ever before. The AFL–CIO Executive Council has been pushing registration as a year-round responsibility of every local union.

COPE reports indicate 118 locals around the country have all eligible members registered. Others are using interesting gimmicks to boost their standing. An Alabama local registered 76 of its members 1 day during a short strike.

And a Long Island busmen's union hit on a plan that might guarantee universal registration. It won an agreement from its company that only registered voters could have a paid holiday on election day. No proof of registration, no pay.

LABOR PREPARES FOR NOVEMBER ELECTIONS

Organized labor will play an important part in the 1958 elections. Much of its effort will be directed and planned by the AFL–CIO Committee on Political Education (COPE). This Fact Sheet reviews the operations and plans of COPE.

COPE STRUCTURE

COPE was formed in December 1955 when the AFL and CIO merged into one federation, as the political education arm of organized labor. It combined the functions of the AFL's Labor League for Political Education and the CIO's Political Action Committee. James L. McDevitt, former director of the AFL political group, is the director of COPE.

He heads a national staff of 45 people, including eight area representatives working from field offices and three special field representatives for minority groups.

In addition, there are State COPE directors in all 48 States, COPE officers in every major industrial city and in many, but not all, local unions.

COPE FINANCING

COPE draws on two major sources for its financial backing. Its direct political activities, which by law cannot be financed from dues payments or general union treasuries, are supported by voluntary gifts from members. Its educational activities are financed by appropriations from the treasuries of the AFL–CIO and its international unions.

Political: COPE raises money for its political activities by soliciting voluntary dollars from union members. The actual solicitation is conducted by local unions using receipt books and other materials distributed by COPE. Half the money raised is kept in the State; the other half is forwarded to national headquarters in Washington.

Theoretically, the COPE goal is to collect a dollar from every one of the AFL–CIO's 13.5 million members. In fact, it has never come anywhere near that goal. In 1956, COPE reported voluntary contributions of $541,000. In 1957, it reported contributions of $227,000. In 1958, McDevitt says, "we might get $600,000 or $650,000 if we're lucky."

Educational: COPE's educational activities are financed from the treasuries of the AFL–CIO and the member unions. According to the annual reports of the AFL–CIO, COPE had $718,000 to spend on its education program from December 5, 1955, through June 30, 1957.

COPE ACTIVITIES

Federal law requires COPE to draw a line between its political and educational activities, but in practice the distinction is difficult to maintain.

The Federal Corrupt Practices Act, as amended by the Taft-Hartley Act of 1947, makes it illegal for corporations or labor organizations to make a contribution or expenditure in connection with any Federal election. The courts have interpreted this to mean that any action directly in support of a candidate for Federal office must be financed by the voluntary gifts of union members. But they have upheld the rights of unions to use funds from the general treasury to educate their members on matters of concern to the union, including many matters that would usually be called political.

The political activities of COPE consist mainly of cash contributions to the campaigns of candidates endorsed by labor. Some of the political fund money is used to pay salaries and expenses of COPE workers directly engaged in a political campaign or to pay for materials of an overtly partisan nature. But at the national level, at least, most of COPE's political funds are used simply as campaign contributions.

The educational activities of COPE embrace a wide variety of programs, including voter registration drives, organization of local and State COPE units, news releases to union journals, posters, and exhibits. Most of the money, however, is spent on preparation and distribution of informational pamphlets on political issues and candidates' voting records. In 1956, COPE distributed 30 million pieces of literature, including 10.2 million copies of its voting record on Members of Congress. In 1957, an off-year, some 7 million pieces were distributed.

As a practical matter, COPE officials say that anything short of a direct appeal to "Vote for Candidate X" can be included in the category of educational activity.

A few examples will show how thin is the line, in practice, between education and partisan politics:

Registration drives—obviously the necessary first step to any successful political action, are nonpartisan in nature, hence, educational.

Pamphlets on political issues—current ones include broadsides on farm policies, unemployment, the budget, taxes, social security, school legislation—are educational, even when they contain such partisan references as "Mr. Eisenhower's Big Business Administration."

Voting records—in which Members of Congress are scored as being right or wrong on selected rollcalls involving many of these same issues, are educational, even though the implications are obviously partisan.

For example, the August 15, 1957, issue of COPE's Political Memo, an educational pamphlet, said Representative RALPH GWINN, Republican of New York, was "in line to become chairman (of the House Education and Labor Committee) if the GOP wins control of the House next year." It added: "His voting record is 100 percent wrong."

The same issue contained the statement that "organized labor in Wisconsin is supporting WILLIAM PROXMIRE, Democrat for the United States Senate." This was regarded by COPE as an "informational" statement. But a 1956 insert in the Political Memo, advocating the election of the national Democratic ticket, was paid for out of the political fund. Pamphlets and posters urging workers to contribute to the political fund are themselves regarded as political.

The same distinction is applied to COPE personnel. One COPE officer told CQ that part of his own salary is switched from the educational account to the political account after a certain date in each campaign year.

1958 REGISTRATION DRIVE

At the moment, most of COPE's efforts are going into the money-raising and registration drives, particularly the latter.

The AFL–CIO executive council in January 1957 formally declared "registration of our members and their families to be a permanent part of our organization's program, to be conducted on a year-around basis by permanent committees within each local union and within each local central body." That resolution was endorsed at the December 1957 AFL–CIO convention.

As a first step, COPE asked local unions to report what percentage of their members were registered to vote. In December 1957 the Political Memo said reports had been received from more than 500 locals. In February 1958 McDevitt was quoted as saying the returns indicated almost 55 percent of the union members were registered to vote, but he declined to confirm this statement for CQ.

At any rate, COPE officials report the current registration drive has "drawn a better response than ever before." As of March 10, 118 locals had received COPE's citation for meritorious service by registering every eligible member. (This is determined by checking union membership lists against registration lists.) COPE literature is full of examples of successful registration drives, many of them involving interesting techniques:

October 31, 1957, Political Memo: "In the last week of city and county registration, local 181 of the Hotel and Restaurant Employees and Bartenders in Louisville, Ky., held 'round-the-clock membership meetings—morning, noon and night. Each meeting ended with groups of unregistered voters marching to registration headquarters and signing up. * * * Close to 100 members registered each day. * * * As a result, 181's members registered to vote more than doubled—from a low of 35 percent to 75 percent."

October 3, 1957, Political memo: "Local 3908 of the Communications Workers in Montgomery, Ala., registered a record number of its members in a single day. One day during the 4-day strike of telephone installers, officials of the local * * * registered 76 members."

January 13, 1958, Political memo: "More than 200 poll-tax deputies in the ranks of organized labor in Harris County (Houston), Tex., are beating the bushes in an effort to register every union member possible."

"Every one of the 440 members of Local 1179 of the Amalgamated Association of Street & Electric Railway Employees in Jamaica, Long Island, is registered to vote. A section of the local's working agreement with the Green Bus Lines states that election day is a paid holiday for all employees who show proof that they are registered. No proof of registration, no pay on election day."

1958 CAMPAIGN GOALS

COPE leaders approach the 1958 elections with a good deal of optimism. McDevitt says, "If the election were held today, there would be a tremendous gain on the liberal side."

When COPE leaders talk about the "liberal side," they are generally talking about Democratic candidates. A CQ survey of reported contributions by labor groups in the 1956 campaign showed that all but $3,925 of the reported $1,078,852 went to Democratic candidates and their campaign committees. (1957 Almanac, p. 201.)

The AFL–CIO convention of December 1957 adopted this resolution: "We must continue to rally support behind the liberals of both parties in Congress, the State legislatures, and local governing bodies. We must continue to encourage them in their battles against the raids by special interests and on behalf of the public welfare. * * * Unfortunately, the Republican Party, with a few but growing exceptions, is still too often a willing and obedient servant of big business."

Basically, then, COPE leaders are optimistic for the same reasons most Democrats are: the string of Democratic victories in special elections in 1957 and this year the threat to Republicans from discontent among farmers and unemployed city workers; the sputnik-induced fear that the United States may be lagging in defense; the increased criticism of President Eisenhower's performance as President.

Except for the decision on which presidential candidate to support, all of COPE's political endorsements are made at the State and local level. For that reason, national COPE leaders are at pains to avoid any official disclosure of candidates they are supporting and opposing.

But on the wall in McDevitt's office is a large map of the United States, with red and blue pins indicating some of the States where Senators are up for election this year.

The red pins, McDevitt says, indicate States where the incumbent has an anti-labor record. The red-pin States on McDevitt's map include:

Arizona, where Senator BARRY GOLDWATER, Republican, seeks reelection.

California, where Senator WILLIAM F. KNOWLAND, Republican, is the Republican candidate for Governor.

Connecticut, where Senator WILLIAM A. PURTELL, Republican, is a candidate for reelection.

Delaware, where Senator JOHN J. WILLIAMS, Republican, is running again.

Florida, where Senator SPESSARD L. HOLLAND, Democrat, the only red pin Democrat, may have a primary fight.

Indiana, where Senator WILLIAM E. JENNER, Republican, is retiring.

Maine, where Senator FREDERICK G. PAYNE, Republican seeks reelection.

Maryland, where Senator J. GLENN BEALL, Republican, is running again.

Michigan, where Senator CHARLES E. POTTER, Republican, is seeking a second term.

Minnesota, where Senator EDWARD J. THYE, Republican, is expected to be a candidate.

Nevada, where Senator GEORGE W. MALONE, Republican, is seeking reelection.

Ohio, where Senator JOHN W. BRICKER, Republican, is running again.

Pennsylvania, where Senator EDWARD MARTIN is retiring.

West Virginia, marked by two red pins for Senator CHAPMAN W. REVERCOMB, Republican, and newly appointed Senator JOHN D. HOBLITZELL, Republican, both running this year.

Wyoming, where Senator FRANK A. BARRETT, Republican, is up for reelection.

McDevitt denies that the red pins signal COPE's purge list of primary targets for 1958.

But when asked why there were no red pins for other Senators up for reelection in 1958 who were scored heavily wrong in the 1956 COPE voting record—Senator ROMAN L. HRUSKA, Republican, of Nebraska; ARTHUR V. WATKINS, Republican, of Utah; RALPH E. FLANDERS, Republican, of Vermont; and HARRY FLOOD BYRD, Democrat, of Virginia; for instance—McDevitt replied: "We're not going to waste our money in places where we have no chance. We need it for the States where we can do some good."

Mr. GOLDWATER. If the Senator from Michigan wishes more time, and I have any left, I shall be glad to yield further time.

Mr. NEUBERGER. Mr. President, will the Senator from Michigan yield to me?

Mr. POTTER. I shall be glad to yield if I may have additional time.

I wonder if I may have 5 minutes additional?

Mr. NEUBERGER. Mr. President, will the Senator from Massachusetts yield 5 minutes? I do not wish to trespass on the time of the Senator from Michigan.

Mr. KENNEDY. Mr. President, I yield 5 minutes to the Senator from Michigan on the amendment, in order to enable him to answer questions.

Mr. NEUBERGER. I merely did not wish to intrude on the time of the Senator from Michigan.

The thing that bothers me is the manifold activities into which trade unions enter, and which I think most Americans regard as eminently useful.

In my State trade unions have contributed funds toward the building of a fine, new zoological garden in Portland. What if a member of the sheet metal workers' union should feel that it was wrong to cage wild animals? Could he bring suit against his union for contributing four or five thousand dollars for the new zoological garden at Portland, and have the Attorney General recover his share of that money?

Mr. POTTER. Does the Senator believe that we should compel a person to contribute to any cause, no matter how worth while the cause might be? I might be a great flower lover, and believe that everyone should love flowers. But to compel other workers, as a condition to their retaining their employment, to contribute to such a cause would, I say, be denying them the freedom which is theirs, irrespective of how meritorious the activity might be.

Mr. NEUBERGER. The Senator has not answered my question.

Let me ask another question.

Mr. POTTER. If the Senator wishes an answer, I think the answer is "Yes." It is not an effort related to collective bargaining.

Mr. NEUBERGER. Let me ask the Senator another question.

Recently, I understand, a union in my community made a substantial contribution to a new wing in a Catholic hospital. Suppose a certain citizen of the community belongs to the union, but has an attitude of religious bigotry against the Catholics, and does not feel that union funds should be contributed to the construction of a Catholic hospital. Could he have the Attorney General of the United States sue to recover his share of the money contributed to the building of that wing?

Mr. POTTER. Should he be forced to contribute to something to which he does not wish to contribute?

Mr. NEUBERGER. I am asking a question to determine how far the machinery provided in the distinguished Senator's amendment would go in its operation.

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

Mr. POTTER. I yield.

Mr. ALLOTT. Let me ask a question. In the case cited by the Senator from Oregon, the worker does not need to have an attitude of bigotry against the Catholics. He may simply wish that the money be donated to a hospital of his own church, without involving the element of bigotry.

Mr. NEUBERGER. Then he could bring suit through the Attorney General of the United States, and recover his share of that money?

Mr. ALLOTT. The Senator has gotten off on the wrong track entirely, because we cannot compare charitable or eleemosynary projects with contributions to political campaigns.

Mr. NEUBERGER. What I am asking about—and I still wish to obtain an answer——

Mr. POTTER. The Senator already has the answer. It is "Yes."

Mr. NEUBERGER. I am glad to have the answer from the sponsor of the amendment.

Let me ask a further question. The Senator from Michigan made the point that no man should be compelled to contribute a share of his money to the construction of a zoological garden or the wing of a hospital, or any other cause, no matter how truly meritorious.

Suppose a resident of my community who uses the facilities of the local utility company there does not like the fact that the utility company has contributed a substantial sum—as it recently did—to the drive of the American Cancer Society. Suppose he belongs to a religious sect—which is his right—that does not believe in medical care or hospitals, and he does not want the utility company to contribute its funds to the American Cancer Society. What does the Senator think that citizen should be able to do about it?

Mr. POTTER. Probably he could sue in court.

Mr. NEUBERGER. I did not say he was a stockholder. I said he was a customer of a public utility in my community. Let me ask this question: What choice does that man have except to be a customer of the local utility company? Does he have any other choice?

Mr. POTTER. The Senator is so far afield with his examples that it is impossible to make an answer.

Mr. NEUBERGER. The Senator has made the point that a member of a union has no choice except to be a member of

the union, if he wishes to work in a certain plant. Therefore, the Senator says, he should have the right to sue to recover funds used by the union to contribute to the construction of a zoological garden, or to the construction of a wing of a new hospital. Is not that the Senator's point?

Mr. POTTER. The Senator is correct.

Mr. NEUBERGER. What choice does the customer of the utility company in my community or any other community have if the utility company uses funds, which have been paid to the company by the rate payer, for a contribution to the American Cancer Society, or any other worthy cause—if that particular customer does not like it? What choice does he have?

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

Mr. NEUBERGER. What choice does he have?

Mr. POTTER. In the first place, the rates are controlled by the State utility commission. I do not know whether the contribution would come from the 6 percent profit of the utility involved.

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

Mr. NEUBERGER. Mr. President, may I have 1 more minute?

Mr. KENNEDY. I yield 1 minute on the bill to the Senator from Oregon.

Mr. POTTER. Of course, it would depend on the type of utility.

Mr. NEUBERGER. An electric power utility is what I have in mind.

Mr. POTTER. If he felt so strongly, I would assume that he could provide his own generating plant. He is not being deprived of his livelihood.

Mr. NEUBERGER. He is being deprived of electricity that furnishes his light and fuel. He is being deprived of the electricity that goes into his stove. He is being deprived of a basic necessity of life.

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

Mr. POTTER. I yield.

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

Mr. ALLOTT. Mr. President, I yield myself 2 minutes. The Senator from Oregon, for whom I have a great deal of respect, misconceives the whole situation. In connection with a utility, a monopoly was not created because the utility desired it; it was created by the citizens of the country, who insisted that the utility have a monopoly. The monopoly was forced upon the utility by the laws of the country, by the taxpayers of the country. If the Senator is not acquainted with that development, he should be.

It is not the people the Senator from Oregon is talking about who suffer; it is the stockholders, the people who derive a profit from the utility. If we wish to follow his analogy straight through, a corporation that produces pencils, for example, could not contribute to a cause, because it is really the people who buy and use the pencils who own the corporation.

The PRESIDING OFFICER. The 2 minutes allotted to himself by the Senator from Colorado have expired.

Mr. ALLOTT. I yield myself 1 minute so that the Senator from Oregon may ask a question.

Mr. NEUBERGER. Is the Senator from Colorado comparing a pencil corporation with an electric light monopoly in any community, which the people must use or go without electricity? Is he making that comparison?

Mr. ALLOTT. In the first place, they do not have to use it.

Mr. NEUBERGER. How would they then get electricity?

Mr. ALLOTT. There is an easy way to get it. They can buy their own local electric plant if they wish to do so. Thousands of people use such plants today.

Mr. NEUBERGER. The question is answered. [Laughter.]

Mr. ALLOTT. I cannot subscribe to any Socialist theory which holds that the man who uses the electricity owns the light plant.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. POTTER.]

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

The PRESIDING OFFICER. The proponents have used all their time. The opponents have 10 minutes remaining. Does the Senator from Colorado yield time to the Senator from South Dakota?

Mr. ALLOTT. How much time do I have remaining?

The PRESIDING OFFICER. All time for debate has expired on the proponents' side.

Mr. ALLOTT. I yield 5 minutes on the bill to the Senator from South Dakota.

Mr. MUNDT. I believe a very basic concept of Americanism is involved in the Potter amendment, and that we face the plain question as to whether any free citizen of America has the right to tell another free citizen of America that, in order to earn his living and provide for his family, by virtue of the fact that he must belong to a specified labor union to hold his job, he must pay what is virtually a tax, which will be used to support, at times, a cause or a candidate with which the individual workingman is entirely out of sympathy.

Reduced to its basic concept, the Potter amendment simply says that a workingman who belongs to a labor union, to which he must belong in order to hold a specific job, cannot have any of the money of his union dues diverted from ordinary, legitimate labor union activities into political purposes without his consent.

Unless there is a feeling on the part of some that, somehow or other, labor union leaders were anointed somewhere to become the monitor and the political conscience of the men and women who pay dues, it seems to me the Potter amendment as presently amended provides a remarkably direct way to sustain the democratic rights and the political independence of every workingman in America.

Our country was founded on a concept, held by courageous Americans a long time ago, that taxation without representation is wrong in the Western Hemisphere. If it was wrong when imposed by the British royalty upon those who paid the stamp tax in Massachusetts, it is wrong when it is imposed by labor royalty from Detroit upon those who pay dues in unions to which they must belong by compulsion.

I shall be no little surprised if the Senate votes to hold that a man who does not want to have his money contributed to a cause or candidate in a political campaign can be coerced to do so by labor royalty for some power spot in an international labor headquarters under compulsion provided by the threat of loss of job and livelihood if the worker resists the political tax.

On Saturday evening I called to the attention of the Senate how incongruously the present kind of situation can operate. I called to the attention of the Senate the testimony of Walther Reuther, as it is found in part 25, pages 1094, 1095, and so on.

Walther Reuther testified that part of the money, collected by duress and by coercion from labor-union members, was diverted to the support of Americans for Democratic Action.

I do not hold that Americans for Democratic Action is an organization in ill repute. I believe it is a political mechanism, a political organism of this country which has a perfect right to function. However, I deny the right of Walter Reuther or any other labor royalist in this country to tell a working man that, in order to earn a living for his family, he must support Americans for Democratic Action. My files are replete with letters from workingmen who do not believe in what Americans for Democratic Action stand for.

Rightly or wrongly, a large number of workingmen in the South do not believe, for example, in the position of Americans for Democratic Action on States rights. I am not concerned at this point in the debate whether Americans for Democratic Action are right on the civil rights or States rights issues or whether the people in the South are right on these issues. The point I am trying to make is that no one in Detroit has the right to tell a workingman in a southern State that in order to hold his job and earn his living, he must pay tribute to Americans for Democratic Action, and must support their program in opposition to the position of the traditional, for example, southerner on the question of civil rights. I would be equally aghast if the situation were reversed, and they were arguing the other way.

There simply is something un-American, in my opinion, to give to any union leader in the United States the right to tell a man that in order to have a job he must support a position or a cause or a candidate or a party against his own convictions and his personal convictions.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. May I have 2 more minutes?

Mr. ALLOTT. I yield 2 more minutes to the Senator from South Dakota.

Mr. MUNDT. Walter Reuther testified that a part of the money which is

collected from labor union members, by coercion, is diverted to the ADA and the NAACP. He has no more right to do that than he would have to give it to the Republican Party or the Democratic Party, or, in its time, to the Liberty League. To do so would be equally reprehensible.

No man in America should have the right to arrogate to himself the power to tell another that his freedoms are circumscribed; that in order to work, he must delegate to someone else the power to think, the power to vote, and the power to campaign. I hope that our liberal friends in the Senate will be the first to endorse a sentiment of that kind. It seems to me to be so essentially American.

So I advocate the adoption of the Potter amendment, because it is fair play to the American working men and women operating in a closed shop situation.

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

Mr. ALLOTT. I yield 2 additional minutes to the Senator from South Dakota for the purpose of answering the questions of the Senator from Wyoming.

Mr. BARRETT. I commend the Senator from South Dakota for his fine contribution to this discussion. I associate myself with his remarks. The Senator has been working on the matter of checkoff for the purpose of the promotion of the examination of beef. I call the Senator's attention to the fact that under existing law the meat board is authorized to make a checkoff on all cattle sold at the central markets. But under that provision, if any cattle grower demands a refund of the amount which is taken from the sale of his cattle in the yards, he can get it. That is exactly the same provision which is in the Potter amendment.

Mr. MUNDT. The Senator is exactly correct. Under the new proposed legislation on the meat-promotion program, the producer retains his American right to eliminate the so-called checkoff, if he wants to eliminate it.

Mr. BARRETT. That is correct. In other words, it must be with the consent of the shipper; and if he objects, all he has to do is to write for it, and he will get his money back.

Under the Potter proposal, the union officials can spend the money; but if a member of a union decides that he wants his money back, all he has to do is to take action under the proposal, and it will be necessary for the National Labor Relations Board or the Department of Justice to see to it that his money is refunded to him. That is in accordance with the American system of government, is it not?

Mr. MUNDT. The Senator is exactly correct, and he draws a striking parallel. I cannot understand why working men and women in America should not be entitled to the same rights as cattlemen, hog producers, and sheepmen.

Mr. BARRETT. I thank the Senator.

Mr. MUNDT. Mr. President, I ask for 2 additional minutes. I should like to illustrate exactly how this matter works.

Mr. ALLOTT. I yield 2 minutes to the Senator from South Dakota.

Mr. MUNDT. Let us take the case of the committee on political education, COPE, as it functioned in Missouri in the 1956 political campaign. I have a photostat which shows the amount of money which COPE spent. Total disbursements of $26,315.40. It is not necessary to embarrass any Senator on the floor by calling attention to the party for which it was spent. I am not concerned about that. Most Senators can guess, perhaps, but I shall not state it here.

The photostat shows that from April 10, 1956 to November 20, 1956, the Missouri State committee on political education, AFL–CIO, received total contributions for political spending of $15,054.38.

It further shows that the total amount spent for political purposes was $26,315.40. This made a deficit of $11,261.02 by COPE.

A small part of the deficit was made up by transferring from the Missouri State PAC the sum of $135.56.

PAC is a voluntary organization, to which a laboring man may contribute voluntarily. However, the staggering sum of $15,000 was transferred from the general fund of the Missouri State Labor Council—the dues money of the rank and file of Missouri labor unions who were given no opportunity to say how their dues money was to be spent politically.

The photostat shows that the remaining funds from the dues of rank-and-file members were deposited in the bank for future political spending. This is indeed taxation without representation.

The photostat proves beyond peradventure of a doubt that unless some such amendment as the Potter amendment is adopted, American workingmen will continue to be compelled to subject themselves to taxation without representation in support of candidates and causes selected by labor bosses, as against the wishes of the laboring people of America.

Whether it is an issue like civil rights, an issue relating to taxes, an issue like States rights, or an issue relating to political campaigns, I submit that the working men and women of this country have the right which you and I have, Mr. President, to think for themselves, to vote for themselves, and to support causes and candidates of their own choice, and not to be taxed by a political overlord simply because he has the power of economic life and death, work or no work, starvation or survival, so far as the working man is concerned. Let those who favor a continuation of such a traversity, vote for it. I shall vote against it by supporting the Potter amendment. I hope the amendment is adopted.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. HUMPHREY. Mr. President, will the Senator yield time to me?

Mr. KENNEDY. I yield 2 minutes on the amendment to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I hope the sponsors of the amendment will clarify for the Senate whether it applies to the American Medical Association, which is a fine, outstanding professional organization that collects dues from its membership, the dues being expended after a vote by the house of delegates, just as dues are expended after an election and a vote at the international conventions of the unions.

I hope the Senator from South Dakota and the Senator from Michigan will tell us whether the amendment also provides that the Secretary of Health, Education, and Welfare may initiate a prosecution in case any member of the American Medical Association disagrees with the purposes for which his dues are to be expended.

The same is true of the American Dental Association. The same is true of the American Bar Association because, let it be quite clear, one does not practice law without being a member of that organization; nor practice medicine without being a member of the American Medical Association.

Mr. ALLOTT. That is not true of bar associations.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. HUMPHREY. I am informed by one of the learned lawyers of the Senate that my statement does not apply to lawyers.

I will exclude them. But it does apply to the American Medical Association. I want to know whether the sponsors of the amendment intend to prosecute doctors. If they do, I want them to stand up and say so.

Mr. POTTER. Does the Senator want an answer?

Mr. HUMPHREY. On the Senator's own time.

Some of the great labor organizations of the country, such as the UAW, sponsor industrial safety programs for the benefit of their members in cooperation with management programs, to which the Government of the United States would be well advised to make some contribution, but does not do so. I gather that those programs would be under indictment and the members would be under indictment if some member of a union said, "I disagree with safety; I am for accidents"—and there may be such a character.

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

Mr. KENNEDY. I yield 1 minute to the Senator from Minnesota.

Mr. HUMPHREY. I should like to know whether the program applies when a union desires to take newspaper commentators into its membership. I have attended such conventions. I know how members vote for or against proposals. Very seldom is there unanimity in or out of Congress. Occassionally there is unanimity in the Senate when someone moves to strike a comma and insert a semicolon. Once in a while there is unanimity on recessing. But that is about all.

I want to know whether the amendment applies to a union such as local

11451, the Honeywell workers, in my city of Minneapolis, which has contributed thousands of dollars to a heart hospital. There may be some member of the union who is in favor of heart disease, and not against it. Suppose a member decided he wanted the Secretary of Labor to start a prosecution because the union contributed to a heart hospital.

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

Mr. KENNEDY. I yield 30 seconds to the Senator from Minnesota.

Mr. HUMPHREY. An example which is continually used is the UAW. If anyone wants to know why the UAW is used as an example, it is because it is a clean union; because Walter Reuther is an able, good labor leader, and has a good record. And if anyone wants to know why else, it is because it is politically effective. Some persons do not like the kind of political effectiveness which alerts citizens to their responsibilities, and exhorts them to get out and vote, and not to vote blindly, but to vote intelligently.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The time yielded to the Senator from Minnesota has expired.

Mr. KENNEDY. Mr. President, how much time remains to the opponents of the amendment?

The PRESIDING OFFICER. Six minutes.

Mr. MORSE. Mr. President, will the Senator from Massachusetts yield to me 10 minutes on the bill?

Mr. KENNEDY. I yield to the Senator from Oregon 10 minutes on the bill.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes on the bill.

Mr. MORSE. Mr. President, I wish to summarize my opposition to the Potter amendment. On Saturday evening, I spoke somewhat at length in opposition to the Potter amendment. I incorporate by reference, in the argument I am making at this time, all the arguments I made on Saturday night against the Potter amendment.

Mr. President, the substitute the Senator from Michigan has offered does not in any way remove the objections I had on Saturday night to the Potter amendment, because in the main the Senator from Michigan has simply proposed now that the delegation of authority be transferred from the Attorney General to the Secretary of Labor.

Of the many objections I raised on Saturday night, I wish to emphasize first the following: We have heard some talk about taxation without representation in connection with the operations of a union. Mr. President, I do not know what is meant by talking about a democratic organization in this way, unless the intent is to refer to a dissident member or a sorehead—including a person who is in the union because apparently, among other things, he wants to be a troublemaker.

Does such a union member operate on the basis of the majority-shall-rule principle? This amendment would seek to give encouragement to members of unions who are opposed to majority rule—for instance, if the majority of the union happen to differ from one member on the question of the expenditure of certain funds which the union has authority to spend.

In this case it is proposed that such union members shall be able to sue the union because it expends some of its funds for the construction of a hospital or to give a spring dance, or to give a summer picnic, or to give a Christmas party.

Here we are not talking about a collective bargaining table in the limited sense of a negotiation of some grievance or for a contract. Instead, we are talking about an association of free men and women, organized into a labor union which has a whole variety of fraternal functions. And here it is proposed that we let a little minority scuttle the organization or harass the organization by means of a series of legal actions, just because the members of a small minority bloc do not like what the majority has voted to do.

On Saturday night, I said the amendment is absurd. Tonight, I say it is pure nonsense.

Second, I wish to point out that just on the basis of draftsmanship, we cannot vote for this amendment. It does not include any standards or criteria.

The amendment provides, in part, "expended solely for collective bargaining purposes or purposes related thereto."

Where in the amendment is the definition? Where in the amendment are the limitations? Who will tell whether an expenditure is related to collective bargaining or purposes related thereto?

Mr. President, I want the Members of the Senate who are lawyers to give particular thought to my point that as Senators, our job, when we pass proposed legislation, is at least to follow and conform to the basic rules of law in regard to the enactment of legislation; and we have the duty of setting down, in the measures for which we vote, definitions and standards and criteria which are to be applied by officers who will administer the laws we pass.

But the pending amendment does not include even one definition or even one standard which would protect the public from the arbitrary discretion of an administrative official—in this instance, the Secretary of Labor.

Are we going to vote that the Secretary of Labor shall have the legislative function of determining what, in his judgment, is for collective bargaining or purposes related thereto? Are we going to vote that he shall have the power arbitrarily to decide that some expenditure of a union was not related to collective bargaining or to purposes related thereto?

What purposes are related to collective bargaining, Mr. President? For instance, consider the public-relations work of a union, to say nothing of the fraternal work that is done by a union among its members. After all, the union shop contract is a legal contract between employers and representatives of the union, in carrying out their constitutional right of freedom of contract in this country. Thus they have entered into a perfectly legal contract. Are we going to permit some dissident, or, as I said on Saturday night, some labor spy, some stooge, some troublemaker that an antilabor employer has wormed into the union to do a harassing job, to force the Secretary of Labor to bring an action in the courts because the Secretary of Labor thought that the expenditure of some of the money of the union was not connected with collective bargaining or with a purpose related thereto?

Let us consider the public-relations work of a union in a community. Are we to say that a union which participates in civic activities, a union which can always be counted upon in the county or in the community to be of help in every charity drive and every civic program in the community, is not helping its collective bargaining position and is not doing something directly in relation to purposes connected with collective bargaining?

Mr. President, I once was the president of the Rotary Club in my home town. I wish to say that we conducted what we thought were some great civic-betterment programs; and I know the effect on that business community of a union with a social conscience. I know the attitude of that group of business leaders in my home community regarding a union which could be counted upon to support great civic enterprises.

Should we say that when the union contributes to the local hospital fund drive, or when it participates in raising funds for the establishment of a boys' camp, or when it contributes to any of the other items I mentioned in my speech on Saturday night, including a safety program, it is participating in a fund-raising program not related to purposes of collective bargaining in that sense?

I wish to point out that the amendment does not provide any standards. That is why I have said the amendment is an attempt to delegate a legislative function to an administrative officer, which cannot be done under the law. In my opinion, the Secretary of Labor cannot be given the authority to decide whether a certain expenditure is or is not connected with collective bargaining or with purposes related thereto. In my judgment, such a provision would be a delegation, not of an administrative function, but of a legislative power. We had better tie down the amendment to some findings, before we seriously consider it.

Today we have heard much from the Senator from Arkansas [Mr. MCCLELLAN] about the importance of holding hearings in regard to matters which were not covered to any great extent by the Labor Committee when we tried to report by June 10 a bill on the general subject matter which we took under consideration.

But the pending amendment should be considered a long time before favorable consideration is given to it; and certainly never should loose, undefined language such as that included in it be approved by the Senate.

Let me say a word in regard to what I believe is the perfect absurdity of the

amendment. If what we wish to do is scuttle unions or make it difficult for a union to function as a democratic group and make it difficult for it to carry out its fraternal program, then the Potter amendment should be adopted; it will be very effective for that purpose.

Mr. President, I know what is in the back of the minds of many of the proponents of the pending amendment. They do not like it when a union participates in a citizenship program or in a political education program, as some call it.

Mr. President, let me make perfectly clear that under the Taft-Hartley Act, no union can contribute to a Federal candidate's campaign fund. That would be unlawful. But in this country we have reached the point where a group of men and women who have joined together in a fraternal organization known as a trade union, and who know that a single session of a city council or a State legislature or of the Congress of the United States can wipe away a great many of the rights which over the years they have earned the hard way in the field of labor relations, cannot take any interest in political affairs? Have we really reached the point, for example, where a union cannot conduct a program—one based upon the vote of the majority, and in connection with which there will be some expenditure of the union's funds—for a radio program or a television program or for the publication of literature in support of a widened coverage, for example, of a fair labor standards act which many unions favor?

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has expired.

Mr. MORSE. Mr. President, will the Senator from Massachusetts yield to me 2 more minutes?

Mr. KENNEDY. I yield 2 additional minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. Or, Mr. President, have we reached the point where a union cannot conduct an educational program in connection with a tax program which its members believe to be vital in connection with the affairs of their union?

The question is whether or not they are operating on the basis of the majority-rule principle. That is what the senior Senator from Oregon is interested in. I thought that what we were primarily trying to do in this bill was strengthen the democratic procedures of unions. That is why, before the McClellan committee came out with these proposals, the Senator from Oregon stood up, at the University of Wisconsin, in front of labor leaders, at the Witte presentation, and said, and the record will bear me out:

> I want you to know that I am going to support legislation that will do two things: that will guarantee the protection of the rank and file members of a union in their finances, in that they will have an opportunity to exercise majority vote control over their finances, and that will protect them in the democratic procedures of their unions, and to see to it that they will have control over their officers.

That is what I thought was the objective of the pending legislation—not to take away from the unions the majority vote principle, not to say to them, even after a majority vote, that they cannot contribute to a heart fund drive, or to a cancer drive, or for camps in the summer, or for a Christmas dance; but we are giving some sorehead in a union the right to sue the Secretary of Labor in the courts and get a refund of that money.

How absurd can we be if in one breath we say we are for democracy in unions, and then vote for something that takes away from union members democratic control?

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. I should like not to be interrupted until I complete my statement, unless the Senator who interrupts me is willing to put a question on his own time.

Under agreement with the majority leader, I have been allotted as much as 1 hour, if I care to use it.

Mr. KENNEDY. The Senator from South Carolina is allotted 1 hour on the bill, and may take such time as he desires.

Mr. THURMOND. I thank the Senator very much.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise in support of the Potter amendment. I am supporting the Potter amendment because I feel that it is in the interest of the working people of the State of South Carolina and of the United States.

When I grew up, I worked on a farm until I went to college. Between my college years I worked in what is now the Kendall Textile Mills, in Edgefield, S. C. I know what it means to work, and I have the deepest sympathy for the working people of our Nation.

It is because of that special interest in our working people that I wish to see their dues protected, and not used for purposes in which they do not believe and, in some cases—possibly many—in situations and for purposes which are really subterfuges to get around the law.

I desire to call the Senate's attention to some of the contributions which have been made by the unions to what is known as the ADA, Americans for Democratic Action. The figures I have are very pertinent, and carry with them a very important lesson to our people.

In 1951 the unions contributed $64,830 to the ADA.

In 1952 the amount was $66,823.90.

In 1953, $50,430.

In 1954, $46,770.

In 1955, $43,735.

In 1956, $34,280.

In 1957, $43,677.50.

That made a total, from 1951 to 1957, inclusive, of $350,546.40 that the unions of this country contributed to Americans for Democratic Action.

The labor contributions, I might say, are about one-third of the budget of the ADA.

Now, which unions contributed this money? The United Auto Workers.

The United Textile Workers of America, of which we have locals in my home State of South Carolina.

The United Steelworkers.

The International Ladies Garment Workers Union.

The Hotel and Restaurant Employees and Bartenders Union.

The International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of which we have local unions in our State of South Carolina.

The Communications Workers of America, of which we have locals in my State.

The United Rubber Workers, of which we have locals in South Carolina.

The International Union of Electrical, Radio, and Machine Workers.

The Trainmen's Political Education League.

The International Brotherhood of Paper Makers, of which we have locals in my home State.

The International Association of Machinists, of which we have locals in South Carolina.

The Brotherhood of Locomotive Firemen and Engineers, of which we have locals in my State.

The Textile Workers Union of America, of which we have locals in my State.

The United Hatters, Cap, and Millinery Workers.

I might add that the UAW and the garment workers contribute at the rate of $1,000 a month each.

What does ADA stand for? Why am I interested in where the dues of working people in my State go? They have contributed to an organization that I feel is not in their interest or in the interest of the people of this Nation.

I am confident that the people of South Carolina would not approve, and the members of local unions in South Carolina would not approve, of their dues being used to go into the organization known as Americans For Democratic Action.

Why do I say that? Because here is what ADA stands for: It stands for compulsory union membership. South Carolina has a right-to-work law. It does not believe in compulsory union membership.

I have no objection to any man joining a union. He has a right to join. On the other hand, a man should not be compelled to join a union. The people of my State, speaking through their legislature, have said a man should not be compelled to join a union.

ADA stands for enforced fraternization. What does that mean? That simply means integration of the races. The people of South Carolina, including the members of the local unions in my State, do not believe in integration. They believe in segregation. It is not only in the laws of my State, but anyone who wishes to talk with the people of my State will find the people believe almost 100 percent in segregation.

What else does the ADA believe in? They believe in a confiscatory share-the-wealth tax system, which is contrary to the principles upon which this country was founded.

Another thing the ADA believes in is a strong centralized bureaucracy. In other words, they believe in a strong centralized government in Washington. The people of South Carolina, including the members of locals in South Carolina, do not believe in a strong centralized government. The people of South Carolina believe in States rights, and they believe in a limited Federal Government. The people of South Carolina believe in the Constitution. The Constitution was established only by the States getting together in Philadelphia in 1787 and delegating certain powers to the Federal Government, reserving all others to themselves. The 10th amendment to the Constitution reserves to the States every right which they did not delegate to the Federal Government in the Constitution at the time it was written, or by any one of the 22 amendments added since the Constitution was adopted. Therefore, the Central Government has no powers except those given to it by the Constitution and the amendments to the Constitution since its adoption.

The people of my State—the working people and members of unions in my States—believe in States rights. The people are opposed to a strong central government. I do not think it is right to take the money of those people and use it to advocate, or pay tribute to an organization which is advocating, a strong centralized government.

Another thing the ADA stands for is a guaranteed annual wage for everyone. How do the unions know that the members in South Carolina believe in such a principle? The members in South Carolina have not voted for any such principle. Therefore, I say it is wrong for the unions to take the money of the working people and to advocate a guaranteed annual wage for everyone, when there has been no referendum on the question by all the members. Even if some members favored it, would it be right to mistreat the minority who did not favor it? Why should not the money of unions be used solely for collective bargaining, which is the real purpose for having a union?

Another principle advocated by the ADA is total economic welfare, from the cradle to the grave for everyone.

Mr. President, it is a dangerous thing for an organization to promote the policies which have been propounded by the ADA. We must keep our country economically strong as well as militarily strong, and we cannot keep it strong economically if we continue to spend and spend and spend. At present we have a national debt of $280 billion. The United States owes more money than all the other countries of the world put together. Yet we continue to pass legislation to spend more and more money to do things which the States should do for themselves. There is not a State in the Union which is not in better shape financially to carry on these programs than is the Federal Government, but the ADA wants the Federal Government to undertake them all.

What are some of the specific things the ADA advocates? The ADA advocates the Brannan plan, compulsory health insurance, and Federal wage, price, and rent controls.

How does the ADA know, or how do unions know, that the people in South Carolina favor those things? Why should the money of South Carolinians be used to pay for the programs of the ADA, which advocates compulsory health insurance, compulsory wage, price and rent controls, and other socialistic programs.

The ADA favors repeal of the Taft-Hartley Act.

The ADA favors giving to the Executive power to modify the tax rates to meet changing conditions.

The ADA favors abolition of the seniority rule in the Senate. Are we going to abolish the seniority rule in the Senate just to please the ADA? This is the greatest deliberative body in the world. It is the one deliberative body which can save this country. It is the one body which this country would do well to maintain. The ADA talks about the seniority rule. Does the ADA favor the abolition of all chairmanships of committees, to start everything over again, without acknowledging the beneficial experience and the long, capable, and faithful service of Senators who have been here for years and years and years? Why does the ADA want to change a rule which has always existed in this body? The Senate was founded in 1789, 2 years after the Constitution was adopted, and the rule has been followed uniformly. But the ADA wants to change the rule, and they want the union members in South Carolina to contribute to a program to help change the rule.

The ADA favors the unilateral cessation of nuclear-bomb tests. It favors taking that action unilaterally. It favors having this country go it alone to stop nuclear-bomb testing.

I say to the Senate, if we did not have the Russian fear of nuclear bombs and hydrogen bombs to protect this country, I do not know what Russia would do. I fear what the Communists would do if they did not know we had the Strategic Air Command, which surrounds them like a ring, and if they did not know we could send forth planes to strike and strike quickly to destroy the Soviet Union. So if we should discontinue testing of bombs without other nations doing the same thing, it would seem to me to be a foolish and fatal error. And, I am sure the great majority of union members share my feelings on this matter.

The ADA favors Federal control of and responsibility for, education. That is what the ADA advocates—Federal control of education. Mr. President, in the Constitution of the United States the word "education" is not even to be found. I ask the ADA and I ask the unions or anyone else, Where is the authority in the Constitution, or in any amendment to the Constitution, which gives the Federal Government the right to enter the field of education? The Federal Government has only the powers delegated to it. Control of education has never been delegated. Therefore, the field of education, and rightfully so, has been reserved to the States and the local counties and school districts.

Another thing the ADA favors is relief aid to Communist China. Communist China is working hand in hand with Communist Russia. Why should we send aid to Communist China? If we are going to send aid to China, why not send aid to Nationalist China? Why not send aid to countries working with us, rather than Communist nations? Union members are loyal and patriotic Americans who do not condone giving aid and comfort to the enemy.

The ADA favors diplomatic recognition of Red China. The ADA has favored that in the past, at least. At one time or another the ADA has advocated all these things. Why should we recognize Red China? Red China backed up North Korea and engaged against South Korea in a war which cost thousands of American lives. Red China has been guilty of aggression. If I had the time, Mr. President, I could recite many acts of aggression.

Another thing the ADA favors is admission of Red China to the United Nations. Why does the ADA want to admit Red China to the United Nations? To give Russia another vote in the United Nations? To back up Russia and communism to a greater extent?

The ADA favors no aid to Spain and the exclusion of Spain from the United Nations. Mr. President, I hold no brief for Spain, but I will tell Senators that Spain has stood with us. Spain has been as strong, almost, as any nation against Communists. Is it not discrimination to accept in the United Nations some nations which are inclined to be Communist and to refuse to accept Spain? But the ADA is against the admission of Spain into the United Nations.

The ADA favors aid to Yugoslavia, without political conditions. Yugoslavia blows hot and cold. Right now she is blowing against Russia. Who knows but what that is a scheme, that she has had an understanding with Russia in order to get more of our tanks, tractors, and foreign aid sent to Yugoslavia? When she gets them, how do we know that she will not use them against the United States? We must be very careful in dealing with Yugoslavia and any other Communist country. There is certainly no unanimity of opinion on this point even in the Congress.

The ADA says it deplores violence, and that it urged and supported the use of troops at Little Rock to prevent violence. On the other hand, it ignored the violence of the UAW during the 3½ years of the Kohler strike, and still supports the UAW. Have we heard the ADA condemn the UAW for violence in Wisconsin during this strike?

All the actions and policies advocated by the ADA point to Federal socialism. I do not believe that union members in South Carolina want to see a Federal socialistic country. I do not believe they want their Government in Washington to be converted into a socialistic government. And yet the dues which good South Carolinians are paying into their unions are going for the promotion of that kind of program, because the money is going to organizations like the ADA.

What is the method of operation of the ADA? Its representatives testify before Congressional committees. It publishes and distributes pamphlets and other propaganda supporting its left-wing programs. It supports candidates, and contributes to their campaigns. Some of its members are placed in high positions.

There is another organization to which the unions are contributing, and that is the NAACP. Why should the unions contribute to the NAACP? The people in South Carolina who belong to the unions do not like it. They do not favor the unions contributing to the NAACP.

In the McClellan committee hearings, Walter Reuther admitted that the UAW contributes to the NAACP. In one specific instance, Walter Reuther presented a $75,000 check of the UAW to Arthur Spingarn, President of the NAACP. A picture of that ceremony was published in the newspapers. I am sure many Senators saw it.

On January 28, 1958, according to Labor's Daily, Ralph Holstein, the president of the United Packinghouse Workers, presented a $5,000 check from his union to Dr. Channing Tobias, chairman of the board of the NAACP. How does Mr. Holstein know that his members favor contributing that money to the NAACP?

The AFL–CIO News of November 7, 1955, announced that the UAW–CIO board contributed $5,000 to the "fight for freedom fund" of the NAACP, to broaden the auto workers' own fight in the civil rights field.

The people of South Carolina believe in civil rights, but they believe in the civil rights itemized in the first 10 amendments of the Constitution of the United States. They do not believe in the kind of so-called civil rights which have been advocated by numerous people connected in one way or another with the Federal Government, labor unions, and the NAACP—and, incidentally, the Communist Party.

Union members in South Carolina bitterly oppose the use of their funds by the unions to contribute to the NAACP to do the very opposite of what they want done. They want segregation in the schools. The Negro people in our communities have schools as good as do the white people, and the people down there are willing to pay for separate schools and buildings in order to maintain separate accommodations.

The AFL–CIO national headquarters has distributed on a tremendous scale an "integration kit" prepared by the CIO department of education and research. This kit contains, among other things, a story of the necessity of forced integration, including inflammatory pictures.

Agan I say that the union workers in South Carolina do not want to have to pay for integration kits to be distributed throughout the Nation. This is in conflict with their basic beliefs.

At a recent AFL–CIO convention, it was announced that the organization had earmarked $100,000 for the fight for integration. The objective of the NAACP is integration of the races. Their program calls for an FEPC. I do not believe that the majority of the people in the United States favor an FEPC. I do not believe that the majority of the working people—not only in South Carolina, but in any other State in this Nation—favor an FEPC. I believe that if a referendum were conducted on the question of the FEPC, the overwhelming majority of the people would vote against it. Yet the working people who are members of unions in South Carolina are compelled to contribute their dues to unions which contribute money to the NAACP, which is advocating an FEPC.

The NAACP favors integration in public housing. It favors integration in transportation and in the schools.

I think this item will interest Senators. The NAACP favors abolition of free debate. It favors abolishing rule XXII in the United States Senate. The people of South Carolina, including the union workers down there, do not favor abolishing free debate in the Senate. That is one of the great bulwarks of this Nation. It is important that there be free debate, in order that there may be full discussion of all issues before the American people.

The NAACP favors Federal intervention in primary and general elections; and yet, although the union workers in industries in South Carolina oppose having their dues go into unions to be used to contribute to the NAACP, that is exactly what is being done today.

Let us consider another field, that of housing. New York Local No. 3 of the International Brotherhood of Electrical Workers has financed and owns a large housing development. I understand that the rent is too high for their own union members. But what business has a union to go into the housing industry? If a union can go into the housing business, it can go into the restaurant business. It can go into the hotel business. It can go into the automobile business. It can go into general merchandising. It can go into any kind of business. We do not believe it is right for a few leaders to determine that they are going into some private industry, and to use the dues of local union members to do so.

Another point which I think will interest a few Senators is this: Dr. Jacob Goldstein, a prominent Catholic layman in Boston, pointed out in his publication, Autobiography of a Campaigner for Christ, that Mr. David Dubinsky has been using funds of the International Ladies Garment Workers Union to finance educational seminars in marital relations and birth control.

Mr. Dubinsky announced in his paper Justice some years ago that his education department had arranged to have Drs. Abraham and Hannah Stone present several seminars on these matters in the ILGWU Health Center. Dr. Goldstein criticized this as forcing Catholic union members to support financially teachings diametrically opposed to their religious convictions.

Mr. President, I should like to ask this question: Why should the Catholic union members in South Carolina have their dues used, as was done here, to conduct programs on birth control? They may believe in it, and they may not believe in it. But why should that happen?

The dues of union members have been used to make gifts to international organizations and foreign countries. For instance there is the case of Israel. In the December 1955 in the New York Times and New York Herald Tribune, there appeared the announcement that Mr. Dubinsky's union was giving $1,100,000 in gifts to Israel for a hospital, stadium, and trade school. This did not please some of the garment workers who had only a $30 take-home paycheck.

In addition, Mr. Dubinsky made contributions shortly after World War II to the International Confederation of Free Trade Unions, a socialistic organization that is stirring up trouble even in Algiers today.

What right has a union to collect dues from citizens of South Carolina and to send them to Israel or Lebanon or Syria or Egypt, or to any other country in the Near East, or to any country in Europe or in Asia or Africa? What right have the unions to take dues paid by union members and use the dues to make contributions to an organization like the International Confederation of Free Trade Unions? Do the union members approve of such action?

As a matter of fact, Mr. President, the large majority of union members do not like it at all. I wish to point out to the Senate an example to prove my point. One of the larger districts of the country, the sixth district of Michigan, with a population of approximately 585,000, includes the cities of Flint and Lansing. More than 71,000 workers are normally employed by Chevrolet, Buick, Oldsmobile, Fisher Body, AC Sparkplug, and other automotive industries within the district.

This district is represented by the Honorable CHARLES E. CHAMBERLAIN. There the unions are probably stronger than in any other place in the United States. If there is any place in the country where members of a union would be propagandized with respect to the use of their dues, I believe that would be the place. What was the situation? Mr. CHAMBERLAIN sent a questionnaire to those people, and I wish to read the answers to two of the questions he asked. The first question was: "Do you object to the manner in which union dues are used?"

What was the answer? The responses from the hourly wage employees, 90 percent of whom were union members, was: "Yes, we object." Sixty-three percent said yes, and only 22 percent said no. Of all the responses to that question, as to whether they objected to the manner in which the union dues were being used, 69 percent said they did object, and only 13 percent said they did not object.

The other question was: "Do you believe that the policies adopted by union leaders represent the thinking of rank and file union membership?"

What was the answer to that question? In the response from the hourly wage employees only 16 percent said yes, they favored the policies of the union leaders, and 70 percent said they did not. From all the responses that came in, only 10

percent said they favored the policies of the union leaders, and 77 percent said they did not.

It is a serious matter, Mr. President, this taking of money from union members and using it as a few of their leaders desire. This was brought out recently in a case which was tried in the State of North Carolina. The case was entitled Allan and others against the Southern Railway System. It was initiated in the Superior Court at Charlotte by a group of nonunion employees of the Southern Railway who sought an order of the court to prevent their discharge for refusing to join the unions and pay union dues and fees as required by the union contract entered into between the railroad and the rail unions in 1953.

A jury heard that case, and the jury rendered a decision on certain vital questions which were submitted to it by the judge in that case. What were those questions, and what were the answers to the questions by the jury? First, the jury answered the question: "Do the defendant unions use dues and fees which they collect from railroad employees in support or opposition to legislation which is not reasonably necessary or related to collective bargaining?"

The jury said "Yes." In other words, the unions were using dues in ways that were not related to collective bargaining.

The second question was: "If so, is the same necessarily or reasonably related to collective bargaining?"

The jury said "No," it was not related to collective bargaining.

The fourth question was: "Do the defendant unions use dues and fees which they collect from railroad employees to make contributions to the campaigns of candidates for election to public office?"

The answer was "Yes."

The fifth question was: "If so, is the same necessary or reasonably related to collective bargaining?"

The jury said "No," it is not related to collective bargaining.

The sixth question was: "Is the Brotherhood of Railroad Clerks death benefit system necessary or reasonably related to collective bargaining?" The jury said "No."

This was a court decision in North Carolina, which is next to my State of South Carolina.

In other words, every question which was submitted to the jury was answered by the jury adversely to the union leaders and in favor of the workers, who had complained that the dues demanded of them would be used for political purposes. The proof was presented during that suit, and the testimony convinced the jury that that was the case. Why was this suit brought? It was brought because those workers said they did not want to be forced to pay dues to an organization which would use the dues in a way which they did not approve and which was not related to collective bargaining.

When a member of the union is forced to pay dues, and when he is compelled to support the union in such a case, he is compelled to support many principles and policies and programs and activities to which he does not subscribe.

In some circumstances compulsory membership would compel support, financially and otherwise, of the policies which an employee might deem objectionable from the standpoint of free government and liberties of individuals under it. To compel an employee to make involuntary contributions from his compensation for such purpose is taking his property without due process of law. That is what the court held. Why did the North Carolinians, these good citizens there, complain, and even go so far as to go into court to complain, that union dues were being used for purposes other than collective bargaining? They did it because they felt this constituted extortion, and, it was. They proved their case. They won their case. It is now on the way to the Supreme Court of the United States. The Supreme Court claims to be a great court of judges of individual rights and protectors of individual rights. We will eagerly watch to see what decision they make when the case reaches them from the North Carolina court.

Something has been said about there being no criteria of collective bargaining in the bill. The Taft-Hartley law states the criteria in these words: "The term labor organization means any labor organization or any agency or employee representation committee or plan in which employees participate, and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, and conditions of work." There is the criteria. These words tell us what collective bargaining is. This is the purpose for which unions were organized. Unions were organized to protect their members and the workers in case of grievances, in case of labor disputes, in cases of wages and rates of pay, hours of employment, and conditions of work.

Unions were not organized to collect millions and hundreds of millions of dollars from the working people and then to transfer such dues to the ADA to be used as the officers of that organization see fit; or to the NAACP, to be used as the officers of that organization see fit; or to be spent in the housing business or the restaurant business or any other kind of business.

The unions were organized for the purpose of banding together in an association to protect the working men and women of the country. It is wrong, I say, to take their money and use it in the way in which the union leaders have been using it.

I do not know how the Senate will vote on the amendment. The Senate may kill the amendment. But this is a paramount question before the American people. The American people are watching the Senate on the labor bill. The people of South Carolina and of the South generally, will want to know how their Senators voted on the amendment. The people of the United States will want to know how the candidates for President voted on the amendment. The people of the United States have a big stake in the matter. They have a very important stake, because if the unions can force innocent working people to join unions and then collect dues from them, whether they want to pay them or not, under compulsory union shop agreements, and then a few union leaders can take the dues and use them in any way they wish, by contributing to the ADA, to the NAACP, or sending the money overseas to foreign nations, or contributing to any other organization, then the union members are being subjected to extortion with the sanction of the Congress.

I will tell the Senate what I believe to be a fact. If this kind of conduct continues, the unions will destroy themselves. The unions can render great service to their members if they will conduct their business in the proper way and manner and for the purpose for which the unions were organized. But if the unions continue to use their money and conduct themselves as has been shown in the McClellan investigation, and as I have outlined tonight, then the people of the country will lose faith in the unions. They will lose faith in the union leaders who are handling hundreds of millions of dollars which do not belong to them. Some of the union leaders seem to believe that the money does belong to them. It does not belong to them. It belongs in part to the South Carolinians, whom I, represent. I am proud to represent them.

I shall do all I can to see that their dues are used for collective bargaining, and for no other purposes. They did not join the union for any other purpose unless they had to do so under compulsory unionship.

I may be incurring the wrath of the union leaders. But I would rather sit in the Senate for one term, and one only, and vote for what I believe in, than to stultify my conscience and cast a vote which I thought would help me get elected with union contributions, when down in my heart I knew my vote was wrong and I knew my vote was against the welfare of the people. I would rather not serve in the United States Senate; I would rather not be here; I would rather go back home to South Carolina; I would rather go back among my own people, with my head high and with a clear conscience, than to be afraid of the wrath of the union leaders with all their power.

We are nearing the end of the debate on the labor bill. There has been no amendment offered which means more to the American working man than the amendment to keep the leaders from using the union money in a way for which it was not intended. There has been no amendment which has been offered which will do more to protect the working men and women from their own leaders than will the amendment to insure that the dues are used for collective bargaining purposes, and for no other purposes.

I shall not speak about contributions to various individuals. That could come at another time, if necessary. But I shall try to bring out tonight the fact that the unions are collecting dues from union members, and in many cases are contributing those dues to organizations which are advocating things that do not stand for the best interests of the

United States and in which the members do not concur.

In a few minutes there will be a vote on the amendment. It will then be determined whether on the morrow the working people of South Carolina and the other States can have assurance that their dues will not be sent to a foreign nation, or will not be used to promote a cause in which they do not believe; in fact, in which they believe in just the opposite direction.

I hope the Senate will see fit to adopt the amendment and protect the working people. Are we more interested in a few union leaders and their money, or are we more interested in the mass of the working people? Yes, I know the union leaders do not want this amendment. But I say that the working people of the United States want the amendment.

I have presented evidence from Lansing and Flint, in the Sixth Congressional District of Michigan, showing that there the people want the amendment, and want it adopted, in my judgment, as early as possible. When the question was asked of them: "Do you object to the manner in which union dues are used?" why did 64 percent say they objected to the manner in which leaders are using their dues, while only 23 percent said they did not object?

When they were asked: "Do you believe that the policies adopted by the union leaders represent the thinking of the rank and file of the union?" 70 percent answered "No," while only 16 percent answered "Yes."

If that be the case, then we ought to know that the working people want their dues used only for the purpose for which unions were formed; namely, to negotiate and carry on the business of the union in behalf of the workers, and for the purposes of collective bargaining.

For these reasons, Mr. President, I shall cast my vote for the Potter amendment in the interest of our fine working people's freedom from extortion.

Mr. REVERCOMB. Mr. President, will the Senator from Massachusetts yield time to me for an inquiry on the bill?

Mr. KENNEDY. How much time does the Senator want?

Mr. REVERCOMB. Two minutes.

Mr. KENNEDY. I yield 2 minutes to the Senator from West Virginia in opposition to the amendment.

Mr. REVERCOMB. I desire to make an inquiry. I will determine my views when I have asked the question.

I have listened with great interest to the able and eloquent presentation of the views of the Senator from South Carolina. I know the Senator spoke with great earnestness and great sincerity, in stating his feelings on this matter.

The pending amendment, as I understand, is directed at preventing the use of the funds of a labor union for political purposes or for the advancement of any political party. That is a very laudable purpose. In fact, the Taft-Hartley Act provides, in part:

Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

The purpose of that law was to prevent both corporations and labor unions from going into politics and from trying to dominate the Government of the country, through political action. I subscribe wholeheartedly to that purpose, and I would strengthen it by means of the pending amendment.

But in considering the amendment, I raise this question: What would be the effect of the very limited language of the amendment, namely, that the funds shall not be used except "for collective bargaining purposes or purposes related thereto"? Would such language prevent a labor organization from maintaining a hospital or from using some of its funds for the relief of the sick members? If so, in my judgment the amendment is much too narrow.

If we are to approach the subject of preventing unions from using their funds to advance political causes, we should say so; and our statement on that point should be definite and pointed.

Therefore, Mr. President, I have the feeling that the amendment is too limited; that if the amendment were adopted, it would create a bad situation and would work ill effects; that it would not permit a union as an organization to care for its sick members or to maintain hospitals—as we know some unions do.

So I believe that if the amendment remains in its present form, with its present language, it is too narrow, and would not be a wise addition to the pending bill.

Mr. COOPER. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield to the Senator from Kentucky 2 minutes on the amendment.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Kentucky is recognized for 2 minutes on the amendment.

Mr. COOPER. Mr. President, I should like to ask a question of my friend, the Senator from West Virginia.

I know he is familiar with the fact that in his State, and also in mine, unions maintain hospitals. From his remarks, I gather that if the amendment were to be adopted, it would not prohibit unions from using dues for hospitals, but that a union member could, if he so desired, recover the part of his dues which had gone to those hospitals.

Mr. REVERCOMB. If that is the question, let me say that, of course, the amendment does not in express terms provide that such funds could not be used for hospitals. However, that would be the effect of the amendment, under the language now included in it; for if a union member wished to prevent his dues from being used for a hospital or for aid to the needy, the amendment provides a process by which that end could be reached.

Mr. COOPER. Mr. President, it is difficult to reach a decision upon many of the various amendments which have been offered to the bill. But I believe it is generally recognized that if the pending amendment were adopted, it would mean that if a union, established under a constitution for the purpose of directing the conduct of the affairs of the union, and acting under its constitution and laws spent any money for a charitable purpose or for a hospital, a member of the union could, if he so desired, take steps to recover the part of his dues money which had been used for that particular purpose.

If such expenditures are not connected with political contributions, and if the union engages in such activities under its constitution, then I do not believe a member should be permitted to recover that part of his dues.

As the Senator from West Virginia has said, the issue which the amendment is intended to present is to prevent the use of union dues money for political contributions.

The Taft-Hartley Act includes the corrupt practices provision prohibiting contributions by a union in connection with political candidates.

The PRESIDING OFFICER. The time yielded to the Senator from Kentucky has expired.

Mr. COOPER. Mr. President, will the Senator from Massachusetts yield 2 more minutes to me?

Mr. KENNEDY. Mr. President, I yield to the Senator from Kentucky 2 more minutes on the amendment.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 more minutes on the amendment.

Mr. COOPER. Mr. President, the Taft-Hartley Act makes it illegal for the funds of unions to be used in connection with a candidate's campaign for President, Vice President, or a Member of Congress. But unions may avoid the provision, by making donations to other organizations, which in turn use the money for the advancement of political candidates. That is not right; and the union should know that it is against the purpose of the law, even if they do it by indirection. I am speaking of contributions and expenditures for candidates, not information or the expression of political opinions.

Mr. President, I would like to refer to the case of Railway Employees Department, AFL, against Hanson, decided by the Supreme Court in 1956. The Court stated that the record before it did not properly raise the issue of whether the union-shop agreement "forces men into ideological and political associations which violate their right to freedom of conscience, freedom of association, and freedom of thought protected by the Bill of Rights."

But the Court also stated that if a showing were later made that "the exaction of dues, initiation fees, or assessments is used as a cover for forcing ideological conformity or other action in contravention of the first amendment, this judgment will not prejudice the decision in that case."

Let me state that the memorandum I am reading was prepared by a member of the staff on our side of the aisle.

Mr. President, I believe the pending amendment goes too far. Surely we can devise some language which will reach the real issue of contributions to political parties or candidates. If we can, I, for one, will vote for it. But I will not vote for the pending amendment.

The PRESIDING OFFICER. The time yielded the Senator from Kentucky has expired.

All time available on the amendment has expired.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield to me some time on the bill?

Mr. DIRKSEN. First, Mr. President, I yield to the Senator from New Jersey [Mr. SMITH] 4 minutes on the bill.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 4 minutes on the bill.

Mr. SMITH of New Jersey. Mr. President, I rise at this time to make clear that in speaking in support of the pending amendment I do not speak for the administration.

I was authorized by the administration to support certain of its suggestions, and I wish to make that clear. However, in speaking at this time on the pending amendment I speak only in my own behalf.

What troubles me in connection with the pending amendment is—and this point has always troubled me—that a union member is compelled to pay dues which in some cases are used for political purposes. It is quite all right for a union member to pay dues to a union of which he is a member which engages in collective bargaining for him. In that connection, the union dues are checked off and thus go into the union funds. But for years I have felt that the use of such funds for political purposes was indefensible. I believe that a protest should be made.

The only way I can do that is to vote in favor of the pending amendment, although I have not examined it carefully and do not know whether the language included in it is good.

But, Mr. President, if we cannot take some action to stop the use of union funds for political purposes, then there is something wrong with our whole setup.

I want to see some action taken. I am going to vote for the amendment as a protest against what is being done today in using funds for certain organizations which are called social, educational, or cultural, but which are really for political purposes. I care not for what party these funds are used; it is wrong to use them in that way in our society. I shall vote for the amendment as a protest against that practice because I have strong convictions on the subject.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield some time to me?

Mr. DIRKSEN. I yield to the distinguished Senator from South Dakota 5 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. CASE of South Dakota. The discussion this evening has included statements by several Members of the Senate that it is a violation of the Taft-Hartley law for funds of a labor organization to be used in connection with election to a Federal office.

Section 313 of the Federal Corrupt Practices Act, as amended by the Taft-Hartley Act to that effect, provides:

> For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Earlier during the debate on this amendment the distinguished Senator from Michigan [Mr. POTTER] spoke of the use of funds through the committee on political education, and contributions to the committee or financing of the committee on political education by labor organizations.

I have in my hand a couple of memorandums from reports filed, in one instance, with the Secretary of the United States Senate, and in the other instance filed in connection with an election to the House of Representatives. I am not concerned with these reports except as they present illustrative material to discuss the point at issue. The elections are over and I shall not use the names of candidates involved. They reported the contributions and I am sure they would not have accepted them had they thought a possible violation of law existed.

So I read to Senators 2 or 3 contributions in each case that are listed in these reports to illustrate the point at issue, the possible abuse of the law.

In one report, the committee on political education, AFL–CIO, Washington, made a contribution directly to the candidate of $500. That was in September.

Three days later, the same committee on political education, AFL–CIO, Washington, made a contribution of $1,000.

A few days later, in October, the committee on political education, AFL–CIO, Washington, made a contribution of $1,000.

Also in October the political action committee, UAW, Detroit, Mich., made a contribution of $250.

Again in October 1956 the political action committee, UAW, Detroit, Mich., made a contribution of $500.

In October the ILGU campaign committee, New York, made a contribution of $150.

In October the Machinists Nonpartisan Political League, Washington, D. C., made a contribution of $500.

That makes a total contribution in that particular report of something over $3,500 in the name of either the political education committee, AFL–CIO, Washington, or some other campaign committee, but mostly in the name of committee for political education, AFL–CIO, Washington.

Mr. President, I should like to ask any Senator who can tell me, What is the difference between a labor organization contributing money to the committee on political education which in turn contributes the money directly to the candidate, and the labor organization contributing cash directly to the candidate?

The other memorandum from another report which I have in my hand lists a contribution by the committee on political education, Mildred Walker, $3,000.

Another contribution is listed from the committee on political education, G. F. Geissler, Denver, $2,000.

Thus, in two contributions, there is a total of $5,000 contributed by the committee on political education directly to a candidate.

Of course, it is impossible for me to trace the nature of the contributions from the labor organization to the committee on political education; but it is also impossible for me to see any difference in principle, and I question whether there is any difference in the law, between using a second party to make a contribution to a candidate and making the contribution directly to the candidate.

Mr. SCHOEPPEL. Mr. President, will the Senator yield for a question?

Mr. CASE of South Dakota. Yes.

Mr. SCHOEPPEL. Does that report show what State that money went into and for what position?

Mr. CASE of South Dakota. Yes, it does. It went into the State with which I am most familiar, and in one case it was in a Congressional election, and in the other it was in the senatorial election.

I am wondering if a member of the committee which reported the bill can throw any light on this subject.

Mr. KENNEDY. May I ask the Senator what his question is?

Mr. CASE of South Dakota. The question I have raised, I may say to the able Senator from Massachusetts, is, What is the difference between a labor organization making a contribution directly to a candidate and a labor organization making a contribution to the committee on political education and then the committee on political education making the cash contribution to the candidate personally? In these cases the money was not spent by the committee on political education for education; the money was given in a lump sum to the candidate. Is that a violation of the law?

Mr. KENNEDY. Was the money taken from union dues?

Mr. CASE of South Dakota. I do not know. In one instance 4 different contributions totaling $3,000, were reported as having been made by the committee on political education, AFL–CIO. In the other case there were two contributions, totaling $5,000.

Mr. KENNEDY. I would imagine they were from neither dues nor assessments, but, rather, were raised voluntarily by unions and spent for political education, which is permissible under the law, providing the money is not a direct or indirect assessment.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. DIRKSEN. Mr. President, I yield the distinguished Senator from South Dakota 3 additional minutes.

The PRESIDING OFFICER. The Senator from South Dakota is yielded 3 additional minutes.

Mr. CASE of South Dakota. There was evidence in that campaign of activities by the committee on political education itself. I recall a debate in which a representative of the committee on political education was present, as an educator, to speak to an assembly. There was also evidence that the committee on political education had workers engaged in distributing literature, or in registering workers, or something of that kind.

What I mentioned was taken from reports filed in one instance with the Secretary of the Senate, and in the other with the appropriate parties for a campaign that was connected with the House of Representatives. These are reports of funds that were spent by the committee on political education for individual projects. These are reports of money contributed to a candidate, and the money was presumably spent by the candidate as he would spend any other money contributed to him.

Mr. KENNEDY. I hope I have made it clear that such contributions must be from money which is raised voluntarily by a political education association, which it is entitled to do under law, provided the money does not come from dues or assessments. Organizations are entitled by law, and I think by tradition, to contribute money in that manner.

Mr. CASE of South Dakota. I know my colleague referred to testimony given by Mr. Reuther that, while the labor organization sometimes raised money on a so-called voluntary basis, money raised from dues also was mingled with the other money, and it was hard to tell whether or not the money was raised wholly by voluntary contributions or whether the money was raised by dues. I wonder if my colleague can say anything further on that point.

Mr. MUNDT. On page 10105 of the hearings before the McClellan committee I interrogated Mr. Reuther on this very topic. We were talking about COPE, the committee on political education, which is the political branch of the whole AFL–CIO, PAC.

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

Mr. DIRKSEN. Mr. President, I yield 3 additional minutes to the distinguished Senator from South Dakota.

The PRESIDING OFFICER. The Senator is recognized for 3 additional minutes.

Mr. MUNDT. I asked Mr. Reuther a specific question on the subject, speaking of the organization. "It is called COPE, and it says it is the committee on political education. You, I think, are connected with that group. Is that financed from union dues?"

Mr. Reuther said, "I think the COPE organization is financed in the following ways: They have two kinds of money. They have what is called organizational and educational money."

I asked Mr. Reuther a question about the specifics of the organization. I said, "If I may interpolate there, that part comes out of the dues money?" And Mr. Reuther said, "That is correct."

I can supplement this by pointing out that I had printed in the RECORD earlier tonight a photostat from the records of the State of Missouri campaign in 1956. COPE itself admits it received $15,000 from the general fund of the Missouri State Labor Council from dues-paying members, which was used to pay the political deficit incurred by COPE. That is not a matter of dispute; it is a matter of record.

Mr. CASE of South Dakota. Mr. President, it seems to me the issue is sharpened and that we ought to legislate accordingly. If these funds are mingled by the labor organization so that moneys which come partly from voluntary contributions and partly from dues are put together in the treasury of the labor organization and then a contribution is made to the candidate for expenditure under his direction for the same purposes for which he might spend money which is contributed to him directly by an individual, either that is a violation of the law or it is a loophole in the law which ought to be corrected.

The amendment offered by the distinguished Senator from Michigan [Mr. POTTER] gives us an opportunity to do something about the loophole, if it be a loophole, or to point up the evasion, if it be an evasion.

A suggestion has been made that the language of the amendment is not perfect, but this would not be the first time the Senate has responded to the suggestion of an amendment which needs to be changed. This is our opportunity to do something about the matter by putting into the bill a provision which the other body may consider and which can go to conference.

Mr. President, I hope we match up to our responsibility by providing some means either of preventing evasion or of plugging up a loophole, whatever we may choose to call it. I hope the Senate will adopt the amendment.

Mr. REVERCOMB. Mr. President, if the Senator has any time remaining, will he yield it to me?

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

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. REVERCOMB. With regard to the remarks made a few moments ago, a question was presented as to whether, if the amendment were agreed to, contributions of funds for hospitals or funds for the care of the sick would be prevented. It at first looked as though that might be the case. However, as has been pointed out to me by counsel for the committee or some of the members of the committee, that would not be the effect. As a matter of fact, the only effect would be that the complaining union member could make an application to have the dues he had remitted paid back to him. Nothing in the amendment would affect the power of the union to go ahead with its projects.

I wanted to make that statement, following the remarks made in the discussion a few moments ago.

Mr. CASE of South Dakota. I appreciate the Senator's comment.

SEVERAL SENATORS. Vote! Vote! Vote!

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

The PRESIDING OFFICER. Prior to the time the clerk calls the roll, the time required for the calling of the roll will have to be contributed from one side or the other.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time necessary for the call of the roll not be taken from the time under the unanimous-consent agreement.

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

The clerk will call the roll.

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

Aiken	Green	McNamara
Allott	Hayden	Monroney
Anderson	Hennings	Morse
Barrett	Hickenlooper	Morton
Beall	Hill	Mundt
Bennett	Hoblitzell	Murray
Bible	Holland	Neuberger
Bridges	Humphrey	Pastore
Butler	Ives	Potter
Byrd	Jackson	Proxmire
Capehart	Javits	Revercomb
Carlson	Johnson, Tex.	Robertson
Carroll	Johnston, S. C.	Russell
Case, N. J.	Jordan	Saltonstall
Case, S. Dak.	Kefauver	Schoeppel
Church	Kennedy	Smathers
Clark	Kerr	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Curtis	Langer	Stennis
Dirksen	Lausche	Symington
Douglas	Long	Talmadge
Dworshak	Magnuson	Thurmond
Eastland	Malone	Thye
Ellender	Mansfield	Watkins
Ervin	Martin, Iowa	Wiley
Frear	Martin, Pa.	Yarborough
Goldwater	McClellan	Young

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. POTTER], as modified. On this question, the yeas and nays have been ordered.

Mr. KENNEDY. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I yield 3 minutes on the bill to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I desired to make my position clear on the amendment.

This is the second time today that we have been called upon to vote—and I say this respectfully to my colleagues—upon proposals which appear to have great value, but which really have not, to my mind. The first was the proposal upon which we voted earlier today, requiring non-Communist affidavits from unions and employers, when the history of this requirement for unions shows that it has been ineffective. Now the pending proposal appears to be one which would stop the contributions by a union to political candidates. I will say that to my knowledge no union has ever contributed anything to my campaigns. The pending amendment is intended to

accomplish its purpose by enabling a member of the union to recover dues he has paid, if he so desires, by following the procedure prescribed in the amendment. The amendment goes far beyond recovery in the case of political contributions. A member could recover his dues for expenditures the union might make, far beyond political contributions, if the contribution was not related to collective bargaining.

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

Mr. COOPER. I yield.

Mr. ALLOTT. Will the Senator point out the language in the amendment which would give the member such a right?

Mr. COOPER. Yes. The expenditure to be outside the scope of the amendment must be related to collective bargaining. Most unions, like voluntary associations, have hospital and health and even charity programs, and they would fall within the amendment.

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

Mr. COOPER. I yield.

Mr. POTTER. The amendment does not apply to voluntary organizations. It applies to compulsory organizations.

Mr. COOPER. I understand.

Mr. POTTER. If the Senator will further yield, I happen to believe that even though the cause may be good, to compel a member to contribute a portion of his dues for such a cause is denying to the individual a right which is guaranteed him by the Constitution.

Mr. COOPER. The courts have not said so.

I emphasize that if this amendment should be adopted, enacted into law and held to be constitutional, a member of a union could recover a part of his dues for every expenditure the union might make, unless it could be tied down to collective bargaining.

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

Mr. COOPER. I would prefer to finish before yielding.

The Taft-Hartley law intended to prevent unions from contributing to candidates or parties. I agree wholly with the Senator from South Dakota when I say that I believe it is illegal for unions to make such contributions either indirectly or directly. Cases have gone up to the appellate courts on this section of the Taft-Hartley Act. They are tried by juries, and the jury finds that there has been no violation of law. I do not know how we could compel a jury to find that there had been a violation of law.

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

Mr. COOPER. Mr. President, may I have 2 minutes additional?

Mr. KENNEDY. Mr. President, I yield 2 minutes additional to the Senator from Kentucky.

Mr. COOPER. In the Hansen case which went to the Supreme Court in 1956 a different issue was discussed, a constitutional issue, as to whether dues could be used for other than collective bargaining, as the Court said, to "force ideological conformity" in violation of the first amendment. The Court said that the issue raised had not been properly raised, and that if it should be properly raised, the Court would pass upon it. I do not know what the Court would find. My judgment is that some day, if unions continue to make contributions to a candidate directly or indirectly—and in my view they are violating the law if they do it indirectly or directly—the Court will hold such use to be unconstitutional.

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

Mr. COOPER. I yield.

Mr. AIKEN. Would the union be able to pay the expenses of a delegate to the State capital to testify before a committee of the State legislature?

If a union paid the expenses of a delegate to the State capital, or to the National Capital in Washington, to testify before a committee, would that be considered a collective bargaining expense? And if the union should employ a lawyer to defend it against a suit brought by a member, would that be considered a collective bargaining expense? I am not asking for an answer. I think the questions answer themselves.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute on the bill.

I think the language of the Taft-Hartley Act is clear as to what constitutes collective bargaining and matters relating to collective bargaining. The category includes grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. I should say that under the latter phase, coming to the Nation's Capital to represent a labor organization would fall within one of those particular categories.

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

Mr. DIRKSEN. I yield.

Mr. AIKEN. If a suit were brought against the union for alleged improper expenditure of funds, could the union then employ a lawyer to defend it in that case, regardless of whether or not the charge was justified?

Mr. DIRKSEN. I believe that if any one of the categories I have mentioned were involved, it would be justified.

Mr. AIKEN. I think there is disagreement on that point.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield for a question?

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

Mr. DIRKSEN. I yield myself 1 additional minute.

Mr. SALTONSTALL. The question has been raised with respect to contributions to hospitals for the care of members of unions who are injured. Would such an activity come within the purposes relating to collective bargaining?

Mr. DIRKSEN. I am not sure. I should say that the saving grace is the language of the Potter amendment which provides that the member in question may file a petition. He is not compelled to do so. It would be difficult to assume that if a charitable enterprise sponsored and founded by the union were involved, a member would ever file such a petition. The filing of the petition is wholly discretionary so far as the employee is concerned.

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

Mr. DIRKSEN. I yield.

Mr. POTTER. Even though the cause may be a worthy cause, we have no right to force the use of a member's union dues for any purpose which does not relate to collective bargaining.

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

Mr. KENNEDY. Mr. President, I yield myself 3 minutes.

Let me say to the Senate that if it chooses to rewrite the provisions of the Taft-Hartley law so as to prevent indirect contributions by unions for political purposes, it may do so; and if it desires to rewrite the provisions of the law which permit the union shop, it may do so.

The pending proposal would involve the Secretary of Labor and the courts of the United States every day of the year in fantastic cases.

Let us assume that there are 1 million members of the Steelworkers Union. Assume that they pay, on the average, $50 in dues, annually. Assume a $10,000 contribution to a hospital, of which certain members do not approve. They can sue in a Federal court. Yet the percentage of the $10,000 contribution represented by the part of the dues of an individual member devoted to that purpose would be perhaps 1 mill. Yet those members could have the Secretary of Labor sue in their behalf to recover—assuming there were a 3-year contract—$150. I should think that any member of the Steelworkers' Union who did not happen to be interested in hospitals would regard this proposal as destructive of the trade-union movement.

I hope Senators will read this amendment carefully, whether or not they like unions, and whether or not they have been on the receiving end of political activity directed against them.

The United States Senate is about to act on a proposal which would fill the United States courts with suits involving, in most cases, an equity on the part of an individual member of 1, 2, or 3 mills. The way the amendment is worded, if the contract lasted for 3 or 4 years, the recovery could amount to $150 or $200.

The Congress can forbid indirect political spending if it wishes to do so. If it wishes to do so, the Congress can forbid the union shop. But it should not enact the pending proposal.

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

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes on the bill to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I have read the pending amendment. I should like very much to vote for an effective amendment which would prohibit the use, in political campaigns, of moneys of members of labor unions, contributed for collective bargaining purposes. I am vigorously opposed to the use of moneys for that purpose. My reading of the amendment puts me in complete accord with the analysis given of it by the Sen-

ator from Massachusetts. Each member of a union could notify the Secretary of Labor that he did not want his money used except for collective bargaining purposes. Then if the moneys were used for any other purpose, the Secretary of Labor would have to file a lawsuit in behalf of the member who had so notified him, to collect the moneys which the member had contributed. There would be a deluge of lawsuits. The judgments obtained would be inconsequential. I am frankly of the belief that the good motive which prompted the Senator from Michigan to submit his amendment is not carried out by the language it contains.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the junior Senator from Oregon.

Mr. NEUBERGER. Mr. President, it is a laudable goal to prevent money of trade-union members from being used in political campaigns, if it is accompanied by legislation to prevent huge benefactions from big business from being used on the other side.

I was a candidate for the Senate in 1954, and trade-union political education funds contributed some $23,000 to my campaign. My opponent, a respected Member of the Senate, had many times that amount contributed to his campaign from the owners and operators of utility companies, banks, and lumber companies in our State.

It is a laudable goal to shut off the big contributions from labor on the one hand and from big business on the other. I have introduced a bill, S. 3242, which would do just that. It would shut off the huge contributions from labor unions, and it would shut off the huge contributions from the owners of big business. It would provide for the United States Government to finance political campaigns. The proposal is not original with me. It was originated nearly a half century ago by a great American, who sent a message to Congress urging such a program. He was President Theodore Roosevelt. If we wish to do away with the dominance of big finance in election campaigns, it should be done away with on both sides, as Theodore Roosevelt proposed.

SEVERAL SENATORS. Vote! Vote!

Mr. MUNDT. Mr. President, I have at the desk an amendment to the amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 3, at the end of line 18, in the Potter amendment, it is proposed to strike out the period and insert the following: "of the United States."

Mr. MUNDT. Mr. President, I shall not take the 15 minutes allotted to me, but I do wish to take 2 or 3 minutes to read some testimony on the pending bill, given at the hearings of the Subcommittee on Labor by Mr. A. J. Hayes, chairman of the ethical practices committee of the AFL–CIO. I believe the Senate should know what he said, before a vote is taken on the Potter amendment. At page 568, Mr. Hayes, in response to an inquiry by the Senator from Massachusetts [Mr. KENNEDY] said:

> I will agree that the trade-union movement, or no part of it, has a right to dictate to its members with regard to politics. I don't believe we have a right to tell our members how to vote. I don't believe that we have a right to use the membership's money for the purpose of promoting or opposing candidates.

That, I say to Senators, is the issue. That is the testimony of the chairman of the AFL–CIO's ethical practices committee, who agrees with the Senator from Michigan: "I don't believe we have the right to use the membership's money for the purpose of promoting or opposing candidates."

If that is true of candidates, it is true of causes. If it is true of causes, it is true of such collateral organizations as Americans for Democratic Action and other organizations to which Walter Reuther admitted have advanced in some instances more than $1,000 a month.

I submit that when labor issues a political publication like the political memo published by COPE, which Walter Reuther testified is supported by the committee for political action, and half the money of which was raised from compulsory dues, the Senate, if it means business, has an obligation, not to listen to the "yes but" arguments—"yes, I am against politics in labor, but this is not the way to do it; yes, I am against taking money by coercion from the workingmen, but this is not the bill with which to do it; yes, but this is not the time, and this is not the way"—but to agree, as I do, emphatically, with the eloquent remarks of the Senator from New Jersey [Mr. SMITH]. This is the only chance in 1958 the Senate will have to speak its voice against this kind of practice.

The adoption of the amendment would not clutter up the Federal courts with litigation, because after very few suits had been brought against offending labor unions, the unions, in their good judgment, would discontinue this nefarious practice.

Mr. President, I withdraw my amendment to the amendment.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Michigan [Mr. POTTER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the Senator from Wyoming [Mr. O'MAHONEY] It he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. ELLENDER. On this vote I have a pair with the junior Senator from Indiana [Mr. JENNER]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. IVES (when his name was called). On this vote I have a pair with the Senator from Ohio [Mr. BRICKER], who has been delayed in his return. He was due back at 8:30 this evening. If he were here, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], and the Senators from Connecticut [Mr. BUSH and Mr. PURTELL] are necessarily absent. The pair of the Senator from Indiana [Mr. JENNER] has been previously announced.

The Senator from Nebraska [Mr. HRUSKA], the Senator from Maine [Mr. PAYNE], and the Senator from Delaware [Mr. WILLIAMS] are absent on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "yea."

The Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Maine would vote "nay."

The Senator from Ohio [Mr. BRICKER] is necessarily absent, and his pair has been previously announced.

The result was announced—yeas 30, nays 51, as follows:

YEAS—30

Allott	Dirksen	Potter
Barrett	Dworshak	Robertson
Bennett	Eastland	Russell
Bridges	Goldwater	Saltonstall
Butler	Hickenlooper	Schoeppel
Byrd	Hoblitzell	Smith, Maine
Carlson	Knowland	Smith, N. J.
Case, S. Dak.	Martin, Iowa	Thurmond
Cotton	Martin, Pa.	Watkins
Curtis	Mundt	Wiley

NAYS—51

Aiken	Humphrey	McNamara
Anderson	Jackson	Monroney
Beall	Javits	Morse
Bible	Johnson, Tex.	Morton
Carroll	Johnston, S. C.	Murray
Case, N. J.	Jordan	Neuberger
Church	Kefauver	Pastore
Clark	Kennedy	Proxmire
Cooper	Kerr	Revercomb
Douglas	Kuchel	Smathers
Ervin	Langer	Sparkman
Frear	Lausche	Stennis
Green	Long	Symington
Hayden	Magnuson	Talmadge
Hennings	Malone	Thye
Hill	Mansfield	Yarborough
Holland	McClellan	Young

NOT VOTING—15

Bricker	Flanders	Jenner
Bush	Fulbright	O'Mahoney
Capehart	Gore	Payne
Chavez	Hruska	Purtell
Ellender	Ives	Williams

So Mr. POTTER's amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Colorado has amendments which

the chairman of the subcommittee is prepared to accept. I am informed that the minority leader has one amendment on which he wishes to have a yea-and-nay vote. I am informed that the Senator from Arkansas [Mr. McCLELLAN] has an amendment on which he will request a yea-and-nay vote. The Senator from Mississippi has an amendment on which it is hoped he can have a voice vote.

If it is agreeable, I shall ask the Senator from Colorado to offer his amendments now, to see if they are acceptable to the Senator from Massachusetts, so that they can be disposed of.

If the minority leader and the Senator from Mississippi will offer their amendments, then the Senator from Arkansas can follow with his. Perhaps we may have the opportunity to conclude our voting tonight. At least, I hope so, if it is agreeable to the Senate.

Mr. ALLOTT. Mr. President, I call up my amendment designated 6–14–58–D and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The CHIEF CLERK. On page 28, between lines 15 and 16, it is proposed to insert a new section as follows:

(d) For the purposes of this section, any person who has been convicted of a violation of title I shall be deemed to have been "convicted" and under the disability of "conviction" until such time as such conviction shall be set aside or reversed by any court of competent jurisdiction.

Mr. ALLOTT. Mr. President, this amendment is the same as one designated 6–14–58–D. It comes in on page 28 of the bill and relates to whether a person has been finally convicted. The purpose of the amendment is, as was discussed with the Senator from North Carolina and the Senator from Florida the other night, to assure that a person cannot prolong an appeal, serve a year in a penitentiary, be released, and then take up his officership in a union, thus thwarting the 5-year period provided in the section.

I think the Senator from Massachusetts will accept the amendment.

Mr. KENNEDY. I accept the amendment.

The PRESIDING OFFICER. Does the Senator from Colorado yield back the remainder of his time?

Mr. ALLOTT. I yield back the remainder of my time.

Mr. KENNEDY. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. ALLOTT].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The CHIEF CLERK. On page 24, immediately before line 25, it is proposed to insert the following new subsection:

(g) The Secretary shall promulgate rules and regulations prescribing minimum standards for the carrying out of the provisions of subsection (f).

Mr. JAVITS. Mr. President, when the Senator from North Carolina [Mr. ERVIN] proposed an amendment on the subject of recall, we discussed the problem of rules to implement the amendment. I promised at that time that I would prepare, for the consideration of Senators who are interested in the amendment of the Senator from North Carolina, a rules amendment. That I have done, and I understand it to be satisfactory to the Senator from North Carolina.

Mr. ERVIN. I think it is a good amendment. It will enable the Secretary of Labor to prescribe rules and regulations to conform with the minimum standards which were adopted concerning the removal of officers by unions.

Mr. MORSE. Mr. President, I did not understand what was said by the Senator from North Carolina.

Mr. ERVIN. The amendment proposes to authorize the Secretary of Labor to prescribe regulations to conform with the minimum standards which were adopted the other night, with respect to the removal of officers by unions.

Mr. JAVITS. Mr. President, I yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I accept the amendment of the Senator from New York.

I yield back the remainder of the time available to our side, if the other side will do likewise.

Mr. JAVITS. Mr. President, I do the same.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

Mr. MUNDT. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 24, between lines 24 and 25, it is proposed to insert the following new subsection:

(f) Every election conducted by a labor organization for the purpose of selecting its constitutional officers or its convention delegates shall be supervised, including the counting and tabulation of the votes and the certification of the results, by a membership election board which represents all factions in contest in such election and which is composed of individuals none of whom are, at the time they are serving on such board, candidates for office in such election or officers or employees of the labor organization conducting the officer or delegate election or of any national or international labor organization of which it is an affiliate or constituent unit.

Mr. MUNDT. Mr. President, I think I can explain the amendment in one big South Dakota lungful.

The amendment simply applies the same mechanism of fair play to labor elections, by giving every faction an opportunity to be in at the counting that all of us enjoy at every precinct in the country at the time of the counting of the ballots in a political election.

The chairman of the committee has said to me that he is willing to accept the amendment; and I am perfectly willing to be satisfied with a voice vote on the amendment, if no opposition to it develops.

Mr. MORSE. Mr. President, I should like to be recognized for 1 hour to speak on the amendment.

I want the majority leader to know that I am not interested in having the Senate, in the closing minutes of the debate, begin to write the bylaws and constitutions of unions, with no more opportunity than has thus far been given to us to make sure what we are writing.

So I ask to be recognized for 1 hour, from the time available for debate on the bill.

Mr. JOHNSON of Texas. Mr. President, the Senator from Oregon can have all the time he likes. Certainly I am not desirous of having the Senate provide bylaws and constitutions or anything of the sort for unions. I hope that we shall do some good by what we provide.

Mr. MORSE. Mr. President, I protest against legislating in this way at 11 o'clock at night, by rushing in amendments which we have not seen and have not had an opportunity to study. That is not the proper way to legislate; and I am opposed to it.

So I propose to speak long enough to enable my colleagues to have time to study the amendment.

Mr. JOHNSON of Texas. If the Senator from Oregon desires to have further consideration of the bill go over until tomorrow, I am perfectly willing to agree to that procedure

Mr. MORSE. Mr. President, we have done a great job on the bill; and I believe at this time it is important for the committee, which has done likewise a great job on the bill, to be sure that it does not run any risk by having fast action taken in the closing minutes of the consideration of the bill. I do not want the Senate to adopt an amendment upon which some of us have not had time to reflect.

So I respectfully ask the majority leader to let this amendment go over until tomorrow, so we can study it.

I have not seen the Mundt amendment before. I heard it read, but I should like to know something more about it.

What definitions are included in the amendment? What dimensions does the amendment provide? Exactly what would the amendment do?

So I respectfully ask that a recess be taken until tomorrow morning.

Mr. JOHNSON of Texas. Mr. President, I understood that the Senator from South Dakota was agreeable to having a voice vote taken on the amendment, that the Senator from Massachusetts had discussed the amendment with him, and that the Senator from Massachusetts was prepared to present the committee's case. I judge that then he felt the other Members of the Senate would be able to judge for themselves whether to follow the views of the Senator from Massachusetts or the views of the Senator from South Dakota.

The Senator from Massachusetts had not asked for a yea-and-nay vote on the amendment, and evidently he did not

plan to urge a yea-and-nay vote on this question.

Mr. MORSE. But even a yea-and-nay vote on the amendment would be desirable, for it would allow Members more time to reflect upon the effect of the amendment.

Mr. JOHNSON of Texas. Mr. President, the Senator from Massachusetts has indicated that he is prepared to have the Senate vote on the amendment and on one or two others which have been printed.

But if the Senator from Oregon wishes to take more time, and if he wishes to have consideration of the bill continue until later in the week, that can be done.

I do not think that would be in the interest of the bill. But if the Senator from Oregon wishes to speak for an hour, he can do so.

Mr. MORSE. I say most respectfully to the majority leader that the time has come for us to consider what has been done by means of our action on the bill up to this point. Possibly in the process we have made some mistakes. Therefore, to take a few more hours on the bill would not be unreasonable. But I believe that at this time of night it would be a mistake for us to rush the debate to a close, when some of us would like to examine further what we have done so far.

There is no reason why we should not take time to consider an amendment which has been offered by some Members who think the adoption of the amendment is needed in order to improve the bill.

I wish to talk to the Senator from Massachusetts about an amendment which I believe is needed as a perfecting amendment. I wish to speak to the Senator from Alabama [Mr. HILL] about it. But we cannot possibly do so if amendments are considered at the rate at which they have been considered during the last 10 minutes.

Let me point out to the majority leader that the procedure I request is the way to avoid making a mistake at the end of lengthy deliberations on a complicated bill. In approaching the end of the debate on such a bill, we should have sufficient time to consider the product of our labors.

So I respectfully request that a recess be taken for that purpose.

Mr. MAGNUSON. Mr. President——

Mr. JOHNSON of Texas. I yield.

Mr. MAGNUSON. Mr. President, the few words I wish to say at this time will not interfere at all with what my friend, the Senator from Oregon, has been discussing.

I wish to have an opportunity to make a brief statement about an amendment, merely in order to inquire of the chairman of the subcommittee about a matter which is quite important. I shall not submit the amendment to which I refer, but I should like to have the attention of the Senator from Massachusetts [Mr. KENNEDY].

The amendment I intend to propose would legalize the hiring hall in the maritime industry.

As the Senator from Massachusetts knows, that has been a long-established practice in the maritime industry, worldwide, ever since, I suppose, the beginning of the placing of crews on ships, and dating back to the old days when crews were recruited on the waterfront, on docks, in pubs, or even by means of the undesirable shanghai methods.

For the maritime industry, the hiring halls have been a historic part and parcel of the industry.

The PRESIDING OFFICER. The Chair must point out that the Senate is proceeding under the terms of a unanimous-consent agreement under which the time is controlled. No time has been yielded to the Senator from Washington.

Mr. KENNEDY. Mr. President, I yield to the Senator from Washington 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts has yielded to the Senator from Washington 2 minutes on the bill; and the Senator from Washington is recognized for 2 minutes.

Mr. MAGNUSON. Mr. President, I understand that the bill, as it now stands, adopts at least a part of the so-called hiring hall practice for the construction industry. Of course the maritime industry has historically used the hiring hall. It is used in the maritime industry every day. But the Labor Board has never really ruled on it. In fact, I believe it probably is illegal under the Taft-Hartley Act. But the late Senator Taft agreed that he would accept an amendment of that sort for the maritime industry.

I wish to ask the Senator why the maritime industry was not included in connection with this very pressing and very important matter to the maritime industry.

Mr. McCLELLAN. Mr. President, will the Senator from Washington yield to me? Is he referring to section 604, which deals with the construction industry?

Mr. MAGNUSON. Yes.

Mr. McCLELLAN. I propose to be fair to the maritime industry and to propose that that section of the bill be stricken out. Then all will be on an equal basis.

Mr. MAGNUSON. Mr. President, I do not know about being fair to the maritime industry; but historically the only way to man a ship is to have a place to obtain the crew. It is not possible by going through a city and ringing doorbells, to obtain a deckman.

But I shall not submit the amendment now.

Mr. KENNEDY. Mr. President, let me say to the Senator from Washington that it would be better to wait until next year to obtain a decision about any of these trades.

On tomorrow we shall have further discussion.

It is true that this part of the bill contains some provisions which would make the Taft-Hartley Act not particularly suited to that situation.

Mr. MAGNUSON. I was hoping that next year, when undoubtedly more amendments to this measure will be considered, the committee would hold a hearing at which we could present the case for the maritime industry.

Mr. KENNEDY. Mr. President, the Senator from Washington definitely has that assurance.

Mr. JOHNSON of Texas. Mr. President, the Senator from California has an amendment which will require a yea-and-nay vote.

The Senator from Arkansas may have two amendments.

The Senator from Mississippi has an amendment.

In view of the fact that at least four amendments must be voted on, and the further fact that the Senator from Oregon desires to speak at some length, I think it the better part of wisdom for the Senate to take a recess.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR RECESS UNTIL TOMORROW AT NOON

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its session tonight, it stand in recess until 12 o'clock noon, tomorrow.

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

Mr. JOHNSON of Texas. Mr. President, I have merely requested the entering of that order. At this time I wish to make another announcement.

Mr. President, I express the hope that we shall be able to conclude the morning hour reasonably early tomorrow and proceed to the consideration of the amendments already announced. In addition, there are a number of other amendments, by the Senator from Connecticut [Mr. PURTELL] and other Senators, which, upon their return, they may call up. So I hope all Senators will be prepared to be here tomorrow evening, in the event that may be necessary, in order to conclude consideration of the bill.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORT OF A COMMITTEE

Mr. CHAVEZ, from the Committee on Public Works, to which was referred the bill (S. 3833) to provide for a survey of the Coosawhatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing, reported it favorably, without amendment, and submitted a report (No. 1716) thereon.

JOINT RESOLUTION INTRODUCED

Mr. LANGER, by unanimous consent, introduced a joint resolution (S. J. Res. 179) to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake," which was read twice by its title, and referred to the Committee on Public Works.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1958—AMENDMENTS

Mr. McCLELLAN submitted an amendment, intended to be proposed by him, to the bill (S. 3974) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which was ordered to lie on the table, and to be printed.

Mr. KNOWLAND submitted an amendment, intended to be proposed by him, to Senate bill 3974, supra, which was ordered to lie on the table and to be printed.

Mr. JAVITS submitted an amendment, intended to be proposed by him, to Senate bill 3974, supra, which was ordered to lie on the table and to be printed.

TECHNICAL CHANGES IN FEDERAL EXCISE-TAX LAWS—AMENDMENTS

Mr. CAPEHART submitted amendments, intended to be proposed by him, to the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, which were referred to the Committee on Finance, and ordered to be printed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, TO CORRECT UNINTENDED BENEFITS AND HARDSHIPS—AMENDMENT

Mr. LONG submitted an amendment, intended to be proposed by him, to the bill (H. R. 8381) to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes, which was referred to the Committee on Finance, and ordered to be printed.

EXTENSION OF EXISTING CORPORATE NORMAL-TAX RATE AND CERTAIN EXCISE-TAX RATES—AMENDMENTS

Mr. CAPEHART submitted an amendment, intended to be proposed by him, to the bill (H. R. 12695) to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates, which was ordered to lie on the table, and to be printed.

Mr. KEFAUVER. Mr. President, on behalf of myself, the senior Senator from North Dakota [Mr. LANGER], the senior Senator from Wyoming [Mr. O'MAHONEY], the senior Senator from Missouri [Mr. HENNINGS], and the junior Senator from Colorado [Mr. CARROLL], I submit amendments to H. R. 12695. These amendments are designed to amend H. R. 12695 to reduce the manufacturers' excise tax on automobiles. These amendments are substantially identical to S. 3766 which I introduced on May 7. My remarks on May 7 in explanation of S. 3766 are incorporated herewith by reference. It is my intention to urge the adoption of these amendments to H. R. 12695 when that bill comes before this body for consideration.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 16, 1958, he presented to the President of the United States the enrolled bill (S. 72) to provide increases in certain annuities payable from the civil service retirement and disability fund, and for other purposes.

RECESS

Mr. JOHNSON of Texas. Mr. President, I move, pursuant to the order entered, that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 11 o'clock and 14 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, June 17, 1958, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 16, 1958:

Edgar D. Crumpacker, of Hawaii, to be first judge of the first circuit, circuit courts, Territory of Hawaii, for the term of 6 years, vice Carrick H. Buck, term expired.

Harold W. Nickelsen, of Hawaii, to be second judge of the third circuit, circuit courts, Territory of Hawaii, for the term of 6 years to fill a new position.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Oscar A. Lindbergh, Cottondale, Ala., in place of J. L. Jones, retired.

Homer W. Hopwood, Sheffield, Ala., in place of J. A. Alsbrooks, retired.

CALIFORNIA

John L. Cross, Healdsburg, Calif., in place of S. H. Cooley, deceased.

Ruth E. Christman, Robbins, Calif., in place of C. K. James, resigned.

COLORADO

Helen I. Horsman, Boone, Colo., in place of V. M. Fillmore, retired.

FLORIDA

Howard B. Walker, Dinsmore, Fla., in place of O. T. Vaughan, retired.

GEORGIA

Felton T. Cochran, Dallas, Ga., in place of R. R. Lee, retired.

IDAHO

Loren D. Anderson, Filer, Idaho, in place of H. C. Hunter, deceased.

ILLINOIS

Charles E. Resch, Anna, Ill., in place of Frank Keistler, Jr., declined.

Helen V. Schmulbach, New Athens, Ill., in place of A. L. Reinheimer, retired.

Theodore W. Fadler, Prairie du Rocher, Ill., in place of L. C. Franklin, removed.

Carl J. L. Wessel, Rock Island, Ill., in place of J. J. McCarthy, retired.

INDIANA

Paul Marks, Clarks Hill, Ind., in place of J. C. Loveless, retired.

Brenton D. Byerley, Crandall, Ind., in place of R. D. Barry, deceased.

John E. Garrett, Huntingburg, Ind., in place of Norman Bretz, retired.

Donald J. Kellerman, Oldenburg, Ind., in place of L. M. Peine, retired.

Derward E. Davidson, Worthington, Ind., in place of D. W. Workman, retired.

IOWA

Lloyd M. Thoensen, Blue Grass, Iowa, in place of E. J. Hoffbauer, retired.

Donald C. Leinen, Onslow, Iowa, in place of C. O. Lightfoot, retired.

KANSAS

Bernice N. Brown, Downs, Kans., in place of M. S. Hodgson, removed.

LOUISIANA

Alcus W. Magee, Varnado, La., in place of G. M. Scott, removed.

MAINE

George M. Roberts, Bridgewater, Maine, in place of B. M. Stone, resigned.

Grace M. Sullivan, Oakfield, Maine, in place of G. M. Sprague, retired.

MASSACHUSETTS

Edwin J. Culver, Dalton, Mass., in place of G. M. Galliher, Sr., deceased.

MINNESOTA

Russell C. Rapp, Cleveland, Minn., in place of E. C. Saam, retired.

Cleve R. Austin, Minneapolis, Minn., in place of L. F. Ramberg, resigned.

George L. Clunis, New Richland, Minn., in place of J. W. Kreuzer, retired.

MISSISSIPPI

Frank S. Kennedy, Jr., Meridian, Miss., in place of W. D. Kenneday, deceased.

MONTANA

Neal E. McCurdy, Broadus, Mont., in place of Ethel James, retired.

NEBRASKA

Albert W. Metcalf, Hyannis, Nebr., in place of M. C. Johnson, retired.

Anton Semrad, Prague, Nebr., in place of E. E. Kasper, resigned.

Clement J. Suchanek, Saint Paul, Nebr., in place of O. E. Nelson, retired.

NEW JERSEY

Margaret M. Powell, Crosswicks, N. J., in place of B. A. Gill, resigned.

Lawrence P. Ivins, Hightstown, N. J., in place of J. L. Becker, Jr., resigned.

Harvey F. Johnson, Monroeville, N. J., in place of W. C. Battle, retired.

NEW MEXICO

Richard L. Miller, Tijeras, N. Mex., in place of E. M. Walton, removed.

NEW YORK

Richard E. Braack, Almond, N. Y., in place of K. W. Hagadorn, transferred.

George J. Smith, Armonk, N. Y. in place of L. F. Garland, resigned.

Arthur G. Wood, Ballston Spa, N. Y., in place of E. J. Morley, retired.

William Francis Dietz, Blauvelt, N. Y., in place of J. H. Otten, retired.

Nathan Cyrus Hamblin, Boonville, N. Y., in place of A. D. Buckley, retired.

Harmon A. Parmele, East Bloomfield, N. Y., in place of L. R. Kelsey, retired.

Lois O. Fancher, Groveland, N. Y., in place of A. A. Mangan, deceased.

Paul Armstrong, Jr., Levittown, N. Y. Office established July 1, 1952.

Howard N. Bishop, Little Valley, N. Y., in place of N. R. Pearson, deceased.

Mildred A. Wolfe, Pike, N. Y., in place of R. G. Pownall, deceased.

Edmund U. Burhans, Saugerties, N. Y., in place of J. A. Martin, retired.

William Metcalf, Sound Beach, N. Y., in place of Mae Carroll, deceased.

Ronald F. Morse, Windham, N. Y., in place of D. A. Ferris, deceased.

NORTH CAROLINA

Ransom T. Williams, Bladenboro, N. C., in place of R. L. Bridger, deceased.

NORTH DAKOTA

Andrew S. Persson, Edgeley, N. Dak., in place of D. F. Evert, transferred.

Leo E. Halvorson, Esmond, N. Dak., in place of Susie Drummond, retired.

Frithjof J. Thorson, Park River, N. Dak., in place of G. J. Mauritson, deceased.

Herbert J. Schadler, Tolley, N. Dak., in place of N. F. Schammel, retired.

OHIO

Adeline E. St. John, Bristolville, Ohio., in place of G. G. Copeland, retired.

Charles Terwilleger, Cozaddale, Ohio, in place of Mary Tigar, resigned.

Blaine S. Way, Dexter City, Ohio, in place of C. C. Webber, retired.

Don D. Farquharson, Hoytville, Ohio, in place of G. C. Dennis, transferred.

OKLAHOMA

Grady V. Duncan, Durant, Okla., in place of B. W. Johnson, deceased.

Leon R. Owens, Ramona, Okla., in place of Ella Miller, retired.

OREGON

Robert E. Smith, North Powder, Oreg., in place of T. C. Arnoldus, resigned.

PENNSYLVANIA

Robert D. Alexander, Jr., Delmont, Pa., in place of Louis Hertzog, declined.

Samuel W. McLaughlin, Delta, Pa., in place of R. C. McCrabb, retired.

Clair E. Alwood, Hanover, Pa., in place of C. O. Meckley, retired.

Leo G. Plank, Liberty, Pa., in place of J. A. Frazier, retired.

Dorothy H. Bowers, Mount Morris, Pa., in place of M. M. Davis, retired.

Robert J. Mann, Picture Rocks, Pa., in place of A. B. McClain, retired.

Harold Hedrick, Telford, Pa., in place of E. B. Wolf, retired.

SOUTH CAROLINA

Jack Edwards, Johnston, S. C., in place of W. W. Turner, Sr., deceased.

SOUTH DAKOTA

George F. Mortimer, Belle Fourche, S. Dak., in place of K. R. Highsaw, deceased.

TENNESSEE

Freddie R. Maxwell, Algood, Tenn., in place of M. H. Swallows, retired.

James E. Vann, Flintville, Tenn., in place of E. W. Robinson, transferred.

Hardy W. Walker, Wildersville, Tenn., in place of E. M. Britt, retired.

TEXAS

James D. Wheeler, Jr., Garland, Tex., in place of F. B. Crush, resigned.

Joe S. Smith, Gregory, Tex., in place of L. H. Pape, retired.

William H. Moore, McAdoo, Tex., in place of R. L. Nickels, retired.

Horace W. McAdams, Muleshoe, Tex., in place of A. J. Gardner, transferred.

Lino Perez, Jr., Rio Grande City, Tex., in place of Lino Perez, retired.

Thomas L. Cornwell, Sourlake, Tex., in place of P. M. Barfield, retired.

VIRGINIA

Jo Pierson Horne, Fort Blackmore, Va., in place of E. C. Turner, resigned.

WASHINGTON

Alfred D. Munson, Grandview, Wash., in place of F. E. Olmstead, retired.

Loucille I. Mullen, Prescott, Wash., in place of E. L. Phelps, resigned.

Eugene C. Weber, Walla Walla, Wash., in place of A. E. Heric, retired.

WEST VIRGINIA

Victor G. Overbeck, Albright, W. Va., in place of J. B. Campbell, retired.

Ruby M. McGlothlin, Berwind, W. Va., in place of M. C. Smith, resigned.

Elmer R. Shafer, Caldwell, W. Va., in place of W. E. Holliday, retired.

Lawrence L. Boyles, Mill Creek, W. Va., in place of C. M. Rightmore, retired.

WISCONSIN

Thomas E. Brooks, Butler, Wis., in place of Edgar Leissring, retired.

William J. Perlberg, Franksville, Wis., in place of E. H. Coder, removed.

Seth E. Liebenstein, Grafton, Wis., in place of F. A. Nierode, retired.

Clarence L. Sutter, Kohler, Wis., in place of H. F. Maurer, deceased.

Keith R. Gissal, Lannon, Wis., in place of J. J. Walsh, resigned.

Mike Krultz, Jr., Neillsville, Wis., in place of L. W. Kurth, deceased.

John A. Zervic, Pewaukee, Wis., in place of M. A. Reeves, retired.

George W. Schultz, Stoughton, Wis., in place of P. L. Norness, deceased.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 16, 1958

The House met at 12 o'clock noon.

Rabbi Arthur Schneier, M. A., Congregation B'nai Jacob, Brooklyn, N. Y., offered the following prayer:

Our God and God of our Fathers: As we start our day of deliberation and decision, we pray Thee, lend us Thine aid. In an interdependent world, may we know that decisions formulated in this Chamber affect man at most distant parts on earth. May we, therefore, not draw the shades to the feelings and needs of those who have commissioned us as pathfinders in the maze of a divided world. May we always remember that this Chamber must not become an ivory tower, isolated from the masses we represent. It must stand as a bastion of strength and a beacon of light for a bewildered humanity.

O Lord, let us remember that only through the daily renewal of our covenant with Thee can we hope to enjoy, in peace and prosperity, the fruit of our land. Amen.

The Journal of the proceedings of Thursday, June 12, 1958, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the Houes of the following titles:

On June 6, 1958:

H. R. 7870. An act to amend the act of July 1, 1955, to authorize an additional $10 million for the completion of the Inter-American Highway;

H. R. 12377. An act to authorize the Commissioners of the District of Columbia to borrow funds for Capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City; and

H. J. Res. 552. Joint resolution to facilitate the admission into the Uinted States of certain aliens.

On June 11, 1958:

H. R. 9291. An act to define parts of certain types of footwear;

H. R. 10015. An act to continue until the close of June 30, 1959, the suspension of duties on metal scrap, and for other purposes;

H. R. 12602. An act to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes; and

H. J. Res. 527. Joint resolution to facilitate the admission into the United States of certain aliens.

On June 13, 1958:

H. R. 7454. An act to amend the Tariff Act of 1930 to provide for the free importation under certain conditions of sound recordings, film, and slides, and transparencies;

H. R. 11767. An act making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1959, and for other purposes;

H. J. Res. 529. Joint resolution for the relief of certain aliens;

H. J. Res. 553. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 624. Joint resolution making additional supplemental appropriations for the fiscal year 1958, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3829. An act to extend certain franking privileges to the Secretary and the Sergeant at Arms of the Senate; and

S. Con. Res. 93. Concurrent resolution to provide for correction in the enrollment of S. 734, to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 72) entitled "An act to increase annuities payable to certain annuitants from the civil-service retirement and disability fund, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendment of the House to the bill (S. 734) entitled

"An act to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATION BILL, 1959

Mr. PRESTON submitted a conference report and statement on the bill (H. R. 12540) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1959, and for other purposes.

INDEPENDENT OFFICES APPROPRIATION BILL, 1959

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11574) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1959, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. THOMAS, YATES, EVINS, BOLAND, CANNON, VURSELL, OSTERTAG, JONAS, and TABER.

COMPACT ESTABLISHING BOUNDARY BETWEEN OREGON AND WASHINGTON

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7153) giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States, with a Senate amendment thereto, disagree to the amendment of the Senate, and ask for a conference with the Senate on the disagreeing votes of the two Houses.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CELLER, WILLIS, BROOKS of Texas, KEATING, and CRAMER.

FEDERAL EMPLOYEES PAY ACT OF 1958

Mr. MURRAY submitted a conference report and statement on the bill (S. 734) to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes.

SUSPENSION OF RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to entertain motions to suspend the rules on June 26, June 27, and June 30, 1958.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time to obtain from the majority leader information as to when certain legislation will be brought up.

Mr. McCORMACK. Mr. Speaker, the conference report just reported from the Senate will be brought up as the first order of business tomorrow.

COMMITTEE ON ARMED SERVICES

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent that Subcommittee No. 1 of the Committee on Armed Services may have permission to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have permission to sit during general debate in the House for the rest of the week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FLOOD DAMAGE

Mr. BEAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BEAMER. Mr. Speaker, I take this time to call attention to the House and especially to the Public Works Committee that perhaps Rome is not burning while Nero fiddles, but that floods are destroying millions of dollars worth of property while an omnibus rivers and harbors bill lingers somewhere.

In discussion with several members of that committee, it appears that some members are intent upon the inclusion of unapproved projects. The President rightfully has vetoed two successive bills that contained some of these unapproved projects. Surely the majority members are not insisting on the inclusion of such projects in an attempt to embarrass the President and the present administration.

Surely it should be a simple matter to present a clean bill that contains only approved projects. Then the Congress could pass the bill that the President could sign. Then appropriations could be made and work could be started.

In the Fifth Indiana District, the floods caused by the Wabash, Mississinewa, Salamonie, and White Rivers have caused great damage. I wish you could see the plaintive letters of distress that are being received. Heroic work has been done by local, State, and Federal groups but their action did not avert the flood. Prompt action by the Congress on these flood control measures can help to avoid a recurrence in the future.

FEDERAL AVIATION AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 406)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

Recent midair collisions of aircraft occasioning tragic losses of human life, have emphasized the need for a system of air traffic management which will prevent, within the limits of human ingenuity, a recurrence of such accidents.

In this message, accordingly, I am recommending to the Congress the establishment of an aviation organization in which would be consolidated among other things all the essential management functions necessary to support the common needs of our civil and military aviation.

Soon after taking office as President I received reports that the increasing speed of aircraft, the rapid growth in the volume of daily flights, and the introduction into common use of jet and vertical lift aircraft were causing serious congestion in the airspace. It was also reported that the aviation facilities then in use were rapidly becoming inadequate for the efficient management of air traffic.

To develop a positive program it was first necessary to obtain more precise information on the nature anad seriousness of the air traffic control problem. This task was assigned to an aviation facilities study group appointed at my request by the Director of the Bureau of the Budget.

In its report this study group found that the airspace was already overcrowded and that the development of airports, navigation aids, and especially the air traffic control system, was lagging far behind aeronautical developments and the needs of our mobile population. Development of a comprehensive plan to meet the national requirements for aviation facilities was recommended and it was proposed that the plan be developed by an individual of national reputation. I approved the report and its recommendations and on February 10, 1956, appointed Mr. Edward P. Curtis to the post of Special Assistant to the President for Aviation Facilities Planning.

Mr. Curtis on May 10, 1957, submitted to me a positive plan of action designed to correct the deficiencies which had led

to the inadequacies of our aviation facilities system. Mr. Curtis identified the major deficiencies as first, technological and second, organizational.

While the Curtis plan was under preparation, the Nation was shocked by the most costly civil air disaster in its history. On June 30, 1956, two civil airliners collided over the Grand Canyon and 128 lives were lost. This tragedy gave dramatic support to the view that even in the less congested portions of our airspace the separation of aircraft should not be left to chance or to the visual ability of pilots.

As an essential step in solving the complex technical problems involved, Mr. Curtis called for the creation of an Airways Modernization Board as a temporary independent agency to develop, test, and select air traffic control systems and devices. The Congress promptly established the Airways Modernization Board by an enactment which I approved on August 14, 1957.

The Airways Modernization Board is now a functioning organization engaged in developing the systems, procedures, and devices which will help assure that tomorrow's air traffic control measures can safely and efficiently handle tomorrow's aircraft and traffic load. Except for certain facilities so peculiar to the operations of the Armed Forces as to have little or no effect on the common system, all air traffic control facilities are now developed by the Airways Modernization Board. The duplication and conflict between military and civil air facilities research agencies, which have proved so costly in the past, have been eliminated by the partnership which characterizes the new agency. It embodies an approach to facilities research and development which must ultimately be expanded to traffic control operation; namely, a single agency so organized and staffed as to be capable of taking into account the requirements of all categories of aviation.

Some time will pass before the new systems being developed by the Airways Modernization Board can play a decisive part in enhancing the safety and efficiency of the airways. Meanwhile, existing facilities and programs for air traffic management must continue to be expanded and improved if they are to cope with the growing volume of air traffic. This responsibility is currently being discharged by the Civil Aeronautics Administration of the Department of Commerce, which has developed an accelerated Federal airways plan calling for the expenditure of large sums to meet the Nation's short range air traffic requirements. The Civil Aeronauntics Administration's appropriations for installing, maintaining, and operating Federal air traffic control facilities have been sharply increased to enable it to do this job on schedule.

Following the recent midair collision over Maryland, a number of additional measures were taken by the Government to reduce the immediate risk of such accidents. For example, on May 23, 1958, the military services announced they would voluntarily curtail certain flying activities previously permitted by air regulations. Special steps are also being taken to further safeguard air carriers using the more heavily traveled cross-country airways.

With respect to organization, Mr. Curtis recommended that an independent Federal aviation agency be established in which would be consolidated all the essential management functions necessary to support the common needs of United States civil and military aviation. He also recommended the appointment of a special assistant to the President to implement the programs outlined in his report. On July 17, 1957, I appointed Mr. E. R. Quesada to the post of special assistant to the President for aviation matters and charged him with taking the leadership in securing the implementation of the Curtis plan of action.

A fully adequate and lasting solution to the Nation's air traffic management problems will require a unified approach to the control of aircraft in flight and the utilization of airspace. This national responsibility can be met by the active partnership of civil and military personnel in a Federal aviation agency as proposed in the Curtis report, and which is able to serve the legitimate requirements of general, commercial and military aviation.

The concept of a unified Federal aviation agency charged with aviation facilities and air traffic management functions now scattered throughout the Government has won widespread support in the Congress and among private groups concerned with aviation. The Congress indicated its position in a provision of the Airways Modernization Act of 1957:

> It is the sense of Congress that on or before January 15, 1959, a program of reorganization establishing an independent aviation authority, following the objectives and conclusions of the Curtis report of May 14, 1957, entitled "Aviation Facilities Planning," be submitted to the Congress.

In accordance with this Congressional directive, it had been my intention to submit recommendations for a Federal Aviation Agency to the Congress early in the next session. The recent Maryland collision has made it apparent, however, that the need for action is so urgent that the consolidation should be undertaken now.

I therefore recommend that the Congress enact at the earliest practicable date legislation establishing a Federal Aviation Agency in the executive branch of the Government and that the new agency be given the powers required for the effective performance of the responsibilities to be assigned to it.

The Federal Aviation Agency should be headed by an Administrator assisted by a Deputy Administrator, with both officials to be appointed by the President by and with the advice and consent of the Senate.

All functions now carried out by the Civil Aeronautics Administration should be transferred to the new agency.

All functions and powers of the Airways Modernization Board should also be placed in the Federal Aviation Agency, the responsibilities now lodged in the Board to be discharged by the Administrator through a major division of the agency devoted to research and development.

Experience indicates that the preparation, issuance, and revision of regulations governing matters of safety can best be carried on by the agency charged with the day-to-day control of traffic, the inspection of aircraft and service facilities, the certification of pilots and related duties. I therefore recommend that the function of issuing air safety regulations now vested in the Civil Aeronautics Board be lodged in the Federal Aviation Agency. Decisions of the Administrator with respect to such regulations should be final, subject, of course, to such appeals to the courts as may be appropriate.

The legislation should require the Administrator to report to the Civil Aeronautics Board the facts, conditions, and circumstances relating to accidents involving civil aircraft. The Board should in turn be empowered to review the Administrator's report and all evidence relating to the accident and should be authorized to make a determination as to the probable causes of the accident. The Board should conduct a public hearing with respect to an accident whenever it considers such hearing to be in the public interest. This distribution of responsibility will place the function of gathering the facts pertaining to accidents in the Agency best equipped to do the job and most likely to make early and advantageous use of the findings. At the same time the public will be assured that a Board divorced from immediate responsibility for traffic control or airworthiness operations will receive the Administrator's reports, consider all the evidence, arrive at determinations of causes, and make public such recommendations as the facts may warrant. Appropriate provisions should be made for cooperation between the Agency and military authorities in the investigation of accidents involving military aircraft.

Appropriate Department of Defense functions which are susceptible of effective administration by the new Agency without impairment of the national defense should also be transferred as rapidly as adequate arrangements for their performance and the solution of personnel problems can be worked out.

It is not practicable to prescribe in legislation all the units, facilities, and functions, especially in the Department of Defense, which should eventually be lodged in whole or in part in the new Agency. The legislation should therefore give the President the authority to transfer to the Administrator any functions of executive departments or agencies which relate primarily to air traffic management.

Because the Agency will be administering important functions and activities which have heretofore been administered in civil agencies and others which have been carried on in the military services, it is essential that the legislation provide for the staffing of the Agency in such a manner as to permit the participation of military personnel as well as civilians in positions of authority.

The legislation should also impose on the Administrator the obligation to provide for the assignment and participation of military personnel within the Agency in such a manner as to assure that national-defense interests, as well as the needs of all aircraft for safe and efficient traffic management, will be considered in the conduct of the Agency's operations. The development of a genuine civil-military partnership in which all agencies and interests concerned with aviation may place full confidence will be essential to the success of the Federal Aviation Agency.

To assure that the Agency will be able to discharge its responsibilities effectively in time of war or other emergency, plans must be developed and legislation enacted to guarantee that, in the event of emergency, Agency personnel will continue to perform their duties, will be subject to assignment to such posts as may require staffing, and will enjoy appropriate protections and benefits. The executive branch will prepare such plans as quickly as possible, and I shall recommend to the Congress the enactment of appropriate legislation at a later date.

The complex transfers and consolidations involved in getting the Agency under way make it desirable that the legislation, other than the provisions creating the Agency, take effect 90 days after enactment. I also recommend that the Administrator be authorized to defer the taking effect of any portion of the act for a reasonable additional period should he find such a delay necessary or desirable in the public interest.

I recommend that the Federal Aviation Agency be given full and paramount authority over the use by aircraft of airspace over the United States and its Territories except in circumstances of military emergency or urgent military necessity.

To assure maximum conformance with the plans, policies, and allocations of the Administrator with respect to airspace, I recommend that the legislation prohibit the construction or substantial alteration of any airport or missile site until prior notice has been given to the Administrator and he is afforded a reasonable time to advise as to the effect of such construction on the use of airspace by aircraft.

I urge that in the interest of proceeding as rapidly as possible with the task of increasing safety in the air legislation carrying out these recommendations be enacted during the current session of Congress.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *June 13, 1958.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

VETERANS OF WORLD WAR I OF THE UNITED STATES

The Clerk called the bill (H. R. 11077) to incorporate the Veterans of World War I of the United States of America.

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

Mr. WALTER. I object, Mr. Speaker.

AMENDING THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

Th Clerk called the bill (H. R. 12303) to amend the Revised Organic Act of the Virgin Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the Revised Organic Act of the Virgin Islands is amended by adding at the end thereof the following new paragraph:

"No political or religious test other than an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands, and the laws of the Virgin Islands, shall be required as a qualification to any office or public trust under the Government of the Virgin Islands."

SEC. 2. Subsection (a) of section 8 of said act is amended to read as follows:

"(a) The legislative authority and power of the Virgin Islands shall extend to all rightful subjects of legislation not inconsistent with this act or the laws of the United States made applicable to the Virgin Islands, but no law shall be enacted which would impair rights existing or arising by virtue of any treaty or international agreement entered into by the United States, nor shall the lands or other property of nonresidents be taxed at a higher rate than the lands or other property of residents."

SEC. 3. Subsection (e) of section 8 of said act is amended by striking the words "and any supplements to it."

SEC. 4. Subsection (a) of section 17 of said act is amended by striking the words "not to exceed."

SEC. 5. Subsections (e) and (f) of section 17 of said act are amended to read as follows:

"(e) The decisions of the Government comptroller shall be final except that appeal therefrom may be taken by the party aggrieved or the head of the Department concerned, within 1 year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the Government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(f) If the Secretary of the Interior confirms the decision of the Government comptroller, then relief may be sought by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction."

SEC. 6. (a) Subsection (c) of section 20 of said act is amended to read as follows:

"(c) The salaries of the Governor, the Government Secretary, the Government comptroller, and the members of their immediate staffs shall be paid by the United States. The salaries of the heads of the executive departments shall be paid by the government of the Virgin Islands; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor."

(b) This section 6 shall become effective on July 1, 1959.

SEC. 7. The last sentence of section 24 of said act is amended to read as follows: "The Attorney General shall as heretofore, appoint a marshal and one deputy marshal for the Virgin Islands. The provisions of chapter 33 of title 28, United States Code, shall apply to the office of the marshal for the Virgin Islands."

SEC. 8. The first sentence of section 26 of said act is amended to read as follows: "All criminal cases originating in the district court shall be tried by jury upon demand by the defendant or by the Government."

SEC. 9. Wherever the term "district attorney" appears in the seventh and eighth sentences of section 27 of said act the following term shall be substituted: "United States attorney."

SEC. 10. Said act is amended by adding at the end thereof the following new section:

"SEC. 37. The Organic Act of the Virgin Islands of the United States, approved June 22, 1936 (49 Stat. 1807), as amended, and all laws and parts of laws in conflict with this act, except for the act of January 28, 1956 (70 Stat. 5), are hereby repealed.": *Provided,* That the authority conferred upon the Secretary of the Treasury by the second proviso in section 36 of the Organic Act of the Virgin Islands of the United States (49 Stat. 1807, 1816; 48 U. S. C. 1406i) shall not terminate until 60 days following the date of enactment of this act.

SEC. 11. As used in this act, the term "Revised Organic Act of the Virgin Islands" means the act of July 22, 1954 (68 Stat. 497) as amended (48 U. S. C., secs. 1541 et seq.).

Mr. ASPINALL. Mr. Speaker, I offer three committee amendments.

The Clerk read as follows:

Amendments offered by Mr. ASPINALL:

Page 4, line 5, strike out all of section 10 through page 4, line 16, and insert in lieu thereof the following:

"SEC. 10. Said act is amended by adding at the end thereof the following new section:

" 'SEC. 37. The Organic Act of the Virgin Islands of the United States, approved June 22, 1936 (49 Stat. 1807), as amended, and all laws and parts of laws in conflict with this act, except for the act of January 28, 1956 (70 Stat. 5), are hereby repealed': *Provided,* That the repeal of section 36 of the Organic Act of the Virgin Islands, approved June 22, 1936, shall not be effective until January 1, 1959."

Page 4, following line 16, insert a new section reading as follows:

"SEC. 11. Subsection (c) of section 8 of said act is amended by adding the following proviso: *'Provided further,* That Act No. 224 of the Legislature of the Virgin Islands, relating to tax exemptions and subsidies, approved July 5, 1957, is hereby ratified and approved, and the Legislature of the Virgin Islands shall have the power to alter, amend, modify, or repeal such act from time to time, in its discretion'."

Page 4, following line 16 and new section 11, insert a new section reading as follows:

"SEC. 12. The first sentence of subsection (b) of section 8 of said act is amended to read as follows: 'The legislature of the government of the Virgin Islands may cause to be issued on behalf of said government, and may authorize the issuance by any agency, authority, commission, or other instrumentality of such government, bonds or other obligations (1) for a specific public improvement or specific public undertaking authorized by an act of the legislature, and (2) for the establishment, construction, operation, maintenance, reconstruction, improvement, or enlargement of other projects, authorized by an act of the legislature, which will, in the legislature's judgment, promote the economic development of the Virgin Islands. Such bonds or obligations shall be payable solely from the revenues directly derived from and attributable to such specific public improvement, public undertaking, or other project'."

Page 4, line 17, renumber "Sec. 11." to read "Sec. 13."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORREGIDOR BATAAN MEMORIAL COMMISSION

The Clerk called the bill (H. R. 10069) to amend the act of August 5, 1953, creating the Corregidor Bataan Memorial Commission.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman withhold his request?

Mr. CUNNINGHAM of Iowa. I am making this unanimous-consent request at the request of the gentleman from Wisconsin who is unable to be here today.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AUTHORIZING 15-YEAR LEASES OF SPACE FOR FEDERAL AGENCIES

The Clerk called the bill (S. 2533) to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 210 of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 490), is amended by adding at the end thereof the following new subsection:

"(h) (1) The Administrator is authorized to enter into lease agreements with any person, copartnership, corporation, or other public or private entity, which do not bind the Government for periods in excess of 15 years for each such lease agreement, on such terms as he deems to be in the interest of the United States and necessary for the accommodation of Federal agencies in buildings and improvements which are in existence or to be erected by the lessor for such purposes and to assign and reassign space therein to Federal agencies.

"(2) If the unexpired portion of any lease of space to the Government is determined by the Administrator to be surplus property and the property is thereafter disposed of by sublease by the Administrator, the Administrator is authorized, notwithstanding section 204 (a), to deposit rental received in the buildings management fund (40 U. S. C. 490 (f)) and defray from the fund any costs necessary to provide services to the Government's lessee and to pay the rent not otherwise provided for on the lease of the space to the Government."

"(3) Lease agreements in excess of 5 years entered into under paragraph (1) of this subsection shall not be subject to the 25 percent limitation of section 322 of the act of June 30, 1932, 47 Stat. 412, as amended (40 U. S. C. 278a)."

SEC. 2. The following laws are repealed: Act of March 2, 1913 (37 Stat. 718 (paragraph on leasing storage space)) as amended by section 6 of the act of June 14, 1946 (60 Stat. 258; 40 U. S. C. 36); section 407, act of June 16, 1949 (63 Stat. 199, as amended; 40 U. S. C. 37a); and the first sentence of amended section 3 of the act of August 27, 1935 (60 Stat. 257; 40 U. S. C. 304c).

With the following committee amendments:

Page 2, line 1, strike out the word "fifteen" and insert in lieu thereof the word "ten."

Page 2, line 17, strike out "Government." and insert "Government'."

Page 2, strike out lines 18 through 22.

Page 2, beginning in line 23, strike out "act of March 2, 1913 (37 Stat. 718 (paragraph on leasing storage space))" and insert: "The portion of the act of March 2, 1913, pertaining to the leasing of storage space in the District of Columbia (37 Stat. 318)."

The committee amendments were agreed to.

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

Mr. BROOKS of Texas. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment to the title offered by Mr. BROOKS of Texas: "to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 10 years, and for other purposes."

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

AMENDING TITLE 18, UNITED STATES CODE

The Clerk called the bill (H. R. 977) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

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

Mr. CELLER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. WALTER. Mr. Speaker, I object.

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

Mr. CELLER. Mr. Speaker, I must object.

The SPEAKER. Objection is heard.

TOLL BRIDGE AT OR NEAR CHESTER, ILL.

The Clerk called the bill (H. R. 11861) authorizing the city of Chester, Ill., to construct new approaches to and to reconstruct, repair, or improve the existing approaches to a toll bridge across the Mississippi River at or near Chester, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the city of Chester, Ill., be, and is hereby, authorized to construct new approaches to and to reconstruct, repair, or improve existing approaches to a toll bridge across the Mississippi River at or near Chester, Ill., heretofore constructed by said city pursuant to Public No. 191, 76th Congress, as amended by Public No. 751, 76th Congress, to reconstruct, repair, and improve said toll bridge, and to operate and maintain said new approaches, said reconstructed, repaired, or improved approaches and said toll bridge and existing approaches, provided said reconstructed toll bridge and new approaches are reconstructed, constructed, repaired, and improved at points suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. That for the purpose of effecting the reconstruction, repair, and improvement of existing approaches and the construction of new approaches to the toll bridge across the Mississippi River at or near Chester, Ill., referred to in section 1 hereof, and the reconstruction, repair, and improvement of said toll bridge, said city of Chester, Ill., be, and is hereby, authorized to refund the outstanding bonds of an issue of revenue bonds of said city heretofore issued to finance the cost of construction of said bridge and existing approaches.

SEC. 3. There is hereby conferred upon the city of Chester, Ill., all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, reconstruction, repair, improvement, maintenance, and operation of such existing approaches to be reconstructed, repaired, or improved, and the new approaches and said reconstructed, repaired, or improved toll bridge and existing approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes or by municipalities for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 4. The said city of Chester, Ill., is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls so fixed shall be the legal rate until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 5. In fixing the rates of tolls to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the reconstructed, repaired, or improved toll bridge and existing approaches as well as the reconstructed, repaired, or improved approaches and new approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such reconstructed, repaired, or improved toll bridge, such reconstructed, repaired, or improved approaches and such new approaches as well as the cost of refunding the outstanding revenue bonds of said city issued to finance the cost of construction of such bridge and its approaches, including interest at a rate of not to exceed 6 percent per annum and reasonable financing cost, as soon as possible, under reasonable charges but within a period of not to exceed 30 years from the completion of reconstruction, repair, and improvement of such toll bridge, reconstruction, repair, and improvement of existing approaches and the construction of new approaches herein authorized. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the reconstruction, repair, and improvement of the toll bridge, the reconstruction of the existing approaches and the construction of new approaches, the expenditures for maintaining, repairing, and operating the bridge and existing approaches as well as the reconstructed and new approaches, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. GRAY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAY: On page 3, line 17, after "Secretary of" strike out "War," and insert "the Army."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, BROWNVILLE, NEBR.

The Clerk called the bill (H. R. 11936) to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at Brownville, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 18 (d) of the act of August 30, 1935 (relating to the construction of certain bridges), as amended by the act of October 25, 1949, is hereby amended by striking out "30 years" and inserting in lieu thereof "40 years."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, JEFFERSON BARRACKS, MO.

The Clerk called the bill (H. R. 7898) to revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any provision to the contrary contained in the act entitled "An act authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Mo," approved August 7, 1939 (53 Stat. 1257), authority is hereby granted to the county of St. Louis, State of Missouri, to fix and charge tolls, in accordance with the provisions of this act, for transit over the bridge constructed pursuant to such act of August 7, 1939 (hereinafter referred to as the "Jefferson Barracks Bridge").

SEC. 2. The rates of the tolls authorized by the first section of this act shall be so adjusted that the amounts collected from the tolls on the Jefferson Barracks Bridge together with the amounts collected from the tolls imposed on not more than one additional bridge hereafter to be constructed by such county adjacent to the Jefferson Barracks Bridge and across the Mississippi River, will provide (1) a fund sufficient to pay the cost of the maintenance and operation of both such bridges, and (2) a sinking fund sufficient to amortize (a) any unamortized cost of the Jefferson Barracks Bridge and approaches thereto and the cost of any reconstruction or improving of the Jefferson Barracks Bridge, (b) the cost of constructing such additional bridge and the approaches thereto, and (c) interest and financing costs, within a period of not more than 30 years after the date such reconstruction and improvement, or construction, is commenced, whichever first occurs. After there has been collected from such tolls an amount sufficient to provide such funds, both such bridges shall be maintained and operated free of tolls.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STREAM VALLEY PARKS IN MARYLAND

The Clerk called the bill (H. R. 3778) to amend the act of May 29, 1930, with respect to the stream valley parks in Maryland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (a) of the first section of the act of May 29, 1930 (46 Stat. 482), as amended, is amended by striking out the period at the end of the last sentence thereof, and inserting in lieu thereof a colon and the following: *"Provided further*, That in the discretion of the National Capital Planning Commission, upon agreement duly entered into between that Commission and the Maryland-National Capital Park and Planning Commission, an agency of the State of Maryland, created by chapter 448 of the laws of Maryland of 1927, as amended, such portion of the said $7,500,000 authorized to be appropriated under this paragraph as the said Federal and Maryland agencies may determine may be appropriated for the purposes set forth under paragraph (b) of this section and subject to the conditions imposed by that paragraph."

With the following committee amendment:

Page 1, line 5, after the words "end of the" insert "next to the."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRUST FUNDS OF SHOSHONE AND ARAPAHOE TRIBES

The Clerk called the bill (H. R. 12617) to amend sections 2 and 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, relating to the trust funds of the Shoshone and Arapahoe Tribes, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation," approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

"SEC. 2. The Secretary of the Treasury, upon request of the Secretary of the Interior, is authorized and directed to establish a trust fund account for each tribe and shall make such transfer of funds on the books of this Department as may be necessary to effect the purpose of section 1 of this act: *Provided*, That interest shall accrue on the principal fund only, at the rate of 4 percent per annum, and shall be credited to the interest trust fund accounts established by this section: *Provided further*, That all future revenues and receipts derived from the Wind River Reservation under any and all laws, and the proceeds from any judgment for money against the United States hereafter paid jointly to the Shoshone and Arapahoe Tribes of the Wind River Reservation, shall be divided in accordance with section 1 of this act and credited to the principal trust fund accounts established herein; and the proceeds from any judgment for money against the United States hereafter paid to either of the tribes singly shall be credited to the appropriate principal trust fund account."

SEC. 2. Section 3 of the act entitled "An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation," approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

"SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe, respectively, under the provisions of this act shall be available for expenditure or for advance to the tribes for such purposes as may be requested by the business council of the tribe concerned and approved by the Secretary of the Interior, or such official as may be designated by him: *Provided*, That the Secretary of the Interior is hereby directed to make available out of the trust funds of the Shoshone Tribe the sum of $7,500 for the purpose of making emergency and educational loans on the authority and responsibility of the Shoshone Tribe, through its business council, without liability to the United States and free from regulation or approval by the Secretary of the Interior: *Provided further*, That, commencing as soon after the date this proviso becomes effective as the Secretary of the Interior determines may be practicable in order to change from the existing quarterly payment system, but not later than January 1, 1959, 85 percent of said trust funds shall be paid per capita to the members of the respective tribes in equal monthly installments on the first day of each month, or as near thereto as practicable, or, with the approval of the Secretary of the Interior, at such more frequent intervals as the tribes may request. The amount of the monthly payments during any one calendar year shall be determined by the Secretary of the Interior on the basis of estimated anticipated income for that calendar year: *Provided further*, That the Secretary may increase or decrease the amount of the monthly payments in the light of actual receipts during the calendar year, and in order to avoid the omission of a payment or a reduction in the amount that would cause unnecessary hardship the Secretary may permit the total monthly payments for a year to exceed 85 percent of the actual receipts for that year and deduct the excess from the receipts of the following or succeeding years before determining the amount of the monthly payments for such succeeding years: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the business council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of the survey undertaken by the Secretary after the amendment of this act on July 25, 1956 (70 Stat. 642): *Provided further*, That quarterly per capita payments under this act shall continue

without interruption until the monthly per capita payments are put into effect on or before January 1, 1959."

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS RIO GRANDE, NEAR RIO GRANDE CITY, TEX.

The Clerk called the bill (H. R. 12632) authorizing Gus A Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the act entitled "an act authorizing Gus A Guerra, his heirs, legal representatives, and assigns, to conacross the Rio Grande, at or near Rio Grande City, Tex.," approved June 28, 1955 (69 Stat. 186), is revived and reenacted, except that this act shall be null and void unless the actual construction of the bridge authorized in such act of June 28, 1955, is commenced within 4 years and completed within 6 years from the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REDDING, CALIF., LAND EXCHANGE

The Clerk called the bill (H. R. 11253) to authorize the Secretary of Agriculture to exchange land and improvements with the city of Redding, Shasta County, Calif., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized to exchange with and to convey to the city of Redding, county of Shasta, State of California, by quitclaim deed approximately 11.98 acres, more or less, of land together with the improvements thereon used by the Forest Service, United States Department of Agriculture, as the Redding administrative site, shops, and fire-equipment warehouse, within the city of Redding and to accept on behalf of the United States the conveyance by the city of Redding of approximately 40 acres, more or less, of land at the Redding Municipal Airport in section 7, township 31 north, range 4 west, Mount Diablo meridian, together with improvements thereon: *Provided,* That the land and improvements to be conveyed to the United States by the city of Redding shall have a value not less than the value of the land and improvements to be conveyed by the Secretary of Agriculture to the city of Redding and the improvements on the land to be conveyed to the United States shall be such as to meet the needs and requirements of the Forest Service at least as satisfactorily as those on the land now being used by the Forest Service and to be conveyed to the city of Redding. Lands conveyed to the United States under this act shall be a part of the Shasta National Forest and subject to the laws, rules, and regulations applicable to land acquired under the act of March 1, 1911 (36 Stat. 961), as amended and supplemented.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPARTMENT OF NATURAL RESOURCES, STATE OF WASHINGTON

The Clerk called the bill (H. R. 11694) to provide for the conveyance of certain real property of the United States situated in Clallam County, Wash., to the Department of Natural Resources, State of Washington.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. WESTLAND. Reserving the right to object, Mr. Speaker, I wonder if the gentleman from Colorado would care to state his reasons for asking that this bill be passed over.

Mr. ASPINALL. I did it at the request of one of our colleagues.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OF RECLAMATION PROJECT ACT OF 1939

The Clerk called the bill (H. R. 8645) to amend section 9, subsection (d), of the Reclamation Project Act of 1939, and for other related purposes.

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

Mr. CUNNINGHAM of Iowa. Reserving the right to object, Mr. Speaker, may I ask the author of this bill, the gentleman from Colorado, to explain the variable contract provisions.

Mr. ASPINALL. The variable formula provisions in reclamation contracts at the present time provide that the water users pay in accordance with their ability for each year. In other words, if there are years that the users can pay more than the amount stated in their contract as an annual payment they will be required to do so. Then in a year of poor production or bad prices the users can have their annual payment amount reduced. As I understand it, the gentleman's objection goes to a statement in the report of the Bureau of the Budget that any repayment period should not be longer than 50 years.

Mr. CUNNINGHAM of Iowa. That is correct.

Mr. ASPINALL. I wish to assure my friend that it is our understanding that it will not be anywhere near a 50-year period. There might be payments made on some contracts for 3 or 4 years more than the 40-year payout period but on many contracts it will be several years less. Like provisions have been in most of the project legislation for recently authorized projects. We are just bringing the new procedure up to date as a general policy. In my opinion, we shall never go over 50 years for repayment on projects that are authorized under this legislation for a 40-year repayment period.

Mr. CUNNINGHAM of Iowa. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (3) of section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1195) is hereby amended to read as follows:

"That the general repayment obligation of the organization shall be spread in annual installments, of the number and amounts fixed by the Secretary, over a period of not more than 40 years, exclusive of any development period fixed under paragraph (1) of this subsection, for any project contract unit or, if the project contract unit be divided into two or more irrigation blocks, for any such block, or as near to said period of not more than 40 years as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within such period under average conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay."

SEC. 2. The benefits of a variable payment plan as provided in the amendment to paragraph (3) of section 9, subsection (d), of the Reclamation Project Act of 1939 contained in section 1 of this act may be extended by the Secretary to any organization with which he contracts or has contracted for the repayment of construction costs allocated to irrigation on any project undertaken by the United States, including contracts under the act of August 11, 1939 (53 Stat. 1418), as amended, and contracts for the storage of water or for the use of stored water under section 8 of the act of December 22, 1944 (58 Stat. 887, 891). In the case of any project for which a maximum repayment period longer than that prescribed in said paragraph (3) has been or is allowed by act of Congress, the period so allowed may be used by the Secretary in lieu of the 40-year period provided in said amendment to paragraph (3).

SEC. 3. Section 2, subsection (h), of the Reclamation Project Act of 1939 is hereby repealed and the subsections following it are relettered accordingly. Section 4, as amended, of the same act is hereby repealed. Paragraph (5) of section 9, subsection (d), of the same act is hereby repealed. Section 17, as amended, of the same act is hereby further amended by substituting the expression "section 3" for the expression "sections 3 and 4" where the latter occurs in said section. The act of March 6, 1952 (66 Stat. 16) is hereby amended by deleting therefrom the figure "4" in the expression "sections 3, 4, and 7 of the Reclamation Project Act of 1939."

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I make these few remarks at this time when this bill is before the House in connection with the rivers and harbors bill, where there are some items that call for a 30-percent local participation. I have talked to some of the Members on both sides of the Rivers and Harbors Committee and made a suggestion to them which I think is fair and just under the circumstances.

The local participation of 30 percent in certain projects is something new. I have in mind for example the city of New Bedford, Mass., which is represented by one of my distinguished colleagues and dear friends on the Republican side, where there is unemployment of about 12 percent. That is a tremendous unemployment situation to exist in any community.

I have suggested that the committee consider inserting a provision in the bill

reported out that where there is a labor-distressed area, and, of course, as I understand it is 6 percent, or more, or even where there might be a drought or any local condition where the 30-percent local contribution should be extended, it might reasonably be extended over a longer period of time and that there be inserted in the bill provisions permitting the exercise of discretion in such cases where it may be necessary. That would not disturb the 30-percent local participation. On the other hand, it would recognize the exigencies confronting a number of communities throughout the country and the sudden impact upon their tax rate and enable the 30-percent local participation to be spread over a longer period of time. So, in my opinion, having in mind the recession that exists, it would be a fair provision to put in the rivers and harbors bill, if one is reported out.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GROSS. Is the trouble in Massachusetts due in part to the prostrate condition of the New England fisheries industry?

Mr. McCORMACK. Of course, that is a situation which is a contributing factor, but in New Bedford they have been affected for years as a result of the situation existing in relation to textiles. This is a hurricane project and the same consideration might reasonably be extended to other communities throughout the country which are similarly affected.

Mr. GROSS. The New England fishing industry is flat on its back because of foreign imports; is that not correct?

Mr. McCORMACK. In part it is due to that.

Mr. GROSS. In very large measure it is due to that, according to the testimony before our committee a few days ago, and this now comes under the classification of the compensatory payments that the gentleman spoke about on the floor of the House the other day I take it, that is, let the foreign imports come in and then rescue those who are injured by raiding the United States Treasury.

Mr. McCORMACK. I am a great believer in compensatory consideration and, as I stated on the floor of the House the other day and as I said a good many times before, this situation is one that applies to many communities for different reasons. One community might be a labor distressed area. Another community might be suffering distress for other reasons. My suggestion is that so far as local participation is concerned, where the justification exists that discretion might be provided for by law enabling local participation payments and contributions to be extended over a longer period of time.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. This is entirely different from anything that we have passed before in the Congress.

Mr. McCORMACK. That is correct.

Mr. NICHOLSON. It is not the same as a flood area over a river bottom. This has to do with hurricanes. We have been trying to take care of this problem and the United States Engineers have gone out wholeheartedly on this matter. Of course, it is difficult to raise 30 percent of the cost on bonds in 1 year. But, taken in the light that this is going to save many lives and save millions of dollars, it is the right thing to do. In one hurricane we lost 18 people in my own hometown. This will stop that, so I am grateful to the gentleman from Massachusetts for calling this to our attention today.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARGES FOR OVERTIME GRAIN INSPECTION APPEALS

The Clerk called the bill (S. 2007) to amend the United States Grain Standards Act, 1916, as amended, to permit the Secretary of Agriculture to charge and collect for certain services performed and to deposit such collections to the credit of the appropriation available for administration of the act, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the United States Grain Standards Act (39 Stat. 484; 7 U. S. C. 78) is hereby amended to read as follows:

"SEC. 6. Whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain sold, offered for sale, or consigned for sale, or which has been shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may, either with or without reinspection, appeal the question to the Secretary of Agriculture, and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade: *Provided*, That any appeal from such inspection and grading to the Secretary of Agriculture shall be taken before the grain leaves the place where the inspection appealed from was made and before the identity of the grain has been lost, under such rules and regulations as the Secretary of Agriculture shall prescribe. Whenever an appeal shall be taken or a dispute referred to the Secretary of Agriculture under this act, he shall charge and assess, and cause to be collected, a reasonable fee, in amount to be fixed by him, and such charges as may be necessary to cover cost of travel and pay of assigned employees and such other items of expense as the Secretary of Agriculture may deem necessary, in connection with overtime, night, or holiday work on appeal inspection. The fee, in case of an appeal, shall be refunded if the appeal is sustained. All such fees, not so refunded, shall be deposited and covered into the Treasury as miscellaneous receipts. All such charges for travel, pay, and other items of expense in connection with overtime, night, or holiday work on appeal inspections shall be deposited to the credit of the appropriation available for the administration of the United States Grain Standards Act. The findings of the Secretary of Agriculture as to grade, signed by him or by such officer or officers, agent or agents, of the Department of Agriculture as he may designate, made after the parties in interest have had opportunity to be heard, shall be accepted in the courts of the United States as prima facie evidence of the true grade of the grain determined by him at the time and place specified in the findings."

With the following committee amendments:

Page 2, beginning on line 19, strike out the comma after the word "him" and strike out the remainder of the sentence through and including the word "inspection" on line 23.

Page 3, line 1, strike out the sentence beginning "All such" and ending on line 5 with the word "act," and insert the following new sentence: "The Secretary of Agriculture is authorized to pay employees assigned to perform appeal inspections for all overtime, night or holiday work at such rates as he may determine and to accept from persons, Government agencies, and departments, and Government corporations for whom such work is performed reimbursement for any sums paid for such work."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to amend the United States Grain Standards Act, 1916, as amended, to permit the Secretary of Agriculture to charge and collect for certain services performed, and for other purposes."

A motion to reconsider was laid on the table.

LAND EXCHANGE, ESTES PARK, COLO.

The Clerk called the bill (H. R. 10321) to authorize the Secretary of Agriculture to exchange lands comprising a portion of the Estes Park Administrative Site, Roosevelt National Forest, Colo., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized to convey by quitclaim deed all right, title, and interest of the United States in and to a portion of the Estes Park Administrative Site, Roosevelt National Forest, Colo., in the northwest quarter of section 30, township 5 north, range 72 west, sixth principal meridian, containing 4 acres, more or less, and to accept in exchange therefor a conveyance in fee simple by warranty deed to the United States of land of at least equal value in or adjacent to the southwest quarter of section 2, township 7 north, range 69 west, sixth principal meridian: *Provided*, That the lands conveyed by either party under the provisions of this bill shall be subject to rights-of-way, exceptions, reservations, and conditions outstanding of record and to such exceptions, reservations, and conditions as the Secretary of Agriculture may approve.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPROPRIATION OF FUNDS TO FINANCE THE 1961 MEETING OF THE PERMANENT INTERNATIONAL ASSOCIATION OF NAVIGATION CONGRESSES

The Clerk called the bill (H. R. 11305) to authorize the appropriation of funds

to finance the 1961 meeting of the Permanent International Association of Navigation Congresses.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. That concludes the call of the Consent Calendar.

The gentleman from Kentucky [Mr. SPENCE] is recognized.

EXTENSION OF DEFENSE PRODUCTION ACT

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 10969) to extend the Defense Production Act of 1950, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of subsection (a) of section 717 of the Defense Production Act of 1950, as amended, is hereby amended by striking out "June 30, 1958" and inserting in lieu thereof "June 30, 1960."

The SPEAKER. Is a second demanded? [After a pause.] The Chair hears none. The question is on the motion.

The question was taken; and (in the opinion of the Chair two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. SPENCE. Mr. Speaker, the bill H. R. 10969 would extend for 2 additional years the remaining powers of the President under the Defense Production Act of 1950. This act will expire June 30, 1958, unless extended at this time.

Some of the powers contained in this act must be extended if we are to maintain production schedules on our missile program and other defense procurement programs. Other powers are needed for the development of longer range preparedness programs and others must be maintained on a standby basis for possible emergencies.

The committee's report on this bill includes a description of the remaining powers of the Defense Production Act and the committee's reasons for recommending that the act be extended for an additional 2 years. I would like to include the report as part of my statement:

EXTENSION OF DEFENSE PRODUCTION ACT

Mr. SPENCE, from the Committee on Banking and Currency, submitted the following report:

The Committee on Banking and Currency, to whom was referred the bill (H. R. 10969) to extend the Defense Production Act of 1950, as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The bill would extend for 2 additional years, through June 30, 1960, the remaining powers of the President under the Defense Production Act of 1950. These include power to establish priorities for defense contracts, limited power to allocate materials for defense purposes; authority to guarantee loans made in connection with defense contracts; authority to make loans and purchases to build up our defense capacity and assure adequate supplies of defense materials; authority for businessmen to cooperate voluntarily in meeting defense needs without violating antitrust laws; and provision for establishment of a reserve of trained executives to fill Government positions in time of mobilization.

These powers are now scheduled to expire June 30, 1958. They must be extended because some of these powers are needed now to maintain production schedules on missiles and other defense contracts; others are needed for longer range preparedness programs; and other powers must be maintained in readiness for possible future emergencies.

PRIORITIES AND ALLOCATIONS

The authority in title I of the Defense Production Act must be continued to assure prompt performance on contracts for guided missiles and other essential defense procurement contracts. Under this priority ratings are established which require defense contractors to give preference to procurement contracts let by the Department of Defense and the Atomic Energy Commission, over any other contracts such suppliers may have. This power is now being used to assure that orders for missiles are given top priority over all other production.

In addition to these priority powers, title I contains limited authority to allocate materials and facilities for defense purposes. This allocation authority is the basis for the defense materials system, under which producers of basic forms and shapes of steel, copper, aluminum, and nickel alloys are required to set aside certain percentages of their production to fill identified orders of the Department of Defense and the Atomic Energy Commission.

EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY

Authorities to facilitate expansion of productive capacity and supply needed for the defense effort are contained in title III of the act.

The loan guaranty provisions contained in section 301 of the act are particularly useful to the procuring agencies in assisting their contractors in securing working capital and additional equipment needed for the performance of defense contracts. Guaranties are provided on loans made by public and private financing institutions. A guaranty fee is charged which is related to the percent of guaranty granted on the loan. This fee is expressed as a percentage of interest charged on the loan. For instance the fee on a loan enjoying a guaranty of 70 percent or less is set at 10 percent of the interest payable by the borrower. On a loan with over 95 percent guaranty the fee may amount to 50 percent of the interest payable by the borrower. The interest rate on guaranteed loans may not exceed 6 percent. Administrative expenses are paid out of guaranty fees and interest on loans receivable. Through the end of March 1958, loan guaranty agreements in the amount of $2.9 billion had been authorized. As of that date the total amount of such loans outstanding was $367 million with $282 million of that amount guaranteed under the agreements. In addition $139 million was available to borrowers under guaranty agreements then outstanding. Net receipts after expenses to the guaranteeing agencies from September 1950 to March 31, 1958, amounted to $29.2 million. Allowing approximately $2 million for outstanding loans which may be uncollectible, the net profit to the Government amounts to approximately $27.2 million under the program.

The rapidly changing character of the military program requires frequent shifts in weapon emphasis and consequent accelerations and modifications of new weapons production; particularly is this true of the missile program. Guaranty assistance under section 301 is likely to be of continuing importance for some time because of the difficulty in financing new types of production without guaranties of this type. The typical guaranty agreement covers loans outstanding at any one time up to a specified amount. Since these loans are usually short term, several dollars may be loaned and repaid under the guaranty agreement for each dollar of guaranty authority specified in the agreement. For instance, in the period from July 31, 1956, to July 31, 1957, disbursements under this program on a revolving fund basis amounted to approximately $1.2 billion. From July 31, 1957, through April 30, 1958, such disbursements have approximated $1 billion.

The lending authority provided under section 302 of the act has not been used extensively. The authority is used to provide Government loans to expedite defense production by business concerns which are unable to obtain the needed credit from private sources. The function of making and administering loans to domestic private enterprises under this section of the act is exercised by the Secretary of the Treasury upon certification for essentiality by the Office of Defense Mobilization. As of March 31, 1958, such gross loan certifications amounted to $386 million. Cancellation of certifications and retirements have reduced that figure to a balance due the Government of $200 million as of that date. Most of the programed mobilization plant expansion for the defense effort has been financed by private capital.

Extensive use has been made of the procurement authority under section 303 to assure adequate supplies of defense materials. The Defense Production Act inventory, together with other stockpiling activities under the Stockpiling Act, has substantially reduced the threat of wartime shortages of materials needed for defense. As these inventories have been built up, new use of this authority has slackened markedly. In the first 3 quarters of the current fiscal year the net increases in new procurement contracts and contract amendments were $2,068,000 for July–September 1957, $10,224,000 for October–December 1957, and $6,710,000 for January–March 1958. These figures represent new purchases contracted for, less reductions in previously existing contracts.

While the lending authority of section 302 and the long-term procurement and other authorities of section 303 have been used sparingly in the last year or more it is likely that critical needs for such assistance will arise from time to time. Accelerated research and development of new weapons may result in sharp increases in requirements for key materials, such as rocket fuels and high-temperature alloys, and a need for new or expanded processes and capacity to produce critical items.

VOLUNTARY AGREEMENTS

Section 708 of the Defense Production Act authorizes the granting of an exemption from the antitrust laws for private parties voluntarily engaging in combined actions found to be in the public interest as contributing to the national defense. Under this authority there are presently in force 16 agreements establishing integration committees for the Department of Defense. Those committees consist of all current and prospective contractors with the Department of Defense for the military end item involved and, by exchanging information, techniques, and processes, are able to develop production practices, standardized parts and other devices for achieving a more efficient and uniform product. Those committees perform a valuable service for the current military programs and also provide a broad base of informed producers capable of a rapid expansion of military production in the event of war.

Other voluntary agreements have been entered into under this section to deal with existing and potential shortages. An example

is the agreement on foreign petroleum supply, which greatly helped in maintaining oil supplies for our Armed Forces and our allies during the Suez crisis. Under this agreement, petroleum suppliers changed their normal business operations and worked together to fill essential needs during the emergency.

At the same time the act provides for studies of such agreements by the Attorney General to guard against any unwarranted effects on competition or injury to small business. This provision has resulted in modifications of two agreements to meet objections raised by the Attorney General, and yet achieve the important defense objectives of the agreements.

EXECUTIVE RESERVE PROGRAM

Under section 710 (e) of the Defense Production Act, each agency having mobilization responsibilities is authorized to set up and train a reserve of persons from private life and from Government to fill executive positions in the Federal Government in time of mobilization. Under this program 14 agencies have established such reserves and as of the middle of May had enlisted about 1,150 reservists. The reservists are being made familiar with the various mobilization plans related to their expected wartime positions and they participate in test exercises such as the annual Operation Alert. The immediate availability of such an executive reserve, capable and informed, to perform the many urgent administrative jobs would meet one of the most difficult problems of a rapid full-scale mobilization.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

* * * * *

"SEC. 717. (a) Title I (except section 104), title III, and title VII (except section 714) of this act, and all authority conferred thereunder shall terminate at the close of June 30, [1958] *1960*."

Mr. TALLE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HENDERSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HENDERSON. Mr. Speaker, at a time when the United States requires that this Nation's strategic mineral resources and production strengths be safeguarded, we must be continuously alert that we are taking the necessary measures to maintain and improve our national security. The Defense Production Act of 1950, over the past 8 years, has served as the legislative basis upon which this Nation's mobilization mechanism has been built.

I believe that the country will generally concur that the work done thus far has been effective and has made great strides toward building a safer and a more prepared America. However, the Defense Production Act must be continued so that the broad mobilization authority it contains will not be impaired. In this period of partial mobilization, the programs which are based upon authorization contained in this act must be maintained. It would be a grave error if the program was now terminated through our failure to act wisely today. The present international situation alone should be sufficient reason for this act to be extended to the proposed additional 2 years. I should also like to point out that today there is no time after a declaration of war to create the methods, procedures, and techniques of economic mobilization. They must be in being already and they must be based upon continuing study and the dynamics of economic and military power today. These techniques demand the resilience and response to change which is reflected in the programs and the agency functioning under the authority of this act.

Changes in American science occur too rapidly for us to assume that there is no longer a need for this continued action in defense mobilization. As technology discovers new and improved materials that should be stockpiled, it is folly to assume that the present stockpile programs would be added. New metals must be added. Alterations and changes are continuous and constant. New rates in weapon production, that are considered under the jurisdiction of this act, indicates the need for continued assistance in obtaining capital and equipment for those industries producing them. Since the changes of weapons occur so rapidly, it would be dangerous to delay vital production or to fail to mothball production facilities that could one day determine our success in war. It would be equally dangerous to feel that we can anticipate each change, and that we can handle each problem as it develops without constant and comprehensive preparation which we hope will never come.

There is every indication that the Defense Production Act has worked effectively through the functioning of the Office of Defense Mobilization, and that it will continue to do so. The purpose of the Defense Production Act was to facilitate the production of goods and services necessary for the national security. I believe that this function has been carried out very well as of this date, and feel that the Nation's security demands the fulfillment of this function on a continuing basis for the foreseeable future.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. BROWN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, H. R. 10969 has as its purpose the extension of the Defense Production Act for a period of 2 years, and does not change the existing law. This bill has been favorably reported by the Committee on Banking and Currency. I favor the extension of the Defense Production Act for the 2-year period which has been favorably reported by the committee.

The Defense Production Act was first passed in 1950, and has been one of the main authorities under which preparedness measures have been developed. The objective of the act is to provide for the national defense and the national security. The need for authority to provide the means of supplementing and accelerating defense programs was recognized at the time the act was first passed, and that need continues to exist. Responsibilities under the act are performed by various departments and agencies under the direction and coordination of the Director of the Office of Defense Mobilization. This legislation is important to both the support of military and atomic energy programs and for the development of plans and programs in furtherance of our nonmilitary defense.

It is pointed out in Committee Report No. 1873 that this legislation includes powers to establish priorities for defense contracts, limited power to allocate materials for defense purposes; authority to guarantee loans made in connection with defense contracts; authority to make loans and purchases to build up our defense capacity and assure adequate supplies of defense materials; authority for businessmen to cooperate voluntarily in meeting defense needs without violating antitrust laws; and provision for establishment of a reserve of trained executives to fill Government positions in time of mobilization. It is stated in this report that these powers must be extended because some are needed now to maintain production schedules and other defense contracts; others are needed for longer range preparedness programs; and other powers must be maintained in readiness for possible future emergencies.

The Defense Production Act has provided much of the authority under which we have been able to expand our supply of strategic and critical materials. We have acquired a stockpile of approximately $6 billion in materials, which materially strengthens our national defense. This act will provide the means for the acquisition of such strategic and critical materials as continue to be in short supply or which may later prove to be in short supply due to changes in defense requirements. The Defense Production Act continues to recognize the possible need for both research and the development of technological processes to meet the changing requirements for different materials.

It is indicated in the committee report that title I of the act is now being used to assure that orders for missiles are given top priority over all other production. It is further indicated that while the authority for both lending and procurement have been used sparingly in the last year or more, it is likely that critical needs for such assistance will arise from time to time. It is also recognized that accelerated research and development of new weapons may result in sharp increases in requirements for key materials, such as rocket fuels and high temperature alloys, and a need for new or expanded processes and capacity to produce critical items. The Defense Production Act aided in providing the means for maintaining oil supplies for our Armed Forces and our allies during the Suez crisis, and its provisions are geared to the needs of national defense.

It is my belief that the current defense needs require that the Defense Produc-

tion Act be extended for the 2-year period favorably reported by the Committee on Banking and Currency.

EXTENSION OF EXPORT CONTROL ACT OF 1949

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3093) to extend for an additional period of 2 years the authority to regulate exports contained in the Export Control Act of 1949.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the Export Control Act of 1949 (63 Stat. 7), as amended, is amended by striking out "June 30, 1958" and inserting in lieu thereof "June 30, 1960."

The SPEAKER. Is a second demanded?

Mr. TALLE. Mr. Speaker, I demand a second.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky [Mr. SPENCE] is recognized for 20 minutes, or so much thereof as he may desire to use.

Mr. SPENCE. Mr. Speaker, this bill would extend the Export Control Act of 1949 for 2 years from June 30, 1958. This act was passed in order to conserve the resources of the United States and to see that the products that are in short supply be not exported, and that those products which are of strategic value be exported only to the extent as is determined by the Department of Commerce and in such a way that these materials would not come under the influence of the Sino-Soviet bloc. It is a defense measure. It is a measure that is essential to our domestic economy. It is a measure that is essential to our national security. It has been a means by which the products that are necessary for our domestic economy be not exported except under proper control, and that those exports which have a strategic value be prevented from being delivered to nations behind the Iron Curtain.

I can see no objection to the passage of the act. I think it would be a tragedy not to pass it. It means much for our defense and much for our peace, because these measures are not only for our defense but they mean much also for the peace of our Nation. The stronger we are the less apt we are to be drawn into war.

The operation of this agency has been very successful; it has been the means of retaining here many of the goods that were in short supply in order to preserve our stocks of those materials which are so essential to our national peace and welfare and the future of our country.

Under leave to extend my remarks, I wish to insert the report of the committee on the House bill in order that a more detailed description of the operation of this act is available to the Members of the House. The provisions of the House bill and the Senate bill are identical. I hope the bill will be passed.

EXTENSION OF EXPORT CONTROL ACT OF 1949

Mr. SPENCE, from the Committee on Banking and Currency, submitted the following report:

The Committee on Banking and Currency, to whom was referred the bill (H. R. 10127) to extend for an additional period of 2 years the authority to regulate exports contained in the Export Control Act of 1949, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF BILL

H. R. 10127, as reported by the committee, would extend the Export Control Act of 1949 for a period of 2 years from its present termination date of June 30, 1958. This act, which is administered by the Secretary of Commerce, authorizes the regulation of exports to the extent necessary (1) to protect the domestic economy from excessive drain of scarce commodities, (2) to safeguard the national security insofar as it might be adversely affected by exports of strategic commodities, and (3) to further our foreign policy.

"SECURITY" CONTROLS AND "SHORT SUPPLY" CONTROLS

Controls under the Export Control Act are basically of two types—"security" and "short supply" export controls.

Security export controls are designed to regulate the flow of strategic commodities from moving directly or indirectly to the Sino-Soviet bloc.

Short supply controls are applied in order to carry out the policy of protecting the domestic economy from an excessive drain of scarce materials.

SECURITY CONTROLS

The need for controls over exports of strategic commodities will probably continue for the foreseeable future. The major effort of the Department of Commerce in this field has been directed to keeping strategic goods from moving directly or indirectly to the Sino-Soviet bloc.

During 1957 the policy toward Poland was revised and Poland is now accorded more favorable treatment than other eastern European countries. The new policy, in addition to greatly smiplifying trade controls toward Poland, permits the licensing of commodities on the "positive list of controlled commodities," which were formerly denied to Poland, under circumstances where it can be demonstrated that the commodities involved are in reasonable quantities and necessary for the Polish economy. The changed regulations were designed to carry out this country's policy of increased trade with Poland in accordance with the more general United States foreign policy objective of helping any nation to exercise the freedom and independence desired by its people.

SHORT SUPPLY CONTROLS

In the past quantitative limits or quotas for exports have been established for many commodities in short supply; however, at this time only four commodities—nickel metal and certain grades of nickel scrap, certain industrial diamonds, re-rolling rails, and Salk vaccine—are under stringent control.

While not now being used extensively, the power to exercise this kind of control should be retained, because experience shows that our domestic supply of an important commodity can change suddenly. The committee wishes to make it quite clear that the Department should continue to use care in the licensing of commodities that appear to exhibit this tendency.

EXPORTS OF IRON AND STEEL SCRAP

The committee in extending the Export Control Act of 1949 in 1956 made it clear to the Department of Commerce that the intent of Congress in approving this extension was to provide the Department with ample authority to protect domestic industries which are essential to the welfare and security of the Nation, such as the semi- and non-integrated steel producers, from economic injury due to excessive exports.

The Secretary of Commerce stated, during his appearance before the committee on the present extension of the act, that presently "* * * overall supplies of scrap are believed to be adequate to meet current domestic needs as well as essential requirements of friendly foreign countries, and export controls are now being maintained primarily as a means of surveillance against sudden excessive exports * * *." The committee has noted, however, that the Department's "Supplemental Report on Iron and Steel Scrap" of February 21, 1958, states that, although the total future scrap supply would be adequate, withdrawals of heavy-melting grades of scrap from the scrap reservoir would exceed the additions to the reservoir during the next decade. Obviously, this condition could adversely affect the domestic industry in the event of a sustained emergency or other cause by producing a shortage in this essential commodity. The Department is urged to continue to exercise surveillance over the rate of withdrawal of the heavy-melting grades from the scrap reserve.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"EXPORT CONTROL ACT OF 1949

* * * * *

"Termination date

"SEC. 12. The authority granted herein shall terminate on June 30, [1958] *1960*, or upon any prior date which the Congress by concurrent resolution or the President may designate."

Mr. TALLE. Mr. Speaker, I agree fully with the statement made by the distinguished gentleman from Kentucky [Mr. SPENCE], chairman of the Committee on Banking and Currency.

The purpose of the pending bill is twofold: First, to protect our domestic economy in the event there should be a shortage of any supplies needed in our own country; and, second, there is the vital matter of the security of our country. Under this law certain strategic materials must be licensed for export, or they may not be exported.

Over the years quite a number of materials have been on the export list requiring export licenses. As of today there are only four that are under stringent control. Those four are nickel metal and some nickel scrap; second, some kinds of industrial diamonds; third, rerolling rails; and, fourth, Salk vaccine. It is the task of the Department of Commerce to keep a watchful eye on such materials, and the agency does so.

Mr. Speaker, I urge passage of this bill and I know of no reason for taking additional time. I do, however, wish to yield 5 minutes to my colleague, the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I requested a second on this bill because I thought there ought to be an explanation of it, and I am glad my colleague from Iowa has given us some information with respect to the bill.

I notice a number of cases in which the Government has tried to put a stop to the export of strategic materials, but find very few cases where there has been more than a slap on the wrist to those who have violated export controls on strategic materials. I wonder if anyone on the committee can tell me whether the act which is supposed to provide teeth in controlling exports of strategic materials, in other words, the Battle Act; I wonder if any member of the committee can tell me whether and when the provisions of the Battle Act have ever been invoked. When, in fact, have we ever cut off foreign aid to a country which has shipped strategic materials to a Communist country? Can anyone on the committee tell me when the Battle Act was ever invoked? If I cannot get an answer, I must assume it is a dead letter in the law today. Yet we are spending a good deal of money maintaining a staff to administer the Battle Act. We are also spending considerable money on a staff of perhaps 300 people allegedly to enforce export controls. I wonder if we cannot address ourselves to a substantial reduction in personnel when another extension of this act comes up for consideration?

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. SPENCE] that the rules be suspended and the bill be passed.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar House bill (H. R. 10127) was laid on the table.

Mr. TALLE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, I take this time during the consideration of S. 3093, the bill to extend for 2 more years the Export Control Act of 1949, to discuss a decision which I have been following for the past several months made by the Department of Commerce under its authority to administer the Export Control Act.

In my opinion, the decision is far-reaching and has the appearance of a shift in the position in regard to trade with the Communist bloc, and could well be a precedent toward a general watering down of our strict prohibitions concerning trading strategic materials, supplies, and data with the Communists.

I view this decision with greatest concern and believe that the occurrence points to the need for a complete study and evaluation of the administration of the export control program and of the need for making a clear-cut determination of what our export control policy is to be, consistent with the welfare and security of our entire Nation, as well as the interests of United States business and commerce.

The decision I am referring to was made on February 21, 1958, by the Department of Commerce to the effect that it would give favorable consideration to applications to export technical tire production know-how to the U. S. S. R. either directly or indirectly through the United Kingdom.

This decision was made, the Department has stated, on the urging of American firms who were interested in selling technical data to a British firm which holds a contract for the equipping of a large tire factory in the Soviet Union.

The tire plant in question is an ultra-modern factory which, at a reported cost of $42 million and a capacity to manufacture 2 million tires a year, would be one of the largest tire factories outside of the United States.

The equipment order for the plant has been placed by the Soviet Union with Rustyfa, Ltd., a combine of five British companies. It is to be built at Dnepropetrovsk in the Ukraine.

What the Commerce Department did in this instance was to reverse a ruling it made about a year ago denying an application for the export to the British combine of technical data for the design and layout of this large Russian tire factory, and granted permission to American firms to sell such technical know-how directly to the U. S. S. R. or indirectly through the United Kingdom.

It is my opinion that this decision is contrary to our national security and welfare and that, both in its immediate and in its broader, long-range implications, may very well represent a weakening of our efforts under the Export Control Act to place effective restraints on the movement from this country of strategic materials and technical know-how that could be used to strengthen the Soviet war machine.

In an effort to learn more about the significance to this decision as to the welfare and security interests of the United States, and to help confirm my opinion, I sent a letter to the Department of Defense requesting its views on the Soviet tire industry and whether the Soviet war machine would be significantly strengthened if tire production facilities in the U. S. S. R. were increased.

In a very firm and forthright statement, the Department of Defense stated that in its opinion, any assistance extended to the Soviet tire industry would be a significant contribution to the war-making capabilities of the Sino-Soviet bloc and from a military point of view would be contrary to the security interests of the United States.

Here is what the Department of Defense stated in its letter to me, dated April 8, 1958, concerning our extending assistance to the Russian tire industry:

> In the opinion of the Department of Defense any assistance extended to the Russian tire industry, either in providing production facilities, technology, or export of tires by United States firms, would constitute a significant contribution to the buildup of the warmaking capabilities of the Sino-Soviet bloc. From a military point of view this would be contrary to the security interests of the United States.

As it turned out, that part of the Department of Commerce decision allowing United States firms to sell technical data to Soviet Russia indirectly through a British company is at this point largely academic, for the American firm that reportedly was most interested in selling its know-how to the British for the Russian tire project did not receive the subcontract for design and layout of the plant. According to an official British trade journal, the subcontract in question was let to a British firm way back last April 1957, almost a year before the Department of Commerce changed its position, and decided to allow American firms to export the technical data and know-how. It is therefore very difficult to see why the decision was made at all. I intend to discuss this aspect of the matter again a little later.

At this point, I would like to give part of the background of the Department of Commerce decision in this case. In June 1957, I wrote to the Department concerning this matter since it administers the Export Control Act, which authorizes the control of exports from the United States, its Territories, and possessions, of articles, materials, or supplies, including technical data for the purpose, among others, of exercising vigilance over exports from the standpoint of their importance to national security.

My purpose in inquiring last June 1957, was to obtain information and details in connection with reports that American firms were discussing with British companies the possibility of participating in a Russian tire plant project. It seemed incredible to me, since I have been under the impression that tires were a strategic item, that this Nation would even consider helping build up the Communist war potential by participating and helping them build up this industry.

In answer to my inquiry, the Director of the Bureau of Foreign Commerce, Department of Commerce, wrote back stating that a British company had discussed with several American engineering companies the possibility of American participation in the project. He stated however that since the proposed Soviet plant is designed to produce a number of tire sizes and types considered strategic in this country and would not be approved for export to the U. S. S. R., and since it seemed probable that the tire plant would be devoted principally to military production, the Department of Commerce was of the opinion that American technology should not be licensed for export to the U. S. S. R. Applications for export of technical data were therefore denied.

The Director, in commenting generally on the availability of this type of technology in the United Kingdom and various other countries abroad, and the probable result of denying the applications of American firms to export their technical know-how, said:

> The British undoubtedly can build this plant. I am, however, convinced that without the up-to-date plant engineering and broad experience that is available in this field only from outstanding United States engineering firms, the Russian tire plant in all probability will encounter considerable delay in becoming operative with some impairment both in the efficiency and quality of the eventual production.

He also stated:

> We remain strongly of the opinion that we should not assist Russia in setting up this major production unit.

That seemed to have settled the matter, and in my judgment, the Department of Commerce acted wisely.

Suddenly, however, on February 24 of this year, I received information from the Department stating that it had changed its position and had on February 21, 1958, sent telegrams to United States firms who had been in contact with Commerce concerning the Russian tire plant project indicating the change of position, and stating that American firms could export technical data direct to the U. S. S. R. or via the United Kingdom. The Department of Commerce stated in its telegram to the United States firms:

Re your inquiry of some time ago as to the Department's views on exporting technical data to the U. S. S. R. for the design of a tire plant, this is to advise you that the Department's position has changed respecting this project. Accordingly we can now give favorable consideration to an application for direct shipment of such data to the U. S. S. R., or via the United Kingdom, if an application is filed in accordance with the applicable regulations. Evidence of a firm order should be submitted with the application.

No explanation was given as to why this country was suddenly going to help the U. S. S. R. tire industry. In view of what I believed was a very firm and responsible position taken just last year by the Department of Commerce, this seemed to be an unfortunate and curious decision. What should cause the Department to change its position, especially since there did not appear to be any change in the situation, in my opinion, which would warrant our now sending technical information to the Soviets?

I naturally inquired as to the reason for this reversal of position. Here is what I was told by Commerce:

Primarily the change was brought about by the continued United Kingdom refusal to accept the original United States view that the plant should not be designed or built for the Russians. In this regard I believe it should be borne in mind that export control can never be more than a delaying action and as a matter of fact the United States position had already resulted in a considerable delay in the actual construction of this factory. It was determined, first, that no further significant delay would be possible because of the willingness of the United Kingdom to build the plant and second, that little more than the frustration of United States engineering companies would result from continued refusal to permit the export of technical data for this plant. An ad hoc decision was therefore taken on the basis of these factors. This does not change in any way the United States position with respect to the control of exports to the Soviet bloc of data considered to be of strategic significance.

I believed that the reasons advanced by the Department of Commerce for the reversal of its previous ruling were unacceptable. Let us inspect, part by part, what was contained in the Department's letter. First it said:

Primarily the change was brought about by the continued United Kingdom refusal to accept the original United States view that the plant should not be designed or built for the Russians.

To this my reaction was: Why should the United States change its position at the insistence of the United Kingdom when the change apparently will help nullify the possible full effect of the Export Control Act of 1949, which is dedicated to a policy of not supplying the Soviet war machine?

The letter continues:

In this regard I believe it should be borne in mind that export control can never be more than a delaying action and as a matter of fact the United States position had already resulted in a considerable delay in the actual construction of this factory.

Is there any reason why export control should not continue to be used to impede as much as possible the build-up of Soviet war potential?

Then it states:

It was determined, first, that no further significant delay would be possible because of the willingness of the United Kingdom to build the plant and second, that little more than the frustration of United States engineering companies would result from continued refusal to permit the export of technical data for this plant.

Why not expend all-out effort in an attempt to impress upon the United Kingdom the danger of dealing with the U. S. S. R.? And if they are nonetheless willing to build the plant, let them do so alone, instead of cooperating with them in dealing with the Communists. Why should the frustrations of United States engineering companies be placed ahead of the welfare and security of the United States?

The letter then states:

An ad hoc decision was therefore taken on the basis of these factors.

What is the use of having a statute, rule, regulation, and so forth, if it is going to be rendered meaningless, in effect, by ad hoc decisions?

The concluding sentence is:

This does not change in any way the United States position with respect to the control of exports to the Soviet bloc of data considered to be of strategic significance.

I do not see how this statement could possibly be made. Less than a year ago it was the position that such export should be denied. That position has been reversed. I do not see how this could be anything other than a change of position, since the facts surrounding this matter seemed to be so much the same as last June 1957 when the applications were denied.

In addition, why was it deemed necessary by the Department of Commerce to change its position to the extent it did so as to allow export of technical data directly to the U. S. S. R.? The matter on which it was ruling supposedly concerned the shipment of data to the United Kingdom.

I, of course, indicated my deep dissatisfaction to the Commerce Department for the justification advanced for the reversal of position in regard to this matter.

In answering this further inquiry on why its previous position had been reversed, the Department of Commerce then stated:

From time to time, since the denial of that original application, this matter has been reviewed at the request of the interested United States firms. Recently the Secretary consulted with a number of the rubber-tire manufacturers and was informed that the know-how for the design of such a plant was now available in several countries outside the United States and could be purchased by the Russians elsewhere. He therefore decided that continued refusal to permit American firms to participate in the building of this plant would not frustrate the ultimate building of the plant.

So the welter of words contained in my first response from the Department thus sidestepped without so much as a word of further comment on my protestations against helping build up the Communist war machine, what was apparently the real reason was advanced, to the effect that comparable information was already available in countries outside of the United States. The implication, of course, has to be that the security of our country would not be adversely affected by a buildup of the Russian tire industry through the use of United States technical data supplied either to another country for shipment to Russia, or shipped directly to Russia.

I stated earlier that I would discuss further the fact that the subcontract to be let by the British combine did not actually go to an American firm but was awarded to a British firm a year ago. It is very difficult to say why the Department made what it calls an ad hoc decision after the subcontract to provide the technical services was let, since the decision was supposedly made expressly to allow United States firms to export data for that one particular project. The reasons are best known only to the Commerce Department. It has been conjectured, however, that the American firm, fully realizing that the subcontract in which it was interested had been let, pressed for a ruling from Commerce anyhow to set a precedent for future ad hoc decisions. Whether that is true I do not know, but it appears it may well have been the case.

I believe that two all-important questions necessarily emerge at this point which must be considered.

One of these is whether Britain possesses tiremaking technology comparable to United States firms. This must be considered since the previous Commerce decision was overruled on the basis that Britain did possess such knowledge and therefore that permitting its export would not be contrary to our national security, and further, that if such export was denied, United States business would be frustrated.

I would like to read part of a letter I received from the president of a firm dealing in tiremaking equipment and technology similar to the one which was reported to be the firm interested in obtaining the subcontract to furnish the British combine with technical information for the Russian plant. He said:

The statement that Europe and the Near East already have American know-how is ridiculous. This can be easily refuted by pointing out that half of Europe is over here now trying to buy such know-how.

The president of a large rubber company wired to me as follows:

As matter of national interest we question wisdom of contemplated transmittal to Russia of more recent tire manufacturing

techniques particularly with reference to large plant operations but doubt any adverse effect on United States tire industry. Our information is Dunlop, United Kingdom, is advising Russia and can competently perform although technology in Britain is not as advanced as it is here.

The president of another company expressed doubt generally, but said one British company might have such knowledge. His statement was:

I do not believe that comparable technical information specifically for tire manufacture exists outside the United States, with one exception. I think that the British in the Dunlop plants do possess technical skills that might be comparable to those of the United States.

Then of course there are the findings of the Department of Commerce itself of a year ago, when it denied the application for export.

I want to make clear that I am not drawing any hard and fast conclusions on the quality of British tire production technology nor impugning their motives. What I do feel, however, is that there is sufficient doubt about the proposition advanced by the Department of Commerce that technical tire manufacturing know-how comparable to ours exists in that country to cast grave doubts on the decision to overrule the prior ban on allowing it to be exported for use in the Soviet plant, without a full and complete study of the matter.

The other consideration is that we must inquire into is the condition of the Russian tire industry for as I have stated the Department of Commerce granted permission for shipment of such data directly to Russia.

I would like to discuss in some detail the tire industry in Russia for this is of course very pertinent information to consider in making a decision as to whether we should go ahead and allow the shipment of American technical data and know-how to the U. S. S. R. This is some of the information I have gathered.

According to reports, production capacity in the U. S. S. R. has been expanded greatly since World War II and an ambition for further expansion was laid out for the period 1956–57 in the now abandoned sixth 5-year plan. However, the U. S. S. R. tire industry is characterized as being of low efficiency as compared with the United States and most Western European countries. The technology employed in the U. S. S. R. is not as advanced and the finished products are poorer in quality.

The Soviet Union makes generally the same types of tires as the United States. However, the Soviets manufacture a much larger percentage of truck sizes than the United States, because passenger cars constitute less than 15 percent of the total of motor vehicles in the U. S. S. R. In 1956, the motor vehicles in Soviet Russia consisted of about 2,500,000 trucks, 350,000 automobiles, and 25,000 buses. In that year, highway transportation accounted for less than 5 percent of the total freight ton kilometers of hauling in the U. S. S. R.

The Soviet sixth 5-year plan called for doubling 1955 production by 1960 or an annual increase of about 15 percent. The labor force, however, was to increase only 40 percent. Sixty percent of the increased production was to come from existing tire plants and 40 percent from new plants.

At the beginning of 1956 the U. S. S. R. had 8 tire plants located at Moscow, Kirov, Leningrad, Omsk, Sverdlovsk Voronezh, Yaroslavl, and Yerevan, and at least 4 additional plants were to be built by 1960. Tire production actually increased only 10 percent during each of the first 2 years of the plan period—1956–57.

In Russia the trucks used for military and civilian purposes are the same, except that the military trucks have dual rear wheels, and military and nonmilitary tires are of similar dimensions, except that the former have more plies of cord to give additional strength. Hence, any tire produced has at least a potential military application.

The similarity between trucks used in the civilian life in Russia and the military truck as we know it is what was of particular significance to me when I was in the U. S. S. R. last fall. The widespread use of trucks there was very striking. Trucks seemed to be used for most everything. One would see groups of various kinds, labor forces, and so forth, being hauled around in trucks all of which could very easily be pressed into use for military purposes.

A report obtained by me on the Russian tire industry says:

The quality of Soviet tires is inferior by United States standards. A Soviet technical journal recently estimated that 50 percent of the Soviet tires withdrawn from service were removed because of failures resulting from poor construction, and the remainder because of tread wear. A Soviet truck tire will give an average of about 20,000 miles of service as contrasted with 50,000 miles or more for the United States product. Some of this difference is no doubt due to the more severe conditions, including poorer roads and an extreme climate under which Soviet trucks must operate.

The report continues:

Soviet factories make about 4.5 tires per year for every vehicle in the country, while United States factories produce about 1.6 tires per vehicle. The Soviets are aware of the importance of improving the quality of their tires. A recent Soviet press statement estimates than an improvement of only 10 percent in durability would save 50 million rubles ($12.5 million at the official rate) for every million tires produced.

There are two principal causes generally regarded as the reasons for the inferior quality of Soviet tires; namely, a less advanced technology and poorer raw materials. According to qualified sources, the existing Soviet tire plants do not come up to United States standards.

The most modern factory, located in Moscow, uses equipment built in the United States some 20 years ago. Originally installed in the Ford plant at River Rouge, this equipment was purchased by the Government and shipped to the U. S. S. R. during World War II under the lend-lease program.

This project, at a reported cost of $10 million, was placed in procurement in 1942. It was designed to produce a minimum of 1 million military tires a year from U. S. S. R. rubber supplies. Included in the project was a powerplant to provide the required steam and electric power. Most of the plant was shipped by 1944, but owing to delays in construction, the factory did not produce tires before the end of the war.

Charles Deane, in his book, The Strange Alliance, describes in some detail the complete lack of cooperation given United States representatives who were trying to get the plant into operation.

Here is what he says, in part, concerning this project:

Although the American engineers were there to help get the plant into operation, the Russians would not tell them their plans, refused to consult them or to accept their advice. When our engineers attempted to anticipate difficulties and take preventive measures, they were rebuffed by the Russians, who told them that the work was progressing according to plan and that the Americans not concern themselves. Finally all the Americans save one became disgusted with the lack of progress, their own activity and frustration, and returned to the United States.

He also said:

When the military mission was closed in October 1945 the plant had still not gone into production nor was there any prospect of its doing so. Because of changes made by the Russians, the plant will never operate at more than 70 pecent of designed capacity, as opposed to River Rouge operation of 115 percent.

Soviet estimates are that man-hours of labor required per tire in the new plant to be purchased from the British will be 60 percent less than in the Moscow plant. The reduction may be as much as 80 percent as compared with the native built Soviet tire plants, which are even less efficient.

Reports are that the most serious raw material problem is caused by the fact that the U. S. S. R. has not learned to make special grades of carbon black essential for long wear. The Soviets are just beginning to make butyl rubber, which is essential for satisfactory tubeless tires and for superior inner tubes, only about one-third of Soviet tires are presently made with rayon or nylon cord. The balance contain cotton cord, which United States manufacturers consider inadequate for heavy-duty tires.

It is reported that 54 percent of all employees in Soviet tire factories in 1956 were engaged in hand labor. And judging from my personal observations while touring a Russian factory, it would be my opinion that a good share of this hand labor is performed by women.

Here is what the Department of Defense states concerning tire production in Russia:

Although tire production in Russia is adequate to meet military and civilian needs, the technology employed in the U. S. S. R. is not as advanced as in the United States and most Western European countries. In addition, quality of tires produced in the U. S. S. R. is inferior when measured by United States standards. Tires mounted on military and nonmilitary vehicles are of similar dimensions, except that the former have more plies of cord to give additional strength.

In view of the fact that the Soviet tire industry is much less developed than our own, it seems to me quite obvious that if United States firms are allowed to sell to the Russians the very latest and most modern tire technology in the world, the result could be nothing less than a substantial buildup of the Soviet tire industry.

Also, since in the U. S. S. R. a large percentage of the tires manufactured are for trucks, with those for civilian trucks being, except for the strength of the tire, the same as those for military, any increase in tire production in Russia would appear to almost automatically mean an increase in production of tires for potential military use.

These to me seem compelling reasons why our country's technology should not be used to build up the Soviet tire industry.

There is another aspect of this matter which I believe should be explored. The Export Control Act, section 4 (a) provides:

> In determining which articles, materials, or supplies shall be controlled hereunder, and in determining the extent to which exports thereof shall be limited, any department, agency, or official making these determinations shall seek information and advice from the several executive departments and independent agencies concerned with aspects of our domestic and foreign policies and operations having an important bearing on exports.

Now the matter I want to discuss is this: It will be noted that section 4 (a) provides that in making these determinations as to which materials should be controlled, the act provides that any department, agency, or official making these determinations shall seek information and advice from the executive departments concerned.

One would certainly think that this provision would make it mandatory upon the administering agency to consult with the Department of Defense, for its views, especially in a matter as important as supplying assistance to Russia to make tires since we all know that the modern army moves almost exclusively on tires.

I do not have information as to whether or not the Department of Defense was consulted prior to the decision by the Department of Commerce that technical tire information could be shipped directly or indirectly to Russia. It would seem not, for, as I have said previously, the Department of Defense has stated that in its opinion, any assistance provided to the Russian tire industry, either in providing production facilities, technology, or export of tires by United States firms would, from a military point of view, be contrary to the security interests of the United States.

In conclusion, there are various items of special significance concerning this matter which I should like to emphasize and comment upon.

First. The decision to allow export of technical know-how for shipment to the U. S. S. R. was made even though there appears to be, in my opinion, doubt that comparable technical information does really exist abroad. I feel enough doubt exists to call for a further, more complete study than appears to have been undertaken by the Department of Commerce. Certainly no doubt exists that in the U. S. S. R. itself the tire industry is much less far advanced than ours.

Second. The ad hoc decision to allow United States firms to export technical data expressly in connection with this particular project was made after the subcontract was let. It is difficult to understand why the decision was made at all.

Third. From information available, it seems apparent that most tires produced in the U. S. S. R. have a potential military value.

Fourth. Any assistance extended to the Russian tire industry, in the opinion of the Department of Defense, would be a significant contribution to the buildup of the warmaking capabilities of the Sino-Soviet bloc and from a military point of view would be contrary to the security interests of the United States.

Fifth. It appears at least quite doubtful that the Commerce decision was cleared with the Department of Defense for an opinion as to the probable impact on United States security from a military point of view.

I do not believe that a department of Government should have its hands tied in conducting the necessary business of Government. At the same time, I believe it is absolutely imperative that decisions by a department as in this case as to whether United States firms should be allowed to export technical data to help build up the Communist tire industry, or any movement of strategic goods directly or indirectly to the U. S. S. R., be thoroughly studied and evaluated for their effect on the welfare and security of the Nation.

I feel that the administering agency, the Department of Commerce, should consult with all other Government agencies involved concerning how its export policy determinations affect our domestic and foreign policies and operation, as provided for in the Export Control Act.

I do not know of any indication from the American people that they desire the United States to build up the Soviet bloc store of strategic materials. I feel sure that the American people do not desire that help be extended the U. S. S. R. in its so-called economic war against the West. Does anyone believe that the U. S. S. R. would help the United States or any other free country if the situation were reversed?

I feel that the time has come for Congress to take a sharp look at our export control policy. There undoubtedly are areas of commerce in which we can trade more or less freely for the mutual benefit of all concerned. But also let us not give away our strength and security where so doing may be detrimental to the welfare and interests of the United States. Congress should not sit back and allow department policies to go unheeded which we could live to regret.

I respectfully suggest that the appropriate committees of Congress open up this subject to study and in so doing allow an expression by the Congress and the American people as to what they believe our policies should and should not be.

EXTENDING FOR 2 YEARS AUTHORITY FOR TREASURY SALE OF UNITED STATES OBLIGATIONS DIRECTLY TO FEDERAL RESERVE BANKS

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12586) to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury.

The Clerk read as follows:

> *Be it enacted, etc.*, That section 14 (b) of the Federal Reserve Act, as amended (U. S. C., 1952 edition, supp. V, title 12, sec. 355), is amended by striking out "July 1, 1958," and inserting in lieu thereof "July 1, 1960," and by striking out "June 30, 1958," and inserting in lieu thereof "June 30, 1960."

The SPEAKER. Is a second demanded?

Mr. TALLE. Mr. Speaker, I demand a second.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include the committee report on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, this bill extends for a period of 2 years from June 30, 1958, authority of the Federal Reserve banks to purchase direct from the Treasury, obligations up to $5 billion. Its purpose is to maintain the operations of the fiscal affairs of the Treasury and to make it possible for them to operate more smoothly and without confusion. Frequently the funds in the Treasury, just before tax collecting time, become low and it is necessary to replenish them. Unless the Treasury has the privilege of selling these short-term securities to the Federal Reserve it would have to resort to the issuance of bonds which would take time and if they were not purchased readily by the people it would adversely effect the credit of the Nation.

Mr. Speaker, this privilege has been used very sparingly. In several of the years, in fact, in many of the years, this authority has not been used at all. The greatest amount which has been purchased at one time by the Federal Reserve banks has been a little over $1 billion. This authority has been found to be essential to the operation of the fiscal affairs of the Nation. It has not been abused. It has been operated with care and with restraint, and I think it has served a very useful purpose. It frequently has been resorted to tide over shortages which exist for only 2 or 3 days at a time, and has never been used for any permanent financing for a long term.

It is just an accommodation. It was used during the war, and under an emergency it might have to be used to a greater extent than presently. While the Treasury has not used the $5 billion at any one time, there might be contingencies in which it would be necessary to do so. I think it is essential that we should still give them the power they have asked to float these short-term securities so that there can be no question of their ability to obtain the funds to meet any contingency, and I hope that the bill will be passed without opposition.

For a detailed description of the method for using the power provided for, I insert the report of the committee on the bill:

EXTENDING FOR 2 YEARS AUTHORITY FOR TREASURY SALE OF UNITED STATES OBLIGATIONS DIRECTLY TO FEDERAL RESERVE BANKS

Mr. SPENCE, from the Committee on Banking and Currency, submitted the following report:

The Committee on Banking and Currency, to whom was referred the bill (H. R. 12586) to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

GENERAL STATEMENT

H. R. 12586 would extend until June 30, 1960, the present authority of the Federal Reserve banks to purchase securities directly from the Treasury in amounts not to exceed $5 billion outstanding at any one time.

Prior to 1935 Federal Reserve banks could purchase Government obligations either in the market or directly from the Treasury. The Banking Act of 1935, however, required that all purchases of Government securities by Federal Reserve banks be made in the open market. In 1942 the authority of the Federal Reserve banks to purchase securities directly from the Treasury was restored, but a limit of $5 billion was placed on the amount outstanding at any one time. The $5 billion authority was granted initially only through 1944, but the Congress has extended it from time to time so as to provide continuous limited direct borrowing authority ever since. The present authority was granted for 2 years and expires June 30, 1958.

The primary purpose of this direct borrowing authority is to help the Treasury and the Federal Reserve System work together in minimizing the disturbing effects on the economy of short-run peaks in Treasury cash receipts and disbursements, particularly around the time of quarterly income-tax payments. These short-run movements of funds are large, and precise estimates of their day-to-day patterns are often difficult. This direct borrowing authority in effect gives the Treasury an overdraft privilege with the Federal Reserve banks, thus permitting the Treasury to carry smaller cash balances than it would otherwise feel obliged to maintain in order to meet its day-to-day needs. It represents a useful fiscal mechanism for the Treasury and the Federal Reserve, and its use has avoided unnecessary financial strains on the money market on a number of occasions.

Treasury borrowing from the Federal Reserve banks under this authority has been used infrequently, and then only for short periods. The last time it was used was on March 17 and 18 of this year. Borrowing has exceeded $1 billion only rarely. The following table shows the use of the direct borrowing authority since 1942:

Direct borrowing from Federal Reserve banks

Year	Days used	Maximum amount at any time	Number of separate times used	Maximum number of days used at any 1 time
		Millions		
1942	19	$422	4	6
1943	48	1,320	4	28
1944	None			
1945	9	484	2	7
1946	None			
1947	None			
1948	None			
1949	2	220	1	2
1950	2	108	2	1
1951	4	320	2	3
1952	30	811	4	9
1953	29	1,172	2	20
1954	15	424	2	13
1955	None			
1956	None			
1957	None			
1958	2	207	1	2

The Treasury and the Federal Reserve have used the direct borrowing authority only to meet temporary requirements of the nature previously discussed. The authority is also, however, a safeguard that could be used in the event of any sudden nationwide emergency requiring heavy cash payments from the Treasury before securities could be sold.

During the hearings on this legislation, questions were raised concerning the lack of criteria to guide the Secretary of the Treasury and the Federal Reserve in exercising this authority. Recognizing that the purposes for which this authority could be used are not limited by the law, your committee requests the Secretary of the Treasury to study the desirability of spelling out such criteria in the law, and to submit to the Congress his recommendations concerning such criteria before any further extension is requested beyond the 1960 expiration date.

While admittedly this is a broad power, properly used it is a very useful one. It is a power which the committee believes automatically should be brought before the Congress for periodic review and hence the proposed extension of the authority for only a 2-year period. When the authority is in use a record of its use is included in the weekly statement of condition of the 12 Federal Reserve banks, which is published in newspapers on Thursdays of each week. Further, it may be pointed out existing law requires that the Board of Governors of the Federal Reserve System include detailed information with respect to use of this authority in its annual report to Congress.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"FEDERAL RESERVE ACT, AS AMENDED

* * * * * * *

"SEC. 14. * * *

"Every Federal Reserve bank shall have power:

"(a) * * *

"(b) To buy and sell, at home or abroad, bonds and notes of the United States, bonds of the Federal Farm Mortgage Corporation having maturities from date of purchase of not exceeding 6 months, bonds issued under the provisions of subsection (c) of section 4 of the Home Owners' Loan Act of 1933, as amended, and having maturities from date of purchase of not exceeding 6 months, and bills, notes, revenue bonds, and warrants with a maturity from date of purchase of not exceeding 6 months, issued in anticipation of the collection of taxes or in anticipation of the receipt of assured revenues by any State, county, district, political subdivision, or municipality in the continental United States, including irrigation, drainage and reclamation districts, such purchases to be made in accordance with rules and regulations prescribed by the Board of Governors of the Federal Reserve System: *Provided,* That, notwithstanding any other provision of this act, (1) until [July 1, 1958] *July 1, 1960* any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this act and the aggregate amounts of such obligations acquired directly from the United States which is held at any one time by the 12 Federal Reserve banks shall not exceed $5 billion; and (2) after [June 30, 1958] *June 30, 1960,* any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market. The Board of Governors of the Federal Reserve System shall include in their annual report of Congress detailed information with respect to direct purchases and sales from or to the United States under the provisions of the preceding proviso."

Mr. TALLE. Mr. Speaker, the chairman of the Committee on Banking and Currency has stated the facts pertaining to the pending bill correctly, as he always does. Under the original Federal Reserve Act of 1913 the Treasury could get money in two ways, either from the Federal Reserve banks or in the open market. In 1935 the law was changed so as to restrict the Treasury from getting money directly from the Federal Reserve, and for a period of 7 years the Treasury was obliged to go to the open market. In 1942 the old law was restored, except that a limitation of $5 billion was placed on the amount and an expiration date was fixed.

The Congress has renewed this authority for 2-year intervals over a period of time. As the chairman has stated, it is an authority that has been used very sparingly; in fact, during the 16 years that have elapsed since 1942 it has been used in 9 years only and it has not been used at all during 7 of those 16 years.

The purpose of this authority is to tide the Treasury over for short periods when its cash balance is low. Income receipts of the Treasury are on a quarterly basis and for that reason rather fitful—but expenditures must be made regularly. After all the Government must pay its bills. So, this is a convenient mechanism that can be used quickly and economically when the Treasury finds it necessary to use what in English banking is called an overdraft. It is, however, an overdraft which is within the debt limit of our Government and it is a debt on which the Federal Government pays interest. It is a very convenient device and no one can tell when some unforeseen incident may occur that would require the use of this authority. In 1958, for instance, it has been used

for only 2 days, March 17 and 18. The following day the money was paid back. That is a good illustration; it was used for only 2 days. But the fact that the Treasury could use the authority for those 2 days was very helpful in the management of Government finance.

Mr. Speaker, I know of no reason why this bill should not be approved.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, this is a potentially dangerous piece of financial legislation. I have said so before on the floor of the House and I reiterate it today. This is an extension of the legislation that the late Senator Taft of Ohio called a printing-press money bill. Perhaps there must be some legislation of this type, but it should provide for short-term financing only. There is nothing in this bill or the law that would preclude having outstanding at any one time, or at the end of any 2-year period, $5 billion in printing-press money that would have to be retired out of tax revenues.

If there was some provision in law which required that these certificates or Treasury notes be retired in a matter of days that would be a somewhat different story.

Mr. Speaker, I am not going to further oppose this bill. I simply want to put the House on notice as to the kind of legislation that is being renewed every 2 years.

Mr. SPENCE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN].

POWER IN LAW NOT USED ENOUGH

Mr. PATMAN. Mr. Speaker, the money issued under this provision is exactly the same type of money as is issued every day to the Open Market Committee. If one is printing-press money then the other is printing-press money. Every day the Open Market Committee, composed of 12 members, buy and sell Government bonds. They have the privilege of going to the Bureau of Engraving and Printing and getting our currency and exchanging that currency for Government bonds. Ordinarily you would think that would cancel the debt, trading one Government obligation for another. But in this case one does not cancel the other. They keep the Government bonds and draw interest on the bonds when it is due. In that way they collect about $600 million a year for which they do not account to Congress or anyone else. They just spend what they want to, and 90 percent of the remainder goes into the Treasury. If one is printing-press money then the other is. It is hardly logical, the way I see it, for anyone to contend that if the United States Treasury issues and sells bills in the open market and then the bills are bought by the Federal Reserve banks that the money used in the transactions is orthodox money, but if the Treasury sells directly to the Federal Reserve banks the money used is printing-press money. It is the same kind of money from the same place.

Mr. Speaker, I am for the bill. It does not go as far as I would like it to go. It could save the taxpayers a lot of money. The chairman is correct in saying that it has not been abused. I can even add that it has not even been used enough. It is seldom used. The only criticism I have is it has not been used in the public interest. The commercial banks have at all times from $3 to $6 billion in Government funds on deposit for which the banks do not pay the Government anything. The people are paying interest on that money that is in the banks. It is costing the taxpayers from $150 to $200 million a year to allow these banks to keep these free Government deposits. A lot of it is borrowed from the banks themselves, and the people continue to pay interest on that $3 to $6 billion at all times. It is costing the taxpayers from $150 to $200 million a year.

There is no reason for that if this power were used properly. If this power in the bill were used properly we would not have to keep those balances in the banks. I am not against helping the banks if they are entitled to it. If we should compensate them for anything that they are not compensated for, I say compensate them. But it is not even claimed that the banks should be compensated. That is not the question at all. It is a gift, a bonus, or a subsidy to the banks for which they render no service whatever. It is an unearned bonus or subsidy. I do not think we should continue it when it is unnecessary.

Remember this, that the money, from $3 to $6 billion that is in these commercial banks at all times through the year, is not even checked on by the Secretary of the Treasury. The Secretary of the Treasury never checks on this money. Another transaction must be made. The money has to be called into the Federal Reserve banks before it can be checked on. So it is beyond the reach of the Treasury on deposit in these banks, and it should not be. We should save the taxpayers from $150 to $200 million a year by using the authority that is in this bill.

Every week the Treasury sells bills. We sell them on a discount basis. Of course they are sold on Monday and they are not paid for until Thursday. That means a few dealers who buy these bills have until Thursdays to sell them at a profit, which they normally do. That is uncalled for. They could use the power in this bill and save the people a lot of that money, not all of it but a large part of it.

Furthermore, since it is related to the same subject, I suggested that the Treasury should not sell bonds at a fixed rate of interest which is say 3¼ percent or 3½ percent, but the Treasury should sell these bonds competitively. That is the way all the States sell their bonds. That is the way bonds generally are sold by corporations. So why should not the United States Government sell its bonds competitively and give everybody a chance, and in that way save the Treasury some money? The very minute that the three-and-a-quarter rate is announced the dealers buy them up and then sell them at a profit, and then they are competitively sold to anybody who wants to buy them on the market. Why should they not be sold competitively in the beginning? There is no reason why it should not be done. It would save the taxpayers a lot of money. It would give everybody a fair and equal chance to get one of the bonds if he wanted to. But as it is, a person going to buy one must wait usually until the dealer gets the bonds, and then they sell them and make a profit on them.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

Mr. ENGLE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 846) for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That in order to preserve, develop, and assure accessibility to all American people of present and future generations such quality and quantity of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural, and physical benefits that such outdoor recreation provides; in order to inventory and evaluate the outdoor recreation resources and opportunities of the Nation, to determine the types and location of such resources and opportunities which will be required by present and future generations; and in order to make comprehensive information and recommendations leading to these goals available to the President, the Congress, and the individual States and Territories, there is hereby authorized and created a bipartisan Outdoor Recreation Resources Review Commission.

SEC. 2. For the purposes of this act—

(1) "Commission" shall mean the Outdoor Recreation Resources Review Commission;

(2) "Outdoor recreation resources" shall mean the land and water areas and associated resources of such areas in the United States, its Territories, and possessions which provide or may in the future provide opportunities for outdoor recreation, irrespective of ownership.

(3) "Outdoor recreation resources" shall not mean nor include recreation facilities, programs, and opportunities usually associated with urban development such as playgrounds, stadiums, golf courses, city parks, and zoos.

SEC. 3. (a) The Commission hereby authorized and created shall consist of 15 members appointed as follows:

(1) Two majority and two minority members of the Senate Committee on Interior and Insular Affairs, to be appointed by the President of the Senate;

(2) Two majority and two minority members of the House Committee on Interior and Insular Affairs to be appointed by the Speaker of the House; and

(3) Seven citizens, known to be informed about and concerned with the preservation and development of outdoor recreation resources and opportunities, and experienced in resource conservation planning for multiple resources uses, who shall be appointed by the President, and one of whom shall be designated as chairman by the President. Vacancies occurring on the Commission shall not affect the authority of the remaining members of the Commission to carry out the functions of the Commission, and shall be filled in the same manner as the original positions.

(b) The Commission members shall serve without compensation, except that each member shall be entitled to reimbursement for actual travel and subsistence expense incurred in the services of the Commission and each member appointed by the President shall be entitled to a per diem allowance not to exceed $50 per day when actually engaged in Commission business.

(c) The Commission shall convene as soon as practicable following appointment of its members, to implement the purposes and objectives of this act.

SEC. 4. (a) The Commission is authorized, without regard to the civil-service laws and regulations, to appoint and fix the compensation of an executive secretary and such additional personnel as may be necessary to enable it to carry out its functions, except that any Federal employees subject to the civil-service laws and regulations who may be assigned to the Commission shall retain civil-service status without interruption or loss of status or privilege.

(b) The Commission shall establish headquarters in the District of Columbia and shall make such other arrangements as are necessary to carry out the purposes of this act.

(c) The Commission shall request the Secretary of each Federal Department or head of any independent agency which includes an agency or agencies with a direct interest and responsibility in any phase of outdoor recreation to appoint, and he shall appoint for each such agency a liaison officer who shall work closely with the Commission and its staff.

SEC. 5. (a) There is hereby established an advisory council which shall consist of the liaison officers appointed under section 4 (c), together with 25 additional members appointed by the Commission who shall be representative of the various major geographical areas and citizen interest groups including the following: State game and fish departments, State park departments, State forestry departments, private organizations working in the field of outdoor recreation resources and opportunities, landowners, State water-pollution control agencies, State water development agencies, private forestry interests, livestock interests, mining interests, State travel commissions, petroleum production interests, commercial fishing interests, commercial outdoor recreation interests, industry, education, labor, public utilities, and municipal governments.

(b) The functions of the advisory council shall be to advise and counsel the Commission in the development of ways, means, and procedures whereby maximum cooperation may be obtained from all agencies and groups whose assistance in accomplishing the purposes of this act will be required in arriving at sound methods and criteria for evaluating outdoor recreation resources data assembled and otherwise to advise and assist the Commission in carrying out the purposes of the act.

(c) Members of the advisory council, except those employed by the Federal Government and assigned to the Commission as liaison officers shall serve without compensation except that each shall be entitled to reimbursement for actual travel and subsistence expenses incurred in attending meetings of the advisory council called by the Chairman of the Commission, or incurred in carrying out duties assigned by the Chairman of the Commission.

(d) The Chairman of the Commission shall call an initial organization meeting of the advisory council, a meeting of such council each 6 months thereafter, and a final meeting of such council prior to transmitting the final report to the President and the Congress.

SEC. 6. (a) The Commission shall proceed as soon as practicable to set in motion a nationwide inventory and evaluation of outdoor recreation resources and opportunities, directly and through the Federal agencies, the States, and private organizations and groups, utilizing to the fullest extent possible such studies, data, and reports previously prepared or concurrently in process by Federal agencies, States, private organizations, groups, and others.

(b) The Commission shall compile such data and in the light of the data so compiled and of information available concerning trends in population, leisure, transportation, and other factors shall determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 1976 and the year 2000, and shall recommend what policies should best be adopted and what programs be initiated, at each level of government and by private organizations and other citizen groups and interests, to meet such future requirements.

(c) The Commission shall present not later than September 1, 1961, a report of its review, a compilation of its data, and its recommendations on a State by State, region by region, and national basis to the President and to the Congress, and shall cease to exist not later than 1 year thereafter. Such report, compilation, and recommendations shall be presented in such form as to make them of maximum value to the States and shall include recommendations as to means whereby the review may effectively be kept current in the future. The Commission, on its own initiative or on request of the President or the Congress, shall prepare interim or progress reports on particular phases of its review.

(d) The Commission is authorized to conduct public hearings and otherwise to secure data and expressions of opinion.

(e) The Commission is authorized to make direct grants to the States, and to transfer necessary funds to Federal agencies, from sums appropriated pursuant to section 8, to carry out such aspects of the review as the Commission may determine can best be carried out by the States, or Federal agencies, under such arrangements and agreements as are determined by the Commission; and may enter into contracts or agreements for studies and surveys with public or private agencies and organizations. The Commission is also authorized to reimburse Federal agencies for the expenses of liaison officers appointed under section 4 (c) and other cooperation.

SEC. 7. The Commission, in its inquiries, findings, and recommendations, shall recognize that present and future solutions to problems of outdoor recreation resources and opportunities are responsibilities at all levels of government, from local to Federal, and of individuals and private organizations as well. The Commission shall recognize that lands, waters, forest, rangelands, wetlands, wildlife, and such other natural resources that serve economic purposes also serve to varying degrees and for varying uses outdoor recreation purposes, and that sound planning of resource utilization for the full future welfare of the Nation must include coordination and integration of all such multiple uses.

SEC. 8. There are hereby authorized to be appropriated not more than $2,500,000 to carry out the purposes of this act, and such moneys as may be appropriated shall be available to the Commission until expended.

SEC. 9. This act may be cited as "the Outdoor Recreation Resources Review Act."

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ENGLE. Mr. Speaker, this measure, as the title indicates, is for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes. Ten House Members, including me, have introduced similiar bills, all referred to in the House report.

Mr. Speaker, the recreational facilities throughout the United States, especially on the public lands of our country, are rapidly becoming overcrowded and overused. The genesis of this bill is the fact that unless we move very soon to conserve those lands and public areas that can be used for recreational purposes they will be taken up for some other purposes.

This year we passed through the Congress and enacted into law legislation which would require the military authorities of the country to come to the Congress at any time they undertook to acquire more than 5,000 acres of public land.

One of our concerns, which prompted that legislation, is the fact that these primitive areas that can be used for recreation are very rapidly getting away from us. In addition, there is no way to correlate the present recreational facilities and the actions by the Federal Government with those of the local government agencies of one kind or another. Many of us would much prefer that recreational facilities carried on the public lands and on the great water projects built by the Federal Government be in the hands of local people, but we have not been able to devise a method of proper correlation. In addition, we find that there is consistently a duplication of effort in one field and another. Roadside rests is one example. So the function of this commission to inventory in a very broad sense the recreational resources of the Nation and to lay out a general plan for preserving those recreational facilities for the generations to come and to plan their correlated development. The bill provides for a bipartisan commission with four members from the House, four members from the Senate and seven public members, appointed by the President of the United States. The Commission would be required to report by 1961. The departmental reports are all favorable. The Bureau of the Budget has registered no protest against this legislation. There was no opposition to it in the committee. On page 6 of the committee report will be seen a list of a great number of the various conservation and sportsmen and other agencies including the American Forestry Association, the American Pulp Wood Association, the Outdoor Writers' Associa-

tion, the Outdoor Boating Club of America and so forth, all endorsing this legislation. The six States of California, Colorado, Illinois, Tennessee, Washington and Utah, through their conservation agencies or their Governors, all urge the passage of this important piece of legislation in order to get the conservation facilities of the country under control.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. ENGLE. I yield.

Mr. NICHOLSON. Is there some kind of commission now in existence that has been studying these areas?

Mr. ENGLE. No, there is none of this type, as provided in this legislation.

Mr. NICHOLSON. Down on Cape Cod, Massachusetts, there is a 23 mile stretch of land which would be taken over under a bill which has been introduced. Somebody must have investigated that and put a bill in to do that. Would the gentleman know how they plan to take the 23 or 33 miles there?

Mr. ENGLE. We have no bill of that nature, I will say to the gentleman, pending before the committee, that I know of at the present time.

Mr. NICHOLSON. There is a bill before the gentleman's committee relative to taking that land which was introduced by two gentlemen from Massachusetts.

Mr. ENGLE. I do not know of any and if there is, I have not heard of it. Further, I might point out to the gentleman, the pending bill before us does not deal with that sort of situation.

Mr. NICHOLSON. This proposes that the Federal Government take more recreational areas and to go into my State and your State and pick out likely spots and have them come under the jurisdiction of the United States Government for purposes of recreation.

Mr. ENGLE. No, it does not. The gentleman is in error. The purpose of this legislation is to review the recreational facilities on Federal public lands and areas now held by the Federal Government.

Mr. NICHOLSON. That is not what the last sentence says. It says, "and for other purposes" which lets them come down into my District and pick up this land. That is my opinion as to what the bill would provide.

Mr. ENGLE. No, it does not. It does not authorize the Federal Government to do anything on earth except to inventory the recreational resources of the Federal Government and to study the recreational potentialities of the country in connection with State and local agencies.

Mr. NICHOLSON. So far as taking this inventory is concerned, do we not know now the area of the public lands which are under the jurisdiction of the Federal Government through the wildlife and recreation agencies and some 1 or 2 other agencies of the Federal Government?

Mr. ENGLE. Yes, we do, but this is a further study of the recreational potentialities of areas owned by the Federal Government.

Mr. NICHOLSON. Let me say that I am just a little bit suspicious about this kind of proposition, and I believe the people of the District I represent in the State of Massachusetts would be a little bit suspicious of this, when a bill would provide for the taking over of land without stating the metes and bounds and without providing whether land is to be taken by eminent domain or otherwise.

Mr. ENGLE. This bill does not do that.

I yield to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I am sure the gentleman from Massachusetts [Mr. NICHOLSON] should have his fears allayed, because, as I understand this bill for a Natural Outdoor Recreation Resources Review Commission, it is to review such projects as are proposed in the gentleman's district. The responsibility of this Review Commission will be to look into such requests and to determine whether or not they are justified and feasible. I am sure that this proposed Commission will have a very important job to do. Without doubt there have been recreation areas created that possibly should not have been created, and the responsibility and the duty of this Commission is to check into it and see that such projects are justified or they will give an adverse report.

Mr. ENGLE. I appreciate the comments made by the gentleman from Iowa [Mr. JENSEN].

I would like to say again that this does not authorize the Federal Government to take any land at all. If the gentleman does not want the establishment of a recreational area, this would be the place for him to go to present his argument.

I yield to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I would like to congratulate the gentleman and his committee for bringing out this bill. There is such pressure now for recreation facilities on Federal lands that there will have to be much more supervision of those facilities, and I am sure this is a step in the right direction.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. ENGLE. I yield.

Mr. THOMSON of Wyoming. Just to keep the record straight, I do not believe the gentleman intends to infer that there would not be any study made in a State.

Mr. ENGLE. No. That is what I said to the gentleman from Massachusetts [Mr. NICHOLSON], that in connection with the correlation of effort to put recreation on a sensible basis so that there will be no overlapping or confusion, that propositions such as the gentleman from Massachusetts [Mr. NICHOLSON] brings up could be and would be discussed. But there is no power in this Commission to take a single square foot of land.

Mr. THOMSON of Wyoming. I thank the gentleman.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ENGLE. I yield.

Mr. JENSEN. I think the gentleman should know that the Izaak Walton League is very much in favor of this legislation. No one can accuse the Izaak Walton League of being anything but a fine organization that is interested only in the proper functioning of the things in which they are so greatly interested. I have great respect for the Izaak Walton League, and I am sure the gentleman from Massachusetts [Mr. NICHOLSON] does. They are considered very much in favor of this legislation.

Mr. ENGLE. I yield to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I would like to agree with the chairman of our committee. Every major conservation group in America has come before our committee and heartily endorsed this bill. There were only one or two minor questions raised with regard to that, and they have all been taken care of in committee amendments. I feel certain that this bill will not infringe upon the people of Massachusetts. It will provide the people with an opportunity to present to this Commission the needs of the people of Massachusetts both from a state, local, and national level, and it will hold true not only for Massachusetts but for every other State in the Union. This will give us an opportunity for the first time to have an inventory of the recreational resources of this country.

Mr. ENGLE. I shall be glad to yield now to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. I am thoroughly well convinced that this particular bill is not going to hurt the district I represent, but I am still very suspicious. For instance, out at Monomoy Point, as you will see it on the map of Massachusetts, if you have one, they took land for a bird sanctuary. The only birds we have out there are gulls. They may look pretty good, but you cannot eat them. That is what happened at Monomoy, and I do not want to see it happen to Cape Cod east of Provincetown for a distance of 23 or 33 miles.

The gentleman cannot blame me for getting up here and asking some questions.

Mr. ENGLE. I am glad the gentleman did.

Mr. NICHOLSON. I know the gentleman would not blame me at all, but I think we have a department now that has all these public lands under its control. Why would it not be possible to refer this bill to them for study instead of setting up another commission of eight, ten, twelve or fifteen members?

Mr. ENGLE. That is a good question. Let me answer it. The reason is that there are so many agencies involved in these various recreational fields that no single agency could handle it without being under suspicion of grinding its own ax. To avoid this we created an independent commission to do it.

Handling such matters now are the Army engineers, the Bureau of Reclamation, the Interior Department, the Department of Agriculture, just to mention four; then there is the Fish and Wildlife Service, the Indian Service, and right on down the line. That is why we set up an independent Commission. Eight of the members of the Commission are Members of the Congress of the United States, 4 from the House and 4 from the Senate.

Mr. NICHOLSON. I thank the gentleman for being so nice to me.

Mr. GROSS. If the gentleman will yield, that is the thing that disturbs me about the bill; the setting up of another Commission. Why could not the Department of the Interior do it instead of a Commission and an Advisory Council? The bill also calls for an appropriation of $2,500,000. We are already spending money in various bureaus and departments in connection with the very thing you are calling upon this Commission to look into. There may be a need for some correlation, but can you not get it with the personnel already employed, with people already being paid?

Mr. ENGLE. I may say to the gentleman from Iowa that were the Interior Department to be designated to make this survey, the other agencies would get suspicious.

Another thing, this Advisory Committee is not paid; they receive no compensation. The only way we could get this thing together was to set up an independent Commission. I may say further that 8 of the 15 members are to be Members of the Congress of the United States, 4 from the Senate and 4 from the House. The others will be drawn from the public, appointed by the President. The only way to get this done is to do it this way.

Mr. GROSS. Did the gentleman say "suspicious" or "jealous"?

Mr. ENGLE. They are both suspicious and jealous.

Mr. GROSS. The gentleman may be right that we have to have something of this sort, but I cannot go along with the idea of very many more commissions. We have them running out of our ears all over the Government, advisory commissions, management commissions, advisory councils, consultants, and all that sort of thing; they are running out of our ears now.

Mr. ENGLE. It is perfectly true there are a great number of them, but I call the gentleman's attention to the fact that the bill contains terminal facilities, that it comes to an end automatically.

Mr. Speaker, I wish to register my vigorous support of S. 846. I am the coauthor of a similar bill in the House. This proposed legislation to establish an Outdoor Recreation Resources Review Commission is badly needed. By numerous past cumulative actions, the Congress has authorized a variety of Federal functions in the Departments of Interior, Defense, and Agriculture which affect recreational facilities and opportunities on Federal properties. The 48 States also have similar programs with respect to State and private lands.

But nowhere and at no time has an effort been made to survey the overall national recreational needs, to bring together a review of existing programs, and to attempt to look ahead and outline future requirements. This is needed, for one thing, to eliminate waste in duplication or false effort. For another, it is needed to correlate these fine programs. Finally, there is a pressing requirement to look into the future and estimate what facilities and programs will be needed for outdoor recreation of all sorts—and to plan to meet this need.

Our needs are great. For sport fishing alone, a subject in which I and many of you have considerable personal interest, demand is already tremendous and expanding by leaps and bounds. The recent national survey of fishing and hunting, sponsored by the United States Fish and Wildlife Service, revealed that recreational fishing has become the most popular of all forms of outdoor participation sports. About 21 million American citizens, 12 years or older, were found to depend on angling for their outdoor recreation in 1955. Counting youngsters under 12, and heeding increases in the number of fishing licenses sold since then, it is conservatively estimated that between twenty-five and thirty million Americans regularly fish for sport at present.

The rate of increase in use of water areas—principally for sport fishing and allied uses such as boating—has eclipsed all other known recreational statistics by manyfold. For example, in the past much has been made in this Chamber of the increased numbers of recreational visits to the national parks. We have authorized Mission 66 to improve park facilities as a result. Much has been made also of increased use of our national forests. We have established Operation Outdoors to meet that responsibility.

But, little attention has been paid to the far greater rate of use-pressure being exerted on our water resources. On the reservoir properties of the United States Army, Corps of Engineers, alone, there has been in excess of a fivefold increase in recreational visits since 1950—less than a decade. In 1950, there were 16 million such visits to the 3 million acres of engineer reservoirs. By 1957 that number had swollen to more than 84.7 million. The fact that fishing is the big drawing card is evident from the finding from State survey reports that corps reservoirs in Oklahoma and Missouri were supporting an average of 20 or more man-days of fishing annually per acre by 1956.

For comparison, in 1956 there were 20 million recreational visits on 13.1 million acres of national parks. In 1940, there were 7.3 million visits on 10.2 million acres. These figures are but fractions of the rate of increase and the average visits per acre on the water areas mentioned. The national forests, within the 48 States, comprising about 160 million acres, absorbed about 52.5 million visitors in 1956—a nearly threefold increase over 1946. Here, too, the urge to be out fishing was one of the leading motivations for visiting these areas. In 1956, the chief purpose of 18 percent of the visits was for fishing. It was exceeded only by sightseeing—27 percent—and picnicking—24 percent.

In 1955, nearly 400 million man-days were expended by anglers for their favorite means of recreation. One estimate of future fishing pressure places the corresponding figure for 1980 at nearly 1.4 billion man-days. Obviously, plans must be effected to maintain the resource base in order to meet this burgeoning demand. Yet, we do not even know the total area of water for fishing we have in this country. We do not know what proportion we have in natural and artificial lakes, ponds, reservoirs, streams, rivers, coastal embayments, marine, brackish, and fresh. This is certainly the cornerstone on which effective planning must be built.

We do not know what condition these waters are in, how much is on private, and public lands and where they are located. We do not know how much is permanent. how much is temporary, how much is polluted, how much is being drained away or silted in. These are some of the basic facts we need to have in order to plan wisely for the future. Just as a manager of a supermarket needs to have at his disposal an inventory of the stock on his shelves, so too must the water resource manager.

This proposal is vital, potentially or otherwise, to virtually every household in America, either directly or indirectly. In 1955, there was at least 1 in every 4 households containing at least 1 angler. About 1 in every 5 persons fished for recreation. One in every 4 men and 1 in every 11 women—and children, similarly—is an ardent sport fisherman.

These people drove some 8 billion miles. In addition, they spent $2 billion for the goods and services they require in pursuit of their sport. These expenditures averaged out to $92 per person per year. Nearly 140,000 persons are directly engaged in the manufacture and basic supply of the goods used—fishing tackle, boats, motors, trailers, camping equipment and other general sporting goods, gas, oil, and so forth. I cite these figures to emphasize that a significant sport fishing industry has developed in the past decade or so to service the needs of the vast sport fishing public. It has become an important element in the gross national product.

I believe that the Congress, therefore, has a triple responsibility—to the general public, to labor, and to industry—to adopt the legislation proposed in S. 894. I believe it is long overdue in the public welfare. It is a constructive proposal designed to inject order into increasingly chaotic development of recreational programs. I urge the Congress to give S. 894 its wholehearted support.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks with reference to this bill at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASPINALL. Mr. Speaker, during my nearly 10 years as a Member of this body I do not recall another piece of conservation legislation as noncontroversial and as widely supported by all elements of our society as the bill now before us. It is designed to achieve an essential, nationwide objective of great concern to all Americans. It is simple, specific, and to the point. It will, when enacted, provide a firm and sound base upon which plans and programs at all levels of

government, and by private interests as well, may contribute realistically and comprehensively to the future of America's great outdoor recreation heritage.

Our Nation has been blessed with a wealth of natural resources, enough to take care of the needs of every citizen. In fact, historically there has been a surplus permitting us to use these resources for purposes other than just to provide food, clothing, shelter, and all the elements going to make up our economic stability and strength. Our natural resources have underwritten and made possible the social, spiritual and other intangible values which have made our culture unique and which in the last analysis will provide the great bulwark against the forces which would destroy the free peoples of the world.

Looming large in this aspect of the American character is our love for the outdoors and for outdoor recreation activity. We come by it naturally. The outdoors was the basic fact of life which faced our ancestors as they colonized the eastern seaboard. It was the basic fact of life for the pioneers as they moved civilization westward across the continent. For most Americans, until very recent years, outdoor experience was an integral part of our daily lives, on the farms and prairies, in the forests and mountains, on the lakes and streams and out into the blue waters of our oceans. Who would deny that life in the outdoors, for three centuries, has given Americans a toughness of body, vigor of mind, wholesome attitudes, initiative, resourcefulness, perspective and self-reliance. Outdoor living and outdoor experience is a cherished heritage, which we as a Nation must preserve for future generations of Americans. It will be essential to their physical and mental well-being as it has been to ours.

Blessed with an abundance of resources, we have tended to consider them inexhaustible—we took them for granted—we assumed they would always be in abundance. We were lavish and prodigal. We know better now, and over the past half century important progress has been made in the conservation of our basic resource wealth—soil, water, forests and wildlife. This change of attitude did not just happen. Clear-headed leaders and thinkers saw the handwriting on the wall—they studied the facts, they evaluated the trends, they made their data available to the public. Public opinion was quick to insist that conservation of natural resources be accepted as basic national policy.

We have long recognized outdoor recreation opportunity for all the people as basic national policy. It has been so recognized likewise by the States and Territories. Our great national park system was established with this objective in mind. Park systems in the States were established for the same purposes. The national forests and the State forests have been administered with public recreation as a purpose. The programs of the United States Fish and Wildlife Service and those of the State game, fish and conservation commissions similarly have been established and administered with the objective of preserving wildlife resources and the recreation they provide not only for sportsmen but for the great mass of the public who enjoy wildlife for itself.

None of us have recognized fully, however, that the opportunities for wholesome outdoor recreation have been diminishing and that in the face of an ever-increasing demand. Hence, our planning and programing have been inadequate, piecemeal and uncoordinated. It is interesting and encouraging that the National Park Service, the Forest Service, the Fish and Wildlife Service, the Bureau of Land Management, independently have recognized this situation and have undertaken long-range programs, Mission 66, Operations Outdoors for example, in an effort to match recreation facilities with recreation demand. But these programs, splendid as they are, will not be enough.

The resources upon which recreation is based are diminishing primarily due to our burgeoning population, expanding communities, industrialization, airports, highways, and all the other attributes of our system which occupy space previously useful for recreation. The trend continues at an alarming rate. It has been pointed out that in 1776, when we declared our independence, there were some 600 acres of land, water and resources for each citizen of that day. Today, with a population of 173 million, the individual share has been reduced to 13½ acres. In 1976 when we celebrate our bicentennial, the individual share will have been reduced to 10 acres, and by the year 2,000, to 8 acres or less.

Eight acres from which to obtain all our necessities and luxuries and on which we shall also be dependent for outdoor recreation opportunity.

The increase in demand, however, does not stem only from the population factor. Higher standards of living, increased leisure, improved transportation facilities, more frequent need for relaxation to counteract the stresses and strains of complex modern-day living, adds year by year to the pressures on inadequate recreation resources. Not only are more people participating in a wider variety of outdoor recreation pursuits, they are spending more time participating in such activities—about twice as much time just in the past decade.

For example, recreation use of the national forests increased from 6 million visits in 1926 to 53 million visits in 1956.

The Park Service recorded 22 million visitors in 1946 and in excess of 59 million in 1957.

Visitors to Army Engineer projects increased from 16 million in 1950 to some 80 million in 1957.

In the State park systems we find the same trend—an increase from 92 million visits in 1946 to over 215 million in 1957. Recreation visits to the TVA lakes jumped from 10 million to 40 million annually in the past 10 years. The story at our western reclamation reservoirs is no different.

A hunting and fishing survey made by the Fish and Wildlife Service in 1955 showed that of 118 million individuals aged 12 or over in the United States, 25 million hunt, fish, or engage in both sports. The survey found also that they spent $3 billion annually in the pursuit of hunting and fishing recreation. It is estimated the annual total man-days spent hunting and fishing will double in the next 12 years.

The National Association of Engine and Boat Manufacturers tell us that pleasure boats have increased from 2½ million in 1947 to nearly 6 million in 1956, with more than 28 million persons having participated in recreational boating in 1956 and spending $1¼ billion in the process.

It is reported that 66 million people now seek outdoor recreation in bird watching, wildlife photography, and other forms of nature study.

Wildlife refuges, far too inadequate in number, size, and location, are hosts to over 7 million visitors per year with the increase gage at 7½ percent per year. Incidentally, there has yet been made no substantial program for handling the vast crowds of interested citizens visiting our Federal refuges for recreation purposes. The increase is ever upward and in every phase of outdoor recreation.

In studying this problem the committee noted that the expanding population and economy will continue to deplete the Nation's outdoor recreation resources and opportunities unless measures are taken to preserve and improve those which remain and where practical to salvage, rehabilitate, and thereafter protect such land and water areas as may provide the additional outdoor recreation required for the future. It is imperative that the outdoor recreation resources of the United States be accorded the same recognition and consideration as all other resources which are essential to the economic and social welfare of the Nation. Outdoor recreation resource use and development must be evaluated and carefully planned on a long-range basis. We can no longer afford the extravagance of the piecemeal planning and indifference which has prevailed in the past.

A nationwide inventory and evaluation of the Nation's outdoor recreation resources and opportunities is a prerequisite to the sound planning of long-range programs. The legislation now before this body will create the facility and the means for making, on a nationwide, region-by-region, State-by-State basis, such an inventory and evaluation of our remaining outdoor recreation resources. It will provide the means for full study of the trends in order that reliable forecasts may be made as to what our future requirements will be.

Stating this in the simplest possible way: If we know what we have now, and if we know what we shall need in the future, then we can intelligently and realistically plan and undertake programs to assure that future needs will be met.

S. 846, to create a temporary bipartisan study commission, has that single purpose and objective.

Now, specifically, what does this legislation propose?

First, it would authorize and create a bipartisan Outdoor Recreation Resources Review Commission. The Commission

would be composed of 15 members including 2 majority and 2 minority members each of the Senate and House Interior Committees, and 7 citizens appointed by the President of the United States.

Secondly, it establishes an advisory council consisting of a liaison officer from each of the Federal agencies concerned with outdoor recreation resources and opportunities plus 25 members appointed by the Commission representative of the various major geographical areas and citizen interest groups, including State and municipal agencies, commercial interests, labor, private organizations, and others interested and concerned in development of resources and recreation opportunity.

Thirdly, it directs the Commission to make the comprehensive study, compile its data together with its recommendations in a report to be presented to the President and Congress by September 1, 1961. The report shall be presented in such form as to be of maximum value not only to Congress and the executive departments but to the individual States as well.

Fourthly, it authorizes the appropriation of not to exceed $2,500,000 to cover all costs of the Commission during the 3-year study.

SPECIFIC PROVISIONS OF THE BILL

Section 1 of the bill states its basic purpose to preserve, develop, and assure accessibility to all American citizens, in the present and future, of adequate outdoor recreational facilities by determining future needs, obtaining comprehensive information on available resources, and making recommendations to the President and Congress on meeting proper goals.

Section 2 contains definitions.

Section 3 provides for a bipartisan commission of 15 members, including 2 majority and 2 minority members each of the Senate and House Interior Committees and 7 citizens appointed by the President of the United States.

Section 4 authorizes the Commission to establish headquarters in the District of Columbia, to employ necessary personnel, and to call on the secretaries of the executive departments and heads of independent agencies with direct interest and responsibility for any phase of outdoor recreation to appoint liaison officers from each such agency.

Section 5 establishes an advisory council including the liaison officers from Federal agencies appointed by the heads of departments, plus 25 representatives of State and municipal agencies, commercial interests, and private organizations working in the field of outdoor recreation. The section defines the Advisory Council's functions and provides for its meetings.

Section 6 outlines the duties of the Commission and requires a final report by September 1, 1961, the Commission to go out of existence within the subsequent year. The report is to include data on outdoor recreation requirements indicated for 1976 and the year 2000, together with the recommendations of the Commission on meeting them. It authorizes the Commission to hold public hearings and arrange with Federal, State, and other public and private agencies to conduct studies and surveys for it at Commission expense.

Section 7 directs the Commission to recognize the responsibility of government at all levels for outdoor recreation resources, to recognize that lands, forests, water areas, rangelands, wetlands, wildlife, and other resources serving economic purposes also have varying degrees of recreational value and that sound planning of resource utilization must include coordination and integration of all such multiple uses.

Section 8 authorizes necessary appropriations—$2,500,000—for the Commission which shall remain available until expended.

Section 9 designates the act as the "Outdoor Recreation Resources Review Act."

There are several fundamental reasons why we believe a Commission, such as is proposed in this legislation, is required.

First. Outdoor recreation is not the sole concern of the Federal Government, the States, communities, or private groups and individuals. It is the concern of all.

Second. The recreational use of resources is not something separate and apart from other resource uses and from the rest of our economic and social system.

Third. Outdoor recreation is not a matter just of forests and parks, reservoirs, and other public properties managed for the benefit of the public. It involves directly or indirectly all lands and waters.

Fourth. The need at this time for the broadest and most comprehensive study precludes the possibility of its being carried out successfully by any one agency or group, or by any combination of several. It will require the thoughtful cooperation of all.

Fifth. The study will provide the base upon which national policy may be developed and will be drawn upon as well by every kind of agency and group in the development of their own policies and programs.

Sixth. As the Nation's first real effort in this aspect of long-range planning, it is imperative that the study, its evaluations and its recommendations reflect as accurately and realistically as possible the full national viewpoint.

We believe the Commission, with an Advisory Council as proposed, most nearly represents the quality and character of the body needed to make such an important study. Moreover, its makeup, at topmost level, will command respect and achieve the degree of cooperation necessary, will assure full use of existing data, and avoid duplication and waste motion.

As I have mentioned there has been strong, nationwide support for this legislation. Its sponsorship in the Senate and House is vigorous and bipartisan. It is favored by the Interior and Agriculture Departments, TVA, and the Department of the Army. The Bureau of the Budget made no objection.

Among active supporting organizations are: Izaak Walton League of America; Wildlife Management Institute; Sierra Club, San Francisco, Calif.; Western Outdoors Club; Fifth Biennial Wilderness Conference; National Audubon Society; the Wilderness Society; National Parks Association; National Wildlife Federation; Sport Fishing Institute; Citizens Committee on Natural Resources; American Nature Association; the Conservation Foundation; National Campers and Hikers Association; Federation of Western Outdoor Clubs; American White Water Affiliation; North American Wildlife Foundation; Sports Afield; Outdoor Recreation Institute; American Forestry Association; American Pulpwood Association; Outdoor Writers Association of America; Outboard Boating Club of America; National Association of Engine and Boat Manufacturers; the Upper Colorado River Commission; and Trustees for Conservation.

At the time of committee hearings a year ago some 6 States through their Governors or conservation agencies had endorsed the legislation. Since that time almost all States have so expressed themselves.

This nationwide support from all government levels and citizen interest groups results from the simple facts that—

First. The Nation needs to have a complete and comprehensive inventory and evaluation of our outdoor recreation resources and opportunities.

Second. The Nation needs to know realistically what our future requirements for such resources will be, in order that government, at all levels, industrial interests and citizen groups can plan realistically and well to meet future needs.

Third. The legislation, S. 846, provides a sound and workable facility for getting the job done, comprehensively and economically utilizing the facilities and competence of Federal and State agencies, the universities, private enterprise, and the informed public as a whole.

It is a public responsibility which the Congress alone can discharge.

Mr. METCALF. Mr. Speaker, I am among the cosponsors of this bill providing for an overall study of this Nation's outdoor recreation resources and needs.

An increasing population, a higher standard of living, more leisure, and better transportation mean that more people turn to outdoor recreation every year.

At the same time, the land and water area available to meet this increased demand is shrinking—as growing cities, expanding industry, highways, and more intensive farming—to name a few—take their toll.

No one proposes that we stop this healthy growth. But we must make the best possible use of the land and water we have left. Outdoor recreation must be keyed into our plans for the future. To plan intelligently, we must first know what we have. The first big job of the National Outdoor Recreation Resources Review Commission will be to compile such an inventory. It will give us data on recreation requirements indicated for 1976 and the year 2000, together with recommendations for meeting them.

Today our population exceeds 173 million. Reliable estimates place it at 223 million by 1976 and 300 million by the year 2000.

But more than population is involved in the phenomenal increase in the use of outdoor recreation resources. Higher incomes make outings possible for more people. Shorter working hours give them time. Better transportation facilities make it possible for them to reach distant recreation areas faster and easier.

Typical of the increased demand on facilities is the experience of the national forests. Their recreation use tripled in 20 years from 1926 to 1946—from 6 to 18 million. Their use nearly tripled again in the next 10 years and is still skyrocketing. Last year, there were more than 53 million visits to our national parks and monuments, more than 50 million visits to the national forests, more than 215 million visits to State park areas, more than 100 million visits to Federal multipurpose water development projects.

The business generated by this outdoor recreation is tremendous. The study sponsored by the Fish and Wildlife Service in 1956 indicated a gross national income of more than $3 billion from hunting and fishing alone. Inclusion of all other forms of outdoor recreation would triple that figure.

At the same time, however, the land and water upon which this recreation use is based, is diminishing. Between 35 and 45 acres is lost to every mile of superhighway, for example, thus increasing the pressure on the remaining lands.

A recent survey shows that only 240 miles of the 3,700-mile Atlantic seashore is still open to the general public. Of that 240 miles, 200 are in the Cape Hatteras and Acadia National Parks in North Carolina and Maine. Other areas of outstanding recreational value in the public domain are presently subject to disposition without regard to their usefulness in meeting the mounting recreational demand.

We in the 11 Western States are more fortunate. But we, too, have major problems.

Our thousands of acres of recreation land are in some cases only minutes away from our cities and towns. Much of this land is in the public domain—the main reason we, and people from throughout the Nation, have been able to use it. Our national forests, parks, and other public land are the magnets which draw increasing thousands to Montana and other States each year. The pressure in these western lands has increased 800 percent in the past decade.

As the number of outdoor enthusiasts multiply, the space and resources upon which recreation depends are diminishing. A recent Colorado Game and Fish Department survey would dramatize this point. Even though Colorado is one of the public land States, at least half of its fishing streams are located on private lands. Ten years ago almost 90 percent of streams on these private lands were open to public fishing. Now less than 50 percent are available. Fishing pressure has increased to the amazing figure of almost 800 percent in this same time period and because of closures 25 percent less stream area to absorb it.

Wyoming is another public land State, almost 78 percent of its area is in the public domain. But again, private land holdings have blocked access to much of the public's land. Settlement there has been along the rivers. Water available to fishermen is continually shrinking as more individuals close their lands. Access is again the big problem and the Wyoming Game and Fish Commission has had to pay large sums to get to recreation areas along the rivers. They are now confronted with purchasing access areas into the lands of the public domain because landowners will not allow trespassing. So while 78 percent sounds like a tremendously large acreage for a State as big as Wyoming, use of the public domain is often hampered and its size actually shrinks because it cannot be reached.

Water is a precious commodity in many of these public domain States. Many interests demand that they have priority use of that water. In many States, recreation is not considered as an important use. In some instances it is not even recognized as a use. Again the size of America's playground shrinks because the water cannot meet recreation needs.

Many of the West's larger reservoirs have been impounded for hydroelectric and irrigation purposes. The huge manmade impoundments are now being utilized by fishermen, boaters, swimmers, and water-skiers, although they were never intended to be put to such use. Federal agencies have had to hire specialists to meet the problems of the new use.

If you could picture some of the West's reservoirs, you would realize how pressing this recreation-area problem is. Many of these manmade lakes are out in the middle of endless prairies. There is not a tree in sight. Drinking water is unavailable, yet every weekend you can find hundreds of people packed around their barren shores. Game and fish commissions have had to build new facilities and hire more people to produce fish to meet the demand of these reservoir fishermen. This is an expensive business, especially since the Bureau of Reclamation and the Corps of Engineers are not required to protect these fish. They must release or store water according to the demands of hydropower and irrigation. Again, such recreation areas cannot be utilized to their fullest degree because of other interests.

Present water users and recreationists have long been at each others throats. Certainly an understanding and appreciation of each others problems would help rectify the problem and, at the same time, assure that further recreational areas will not be lost. I might cite another situation in Wyoming that would drive home this point. You are all certainly familiar with Jackson Hole and the Grand Tetons in the northwestern part of that State. This area is one of the Nation's most popular recreation spots. Game of all sorts is in abundance and prized cutthroat trout are in many of that land's magnificent streams. The world's largest elk herd migrates into this area every fall to winter on the Federal Elk Refuge. The scenery is majestic—awe inspiring. Thousands of people are drawn to this area every year, for it has offered to them the ultimate in outdoor recreation.

Although it is one of the great attractions in the area, the Snake River floods the lowlands of Idaho every spring. In an effort to control the river, Army Engineers have looked to the Jackson Hole area as a possible place to construct control dams. They have studied some 26 cities on the Snake and its tributaries. Impoundment of any of these waters would have a detrimental effect on elk migration and would destroy the Snake as a cutthroat fisheries. Conservationists and recreationists have so far been successful in insisting that other sites can be found that are not as harmful to those values. This has been an annual battle and outdoor enthusiasts have had to fight tooth and nail every time the subject comes up.

The wilderness has also been under pressure from livestock, timber, and mineral interests. The Forest Service has been asked to open these areas up for exploitation. Conservationists insist that this is one area that must remain in its present state.

Military land procurement has also proven a threat to shrinking outdoor recreation areas. Large grants of the public domain had been withdrawn and in many instances these lands were also top recreational areas. Now the newly passed Engle bill restricts such withdrawal and has proven a real asset to outdoor enthusiasts.

It becomes obvious that the 11 western public land States are not really such a recreational panacea after all. Withdrawals, curtailments, other uses and new developments continually gnaw away at this large portion of the Nation's playground.

Each one of us has a duty to protect and preserve these public recreational areas. We cannot accomplish this by leaving it to chance or by taking our resources for granted. Outdoor recreation resources can be protected and developed by sound planning like any other resource.

Instead of looking at maps or counting percentages of public land holdings, we must have an inventory of our outdoor resources. We must find out how much is really available to recreational users. We must know where these areas are shrinking and why they are shrinking. We had better find out what action is necessary to preserve such lands.

Enactment of the Outdoor Recreational Resources Review bill will give us a true picture of what we really have, what we are going to need in the future and what we must do to assure satisfying the needs of future generations.

Mr. PELLY. Mr. Speaker, I find that the suggestion of creating another Federal commission puts me on the defensive. But I must say, contrary to the rule, this proposed National Outdoor

Recreation Resources Review Commission is an exception and I favor passage of S. 846.

While this bill authorizes the expenditure of $2,500,000 it would seem to be a modest cost in comparison with its long-range benefits. Indeed, it seems to me in the face of our rapid growth of population and the trend toward increasing personal leisure, it is not only desirable but absolutely essential to inventory and evaluate our outdoor recreational resources. We must plan and establish policies, region by region and area by area, to protect our wildlife, forests, waters, public lands, and natural resources so that both present and future generations may enjoy and benefit by the wholesome recreation they afford.

In my State of Washington, for example, we have unique rain forests in the Olympia National Park. Certain of these unique natural situations must be preserved, and it is a very controversial subject because the commercial loggers often feel the conservationists go too far.

And in our State, right now also there is much interest in preserving against the inroads of civilization an area in the Cascade Mountains and around Glacier Peak. And here I must agree with the various conservation groups that if we do not set aside such a region now, it will be too late. I realize we have some 29 national parks, 84 national monuments, and many other kinds of scenic areas set aside for the pleasure of our people with access roads and accommodations of one sort or another. But, in addition, I believe in dedicating certain wilderness areas where the automobile and roads are prohibited and where the purpose is not to accommodate the public on a wide scale. H. R. 500, the Wilderness Preservation Act, which in principle I support, covers this kind of recreational resource.

Meanwhile, this bill, S. 846, to evaluate all recreational public lands and water areas, seems most desirable. There must be planning to establish controls and restrictions on a broad basis to assure the utmost value in accordance with varying natural features for us and for posterity. So I intend to vote for S. 846.

Mrs. PFOST. Mr. Speaker, as the author of one of the House bills to establish a National Outdoor Recreation Resources Review Commission, and the chairman of the House Public Lands Subcommittee, which conducted hearings on this bill, I would like to express my strong interest in its passage. In my opinion, few bills which my subcommittee has considered have more merit.

Outdoor recreation has long been an important part of our American way of life. In colonial times, man's dexterity with a gun or a fishing line often meant the difference between a bountiful or a meager dinner table. His ability to make a snug camp or hike great distances was indispensable to his existence.

Sportsmen still continue to hunt for a Christmas goose, or throw a line for a Fourth of July fish fry, but for most Americans hunting and fishing are primarily an outdoor activity which brings them satisfaction and enjoyment, and often surcease from the strains of modern day living.

Burgeoning cities, spiraling populations, increasing leisure time and improvements in transportation are greatly stepping up the number of people who look to the outdoors for recreation. At the same time the development of airports, superhighways, military installations, and other projects which eat up our land are reducing the resources available for recreational pursuits.

This all adds up to one thing: We should take time now to see what we have, what we will need in the future, and what should be done to be sure we can meet those future requirements.

This bill would set in motion a nationwide inventory and evaluation of our outdoor recreation resources and opportunities. It would give us an opportunity to find out what each State and each community now has to offer in the way of recreational resources, and what they have planned for the future.

The Commission would lean heavily on reports already prepared, or in the process of preparation in this field, both by the Federal Government and private agencies, and by the communities and States. It would initiate whatever supplementary reports are available. It would then offer a blueprint for the job we must do.

The scope of the problem can be outlined in a few brief statistics:

One American household out of every three now has a member who either fishes or hunts.

There are few American families who do not reach a picnic area in the forests or at the beach, or who do not visit some recreational area at least once, and more often several times a year.

Recreational use of our national forests increased from 6 million visits in 1926 to 18 million visits in 1946 and to nearly 53 million visits in 1956.

Whereas 22 million people visited our national parks in 1946, nearly 55 million visited them in 1956, and it is estimated that the number will have swelled to 80 million by 1966. The national parks system was only designed for 25 million people a year.

To meet the avalanche of American citizens who are now using our recreational resources, and who will be using them in even greater numbers in the future, we must have coordinated and long-range planning. Passage of the bill before us is the first step in this undertaking. It has the support of a long list of national, State, and local recreation and wildlife groups. Six States, through their conservation agencies or their governors have endorsed it. The executive branch of the Government has offered no objections to it. I hope it will pass.

Mr. McGOVERN. Mr. Speaker, I thoroughly favor passage of the bill, S. 846, which would establish a National Outdoor Recreational Resources Review Commission. There are many compelling reasons why this legislation should receive favorable consideration.

First of all, the American people have always had a love for the outdoors and for the recreational opportunities that it provides. Indeed, this is an interest that we ought to encourage, not only because of what it can contribute to the enjoyment of living, but because of the wholesome influence that it exerts on our people, particularly the young.

At a time when our population is growing at an unprecedented rate, it is especially urgent that we give careful consideration to our potential recreational resources. Also, the progress of science means an increasing amount of leisure time for the American people. It is imperative that we make full use of these new opportunities for leisure hours. The legislation, S. 846, provides us with a workable plan for making full use of the facilities of Government agencies, private organizations, our colleges and universities, and the American people as a whole. The measure will enable us to appreciate more fully what needs to be done in assuring the fullest possible use of our outdoor opportunities.

As we consider S. 846, I believe it is especially fitting to keep in mind the sagacious words of perhaps the greatest conservationist this Nation has ever known. I am speaking of President Theodore Roosevelt, who said, "Nine-tenths of wisdom consists of being wise in time."

Mr. Speaker, I strongly urge the passage of this legislation. In doing so, I wish to associate myself with the splendid remarks of the gentleman from Colorado [Mr. ASPINALL] who has done such an excellent job of explaining the basic purposes of the bill under consideration.

Mr. BENNETT of Florida. Mr. Speaker, it is a refreshing pleasure in these days of missiles and antimissiles to discuss the merits of legislation to help mankind to enjoy and preserve for the future some of the blessings of nature. I heartily endorse this legislation and hope that it will promptly pass.

Hiking and nature study, though quite different forms of outdoor recreation, have a common denominator—the participants are people. Yet man, the beneficiary of the therapeutic and spiritual rewards of recreation, also is the major threat to this means of refreshing his strength and spirit after toil.

Through the ages, tribes and Nations have used their natural resources with thoughtless liberality—until awakened to the need for conservation. Sometimes realization came too late, as it did in the Near East and portions of Asia.

American history has followed a similar pattern with one exception. We have become aroused in time. Now we are trying to protect, conserve, and replenish our forests through the tree farm system, and the planting of denuded lands and the Smokey Bear campaign. Eventually these programs and others like them will restore our forests to full productivity.

The next task is development for maximum use. In recreation, the initial steps are being taken in mission 66 of the National Parks Service and operation outdoors of the Forest Service. These programs are good—as far as they go. But they are confined to Federal lands and can never serve the needs of the entire Nation. State, county, mu-

nicipal and private landowners also need to develop their resources.

Recreation problems are of tremendous importance because they involve productive timber lands as well as nonproductive scenic areas. Reliable estimates indicate that the number of people participating in outdoor recreation 20 years hence will be about double what it is now.

Where will these people go? To the national parks and national forests? Many of them will, but some of these places are crowded now. The pressure then also will be on other forest lands because fishing and hunting are the favorite outdoor sports. In fact 7 of the first 10 participation activities are primarily woods types. This means that private landowners will be expected to open up their lands. Many of them already have.

The Weyerhaeuser Timber Co. has opened about half of its logging roads to hunters. This provides access to some 2½ million acres of timberland in Oregon and Washington.

Weyerhaeuser also has constructed a number of free public campgrounds along streams and lakes. Running water, sanitary facilities, picnic tables, fireplaces, and firewood are available. A rough estimate indicates that some 50,000 people made use of Weyerhaeuser lands in a single year.

Other companies in different sections of the country also have opened their forests to hunters, hikers, bird watchers, fishermen, picnickers, and others.

These industrialists have shown by their actions their appreciation of the public need for relaxation. The pressure upon them for recreational facilities will multiply rapidly, particularly in the East and South where approximately 90 percent of the forest land is in private ownership.

This means that private landowners as well as public agencies need to understand the recreational habits of the public and to be aware of available opportunities to satisfy their requirements for relaxation.

The basic information should include an inventory of all recreational facilities plus areas capable of development regardless of ownership. Its scope must be nationwide in order that population trends and recreational needs in various sections of the country may be evaluated. It should embrace all agencies having responsibilities for public recreation.

All of these requirements are provided for in the proposed National Outdoor Recreation Resources Review Commission.

Mr. REUSS. Mr. Speaker, S. 846, the Outdoor Recreation Resources Review Act, is a most constructive measure.

This bill provides for establishment of a National Outdoor Recreation Resources Review Commission to make an inventory to be used in extending our recreational resources. It calls for the preparation of a long range plan to meet the future outdoor recreational needs of the American public. The Commission would include a broad representation of Congress and citizen members.

The inventory of recreational resources that would be prepared under provisions of this bill would give us a badly needed indication of the pressures that will be placed upon our recreational resources. It will help us determine the amount, the kind, and quality of these resources and our needs for using and developing them fully for the future. It will help us to determine policies and programs that can be initiated at each level of Government and by private organizations and citizen groups to meet these future requirements.

Our demands for outdoor recreation—hunting, fishing, camping, hiking, skiing, mountain climbing, pack trips, photography, scenic appreciation, boating and many other outdoor pleasures—on public and private lands and on our wilderness areas is increasing at an unprecedented rate.

We urgently need basic information and research for developing future plans for using these resources if we are to be prepared to meet the requirements of our people for places where they can get away from the pressures of every day living to enjoy the outdoors. This bill provides the means for collecting this information. It has met with wholehearted support from all of our national, State and local conservation organizations. The National Wildlife Federation, one of the Nation's largest organizations of sportsmen and lay conservationists with members in 50 States and Territories, has backed this measure enthusiastically.

I would like to read the resolution of the federation in support of this bill:

Be it resolved, The National Wildlife Federation endorses H. R. 3592, S. 846, and similar bills proposing a national recreational resource review. We request early enactment by the Congress.

The federation wishes to commend the Izaak Walton League of America for its leadership in preparing and presenting this legislation. We also recognize the part played by Sierra Club in developing the concept through its own advocacy of a scenic resources review.

In joining in the support of this legislation, however, the federation wishes to emphasize that it must not be considered a substitute for action programs and special legislation needed now for the protection and preservation of critical wetlands, for improvement of recreational facilities and wildlife habitat in the national forests, and for protection of wildlife refuges and wilderness areas. It must not be used as an excuse for delay of "Mission 66" in the national parks or "Operation Outdoors" in the national forests.

(Passed at the 21st annual meeting of the National Wildlife Federation, March 1, 2, and 3, 1957, Washington, D. C.)

I wish to emphasize the recommendation that is pointed out so clearly in the third paragraph of the resolution: this legislation does not conflict in any way with bills and programs to provide for development of the recreational resources of our wilderness areas, our national forests, national parks, and wildlife refuges. As an inventory, S. 846 provides for a thorough and comprehensive study in a broad field of interest. This is a planning and research study to point up our recreational needs for the future. The resolution makes clear that while we are studying, we must also work to carefully manage our outdoor recreation areas. They are constantly in danger and we must make adequate provision for their protection and full use.

Of course, S. 846 does not attempt to satisfy our current need for protecting and managing our wildernesses, national forests, wildlife refuges, and national parks. In the case of wilderness, for example, we have before this Congress a bill to establish a National Wilderness Preservation System. The wilderness bill is designed to meet a purpose different from that of the National Recreational Resources Review bill which we are now considering. The wilderness bill proposes to establish at once the preservation of specific areas that already are recognized as suitable and available for preservation as a part of a national system of wilderness. The wilderness bill is designed to meet the requirements of a particular and unique part of our Nation's outdoor resources. It satisfies an urgent need for managing our remaining areas of wilderness. It in no way conflicts with S. 846. They are distinct and separate measures that satisfy different needs. I think Mr. Conrad L. Wirth, Director of the National Park Service, sized up the situation correctly when he made this comment on S. 846 on May 14, 1957:

I do not think there is any conflict between this bill and the wilderness bill. * * * One is developing an overall program for the United States for all forms of recreation, whereas the wilderness bill is a specific type of area; that is, providing for the care of national wilderness.

The National, State and local conservation organizations that have supported these two bills recognize that they satisfy different purposes and that there is no inconsistency between them. Both measures should be enacted promptly.

I urge that we now move ahead with the passage of S. 846 and clear the way for this badly needed inventory of our outdoor resources. And after that, I hope that the Congress will speedily enact the important wilderness bill, and other sorely needed conservation legislation.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, at Springfield, Ill., June 16, 1858—100 years ago to the day—a great American, Abraham Lincoln, delivered an immortal speech, the simple, direct foresight of which will live for milleniums. It opened with a sentence which the poet Carl Sandburg has said, "at a first careless glance it might seem so simple that it is asinine. On a second and deliberate reading," Sandburg continues, "it has the cunning of ancient wisdom."

Mr. Lincoln said:

If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it.

Perhaps it is a far cry from the grave national problems about which Lincoln spoke and the legislative matter before this body, 100 years later. But, I do not

hesitate to draw the parallel, because Lincoln himself was the product of a frontier society. He knew and loved the outdoors—for itself, and for what it contributes to man's character in physical vigor, mental health, perspective, wholesome attitude, and moral stamina.

Were he here today, I do not question but that he would say, "We must take steps to preserve the outdoors for all the Americans who will follow us. We must know where we are, we must know the trends which are following—then we can better know how and what each of us should be doing about it."

The legislation before us, for one important field of American opportunity, is a direct effort to implement the philosophy which Lincoln so wisely and ably expressed. We can do no less than to embrace the opportunity which we have today to assure all these values for America for all time.

THE SPACE AGE CHALLENGE TO OUTDOOR RECREATION RESOURCES

(By J. W. Penfold, conservation director, Izaak Walton League of America)

The whole universe surrounds our small planet. Infinite space limited only by our own imaginations—waiting only for science to equip us for its conquest. An intriguing concept for man and boy alike. A pot shot at the moon with a rocket—a manned space ship to chase sputniks and explorers in orbit around the earth—a space platform—and then, away we go to Mars, Jupiter, and beyond. An exciting prospect—a whole new realm of frontiers for man to dominate—but that is not the space I want to talk about—the space we think of in science fiction.

The space that concerns me is finite, limited, and from a human use standpoint constantly shrinking. The space that concerns me is that of land, water, and resources which comprise the United States of America, and which must be made to provide for us and future generations of Americans all the ingredients of our social, intellectual, spiritual, and economic system.

Let us start by taking a brief look at this space which we know about—the space we in the League and all Americans must live in and work for.

When America became a Nation, the Founding Fathers could look beyond the horizons, across the continent to an immense area of land, water, and resources—endless forests, vast prairies, mountains, lakes, streams, wildlife, virgin soils, untapped minerals, amounting in all to 600 acres for every man, woman, and child. That incredible bargain in real estate, Alaska, was purchased from the Russians in 1867, adding the resources and space of another 375 million acres. Even with that addition, populations had so increased that there were but 60 acres of space and resources for each citizen of that era. Populations have continued to burgeon so that today with over 173 millions, the individual share for each American is but 13 acres. Population experts tell us that we shall have grown to 225 millions or more by 1975, with a further reduction of space to 10.5 acres—and by the year 2000, to 300 millions and an individual share of about 8 acres, on which to raise corn and hogs, wheat, beef, timber, wool. From these 8 acres must come the oil, gas, uranium, iron, copper, and other minerals. On these 8 acres must be located our schools, homes and lawns, churches, supermarkets, playgrounds; industrial plants, factories, warehouses, airports, and highways.

Take the new Federal highways program. Directly and indirectly it will consume 2¼ million acres of land—removing it from other production and generally highways seem attracted to the best and most productive land. Just bumper to bumper parking of today's trucks and automobiles takes up a half million acres and at present rates of auto and truck production the acreage requirement will increase threefold in the next 40 years.

We are all familiar with suburbia sprawling out from every metropolitan area—the inevitable human urge for elbow room—the chance for escape from the overwhelming crowding within our cities. A chance to exchange pavement for good green grass, towering skyscrapers for trees, neon lights for stars and the moon, the chance to recognize the changing seasons by something other than the need to switch from furnace to air conditioner.

And even suburbia, with all its contributions to our way of life, occasions its own and serious problems. How to get these increasing masses of people to and from their jobs in the city. So highway engineers in a hundred places ogle the parks as rights of way, already in public ownership, with minimum problems of acquisition, cost, removal of structures and the like. Threats to our totally inadequate city park systems are serious now, they will become even more so in the years ahead.

Suburbia itself consumes land, over a million acres per year, so it has been estimated. The gently rolling hills of eastern Jefferson County, my own home, once helped feed the city of Denver. Within 10 years it will be almost entirely in subdivisions. The bottom areas once produced a bumper crop of pheasant and contributed much to the fall hunting season. With suburbia, habitat for pheasant has diminished, and those birds which do nest and survive the raids of housecats, pet dogs and mowing machines are unavailable to the sportsman, because the human population is too dense to permit safe hunting. The eager sportsman must now go farther afield and add to pressure on already overtaxed areas.

This process continues inexorably in thousands of communities all over the country. The experts tell us that within a very few years the eastern seaboard from Portsmouth, N. H., to Norfolk, Va., will be one continuous city. Meanwhile the seashore itself, offering the greatest outdoor recreation potential for those teeming millions, is becoming less and less available for public access and use. Across the continent California burgeons and will shortly exceed New York in population with all that that implies in impact on resources and space.

The problems we face in retaining adequate lands and waters for recreation use is not related only to growth in population. As our standard of living improves, and surely no one wishes that trend to be reversed, our demands for resources and the lands required for their production increase. For example, we individually consume twice as much water as we did a generation ago, and parenthetically we are polluting the remaining waters at an even greater rate.

Our per-capita use of electric energy has increased maybe six or seven times, giving rise to the problems which Mr. Binford described so well yesterday in discussing power dams versus salmon in the Columbia River system.

Our individual consumption of timber and wood products, agricultural products, minerals, and metals increases comparably, as has been so well pointed out by the distinguished and expert speakers who have preceded me. I refer to this again only to point out that each and every one of these increased demands results in additional pressures on the lands which heretofore and traditionally have been available for recreation use.

Fortunately in the West, the national forests, national parks, and the public domain are still available for recreation use. But the pressure on them increases just as it does on any other land. For example, recreation use on the national forests in the Rocky Mountain region increased four times in the past decade. There was not only that numerical increase, but visitors to the national forests spent twice as much time enjoying that form of recreation last year than they did 10 years ago. In other words, the recreation pressure has actually increased 800 percent in the last 10 years. If you don't believe it, just head for a favorite stream or lake day after tomorrow when Colorado's trout season opens.

Shortly before leaving the East for this convention, I spent a couple of days touring the Monongahela National Forest in West Virginia. We visited West Virginia's single natural lake. It is one acre in size. We visited Spruce Knob Lake a 15-acre impoundment constructed by the Forest Service in cooperation with the State Game and Fish Commission. Ten days ago when the season opened there were something like 2,500 automobiles there, and 10,000 fishermen. Officials touch off a cannon to open the season and as its thunder dies out there follows a thrashing crescendo of baits, plugs, and bobbers hitting the water.

A recent Colorado Game and Fish Department survey points sharply to another problem—access to fishing water for the public. Even though Colorado is one of the public-land States, at least half of its fishing streams are located on private lands. Ten years ago almost 90 percent of streams on private lands were open for public fishing. Now less than 50 percent are available.

Eight hundred percent more fishing pressure and twenty-five percent less stream area to absorb it. These trends will continue, and they apply as inexorably to waterfowl and upland game and bird shooting as well. More and more hunters are forced to the commercial shooting areas for their sport. More and more of them are banding into small groups to purchase or lease hunting and fishing areas, and so excluding the public. I shan't take the time now to argue the case of the commercial shooting preserve, except to state my own opinion that it will inevitably contribute to the end of public hunting on lands other than public.

And even on the public lands, in view of increasing pressures from other beneficial and essential uses, I question that the public will long support wildlife programs, when hunting becomes identified as target practice with live creatures as the targets.

But getting back to the problem of space. It will be readily seen, that of the 8 acres upon which our grandchildren will depend for all the necessities and luxuries of life, a smaller and smaller percentage will be available for outdoor recreation opportunity. It is a dismal picture, and one which we in the Izaak Walton League and every other conservation organization must face up to squarely. I do not believe, however, that we need to be discouraged. But, we sure as certain must be determined. And we must recognize the facts of life for what they are.

We can regret the old days, if we wish, but that will not bring them back. We can resist the inevitable changes which we call progress, but we can never stop them. We can continue to take hunting, fishing and outdoor recreation for granted, and watch it continue to decrease both in variety and quality. Inertia, lethargy and lack of vigor on our part will inevitably lead to frustrating mediocrity of outdoor opportunity.

But we do not have to behave in any such manner. We can be determined, we can be practical, we can even be inspired. We can, if we will, design and build into almost every aspect of economic and social development the essential elements of resource management which can assure us of a bright and better outdoor America. This has already been proved many places. Nor

need we be alone in seeking these objectives.

We should not discount the vision and statesmanship of many of our representatives in Congress. It is no idle gesture when national leaders sponsor and support such legislation as the Humphrey-Saylor wilderness bill, the Watkins-Metcalf coordination act amendments, the Blatnik pollution control program, the acreage reserve of the soil bank, the Engle military withdrawal act, amendments to the Migratory Waterfowl Act to expedite the acquisition of essential waterfowl habitat, "Mission 66," "Operations Outdoors," just to mention a few.

Nor should we minimize the importance of dedicated public servants in the Federal services concerned with outdoor recreation—the Forest Service, Park Service, Fish and Wildlife Service, BLM, Indian Service, SCS, Pollution Control Division of HEW, and across the country from coast to coast in the State agencies with comparable responsibilities.

Nor should we overlook the potential help that exists among the development agencies and interests. Sometimes it seems that we have been narrow—and I dare say we've had little choice, actually. But in resisting certain developments we believed highly damaging, we have failed to recognize great potentials in other developments. For example, not far from Colorado Springs is located the John Martin Reservoir. Had we had the determination and vigor during the planning days of that project, perhaps provision could have been built in for a permanent conservation pool, and so provided the Arkansas Valley with a recreation resource of inestimable value.

We have resisted many an Army engineer power or flood-control project—and I am not suggesting that we were wrong in doing so. But we were not as determined and vigorous, until recently, in constructively supporting a sound program of land acquisition, public access, and facilities which, on existing reservoirs alone, could have quadrupled the public recreation opportunities available. The same can be said with respect to reclamation reservoirs throughout the West.

Maybe it is just human nature. We can be aroused easily to resist something we believe wrong. Too infrequently are we aroused to insist upon something we know to be right.

Essentially, I believe that is the real challenge which faces us in assuring abundant and high quality recreation opportunity in the space age. There is no shortcut by which we can attain our objective, any more than there is a shortcut to growing timber which may require 60 or 160 years to reach sawlog size.

The challenge to us is not in fighting a rear-guard action, an effort to defer the day when natural outdoor recreation opportunity might give way entirely to the most artificial kind of substitutes. Ours must be an effort to preserve and protect our outdoor heritage by making it an integral and coordinate part of our total economic and social complex and of land management patterns and programs. Our efforts must be directed toward enlisting the understanding, support, and positive participation of all citizens and all interests, educational, commercial and industrial, and government at all levels, of course.

We must ourselves seek a better understanding of the basic characteristics of the values we believe should be perpetuated in our society. And in seeking such understanding we must be wary of being trapped by slogans. Conservation can be and is used to sell programs far removed from the Roosevelt-Pinchot concept. Multiple use itself can be and is used to try to thwart the very objectives of the true principles of multiple use.

The Izaak Walton League in proposing the outdoor recreation resources review legislation had these thoughts in mind. Its sponsors in the Congress did also. In our view, the objectives of such an outdoor recreation study are first steps in a sound, long-range program.

We need to know, on a national, comprehensive basis just what outdoor recreation opportunities remain to us. We need to know how they fit into the rest of our civilization's pattern. We need a thorough, soul-searching evaluation of these recreation resources, and a hard, second look at some of the measurements we have customarily applied, measurements having their origins in an earlier and far less complicated era. We must revise operating policies which nationwide have consistently confused quantity with quality.

Expressed more simply—a full creel of trout may be a measure of good catching, but alone is hardly the criterion for good fishing. A full bag of birds, likewise, might measure good shooting while measuring not at all the quality of hunting experience.

We must study as well the trends in recreation participation, so as to obtain an accurate estimate of the scope and the quality of recreation opportunity which future, vastly larger populations will require.

With these two steps accomplished, the specific job of planning, at Federal, State local, and private levels, can be carried out realistically and we hope in a far more enlightened and integrated manner.

I am inclined to believe that the greatest value which will come from this survey will be broader understanding and acceptance of basic conservation facts, which the league and other organizations worthy of the adjective, "conservation," have known for a long time.

For example, protection of watersheds, erosion-control programs, elimination of silt from our streams, lakes and reservoirs will increase tremendously the opportunity for all outdoor recreation associated with water. Nor would this increase be at the expense of any other water use. Moreover, such conservation measures on the land are essential in themselves to maintain and enhance the land's potential to produce other necessities of life.

Control and abatement of municipal, industrial and agricultural pollution likewise will greatly increase the Nation's supply of usable water for all purposes as well as increasing recreation opportunity.

Timber-access roads, timber-stand improvement, forest, range, fire, insect, and disease research are essential to future supplies of forest products and will as well serve recreation purposes.

Another highly important understanding which should result from this study, and it is an important part of the total outdoor recreation picture to which the League and others have paid far too little attention. That is the role of private lands and waters which contribute to the national recreation potential.

We holler in righteous wrath when a formerly open stream is posted, or when a farm no longer is available for upland game hunting. For the most part we've been lethargic and done little about it in any positive fashion. When we consider that about 80 percent of all the hunting in the United States occurs on private lands, we must see the importance of well thought out and constructive programs. It is encouraging that many large land owners, timber interests particularly, are recognizing the greater contribution which their lands can contribute to the general public good, beyond their primary production. Our cooperation in this area must be positive, constructive and enlightened.

The league's soil-bank project, a positive program of cooperation with the conservation reserve is another type of approach which can increase recreation potentials and their availability to the public. Red Hat Day, Keep Green, Litterbug and similar programs also serve to remind us of our individual responsibilities and so assure the respectability of the purpose which takes us into the outdoors.

In summary, I doubt that the space-age offers the sportsmen and outdoor recreationist any new challenge. The problems are the same as faced the early New England colonist, who found it getting too crowded, resources depleted, the hunting gone to "pot" and so moved westward. A process repeated again and again over a period of 2 centuries, with the objective the securing of fresh and untouched resources. Now earthly frontiers have all been exhausted. Moving on, has not solved our problems. We must live with them, overcome them. The space-age offers no new escape. Whatever it may have to offer, it cannot replace the opportunities we have here and now, anymore than the settling of the Rocky Mountains, California and the Northwest solved the resource and population problems of New England and the eastern seaboard.

The space age will intensify the problems, of course, the pressures on all resources will be compounded again and again. I am sure we can feed, clothe and shelter the greater populations of the world. Maybe our future living and working conditions will resemble more than anything else the batteries of a modern day chicken hatchery. If so, and provision has not also been made for recreation of the human spirit in the outdoors, the inspiration of unspoiled scenery, the chance to be a part of the natural world for a bit and regain perspective—we will certainly end up a sorry race of people of little value in the good God's cosmic plan.

The challenge is a real one, far more difficult I am sure than we can yet imagine. But we can meet it with courage, vision, and wisdom, if we decide that it is worth the effort. The Izaak Walton League and like minded people all over the country know that it is worth the effort. So let's get on with the job.

Mr. SAYLOR. Mr. Speaker, I yield such time as he might require to the gentleman from Washington [Mr. WESTLAND].

Mr. WESTLAND. Mr. Speaker, wherever we look at our American outdoors we see the pressures of our civilization and its growing populations threatening our natural resources. Our problem is not a simple one. It is not enough to correct any one mistake. What we need is the kind of broad basic inventory which this Outdoor Recreation Resources Review calls for and I urge that this act already passed by the Senate be given prompt and decisive approval by this House.

To illustrate the far-reaching importance of this measure I should like to point out how greatly needed it is in dealing with an increasingly difficult perplexity in maintaining our national wildlife refuges. The connection may at first thought seem remote and indirect. Actually it is immediate and direct. We cannot solve any of these natural resources problems unless we have a sound overall program.

Since the establishment of the first national wildlife refuge in the early part of the century by Theodore Roosevelt, our refuge system has grown to an impressive 264 areas. These units of our Federal land resource perform a major function in the outdoor recreation field. They provide vital breeding, resting, and wintering habitat for a wide variety of bird and animal life. Such wildlife in

turn provides much pleasure and recreational opportunity for America's millions of photographers, hunters, fishermen, and outdoor enthusiasts.

As an additional and very commendable side benefit, these areas have provided visitors with a chance to observe native birds and mammals in their natural setting—undisturbed by actions of man. In recent years, however, refuge officials have become increasingly perplexed by the invasion of their areas by ever greater numbers of people. Many of these folks desire sites for picnics and camping and general outdoor recreational activities. When they come to the refuges, many expect this type of activity to be provided. The problem has been greatly multiplied by our increasing population, more leisure time, and improved methods of transportation.

The wildlife refuge system was set up fundamentally to protect wildlife. The area involved over the Nation is very small. Any major changes in present management in these areas must be aimed at protecting the refuges against damage—rather than encouraging greater public use at the expense of wildlife production.

This picture of greater pressure being exerted on wildlife refuges to provide park-type recreation merely emphasizes the extreme need for adequate recreation areas. We must not undermine our wildlife refuge system or any other of our public-land programs in order to meet the increased demand for outdoor recreation areas. We are taking a very narrow view of the whole picture if we do so. As refuges, these areas perform a very important function in the recreational field—that of insuring a continuing breeding stock of wildlife for hunters, photographers, and nature lovers to enjoy and to make use of—each in his own way. If we try to expand the recreational facilities of the refuges to make them qualify also as parks—and in so doing damage the wildlife producing capabilities of the refuges—we are jeopardizing a well-managed, long-term program to meet a short-term expedient need.

The point I wish to make is this: The impact of people on wildlife refuges is just one example of a crying need in evidence throughout the country. It indicates the fundamental and pressing importance of an overall recreational study—one which must begin immediately. Such a study at best will require more than 3 years to complete. During this period more and greater pressures will be building up. But to delay the beginning of such an important activity is to compound the problem a hundredfold.

The recreational needs of the American people are many and varied. They include the opportunities provided by the lands under the jurisdiction of many State and other governmental agencies—the parks, forests, wildlife refuges, and wilderness areas, as well as the more urban recreational developments. The scope of a study of these needs is far beyond the authority of any presently constituted agency.

Only the Outdoor Recreation Resources Review Commission established by the measure presently under consideration can accomplish this basic task. We must have this careful inventory of all our outdoor recreation resources, and we need it now, in order to be prepared for what the years 1976 and 2000 may require of us.

I therefore urge immediate passage of this legislation.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I would just like to state that the Wisconsin conservation groups have all been in touch with me about this legislation to provide for a National Outdoor Recreation Resources Review Commission. I commend the House committee for bringing out this legislation so that we can act on it today.

Mr. ENGLE. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I have before me a wire from the Mountaineer Chapter of the Izaak Walton League of West Virginia urging the passage of this legislation. Having been a lifelong member of the Izaak Walton League of West Virginia, who thinks this is good legislation, I would like to give my endorsement to S. 846, and I hope the bill will be approved.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I rise in support of S. 846. I would like to say that the Sierra Club, of California, which is one of the outstanding organizations of the country from the standpoint of protecting our natural resources, has been one of the most active groups in pressing for the passage of a bill of this type. They feel that this is a necessary preliminary step to the proper and maximum utilization of the Federal lands that we have and the preservation of these lands for the enjoyment of future generations. I am very pleased that we are acting today on this bill, and urge its immediate approval.

Mr. SAYLOR. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I note in the bill that stream pollution is given the once-over treatment very lightly, and it would be my hope that if this Commission is established, if this legislation is enacted, that it will dig and dig deeply into stream pollution, which, to me, is one of the worst evils in the area of natural resources that is going on in this country today. I want to reiterate that if a commission is established, together with an advisory council and an executive secretary and so on and so forth, that particular emphasis be put upon stream pollution and that at the earliest date Congress come up with legislation, with teeth, to stop the pollution of the streams of this country.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill with amendments.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AMENDING THE VIRGIN ISLANDS CORPORATION ACT

Mr. O'BRIEN of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12226) to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4 (a) of the Virgin Islands Corporation Act (63 Stat. 350, 352; 48 U. S. C. 1407c (a)) is hereby amended to read as follows:

"(a) To have succession until June 30, 1969, unless sooner dissolved by act of Congress. As such time as the Board of Directors finds that the economic development of the Virgin Islands of the United States will be served effectively by the sale of some or all of the assets of the Corporation to private enterprise, such disposal may be effected, and for this purpose the Board of Directors is authorized to sell any or all such assets at such time as it considers appropriate for a fair and reasonable value, without regard to the provisions of the Federal property and Administrative Services Act of 1949, as amended, or any other law: *Provided*, That in the event the Board of Directors proposes to negotiate the disposal of any of the assets of the Corporation for an amount in excess of $25,000, the Board of Directors shall submit to the Committees on Interior and Insular Affairs of the House of Representatives and the Senate an explanatory statement relating thereto, such statement to be submitted at least 45 days (exclusive of days on which the House of Representatives or the Senate is not in session because of adjournment of more than 3 days to a day certain) prior to the consummation of such negotiated disposal."

SEC. 2. The first sentence of section 4 (i) of said act is hereby amended to read as follows:

"(i) To appoint, without regard to the provisions of the civil-service laws, such officers, agents, attorneys, and employees as may be necessary for the conduct of the business of the Corporation; to delegate to them such powers and to prescribe for them such duties as may be deemed appropriate by the Corporation; to establish an efficiency or merit rating system, as may be desirable; to fix and pay such compensation to them for their services as the Corporation may determine, without regard to the provisions of the classification laws except to the extent that these laws may be extended to the Corporation by the President of the United States; without regard to the provisions of any other law, to establish hours of work, conditions governing the payment of compensation for overtime hours, and working rules and working conditions generally; and to require bonds from such of them as the Corporation may designate, the premiums therefor to be paid by the Corporation."

SEC. 3. Section 4 of said act is hereby amended by adding at the end thereof the following new subsections (o) and (p):

"(o) To construct, operate, and maintain salt water distillation facilities in St. Thomas, Virgin Islands. Such facilities shall be used to supply water for sale to the government of the Virgin Islands and to persons purchasing directly from the Corporation: *Provided*, That the principal contract for the construction of such facilities shall not be executed by the Corporation—

"(i) until the government of the Virgin Islands has contracted to purchase a minimum quantity of water at a price established by the Corporation. The price established by

the Corporation for sale of water shall be calculated to cover, as a minimum, all costs of construction, operation, and maintenance of such facilities, including but not limited to depreciation and payment of interest on the Corporation's indebtedness in connection with such facilities;

"(ii) until the Secretary of the Interior has concluded that such facilities will most economically and expeditiously provide an adequate supplemental supply of potable water for St. Thomas; and

"(iii) if the Secretary so concludes, until the expiration of 45 calendar days (exclusive of days on which the House of Representatives or the Senate is not in session because of an adjournment of more than 3 days to a day certain) from the date on which such construction contract has been submitted to the Committees on Interior and Insular Affairs of the House of Representatives and the Senate. With such contract, there shall also be submitted to such committees an explanatory statement of the Secretary's conclusion pursuant to (ii) hereof, together with the reasons therefor and supplemental data concerning alternative sources of water which have been investigated.

The Corporation shall report annually to the Congress on the operation of the plant and shall include in its reports all technical and operational information pertinent to the prosecution of the Government's saline water research and development program (act of July 2, 1952, 66 Stat. 328, as amended) which is derived from said operation.

"(p) To borrow from the Treasury of the United States, within such amounts as may be approved in appropriation acts, for the sole purpose of constructing, operating, and maintaining the facilities authorized in subsection (o) of this section, sums of money not to exceed a total of $2 million. For this purpose the Corporation may issue to the Secretary of the Treasury its notes, debentures, bonds, or other obligations to be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations: *Provided*, That all such obligations shall be redeemed within a period of not to exceed 20 years from date of issuance out of revenues from the sale of water. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States having comparable maturities. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Corporation to be issued hereunder and, for such purpose, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Corporation's obligations hereunder."

SEC. 4. Section 6 (a) of said act is hereby amended by striking out the figure "$9 million" in both places where it appears therein and inserting in lieu thereof the figure "$11 million."

SEC. 5. Section 8 (a) of said act is hereby amended to read as follows:

"(a) Appropriations are authorized for payment to the Corporation in the form of a grant of such amounts as may be necessary to cover losses incurred in the conduct of its activities which are included in the annual budget as predominantly revenue producing."

SEC. 6. The first paragraph of section 9 of said act is hereby amended by striking out the words "the Chairman of the Reconstruction Finance Corporation" and inserting in lieu thereof the words "the Administrator of the Small Business Administration."

SEC. 7. (a) The Secretary of the Navy is hereby authorized and directed to transfer and convey to the Virgin Islands Corporation, without reimbursement, the power-generating facilities located at the Marine Corps air facility and naval submarine base, St. Thomas, V. I., together with all the land, buildings, structures, facilities, distribution lines, fuel tanks, and equipment appurtenant thereto and necessary for the operation thereof.

(b) Upon the transfer and conveyance of such real and personal property to the Virgin Island Corporation, the interest-bearing investment of the United States in the Corporation shall be increased by the appraised value of such property based on cost less (a) depreciation, (b) the added cost of national defense features, and (c) improvements and additions made by the Virgin Islands Corporation, as approved by the Bureau of the Budget.

(c) The Virgin Islands Corporation shall be required to supply to the Department of Defense until June 30, 1969, all electric power required by such Department in St. Thomas up to the amount of the designed capacity of the plant on January 1, 1948. Such power shall be supplied at cost to the Corporation (based on the value ascertained in accordance with subsection (B)), including depreciation and interest on investment. If the facilities described in subsection (a) of this section are disposed of pursuant to section 4 (a) of the Virgin Islands Corporation Act, the purchaser of such facilities shall be required to comply with this subsection (c), the same as if the disposal had not been made, until 2 years from the date of such disposal or until June 30, 1969, whichever occurs first.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADJUSTING CONDITIONS OF EMPLOYMENT IN THE CANAL ZONE

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1850) to adjust conditions of employment in departments or agencies in the Canal Zone, with a committee amendment.

The Clerk read as follows:

Be it enacted, etc.—

FINDINGS

SECTION 1. (a) The Congress of the United States of America hereby finds that the Government of the United States of America and the Government of the Republic of Panama on January 25, 1955, entered into a treaty (known as the Treaty of Mutual Understanding and Cooperation), to which was attached a memorandum of understandings reached (otherwise referred to as the memorandum of understandings), signed by such Governments on such date.

(b) The Congress further finds that, under such memorandum of understandings, the Government of the United States assumed certain obligations set forth in item 1 of such memorandum as follows:

"1. Legislation will be sought which will authorize each agency of the United States Government in the Canal Zone to conform its existing wage practices in the zone to the following principles:

"(a) The basic wage for any given grade level will be the same for any employee eligible for appointment to the position without regard to whether he is a citizen of the United States or of the Republic of Panama.

"(b) In the case of an employee who is a citizen of the United States, there may be added to the base pay an increment representing an overseas differential plus an allowance for those elements, such as taxes, which operate to reduce the disposable income of such an employee as compared with an employee who is a resident of the area.

"(c) The employee who is a citizen of the United States will also be eligible for greater annual leave benefits and travel allowances because of the necessity for periodic vacations in the United States for recuperation purposes and to maintain contact with the employee's home environment.

"Legislation will be sought to make the Civil Service Retirement Act uniformly applicable to citizens of the United States and the Republic of Panama employed by the Government of the United States in the Canal Zone.

"The United States will afford equality of opportunity to citizens of Panama for employment in all United States Government positions in the Canal Zone for which they are qualified and in which the employment of United States citizens is not required, in the judgment of the United States, for security reasons.

"The agencies of the United States Government will evaluate, classify, and title all positions in the Canal Zone without regard to the nationality of the incumbent or proposed incumbent.

"Citizens of Panama will be afforded opportunity to participate in such training programs as may be conducted for employees by the United States agencies in the Canal Zone."

(c) The Congress further finds that the enactment of legislation containing a statement of general policies and principles and other provisions in implementation of item 1 of such memorandum of understandings is necessary to the faithful and proper discharge of the obligations assumed by the Government of the United States under such item.

DEFINITIONS

SEC. 2. As used in the following provisions of this act, the term—

(1) "department" means a department, agency, or independent establishment in the executive branch of the Government of the United States (including a corporation wholly owned or controlled by the United States) which conducts operations in the Canal Zone;

(2) "position" means those duties and responsibilities of a civilian nature under the jurisdiction of a department (A) which are performed in the Canal Zone or (B) with respect to which the exclusion of individuals from the Classification Act of 1949, as amended, is provided for by section 202 (21) (B) of such act as amended by section 16 (a) of this act;

(3) "employee" means any individual holding a position; and

(4) "continental United States" means the several States of the United States of America existing on the date of enactment of this act and the District of Columbia.

GENERAL RULES FOR EMPLOYMENT AND WAGE PRACTICES OF UNITED STATES GOVERNMENT IN THE CANAL ZONE

SEC. 3. (a) The head of each department is authorized and directed to conduct the employment and wage practices in the Canal Zone of such department in accordance with—

(1) the principles established in item 1 of the memorandum of understandings set forth in section 1 (b) of this act,

(2) the provisions of this act;

(3) the regulations promulgated by, or under authority of, the President of the

United States in accordance with this act; and

(4) provisions of applicable law.

(b) The President is authorized, to the extent he deems appropriate—

(1) to exclude any employee or position from this act or from any provision of this act, and

(2) to extend to any employee, whether or not such employee is a citizen of the United States, the same rights and privileges as are provided by applicable laws and regulations for citizens of the United States employed in the competitive civil service of the Government of the United States.

EMPLOYMENT STANDARDS

SEC. 4. (a) The head of each department shall establish written standards, in conformity with this act, the regulations promulgated under section 15 (b) of this act, and the Canal Zone merit system established under section 10 of this act, for—

(1) the determination of the qualifications and fitness of employees and of individuals under consideration for appointment to positions, and

(2) the selection of individuals for appointment, promotion, or transfer to positions.

(b) Such standards shall be placed in effect on such date as the President shall prescribe but not later than the 180th day following the date of enactment of this act.

COMPENSATION

SEC. 5. (a) The head of each department shall establish and may revise, from time to time, in accordance with this act, the rates of basic compensation for positions and employees under his jurisdiction.

(b) Such rates of basic compensation may be established and revised in relation to the rates of compensation for the same or similar work performed in the continental United States or in such areas outside the continental United States as may be designated in regulations promulgated under section 15 (b) of this act.

(c) The head of each department may grant increases in such rates of basic compensation in amounts not to exceed the amounts of the increases granted, from time to time, by act of Congress in corresponding rates of compensation in the appropriate schedule or scale of pay. The head of the department concerned may make such increases effective as of such date as he may designate but not earlier than the effective date of the corresponding increases provided by act of Congress.

(d) No rate of basic compensation established under this section shall exceed by more than 25 percent, when increased by the amounts of the allowance and the differential authorized by section 7 of this act, the rate of basic compensation for the same or similar work performed in the continental United States by employees of the Government of the United States.

(e) The initial adjustments in rates of basic compensation under authority of this section shall be effective on the first day of the first pay period which begins more than 60 days after the date on which regulations are promulgated under section 15 (b) of this act.

UNIFORM APPLICATION OF EMPLOYMENT STANDARDS AND RATES OF COMPENSATION

SEC. 6. The employment standards established under section 4 of this act and the rates of basic compensation established under section 5 of this act shall be applied uniformly, within and among all departments, to the respective positions, employees (other than employees who are citizens of the United States and are assigned to work in the Canal Zone on temporary detail), and individuals under consideration for appointment to positions, irrespective of whether the employee or individual concerned is a citizen of the United States or a citizen of the Republic of Panama.

ADDITIONAL ALLOWANCE AND DIFFERENTIAL

SEC. 7. (a) Each employee who is a citizen of the United States shall receive, in addition to basic compensation at the rate established under section 5 of this act, such amounts as the head of the department concerned may determine to be payable, as follows:

(1) an allowance for taxes which operate to reduce the disposable income of such United States citizen employee in comparison with the disposable incomes of those employees who are not citizens of the United States; and

(2) an overseas (tropical) differential not in excess of an amount equal to 25 percent of the aggregate amount of the rate of basic compensation established under section 5 of this act and the amount of the allowance provided in accordance with paragraph (1) of this subsection.

(b) The allowances and differentials provided for by subsection (a) of this section shall become effective initially on the first day of the first pay period which begins more than 60 days after the date on which regulations are promulgated under section 15 (b) of this act.

SECURITY POSITIONS

SEC. 8. Notwithstanding any other provision of this act but subject to regulations promulgated under section 15 (b) of this act, the head of each department may designate any position under his jurisdiction as a position which for security reasons shall be filled by a citizen of the United States.

BENEFITS BASED ON COMPENSATION

SEC. 9. For the purposes of determining—

(1) amounts of insurance under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U. S. C. 2091–2103),

(2) amounts of compensation for death or disability under the Federal Employees' Compensation Act, as amended (5 U. S. C. 751 et seq.),

(3) amounts of overtime pay or other premium compensation,

(4) benefits under the Civil Service Retirement Act, as amended (5 U. S. C. 2251–2267),

(5) annual leave benefits, and

(6) any other benefits which are related to basic compensation,

the basic compensation of each employee who is a citizen of the United States shall include—

(A) the rate of basic compensation for his position established in the manner provided by section 5 of this act, and

(B) the amount of the allowance and the differential determined in the manner provided by section 7 of this act.

CANAL ZONE MERIT SYSTEM

SEC. 10. (a) There shall be established, in conformity with this act, and by regulations promulgated by, or under authority of, the President, a Canal Zone merit system of selection for appointment, reappointment, reinstatement, reemployment, and retention with respect to positions, employees, and individuals under consideration for appointment to positions.

(b) The Canal Zone Merit System, irrespective of whether the employees or individuals concerned are citizens of the United States or citizens of the Republic of Panama, shall—

(1) be based solely on the merit of the employee or individual and upon his qualifications and fitness to hold the position concerned, and

(2) apply uniformly within and among all departments to positions, employees, and individuals concerned.

(c) The Canal Zone Merit System—

(1) shall conform generally to policies, principles, and standards established by or in accordance with the Civil Service Act of January 16, 1883, as amended and supplemented, and

(2) shall include provision for appropriate interchange of citizens of the United States employed by the Government of the United States between such merit system and the competitive civil service of the Government of the United States.

(d) The Canal Zone Merit System shall be placed in effect on such date as the President shall prescribe but not later than the 180th day following the date of enactment of this act.

SALARY PROTECTION IN CONNECTION WITH CONVERSION OF COMPENSATION BASE

SEC. 11. Whenever the rate of basic compensation of an employee established prior to, on, or after the date of enactment of this act in relation to rates of compensation for the same or similar work in the continental United States is converted on or after the effective date of the initial adjustments under authority of section 5 of this act to a rate of basic compensation established in relation to rates in areas other than the continental United States in the manner provided by section 5 (b) of this act, such employee shall, pending transfer to a position for which the rate of basic compensation is established in relation to rates of compensation in the continental United States in the manner provided by such section 5 (b), continue to receive a rate of basic compensation not less than the rate of basic compensation to which he was entitled immediately prior to such conversion so long as he remains in the same position or in a position of equal or higher grade.

APPEALS

SEC. 12. (a) There shall be established, in conformity with this act and by regulations promulgated by, or under authority of, the President, a Canal Zone Board of Appeals. It shall be the duty of the Board to review and determine the appeals of employees in accordance with this section.

(b) The regulations referred to in subsection (a) shall provide for, in accordance with this act, the number of members of the Board, the appointment, compensation, and terms of office of such members, the selection of a Chairman of the Board, the appointment and compensation of employees of the Board, and such other matters as may be relevant and appropriate.

(c) Any employee may request at any time that the department in which he is employed—

(1) review the classification of his position or the grade or pay level for his position, or both, and

(2) revise or adjust such classification, grade, and pay level, or any of them, as the case may be.

Such request for review and revision or adjustment shall be submitted and adjudicated in accordance with the regularly established appeals procedure of such department.

(d) Each employee shall have the right to appeal to the Board from an adverse determination made under subsection (c) of this section. Such appeal shall be made in writing within a reasonable time, as prescribed in regulations promulgated by, or under authority of, the President, after the date of the transmittal by the department to the employee of written notice of such adverse determination.

(e) The Board, in its discretion, may authorize, in connection with an appeal under subsection (d) of this section, a personal appearance before the Board by such employee, or by his representative designated for such purpose.

(f) After investigation and consideration of the evidence submitted, the Board shall—

(1) prepare a written decision on each such appeal,

(2) transmit its decision to the department concerned, and

(3) transmit copies of such decision to the employee concerned or to his designated representative.

(g) The decision of the Board on any question or other matter relating to any such appeal shall be final and conclusive. It shall be mandatory on the department concerned to take action in accordance with the decision of the Board.

CIVIL SERVICE RETIREMENT COVERAGE

SEC. 13. (a) Effective on and after the first day of the first pay period which begins in the third calendar month following the calendar month in which this act is enacted—

(1) the act of July 8, 1937 (50 Stat. 478; 68 Stat. 17; Public No. 191, 75th Cong.; Public Law 299, 83d Cong.), shall apply only with respect to those individuals within the classes of individuals subject to such act of July 8, 1937, whose employment shall have been terminated, prior to such first day of such first pay period, in the manner provided by the first section of such act; and

(2) the Civil Service Retirement Act (5 U. S. C. 2251–2267) shall apply with respect to those individuals who are in the service of the Canal Zone Government or the Panama Canal Company and who, except for the operation of paragraph (1) of this subsection, would be within the classes of individuals subject to such Act of July 8, 1937.

(b) On or before the first day of the first pay period which begins in the third calendar month following the calendar month in which this act is enacted, the Panama Canal Company shall pay, as an agency contribution, into the civil service retirement and disability fund created by the Act of May 22, 1920, for each individual—

(1) who is employed, on such first day of such first pay period, by the Canal Zone Government or by the Panama Canal Company, and

(2) who, by reason of the enactment of this section and the operation of the Civil Service Retirement Act (5 U. S. C. 2251–2267), is subject to such act on and after such first day of such first pay period,

for service performed by such individual in the employment of—

(A) the Panama Railroad Company during the period which began on June 29, 1948, and ended on June 30, 1951, or

(B) the Panama Canal (former independent agency), the Canal Zone Government, or the Panama Canal Company during the period which began on July 1, 1951, and which ends immediately prior to such first day of such first pay period,

an amount equal to the aggregate amount which such individual would have been required to contribute for retirement purposes if he had been subject to the Civil Service Retirement Act during such periods of service.

(c) Nothing contained in this section shall affect—

(1) the rights of any individual existing immediately prior to such first day of such first pay period above specified, or

(2) the continuing obligations of the Canal Zone Government and the Panama Canal Company under section 4 (a) of the Civil Service Retirement Act (5 U. S. C. 2254 (a)), to reimburse the civil service retirement and disability fund for Government contributions to such fund covering service performed, on or after such first day of such first pay period above specified, by the employees concerned.

PARTICIPATION IN TRAINING PROGRAMS

SEC. 14. Any training program established by a department shall be applied uniformly to each employee irrespective of whether such employee is a citizen of the United States or of the Republic of Panama. Each such employee who is a citizen of the Republic of Panama shall be afforded opportunity to participate in such training program on the same basis as that upon which opportunity to participate in such training program is afforded to employees who are citizens of the United States.

ADMINISTRATION

SEC. 15. (a) The President shall coordinate the policies and activities of the respective departments under this act.

(b) The President is authorized to promulgate such regulations as may be necessary and appropriate to carry out the provisions and accomplish the purposes of this act.

(c) The President is authorized to delegate any authority vested in him by this act and to provide for the redelegation of any such authority.

CHANGES IN EXISTING LAW

SEC. 16. (a) Paragraph (21) of section 202 of the Classification Act of 1949, as amended (5 U. S. C. 1082), is amended to read as follows:

"(21) (A) employees of any department who are stationed in the Canal Zone and (B) upon approval by the Civil Service Commission of the request of any department which has employees stationed in both the Republic of Panama and the Canal Zone, employees of such department who are stationed in the Republic of Panama;".

(b) The following provisions of law are hereby repealed:

(1) paragraph (32) of section 202 of the Classification Act of 1949, as amended (5 U. S. C. 1182);

(2) subsection (c) of the first section of the Act of October 25, 1951 (65 Stat. 637);

(3) section 804 of the Postal Field Service Compensation Act of 1955 (69 Stat. 130; 39 U. S. C. 1034); and

(4) section 404 of the Act of May 27, 1958 (72 Stat. 146; Public Law 85–426).

(c) Subsections (a) and (b) of this section shall become effective on the first day of the first pay period which begins more than 60 days after the date on which regulations are promulgated under section 15 (b) of this act.

APPLICABILITY OF CERTAIN EXISTING LAW

SEC. 17. Nothing contained in this act shall affect the applicability of—

(1) the Veterans' Preference Act of 1944, as amended (5 U. S. C. 851–869),

(2) section 6 of the Act of August 24, 1912, as amended (5 U. S. C. 652), and

(3) section 23 of the Independent Offices Appropriation Act, 1935 (48 Stat. 522), as amended (5 U. S. C. 673c), or section 205 of the Federal Employees Pay Act of 1945, as amended (5 U. S. C. 913), to those classes of employees within the scope of such sections 23 and 205 on the date of enactment of this act.

EFFECTIVE DATES

SEC. 18. Except as otherwise provided in sections 4, 5, 7, 10, 13, and 16 of this act, this act shall become effective on the date of its enactment.

Amend the title so as to read: "An act to implement item 1 of a memorandum of understandings attached to the treaty of January 25, 1955, entered into by the Government of the United States of America and the Government of the Republic of Panama with respect to wage and employment practices of the Government of the United States of America in the Canal Zone."

The SPEAKER pro tempore. Is a second demanded?

Mr. REES of Kansas. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker. I yield 10 minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG. Mr. Speaker, it is a pleasure for me to speak here today in support of this proposed legislation because I feel there is probably nothing that could come before this House in this session that would be more important in affecting the relationship between our great country and the Republic of Panama.

Mr. Speaker, on January 25, 1955, the Governments of the United States of America and the Republic of Panama concluded a treaty concerned with the operation and administration of the Canal Zone. Attached to this treaty was a memorandum of agreement which, among other things, sets forth certain policies and principles regarding the employment of both Panamanian and United States citizens in the Canal Zone. The United States Government agreed to seek legislation to implement these provisions. They can be summarized as follows:

First. All positions in the Canal Zone will be classified and evaluated without regard to the nationality of the incumbent or prospective government;

Second. A uniform basic wage will be established for any given grade level and position which will be the same for any eligible employee or prospective employee without regard to whether such individual is a citizen of the United States or of the Republic of Panama;

Third. Equality of opportunity for employment in positions in the Canal Zone will be offered to all eligible individuals with the exception that certain positions may be designated as security positions which are to be filled only by citizens of the United States;

Fourth. Citizens of the Republic of Panama will be afforded equal opportunity to participate in such training programs as may be conducted for citizens of the United States in the Canal Zone; and

Fifth. The provisions of the Civil Service Retirement Act will be made uniformly applicable to the citizens of the United States and the Republic of Panama employed in the Canal Zone.

This memorandum of agreement is not mentioned in the treaty. It was, however, agreed to on the same date as the treaty and attached thereto when it was forwarded to the Senate for ratification. The respective committees of Congress were consulted in no way either during the negotiations or during the hearings on the ratification.

Hearings were held in Washington, D. C., in June and July of last year. So many controversial questions were raised during these hearings it was decided that hearings on-site in the Canal Zone would be necessary if a bill with equitable and adequate provisions was to be reported. Three days, representing 18 hours of concentrated hearings were held in the Canal Zone in the last week of November of 1957.

Numerous conferences and meetings were held with the representatives of the departments and agencies concerned, as well as with officials of the State Department and the Republic of Panama during the first 5 months of this year. The bill which is under consideration today results from this almost 1 year of study and consultation.

Bill S. 1850 as passed by the Senate implements the provisions of item 1 of the memorandum of agreement merely through the repeal or amendment of present law which would allow administrative determination of position classification and evaluation, the establishment of a pay structure for the Canal Zone, and uniform application of the Retirement Act. The committee, in its deliberations, arrived at the definite conclusion that if the policies and principles set forth in the memorandum of understanding were to be faithfully and properly discharged, certain policies and principles and other provisions should be spelled out in law.

S. 1850, as reported by the committee, represents the spelling out of these certain policies, procedures, authorities, limitations, and controls. The language, the policy, the procedure, and the overall controls and limitations represented by this amended bill have been approved by representatives of all departments and agencies concerned, as well as by those of the Department of State and the Republic of Panama. The committee feels that it truly presents answers to all the controversial problems brought up during the extended hearings and conferences.

Section 1 (b) of the bill as reported by the House committee, which sets forth the provisions of item 1 of the memorandum, constitutes a formal recognition by the Congress on item 1 and the obligations contained therein. Such recognition is necessary as an aid to the maintenance of the reputation of the United States Government for reliability and good faith in the conduct of its foreign relations. The recognition and implementation of item 1 in this proposed legislation again demonstrates that the United States Government will keep its word and honor its commitments.

However, the implementation by this proposed legislation of item 1 of the memorandum of understandings involves areas of personnel policy and administration with many complex problems and complicated relationships. As stated before, the memorandum of understandings was entered into without prior consultation by appropriate authorities in the excessive branch with the respective committees on Post Office and Civil Service of the Senate and the House of Representatives. The experience of this committee has demonstrated the desirability of full and complete discussion and exchange of information between the executive branch of the Government and this committee in connection with personnel legislation not involving the implementation of a treaty or executive agreement. With full recognition of and due regard for the authority of the executive branch of the Government under the Constitution of the United States to enter into treaties and agreements in the conduct of the foreign relations of the United States and without attempting in any way to derogate from that authority, this committee, nevertheless, believes that, if, in the future, there is under consideration the negotiation of any treaty or agreement involving the civil service, classification, pay, or other civilian personnel laws, rules, and regulations, the respective committees of the Senate and House of Representatives having jurisdiction over such matters should be consulted by the appropriate authority or authorities in the executive branch prior to the conclusion of such treaty or agreement.

The Department of State has informed the committee that no other treaty or agreement involving personnel or pay administration or the civil-service laws, orders, rules, and regulations is now contemplated or anticipated.

EXISTING EMPLOYMENT CONDITIONS IN THE CANAL ZONE

At the present time there are in the Canal Zone approximately 22,000 employees of the United States Government. Of these 22,000 employees, approximately 5,500 are citizens of the United States and approximately 16,500 are citizens of other nations, including some 14,000 citizens of the Republic of Panama.

The larger proportion of these employees are engaged in work the compensation for which is determined on a local or prevailing rate basis. These are the so-called blue-collar employees and positions.

However, a not inconsiderable number of employees, especially in the military departments, perform work of a nonmanual nature. These are the so-called white-collar employees and positions.

At the present time, there are almost as many position-classification and evaluation standards and rates of basic compensation for these positions in the Canal Zone as there are positions themselves. The wage scales and conditions of employment vary with the nationality of the employee concerned and with the classification and evaluation of his position under the standards and regulations of the agency concerned. This situation obtains with respect to both blue-collar and white-collar employees and positions in the Canal Zone.

This inequality of, and lack of uniformity in, the application and operation of employment and personnel rules, regulations, standards, and procedures generally is evidenced also in conditions of employment other than classification, evaluation, and pay. For example, some Panamanian employees are covered by the Civil Service Retirement Act. Others are not so covered. In effect, therefore, discrimination in employment exists in varying degrees. This situation has resulted in ill will, lower morale, and a general lack of a sense of well-being among the employees concerned as well as a deterioration of relations between the Government of the United States and the Government of the Republic of Panama.

CENTRALIZED EXECUTIVE AUTHORITY

Testimony at the hearings before the subcommittee concerned and statements made in writing subsequent to the hearings indicate that the employees in the Canal Zone have based on one uncertainty a large part of their objections and complaints with respect to the implementation of item 1 of the memorandum of understandings. Employee groups have expressed doubt as to the likelihood of the faithful and equitable discharge by local officials of the obligations of the United States Government under item I unless specific provisions were made in appropriate legislation for an overall coordinating and controlling authority.

Therefore, in order to overcome this uncertainty and doubt, this bill makes specific provision in sections 3 and 15 for an overall executive authority to coordinate the policies and activities of the respective executive departments, agencies, establishments, and corporations under the bill. This authority is specifically vested by section 15 in the President of the United States. In effect, the Office of the President will be the single agency of the United States Government, under authority of the President, through which the orders, instructions, and regulations governing employment and wage practices in the Canal Zone are to be issued.

The provisions of section 15 are intended to eliminate the possible occurrence of any administrative action based on personal whim or caprice and contrary to the intent and purpose of item 1 of the memorandum of understandings. In addition, the provisions of section 15 of the reported bill are intended to obtain complete uniformity of treatment among the executive departments, agencies, establishments, and corporations concerned and to provide full recognition of the continuing relationships between the United States Government and the Government of the Republic of Panama.

ESTABLISHMENT OF WAGE SCALES

The reported bill requires the establishment of a uniform basic wage for each position, payable to the occupant thereof irrespective of his nationality. The bill also provides for the additional payment to United States citizen employees of a tropical differential of not to exceed 25 percent of the rate of basic compensation for the same or similar work performed in the continental United States—that is, the existing 48 States and the District of Columbia—and an allowance for those taxes which operate to reduce the disposable income of such United States citizen employees in comparison to the disposable income of those employees who are not United States citizens.

The reported bill also provides that, in the establishment of this uniform basic wage or rate of basic compensation, the rate of basic compensation for the same or similar work in the continental United States—as described above—shall be used as a basis for comparison in a manner similar to that which has been the practice in the past.

The bill also provides that certain positions may be compared with positions

in the Republic of Panama or in the Caribbean area for the purpose of wage establishment. However, in any case, the sole authority for any such comparison is in the President of the United States rather than the respective executive departments, agencies, establishments, and corporations conducting operations in the Canal Zone.

In no case are wages to be based on a comparison with wage scales which would result in wage rates lower than those rates being paid in the Republic of Panama. The committee believes that the provisions of the reported bill with respect to establishment of wage rates will answer the objections of employee groups concerning wage-rate establishment and will provide a completely workable formula.

SALARY PROTECTION

The reported bill contains a provision for the protection of salaries of employees in connection with conversions of their compensation bases. This provision operates to protect the salary of an employee when his rate of basic compensation, which was established in relation to rates of compensation for the same or similar work in the continental United States, as defined in the bill, is converted to a rate of basic compensation, which is established in relation to rates in the Republic of Panama or any other area not within the continental United States, as defined in the bill.

This committee believes that this salary protection provision, which is quite broad in its application, will protect fully both United States citizen employees and employees who are citizens of the Republic of Panama from any loss of salary which otherwise might result from the enactment of the bill.

SECURITY POSITIONS

The reported bill provides generally that the head of any executive department, agency, establishment, or corporation may designate any position in the Canal Zone under his jurisdiction as a position which, for security reasons, must be filled by a United States citizen. This authority, which supersedes the other provisions of the bill generally, is subject, however, to the regulations promulgated by the President, or by his authority, under section 15 (b) of the bill.

APPEALS

The enactment of this proposed legislation will remove all employees in the Canal Zone from the appeals provisions of the Classification Act. The bill establishes an appeals system under which the individual employee, regardless of his nationality, will have the right to appeal his position classification or evaluation, or the grade or pay level of his position, or both.

The bill provides for the establishment of a Canal Zone Board of Appeals by or under the authority of the President. The bill provides that the regulations issued by or under authority of the President which establish the Board shall provide for the number of members of the Board and for their appointment.

The Board will review and determine the appeal of any employee relating to the classification or evaluation of his position and the establishment of the grade or pay level of his position. The findings of the Board are conclusive and are mandatory on the executive department, agency, establishment, or corporation concerned.

The provisions of section 6 of the act of August 24, 1912—the Lloyd-La Follette Act—as amended, and the Veterans' Preference Act of 1944, as amended, will not be affected by this legislation and will continue to be in effect in the Canal Zone. These provisions of law will provide general protection for the employee concerned against separation, removal, suspension, discharge, and other adverse actions, with the right of appeal by the employee to the United States Civil Service Commission.

The rights and privileges of judicial review in accordance with law, court decisions, orders, and regulations will continue to be effective under the bill.

TRAINING

The committee, in reporting this bill, is providing equal opportunity for employees who are citizens of the Republic of Panama to participate in such training programs as may be established in the Canal Zone for citizens of the United States. The testimonies from employee groups, as well as of representatives of the departments and agencies, indicate that the Panamanian employee, when afforded opportunity for training, makes a better employee and that, as a result, in many instances he is able to accept greater responsibilities and authority. The committee believes that the training provisions of this bill will fully meet the responsibilities assumed by the United States in this matter.

CANAL ZONE MERIT SYSTEM

The committee recognizes that the enactment of this bill would remove the employees in the Canal Zone from the competitive merit system under the Classification Act of 1949, as amended. So as to protect the United States citizen employee's opportunity for transfer to a position in the United States, a provision is included which requires that a merit system comparable to that provided in the Classification Act of 1949, be established in the Canal Zone. This merit system is to be established under the authority of the President of the United States and in accordance with civil-service law. The establishment of such a merit system will make possible the interchange of employees in the competitive merit system of the United States and the Canal Zone Merit System without competitive examination or other administrative requirements.

RETIREMENT

The noncitizen employees of the Panama Canal Company and the Canal Zone government are at present covered by the Cash Relief Act of July 8, 1937 (50 Stat. 478; 68 Stat. 17). The noncitizen employees of all other departments and agencies operating in the Canal Zone are covered by the Civil Service Retirement Act. The bill would make inoperative the provisions of the Cash Relief Act for employees who are on the payrolls at the time of enactment of this bill. This action would automatically place the noncitizen employees of the Panama Canal Company and the Canal Zone government under the provisions of the Civil Service Retirement Act. The noncitizen employees of the other departments and agencies are now covered under civil-service retirement. Those former noncitizen employees of these two agencies who have previously been placed on the retirement rolls under the provisions of the Cash Relief Act would continue under that act.

Under the provisions of S. 1850, as passed by the Senate, and H. R. 6708, as introduced in the House, the civil-service retirement and disability fund would assume the annuity obligations for the past time of these employees who are being blanketed in under the Civil Service Retirement Act. This assumption would amount to approximately $30 million. Under the provision of S. 1850, as reported by this committee, the Canal Zone government and the Panama Canal Company would pay into the retirement fund an amount which approximately equals the payments the employees would have paid in had they been covered by the Civil Service Retirement Act from 1948 to date. This payment is a Government contribution and will not act to increase the annuity of any employee.

The Canal Zone government and the Panama Canal Company would continue to pay cash relief under the act of July 8, 1937, in the amount of approximately $2 million a year to some 4,500 separated employees. The Canal Zone government and the Panama Canal Company would, on the effective date of this provision, begin to pay into the retirement fund an amount of money which would match the withholding of the employees concerned.

REPEAL OF MANDATORY PAY PROVISIONS

Provisions of present law require that the pay of policemen, firemen, and teachers in the Canal Zone be increased in exact amount and effective date as increases are granted by law to similar positions and employees in the District of Columbia of the United States. Present law also requires that the pay of postal employees in the Canal Zone be similarly adjusted. There are some 300 to 350 positions involved in this mandatory legislation. To continue this legislation in effect would be in conflict with the uniform pay and position provisions of item 1 of the memorandum of understandings and would grant to this very small portion of the employees rights and privileges under law which the committee feels cannot be justified.

This committee believes that the spelling out of the procedures and policies for the classification and evaluation of positions by this bill and the establishment of wage scales under Executive order or regulations issued by the President as well as an independent system of appeals will assure employees in the Canal Zone that practices and relationships formerly recognized by law will be continued. The committee also has been assured by representatives of the executive branch that these relationships will continue to be recognized and that salaries will be

adjusted in accordance therewith within the limitations of this bill and appropriation action of the Congress.

So as to clarify any question as to the authority of the department and agencies operating within the Canal Zone to grant such increases in their wage scales retroactively, the committee has provided such authority in section 5 of the bill.

COSTS

There are two areas of direct costs involved in the enactment of this bill. The first involves the cost of adjustments within the wage structures now existing in the Canal Zone. This cost is estimated at $1,138,000. The second direct cost involves the increase of $24 million in the unfunded liability of the retirement fund. This latter cost is spread over some 10 to 20 years. They both, however, will eventually require appropriations.

The Panama Canal Company and the Canal Zone government will continue to have an obligation of about $2 million a year under the Cash Relief Act. This $2 million will, however, disappear in approximately 25 years due to the death of persons now covered under that act. This cost is not an additional one but a continuing cost under present law.

This bill as reported had the unanimous support of the full committee. It is a good bill and one which I feel meets all of our obligations under the agreement, and at the same time fully protects the employees in the Canal Zone from exploitation and safeguards the interest of the United States of America.

This bill is of vital concern in connection with our good relations with the Republic of Panama. It is of utmost importance that action be taken on its as soon as is possible. I strongly urge unanimous support of the bill as reported.

Mr. REES of Kansas. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as a member of the Committee on Post Office and Civil Service, I want to express my appreciation to the distinguished chairman of the subcommittee, Mr. YOUNG, of Texas; as well as other members of the subcommittee, Mr. HEMPHILL, of South Carolina, Mr. SCOTT of North Carolina, Mr. DENNISON, of Ohio and Mr. CUNNINGHAM of Nebraska, for the splendid work they have done in reporting this legislation to our committee and to the House. This is a rather complicated measure and is an extremely important one. The chairman and his subcommittee have worked diligently to see that the problems involved are carefully worked out in this measure. They have rendered good service not only to the committee and to the House, but to the country as well.

Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. DENNISON] a member of the subcommittee. Members will observe from his statement he has given the matter careful consideration.

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DENNISON. Mr. Speaker, I congratulate the chairman and the members of the subcommittee who have worked long and hard on this legislation, S. 1850, which is designed to implement item 1 of the memorandum of understandings attached to the treaty of January 25, 1955, entered into between the United States of America and the Republic of Panama. This item relates to wage and employment practices of the Government of the United States in the Canal Zone. I have deemed it a great pleasure and a privilege to work with such a diligent group on legislation which is quite complicated and of a highly technical nature.

On January 25, 1955, the United States of America and the Republic of Panama entered into a treaty relating to many problems of mutual interest. By its terms, the Republic of Panama was given the privilege of taxing certain employees of the Canal Zone, and the privilege of constructing a railroad across the Isthmus of Panama.

Certain land and bases were delivered to the Republic of Panama. Also given up was the privilege of the United States to issue or enforce sanitary regulations in the Republic of Panama. The United States further agreed to restrict the use of its commissaries and post exchanges in the Canal Zone to non-Panamanians. Just what the Republic of Panama offered or gave up in return is not clear.

Attached to the treaty was a memorandum of understandings with respect to wage and employment practices by the Government of the United States in the Canal Zone.

Item 1 of the memorandum of understandings provides as follows:

On the part of the United States of America:

1. Legislation will be sought which will authorize each agency of the United States Government in the Canal Zone to conform its existing wage practices in the zone to the following principles:

(a) The basic wage for any given level will be the same for any employee eligible for appointment to the position without regard to whether he is a citizen of the United States or of the Republic of Panama.

(b) In the case of an employee who is a citizen of the United States, there may be added to the base an increment representing an overseas differential plus an allowance for those elements, such as taxes, which operate to reduce the disposable income of such an employee as compared with an employee who is a resident of the area.

(c) The employee who is a citizen of the United States will also be eligible for greater annual-leave benefits and travel allowances because of the necessity for periodic vacations in the United States for recuperation purposes and to maintain contact with the employee's home environment.

Legislation will be sought to make the Civil Service Retirement Act applicable to citizens of the United States and of the Republic of Panama employed by the Government of the United States in the Canal Zone.

The United States will afford equality of opportunity to citizens of Panama for employment in all United States Government positions in the Canal Zone for which they are qualified and in which the employment of United States citizens is not required, in the judgment of the United States, for security reasons.

The agencies of the United States Government will evaluate, classify, and title all positions in the Canal Zone without regard to the nationality of the incumbent or proposed incumbent.

Citizens of Panama will be afforded opportunity to participate in such training programs as may be conducted for employees by United States agencies in the Canal Zone.

The treaty and item 1 of memorandum of understandings were obviously broad in scope and generous in terms. Item 1 not only conceded to the Panamanians certain employment rights which they had not previously had in the Canal Zone, but it obligated the Congress of the United States to create legislation which would satisfy the terms of the agreement.

It is important to point out here that at no time during the negotiation of the treaty and memorandum was any legislative committee of the House or Senate consulted, nor so far as I can determine any member or staff member thereof.

The three basic promises on the part of the United States in item I of the memorandum are—

(a) A single basic wage scale—all jobs to be classified and titled without regard to the nationality of the occupant. United States citizens may, however, continue to receive the tropical differential and increased leave benefits.

(b) Equality of opportunity for employment to all positions, provided that applicants are qualified. Equal opportunity must exist for training programs. Provision is made for the determination by the United States of those positions which must be filled by United States citizens for security reasons.

(c) Application of United States Civil Service Retirement System to all Panamanian employees of the United States Government in the Canal Zone.

In this bill the committee has attempted to give to the Panamanians everything which this Government has promised them in item 1 of the memorandum of understandings. This has been a difficult thing to do. In the Canal Zone today, there are about 21,426 employees, of whom 5,571 are United States citizens, 13,555 are Panamanian citizens, and 2,300 are citizens of other nations. Wage scales in the past have differed, based upon prevailing rates for prevailing jobs. This will be changed and United States citizens will now be required to compete with Panamanian nationals on an equal basis for jobs in the Canal Zone. Hereafter no premium other than an overseas differential and a tax-factor adjustment will be paid to any employee by reason of his American citizenship.

Different branches of the service in the past have had different pay allowances or plans in the Canal Zone and these will be eliminated.

We have, consistent with the memorandum of agreement, provided for protections to the United States and to the citizens of the United States employed in the Canal Zone. A national security clause is included in the measure providing that the head of each department may designate any position under his jurisdiction as a position which, for security reasons, shall be filled by a citizen of the United States.

Wage rates to be paid in the Canal Zone will be dependent upon executive

discretion. Such administrative leeway will be necessary to prevent pay disparity as between United States citizens and non-United States citizens. In the hearings, fears were expressed that the grant of such discretion might lead ultimately to its abuse. The committee therefore put in guidelines—sections 4, 5, and 6—which it expects will be observed. The fact is that the Canal Zone government has already proposed to follow these guidelines, and, at my request, a proposed job evaluation and pay plan for the uniform implementation of the memorandum of understandings was inserted in the record of hearings—see hearings, appendix, page 49, and those that follow.

We have provided that 6,644 Panamanian citizens will hereafter receive benefits of the Civil Service Retirement Act with credit for years worked in the Canal Zone and without a reduction in the amount which they might otherwise have received under the Cash Relief Act.

Appeal provisions consistent with the Veterans Preference Act and the Lloyd-La Follette Act were worked out to give every Panamanian a job right equal to that of a United States citizen.

Many other provisions, all intended to carry out the purpose of item 1 of the memorandum of understandings and consistent with it, have carefully and wisely been written into this bill.

We do not expect everyone to be completely happy about this bill. Policemen, firemen, teachers, postal employees, and others whose wages have heretofore been determined by law with reference to wages paid for the same positions in the States will now be under a wage scale determined by the administrators of the act. We regret this, but the treaty and memorandum of understandings provide that there shall be no discrimination and we could not grant to one group what is not permitted another.

We do not expect the Panamanians to be completely happy about this bill. Some claim that the national security clause will discriminate against citizens of the Republic of Panama. This was specifically denied, however, by all witnesses charged with the administration of this law. Others object, that they are not covered by the Classification Act of 1949 as amended and that their pay will not be determined by Congress. Some feel that the tax factor will be inequitable as applied.

Criticisms were voiced that the old gold and silver caste system will not be improved by the proposed addition of sensitive positions to the current United States rate and locality or area wage rate positions.

One witness proposed a minimum wage rate of $1 per hour instead of 50 cents per hour now in effect.

Perhaps, in reality, the Panamanians are not much happier than we are over the terms of this legislation or over the terms of the treaty and memorandum of understandings.

I think it is well, therefore, that for a moment we review our diplomatic history with the Republic of Panama that we might better understand how such treaties and such legislation came about that we might avoid similar errors in the future.

Our formal diplomatic relations with the Republic of Panama began with the Hay-Bunau-Varilla Treaty dated February 26, 1904. Article V of that treaty provides as follows:

> The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance, and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific Ocean.

No reference is made therein to Panamanian employees in the zone.

On December 23, 1908, the Secretary of War, Robert Shaw Oliver, issued an order providing as follows:

> On and after this date, the employment by the Isthmian Canal Commission of skilled laborers, clerks, and all others who have heretofore been known as gold employees of the Commission shall be restricted to American citizens and citizens of Panama, except where American or Panamanian labor or services of the character required is not available.

This is the first official reference to any special rights and privileges of Panamanians as employees in the Canal Zone.

On February 2, 1914, the President issued Executive Order No. 1888 providing conditions of employment for the permanent forces for the Panama Canal. The order stated in part as follows:

> 6. All employees who receive over $75 per month or over 40 cents per hour must be citizens of the United States or the Republic of Panama, and such citizens will be given preference for employment in all grades. Aliens may not be employed in such grades unless—
>
> (a) they have occupied similar positions during the construction of the Canal for 2 years or more, or
>
> (b) in case of emergency, in which latter case they must be replaced by citizens of the United States or Republic of Panama as early as practicable.

An Executive order of February 20, 1920, amended paragraph 6 of Executive Order No. 1888 by changing the rate of compensation to $960 a year or 40 cents per hour.

No further official references to the rights or privileges of Panamanian nationals to employment in the Canal Zone are found until March 2, 1936, when a treaty of friendship and cooperation was concluded between the United States and the Republic of Panama. In the exchange of notes following the signing of the treaty, was a letter from Cordell Hull, then Secretary of State to the Panamanian Government, which stated:

> SIRS: With reference to the representations made by you during the negotiation of the treaty signed today, regarding Panamanian citizens employed by the Panama Canal or by the Panama Railroad Company, I have the honor to state that the Government of the United States of America, in recognition of the special relationship between the United States of America and the Republic of Panama with respect to the Panama Canal and the Panama Railroad Company, maintains and will maintain as its public policy the principle of equality of opportunity and treatment set down in the order of December 23, 1908, of the Secretary of War, and in the Executive orders of February 2, 1914, and February 20, 1920, and will favor the maintenance, enforcement, or enactment of such provisions, consistent with the efficient operation and maintenance of the Canal and its auxiliary works and their effective protection and sanitation, as will assure to Panamanian citizens employed by the Canal or the railroad equality of treatment with employees who are citizens of the United States of America.

Here appears for the first time a promise of equality of opportunity in the Panama Canal Zone on the part of anyone in the United States Government. The Secretary of State's note contained a promise by the United States to a foreign nation without any legislative or statutory authority that it would grant to Panamanians these privileges which they had not heretofore had. We shall now see how this note forced upon this Committee and this Congress the legislation before us today.

The exchange of notes was transmitted along with the treaty to the United States Senate and to the Assembly of Panama. The treaty was ratified by the United States on July 26, 1939.

Shortly thereafter on August 11, 1939, a bill authorizing the enlargement and improvement of the Canal was enacted into law. The act (53 Stat. 1409) provided "that all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States."

President Franklin D. Roosevelt in a message accompanying the approval of the act stated what was obviously not fact when he said:

> The order of the Secretary of War dated December 23, 1908, and the Executive orders of February 2, 1914, and February 20, 1920, extended to Panamanian citizens, with respect to higher paid categories, opportunity for employment and treatment in employment equal to that extended to American citizens.

The facts are that the orders referred to by President Roosevelt limited employment in certain positions in the Canal Zone to Panamanians and Americans, but nothing whatever was said about equality of employment, opportunity, or treatment.

This view is clearly supported by Tom C. Clark who as Attorney General on May 15, 1947, said in an opinion:

> The orders referred to above (December 23, 1908, February 2, 1914, February 20, 1920), while recognizing the unusual relationship between the Republic of Panama and the United States, do not in terms extend to citizens of Panama equality of employment opportunity and treatment with respect to the Panama Canal and the Panama Railroad Company. In my opinion, however, the exchange of notes of March 2, 1936, expressly establishes a policy of equality of employment opportunity and treatment."[1]

But Roosevelt was determined to give up something which Congress was obviously reluctant to do. He went on to say:

> Accompanying the general treaty between the United States and Panama signed March 2, 1936, and ratified July 27, 1939, is an exchange of notes between the two Governments by which the United States has agreed

[1] Opinions of Attorneys General, vol. 40, p. 518.

to maintain as a principle of public policy the opportunity for employment and treatment in employment of Panamanian citizens which is set forth in the order and Executive orders noted above.

President Roosevelt then charged that Congress by its act of August 11, 1939, had violated our sacred national policy. Said Roosevelt:

It is my opinion that this provision (the act of August 11, 1939) is at variance with the policy to which this Government pledged itself in its note to the Government of Panama on March 2, 1936, the date of the signing of the general treaty, since the order and Executive orders specifically provided equal opportunities for employment of Panamanian citizens in the very categories in which employment would be denied them under the quoted provision of H. R. 5129.

The Hull note gave Roosevelt an opening to demand legislation. He concluded:

I propose, however, to request the Congress at its next session to amend the present law as to bring it into conformity with the commitments entered into with Panama which pledge to the citizens of Panama opportunity and treatment in employment in the Canal administration and the Panama Railroad Company equal to that offered to the citizens of the United States.[2]

The obligation for this legislation before us today was thus created over 20 years ago by a note from our executive department promising to change the employment practices in the Canal Zone. With the support of the then President of the United States, a promise was made which we have to keep today because we as a Nation keep our promises good or bad.

History moved on, but the obligation remained. The 76th Congress, in the 3d session, reconsidered the provision referred to in Roosevelt's speech of August 11, 1939, in connection with a bill, H. R. 8668—the War Department civil functions appropriations bill, 1941. Included in the bill were funds for the new construction on the Canal authorized in the August 11, 1939, bill. The House version of this bill provided that no part of the funds appropriated should be used to pay any civilian for services rendered the Canal Zone while occupying a skilled, technical, clerical, administrative, or supervisory position unless such person is a citizen of the United States of America.

The Senate Appropriations Subcommittee, realizing the inconsistency of the clause with the notes of March 2, 1936, then amended the House version, and provided that—

No part of any appropriation contained in the act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him in the Canal Zone while occupying a skilled, technical, clerical, administrative, executive or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama.

The House accepted the Senate version for the stated purpose of complying with our commitment to Panama in the March 2, 1936, notes—CONGRESSIONAL RECORD, volume 86, part 7, page 7243.

The relevant part of the act—54th Statutes at Large, section 511, provides as follows:

SEC. 2. No part of any appropriation contained in this act shall be used directly or indirectly * * * except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That, notwithstanding the provision in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to the citizens of the United States from and after the date of approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in the continental United States or on the Canal Zone. * * * (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (6) this entire section shall apply only to persons employed as skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone.

Substantially the same language has appeared in all succeeding appropriation acts concerning the Canal Zone civil and military operations.

However, the next year in considering the War Department civil functions appropriation bill for 1942, Senator McCarran inserted in the CONGRESSIONAL RECORD a letter from the Executive Director of the Civil Service Commission, stating that—

For the classes of employment covered by the appropriation bill language, citizens of the Republic of Panama would be permitted to take civil-service examinations and acquire eligibility on civil-service employment lists. For the appointments in question, citizens of Panama and citizens of the United States will have comparable status. (CONGRESSIONAL RECORD, vol. 87, pt. 3, p. 3395.)

Senator McCarran disagreed with this position and offered an amendment to the bill stating:

That no part of these appropriations shall be used for the payment of any part of the salary or wages of any alien occupying any position covered by this section if such alien has United States civil-service status. (CONGRESSIONAL RECORD, vol. 87, pt. 3, p. 3395.)

This amendment precluded the Panamanians from entering civil-service examinations and from obtaining civil-service status and was passed by the Senate but rejected in conference. It is thus reasonable to conclude that by rejecting the McCarran amendment, the Congress concurred in the Civil Service interpretation. (See *Cudahy Packing Co.* v. *Holland* (315 U. S. 357, 366 (1942).)

The next and latest event in our diplomatic relations with the Republic of Panama, of course, is the 1955 Treaty and Memorandum of Understandings which merely formalize the representations made by Secretary of State Hull in his 1936 letter to the Republic of Panama. As the record shows, Hull's note created a binding obligation upon the people and the Congress of the United States of America—an obligation difficult to construe and even more difficult to execute particularly in such a vital defense area as the Canal Zone where employment problems at their best are most complicated. Singularly lacking in 1936 was any appreciation, understanding or foresight as to how this great promise was to be executed. Their failure then is our dilemma now.

I realize, of course, that our Government was well intentioned in 1936. It had embarked upon the so-called good-neighbor policy. History can only tell whether its results have been good or bad. Perhaps it is so that this demonstration of international good will, noble in concept, has been singularly ineffective. The tragic events which we have recently observed in Latin America certainly do not strike me as any positive evidence of the success of this policy.

But you and I, as citizens of the United States, find ourselves obligated to pass a law here in this House today solely for the purpose of keeping a promise which this country made 20 years ago—and this is so irrespective of our reservations as to the practicality of the legislation or even perhaps the wisdom of it.

We are going to pass a law here today which I venture to say many Panamanians will object to seriously. We are going to pass a law here today which has been foisted upon us by a well intentioned but singularly naive foreign policy—one which does not understand that the beneficiary of charity is not particularly grateful for the charity which he receives, one that is designed on the rather cynical premise that friends can be bought and that friends are friends because they have been bought. Would not any Member of this House resent a charge that he himself was bought?

Certainly the Republic of Panama will not be thoroughly happy with this free gift. Intrigued by our concessions, the Panamanians will certainly want more. Because there has never been any quid pro quo in the past there Panama has no apparent reason to suppose they will run any risks in contininug to demand and demonstrate until more and more concessions and yet more are made.

Not only were these free concessions made, but unfortunately no one had the foresight to figure out how when made they would be administered. Congress was not consulted. We must not permit ourselves to drift into such a predicament again. It is indeed time, and has been for many years, to reconsider our attitude toward the people of other nations and treat them as people and as

[2] Public Papers and Addresses of Franklin D. Roosevelt, 1939, pp. 442–443.

human beings and not as relief applicants.

This legislation, when passed, I hope, will be administered in such a way that the dignity of the United States can in some measure be retained. I earnestly hope that the Panamanian Government will not conclude that the United States of America will continually give up its sovereign rights in the Canal Zone because we will not do so, so long as we are charged with the defense of not only the Western Hemisphere but of the whole Free World.

Our diplomatic history with the Republic of Panama is an excellent case study. It should teach us that the success of our international relations depends upon more than a little piece of paper and a pious promise. It depends upon an understanding that our fellow nations are decent and dignified and that they do not want or appreciate charity, that they want to be treated fairly, honorably, and with dignity, and that they want to pay their way just as any individual over the age of 21 in this country does and is expected to do. Our foreign policy must be based upon something more than gift and drift.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. DENNISON. I yield.

Mr. PELLY. Would the gentleman explain to the House whether this additional cost will accrue to the users of the Canal through the tolls or whether the cost will actually come back on the Treasury of the United States?

Mr. DENNISON. The gentleman is referring to the additional cost for the pay?

Mr. PELLY. Yes.

Mr. DENNISON. As I understand it, the users of the Canal pay for the privilege of using the Canal and the Canal actually makes money. This is one of the few instruments of the Federal Government which shows a profit.

Mr. PELLY. I understand there is a corporation which is owned by the United States, but in the long run I understand, too, that as the expenses go up, it is expected that those expenses will be reflected in the tolls charged to the users. I was wondering whether actually the corporation will be paying the increased wages and, therefore, in the long run it will not cost the taxpayers anything except as they might be interested in the steamship lines that use the Canal.

Mr. DENNISON. It is anticipated that there will be a slight increase in the cost to the Government primarily because of the provision for retirement benefits, but it is not anticipated that there will be any other increase in the cost.

Mr. PELLY. I thank the gentleman.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Ohio [Mr. DENNISON] has consumed 7 minutes.

Mr. MURRAY. Mr. Speaker, this legislation was reported out unanimously by your Committee on Post Office and Civil Service. I wish to compliment the members of the subcommittee of which the gentleman from Texas [Mr. YOUNG] is chairman for their excellent work in this matter. The subcommittee went to Panama and held extended hearings. The committee did an excellent and outstanding job. This legislation merely carries out and implements the treaty made between the United States and the Republic of Panama. I think this is very deserving legislation.

Mr. Speaker, I yield to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. SCOTT] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SCOTT of North Carolina. Mr. Speaker, I wish to precede my remarks concerning bill S. 1850, as reported by the committee, by offering my most sincere compliments to the gentleman from Texas [Mr. YOUNG], who so ably headed the subcommittee which considered this legislation, and to Mr. MURRAY, the chairman of our full committee, for the most outstanding and considered way in which they handled the multitude of problems involved. These two gentlemen, as well as other members of the committee, have spent a good many hours in working out solutions to problems which, at the time the memorandum of agreement was reached, had been given no thought whatsoever. It has been a revelation to me and a source of great personal pride to have been associated in the development of this reported bill.

I will not take the time of the House in expanding on the provisions of this bill which have been so ably presented by Mr. MURRAY and Mr. YOUNG. I only wish to state that I believe it is an extremely good bill and that it meets all commitments made in the memorandum of agreement and, at the same time, protects in every way the rights of both the United States citizen and Panamanian citizen employees of the Canal Zone.

The bill spells out procedures and controls which are designed to guide the executive branch of the Government in the development of a uniform, fair and equitable system of position classification and pay. It provides necessary employee appeals of decisions made by the various departments and agencies and, above all, it places sole responsibility in the Office of the President of the United States for all administrative actions taken in implementing the agreement.

The security provisions of the bill fully guarantee the continued operation and administration of the Canal Zone under any circumstances by the United States Government. It provides that any position which involves physical security, access to classified information, or such other positions as are necessary to the continuity of operations shall be filled only by citizens of the United States. This not only meets the requirements of the agreement but it also greatly eliminates the possibility of subversive activities in the Canal Zone.

The provisions of the bill dealing with position classification and the establishment of wages safeguards the United States citizen employees from any salary loss. They also assure the continued establishment of wages in accordance with present practices now required by law. I personally believe that this bill, as amended by the committee, will result in a better employment wage system and one which will be acceptable to all.

As stated by the chairman, it is imperative that the Congress take action on this legislation during this session. I, therefore, strongly urge unanimous and favorable action at this time.

Mr. HEMPHILL. Mr. Speaker, I have asked for this time only for the purpose of clarifying one section of the bill and one part of the report.

Under section 3 of the bill, item (b–1) on page 7, the President of the United States, as administrative authority under the terms of this legislation, is authorized to exclude any employee or position from the act or provision of the act. I would like to read into the RECORD at this point a part of the able report made by the chairman of the subcommittee to the full committee. Page 3 of that report says:

> Section 3 authorizes and directs the head of each department or agency operating in the Canal Zone to conduct the employment and wage practices in accordance with the principles of the memorandum of understanding, the provisions of this bill, and regulations prescribed by or under the authority of the President. Also, it authorizes the President to exclude any employee from this act. This exclusion is necessary in the case of the Governor of the Canal Zone, the Deputy Governor, the President of the Panama Canal Company, and other similar officials.

I read that into the RECORD for the purpose of clarification.

I would like to call attention to page 10 of the committee report when, in explaining the appeal procedures, the bill provides the regulations shall be under authority of the President. The committee urges, however, that the Panamanian employees be granted representation on the Board through providing funds thereto. Of course it is understood that Americans be on the Board.

I support this legislation. I think it carries out the terms of the treaty.

I yield back the remainder of my time, Mr. Speaker.

Mr. REES of Kansas. Mr. Speaker, I yield such time as he may desire to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM of Nebraska. Mr. Speaker, I support the bill before us today, S. 1850, to adjust certain conditions of employment in departments or agencies in the Canal Zone.

I have been a member of the subcommittee in charge of this bill and I want to congratulate the committee and its hard-working chairman, Mr. YOUNG. The committee has worked diligently with a very difficult problem and the bill is the result of their long efforts.

This legislation will do a very great deal toward bringing about better relations between our country and our neighbors in the Canal Zone area. These relations are not in the best of

order at this time due to the discrimination which now exists in matters of equal pay for equal work.

Mr. Speaker, this legislation results from a treaty entered into between our Government and the Government of Panama. I believe it is urgently needed and I urge that it do pass.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, the gentleman from Texas [Mr. YOUNG] and the gentleman from Ohio [Mr. DENNISON] touched lightly on the fact that this legislation is made necessary by virtue of a treaty made by the State Department which we are here called upon to implement today.

The State Department did not consult in any way with the Post Office and Civil Service Committee when they were negotiating this treaty. They handed it to the committee as an accomplished fact, and I, as one Member of Congress, am getting awfully sick and tired of the State Department making treaties with various foreign governments and then coming to a committee of the Congress and saying, "Here it is. You have got to put up the money for it." It is high time Congress served notice upon the State Department that we are getting sick and tired of that kind of business.

I yield back the remainder of my time, Mr. Speaker.

The SPEAKER pro tempore. The question is on the motion to suspend the rules and pass the bill with amendments.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

VETERANS' LAWS AND INTERPRETATIONS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, as Members of the House know, I have been concerned for some time about the administration of our veterans' laws and the interpretation of such laws by the Administrator of Veterans' Affairs.

I had hoped that with the appointment of a new Administrator that perhaps some of the old cases which, to my mind have constituted rank injustices, would receive a new look, and a favorable decision—a decision favorable to the veteran and one which truly resolved all doubt in his favor. Thus far I must confess I have been disappointed. We are doing, apparently, business in the same old manner at the same old stand.

I have two cases in mind and I will not repeat the details of these cases since they have already been the subject of remarks before in this House. I have talked to several officials of the Veterans' Administration all to no avail, despite the fact that I believe that any reasonable man would come to the conclusion that these are indeed meritorious cases and could be allowed if the Administrator or his designate had the will and desire to do so.

It is encouraging to note that the Committee on Veterans' Affairs of which I have the honor to be a member, will this week begin hearings on numerous bills involving service connected disabled veterans. Among these bills are 15 measures which seek to extend in one way or another the presumption of service connection. The number of introduced bills on this subject is clear evidence of the belief in Congress that the practice of medicine is not an exact science. The number of these bills also testifies to the belief of the Congress that new legislation is necessary if our veterans are to receive justice.

As Members know, the Veterans' Administration has, for a number of years, been engaged in a comprehensive view of all service-connected cases of veterans below age 55. The Veterans' Administration has been severing a large number of these cases based on the doctrine of clear and unmistakable error. I believe most reasonable men would be hard pressed to come to the same conclusion as the Veterans' Administration is reaching in many of these cases, particularly in those cases where an individual veteran's claim has been reviewed and rerated as many as 4 or 5 times in the past 10 years by the same board which has now decided that the claim should be reconsidered and service connection severed, based on clear and unmistakable error. It is not without significance that also this week there will be consideration of 10 bills pending before the committee which seek to prohibit the severance of service connection which has been in effect for 10 or more years.

I am interested in both of these avenues of legislation, Mr. Speaker, and I am also interested in a third, namely, the creation of a new independent board or court to review the decisions of the Veterans' Administration. Unless the Veterans' Administration mends its ways and puts some reason into its decisions, I think it follows inevitably that the Congress is going to enact legislation which will provide for an individual review of its decisions and, I hope, before too much time is elapsed, that we may see consideration of this type of proposal.

AMENDMENTS TO NATIONAL HOUSING ACT FOR THE BENEFIT OF SENIOR CITIZENS

The SPEAKER. Under the previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, I have introduced in the House a bill, H. R. 12939, which I believe to be of utmost importance to the welfare of senior citizens and to others who comprise the low and middle income families which wish to become residents of small cities, communities, and rural areas throughout the Nation. It will provide for them the same opportunities under the National Housing Act that now exist for the city dweller to own a home under the insurance provisions of that act—and correct an inequity that exists today.

The present provisions of section 203 (i) of the National Housing Act do not permit the Commissioner to insure mortgages on existing dwellings unless application was made therefor before construction in rural and outlying areas: It precludes insurance of existing properties; the limit of $8,000 on total coverage is not realistic for the areas contemplated and the intent of Congress to provide adequate and improved housing for rural and outlying areas is not being met.

By rewriting section 203 (i) of the act it is my sincere hope to eliminate these serious restrictions and provide:

Increase in the limits of the act to $9,000 because of the higher present day labor and material costs and expenses of cartage of materials to rural areas,

Permit the Commissioner to insure mortgages on existing properties as is now done in urban areas,

Clearly define the power of the Commissioner to insure mortgages on properties in suburban, small communities and outlying farm areas. The latter would also enable many small farmers to avail themselves of the benefits accorded under the FHA insurance program.

The provisions of the newly written section 203 (i) would be specifically designed for the benefit of the citizens of low or moderate income and the elderly citizens who wish to better their living standards through purchase of a home in a location of their own choosing.

My interest in offering this new amendment is that it always has been the intent of Congress to make available better housing for more people throughout our country. Under the law as it is today there is a great field in which we have not provided insurance under the Federal Housing Administration, that being the areas now included in my proposed rewriting of the section. There are many people who, by choice, desire to retire or to live permanently in suburban and rural areas but cannot purchase homes due to their inability to procure mortgage insurance. We should act to help these people of moderate means, including the elderly, achieve the same higher standard of living provided those who live in the cities.

As a Floridian I am well acquainted with the problems of the retiree and the elderly, for thousands upon thousands of these people are migrating to our State. There are many other areas which are similarly affected. A vast number of these people are desirous of residing in outlying communities and they particularly enjoy the pleasures of small city and community or rural living. Under the rewritten provisions of the proposed section 203 (i) they will be able to avail themselves of this opportunity and to enjoy the life they so rightly deserve. That they should have the opportunity to choose their own home, either from existing facilities or by new construction, is a right we cannot deny.

I sincerely hope that the Banking and Currency Committee of the House will consider this very deserving problem in their proposals on housing legislation

for this session of Congress and incorporate these recommendations in the bill so the House may act in fairness to those who are elderly and those who wish to live in outlying areas throughout the Nation.

Specifically, my bill provides for the following changes and deletions to section 203 (i) of the Federal Housing Act:

First. Present law: paragraph 1, first sentence, "Not in excess of $8,000."

Change: Page 1, line 9, "Not in excess of $9,000."

Reason: General increase in labor and material cost, particularly those additional drayage costs and labor incident to rural construction. The Senate Banking and Currency Committee recently reported a bill raising from $8,000 to $9,000 the maximum allowable for construction of rental units.

Second. Present law: Paragraph 1, first sentence, "Located in an area where."

Change: Page 1, line 10 and page 2, line 11. Change "any area other than a built-up urban area" to read, "located in any area other than a built-up urban area."

Reason: To eliminate any doubt as to what shall constitute a rural area.

Third. Present law: Paragraph 1, first sentence, "Where there is located a dwelling designed principally."

Change: Page 2, line 5, insert for "including a farm home" the following: "where there is located a dwelling (including a farm home) designed principally."

Reason: To remove all doubt that any distinction is drawn between farmers and other occupants of rural dwellings.

Fourth. Present law: Paragraph 1, first sentence, "and which is approved for mortgage insurance prior to the beginning of construction."

Change: Deletion of the foregoing phrase.

Reason: To permit rural purchasers, subject to the regulations and approval of the Commissioner, to select for insurance an existing rural dwelling of their choice, a right and privilege now enjoyed by urban purchasers—203 b. Under the law as now written the Commissioner is prohibited from issuing mortgage insurance on a rural dwelling unless application for mortgage insurance thereon was made prior to the start of construction. This provision imposes a restriction on the freedom of the individual to select a rural dwelling of his choice. Also, this provision depresses the home construction business since countless thousands of rural dwellers desire and can afford new and larger homes but cannot sell the home in which they live since a potential purchaser of the home cannot procure satisfactory mortgage financing.

Fifth. Present law: Paragraph 2, first sentence, "providing adequate housing for families of low and moderate income."

Change: Page 2, line 13, change "rural areas" to read, "in suburban and outlying areas, rural areas, and small communities."

Reason: To further resolve any doubt that the proposed law will be applicable everywhere other than in an urban area.

Sixth. Present law: Paragraph 4:

Provided further, That under the foregoing provisions of this subsection the Commissioner is authorized to insure any mortgage issued with respect to the construction of a farm home on a plot of land 5 or more acres in size adjacent to a public highway, the total amount of insurance outstanding at any one time under this proviso not to exceed $100 million.

Change: The deletion of the above paragraph.

Reason: The deleted paragraph empowered the Commissioner to approve mortgage insurance on rural dwellings adjacent to public highways and situate on 5 or more acres. This implies that no rural dwelling is insurable unless so situated. The Commissioner has heretofore taken the position that the authority to insure mortgages on rural construction is not limited by the above paragraph. Therefore, the elimination of this paragraph is a conforming change and not one of substance. Further, the provisions of the proposed legislation render this provision superfluous.

I would like to request that you give your very careful attention to H. R. 12939, and it is my sincere hope it will receive the approval of the Congress.

MR. ADAMS AGAIN CLOUDS HIS HOUND'S-TOOTH STATUS

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS of Tennessee. Mr. Speaker, In view of the recent disclosure of the fact that the assistant to the President has been the recipient of gifts of high monetary value from a friend who has been seeking favors from Federal regulatory agencies with the help and influence of said Presidential assistant, I would like to make the following comment:

An oriental rug is a coverup job.

Mink is a skin job.

Vicuna is a clip job.

But in either case the American public is being fleeced by the top echelon of this administration.

Also, I would like for it to be clearly understood that this statement has been made by the Tennessee Bass, without any reference to the nomenclature of his aquatic or Congressional counterpart.

I agree wholeheartedly with the following editorial which recently appeared in the Nashville Tennessean newspaper; and, I think this travesty on honesty and integrity calls for the immediate departure of Sherman Adams from the Government scene.

The editorial follows:

MR. ADAMS AGAIN CLOUDS HIS HOUND'S-TOOTH STATUS

When the great crusade of 1952 got underway with much fanfare about that mess in Washington, one of the more piously moralizing knights was Mr. Sherman Adams, who has since become resident manager of the White House.

"The people," cried Sir Sherman from the Eisenhower campaign train, "will not tolerate the usual Truman administration attitude in covering up scandal and corruption by doing nothing about it in a big way. * * * They want Eisenhower to build back honesty and integrity in Government which is not unduly influenced by any particular segment * * * any particular special interest." Mr. Eisenhower said his people would be above reproach, clean as a hound's tooth.

And one of the horrible examples the crusade clique decried in self-righteous alarm was the Fulbright committee finding that Mr. Donald Dawson, administrative assistant to President Truman, had taken free lodging in Miami at the Saxony Hotel, which was financed in part by the RFC. It was never established that Mr. Dawson even so much as telephoned the RFC or in any way interceded in behalf of the hotel.

But 5 years later, the same Sir Sherman who found this case so bad has, by his own admission, accepted a great deal more in hotel hospitality from a friend. He also acknowledged that he communicated three times with Federal agencies on cases involving that friend, Mr. Bernard Goldfine, a Boston businessman in whom the House Subcommittee on Legislative Oversight is interested.

The "assistant" President shrugs off the Goldfine-paid hotel bills on the claim of a close personal relationship. That was what some of the Democrats he attacked had used to defend themselves—and, it might be said, with more justification than Mr. Adams has raised. But that was Government by crony, according to the prime minister of Pennsylvania Avenue.

Mr. Adams' ethical interpretation is strange, to say the least.

There are times when Mr. Adams runs the White House show. The President has referred to him as the boss and often callers are told to "take it up with Sherm." Almost no one sees Mr. Eisenhower without his major domo's permission. Almost nothing gets signed without the President first inspecting it for the initials "O. K.—S. A." When Mr. Adams picks up a telephone, administration underlings quaver. Anything he expresses even remote interest in becomes a hot potato.

Thus, when the "assistant" President says he called Federal agencies in behalf of Mr. Goldfine merely for information or a matter of courtesy, there was no doubt about what the effect would be. And it is still a matter of record that three firms received a lighter action from the FTC than have many others in similar circumstances.

It has been made quite clear since Dixon-Yates that Mr. Adams is not above meddling with regulatory agencies, for he intervened with the SEC to prevent disclosure of Mr. Adolphe Wenzell's role in that infamous deal just before a crucial vote in the House.

Under the Eisenhower administration, more heads of more Government agencies have been involved in conflict of interest and corruption than under any administration since President Grant. Mr. Eisenhower pledged in 1952 that when it came to casting out such people, "We won't wait for Congressional prodding; the prodding will come from the top." But there hasn't been much prodding.

Now the ethics-in-government issue has moved into the White House with him, and the President's news secretary says Mr. Eisenhower doesn't see anything improper.

The moral climate of any organization is set by the top man's conduct—and, it can be said, by the conduct of the assistant top man.

Mr. Eisenhower should fire Sherman Adams forthwith, for if the No. 2 man in the administration can cut corners on ethics and get away with it, whom then can the people trust—from the President on down?

SUSPENSIONS OF THE RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to entertain a motion to suspend the rules on June 18, 1958.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CURTIS of Missouri for 1 hour today.

Mrs. ROGERS of Massachusetts for 10 minutes today.

Mr. SIKES for 20 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HÉBERT in two instances and to include extraneous matter.

Mr. NEAL.

Mr. AUCHINCLOSS in two instances and to include extraneous matter.

Mr. RADWAN (at the request of Mr. PILLION) and to include an editorial.

Mr. VAN ZANDT and to include extraneous matter.

Mr. SPENCE asked and was given permission to extend his remarks and to include a report immediately after the adoption of H. R. 10969 in the body of the RECORD.

Mr. THOMSON of Wyoming (at the request of Mr. WEAVER) and to include an editorial.

Mr. ALGER.

Mr. DINGELL (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. ALBERT) and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3829. An act to extend certain franking privileges to the Secretary and the Sergeant at Arms of the Senate; to the Committee on Post Office and Civil Service.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 72. An act to provide increases in certain annuities payable from the civil service retirement and disability fund, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 17, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2020. A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a report on the activities of the National Advisory Council on International Monetary and Financial Problems during the period July 1 to December 31, 1957, pursuant to section 4 (b) (5) of the Bretton Woods Agreements Act (H. Doc. No. 404); to the Committee on Foreign Affairs and ordered to be printed.

2021. A letter from the Assistant Secretary of State relative to two recommendations adopted by the International Labor Conference at Geneva on June 26, 1956, as follows:

(1) ILO recommendation (No. 101) concerning vocational training in agriculture, and

(2) Recommendation (No. 102) concerning welfare facilities for workers, pursuant to article 19 of the constitution of the International Labor Organization (H. Doc. No. 405); to the Committee on Foreign Affairs and ordered to be printed.

2022. A letter from the Secretary of State, transmitting a report of a violation of subsection (h) of section 3679 of the Revised Statutes, as amended, by an employee of the Department of State, pursuant to subsection (1) (2) of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

2023. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms for work in the United States, pursuant to section 6 of Public Law 268, 84th Congress; to the Committee on Banking and Currency.

2024. A letter from the Acting Secretary of the Treasury, transmitting a report of the Bureau of Accounts covering restoration of balances withdrawn from appropriation and fund accounts under the control of the Treasury Department, pursuant to section 1 (a) (2) of the act of July 25, 1956 (70 Stat. 648) (31 U. S. C. Supp. IV, 701 (a) (2), 84th Cong.); to the Committee on Government Operations.

2025. A letter from the Assistant Secretary of the Interior, transmitting a report on the receipt of a project proposal relating to the Roosevelt Water Conservation District of Higley, Ariz., pursuant to section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

2026. A letter from the Assistant Secretary of the Interior, transmitting a proposed project report on the San Luis Valley project, Rio Grande and Weminuche Pass divisions, Colorado, pursuant to section 2 of Senate Resolution 148, 85th Congress; to the Committee on Interior and Insular Affairs.

2027. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relative to the case of Vaios Constantinos Lampos, A–5833895, involving suspension of deportation, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

2028. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 24, 1958, submitting a report, together with accompanying papers and an illustration, on a review of reports on East End Levee District, Little Rock, Ark., requested by resolution of the Committee on Public Works, House of Representatives, adopted April 21, 1950; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 12, 1958, the following bills were reported on June 13, 1958:

Mr. WILLIS: Committee on the Judiciary. H. R. 3. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; with amendment (Rept. No. 1878). Referred to the House Calendar.

Mr. RABAUT: Committee on the District of Columbia. H. R. 12948. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1959, and for other purposes; without amendment (Rept. No. 1879). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 12586. A bill to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury; without amendment (Rept. No. 1880). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted June 16, 1958*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PRESTON: Committee of conference. H. R. 12540. A bill making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1959, and for other purposes; without amendment (Rept. No. 1881). Ordered to be printed.

Mr. MURRAY: Committee of conference. S. 734. A bill to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes; without amendment (Rept. No. 1882). Ordered to be printed.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 855. A bill 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"; without amendment (Rept. No. 1883). Referred to the House Calendar.

Mr. DAWSON of Illinois: Committee on Government Operations. Twenty-seventh report on availability of information from Federal departments and agencies (Department of Defense); without amendment (Rept. No. 1884). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H. R. 8543. A bill to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof; with amendment (Rept. No. 1885). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 12311. A bill

to amend the act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia), to remove the limitation on the amount authorized to be appropriated for construction; without amendment (Rept. No. 1886). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 12, 1958, the following bill was introduced on June 13, 1958:

By Mr. RABAUT:

H. R. 12948. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1959, and for other purposes.

[*Introduced and referred June 16, 1958*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. H. CARL ANDERSEN:

H. R. 12949. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. ANDERSON of Montana:

H. R. 12950. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL:

H. R. 12951. A bill to provide a program for the discovery of the mineral reserves of the United States, its Territories and possessions, by encouraging exploration for minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARTLETT:

H. R. 12952. A bill to permit payment in Alaska of certain cost-of-living allowances at rates in excess of 25 percent of the rate of basic compensation; to the Committee on Post Office and Civil Service.

By Mr. COOLEY:

H. R. 12953. A bill to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests; to the Committee on Agriculture.

H. R. 12954. A bill to extend and amend the Agricultural Trade Development and Assistance Act of 1954; to amend the Agricultural Adjustment Act of 1938, the Agricultural Act of 1949, and the National Wool Act of 1954 with respect to acreage allotment and price-support programs for rice, cotton, wool, wheat, milk, and feed grains; and for other purposes; to the Committee on Agriculture.

By Mr. DAVIS of Tennessee:

H. R. 12955. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. DIXON:

H. R. 12956. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KING:

H. R. 12957. A bill to amend title IV of the Social Security Act to authorize Federal assistance thereunder for dependent children living in licensed foster homes and similar institutions; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H. R. 12958. A bill to amend the Export Control Act of 1949 to require immediate reporting of exports authorized to the Union of Soviet Socialist Republics and all countries under its domination; to the Committee on Banking and Currency.

By Mr. McINTOSH:

H. R. 12959. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations; to the Committee on Government Operations.

By Mr. METCALF:

H. R. 12960. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONTOYA:

H. R. 12961. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NEAL:

H. R. 12962. A bill to amend the Veterans' Benefits Act of 1957 to liberalize the basis for, and increase the monthly rates of, disability pension awards; to the Committee on Veterans' Affairs.

By Mr. O'HARA of Minnesota:

H. R. 12963. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. PILLION:

H. R. 12964. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 12965. A bill to amend the Internal Revenue Code of 1954 to repeal the tax presently imposed on the transportation of coal, and to repeal the tax presently imposed on the transportation of other types of property insofar as it applies to transportation by railroad or motor vehicle; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H. R. 12966. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H. R. 12967. A bill to amend the Fair Labor Standards Act of 1938 with respect to the frequency of review of minimum wage rates established for Puerto Rico and the Virgin Islands; to the Committee on Education and Labor.

By Mr. SHELLEY:

H. R. 12968. A bill to promote the safety of employees and travelers upon common carriers by railroad engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Virginia:

H. R. 12969. A bill to authorize the delivery of sewage from Virginia into the sewerage system of the District of Columbia and the treatment of such sewage, and for other purposes; to the Committee on the District of Columbia.

By Mr. UDALL:

H. R. 12970. A bill to provide for the purchase of copper, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HYDE:

H. J. Res. 626. Joint resolution granting the consent and approval of Congress for the States of Virginia and Maryland and the District of Columbia to enter into a compact relating to the regulation of mass transit in the Washington, D. C., metropolitan area and for other purposes; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. Res. 593. Resolution directing the Secretary of the Interior to furnish to the House of Representatives certain information with respect to the school-age Indian population of the United States; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H. R. 12971. A bill for the relief of Mrs. Florence Hsieh, and children, Catherine Hsieh, Ruby Hsieh, Ruth Hsieh, Clifford Hsieh, and Clare Hsieh; to the Committee on the Judiciary.

By Mr. BROYHILL:

H. R. 12972. A bill to authorize the appointment in a civilian position with the Federal Government of Capt. William T. Powell, Jr., United States Navy, retired, and for other purposes; to the Committee on Armed Services.

By Mr. HOSMER:

H. R. 12973. A bill for the relief of Abram H. Blaisdell; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H. R. 12974. A bill for the relief of Ford D. Cromer; to the Committee on the Judiciary.

By Mr. McINTOSH:

H. R. 12975. A bill for the relief of Lydia Shih; to the Committee on the Judiciary.

By Mr. THOMSON of Wyoming:

H. R. 12976. A bill for the relief of Elena Moczulski; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

682. By Mr. HOSMER: Petition of certain residents of the 18th Congressional District of California, who request enactment of the Smathers bill which will strengthen and improve the national transportation and help the railroads to meet the changing conditions of our times and keep them strong and solvent; to the Committee on Interstate and Foreign Commerce.

683. By the SPEAKER: Petition of Alexander Meiklejohn, Berkeley, Calif., relative to Joanna G. Koehler and others endorsing the petition of Alexander Meiklejohn, relating to a redress of grievance pertaining to the House Committee on Un-American Activities; to the Committee on Rules.

684. Also, petition of Alexander Meiklejohn, Berkeley, Calif., relative to Dwight McNair Scott and others endorsing the petition of Alexander Meiklejohn, relating to a redress of grievance pertaining to the House Committee on Un-American Activities; to the Committee on Rules.

EXTENSIONS OF REMARKS

Lithuanian Tragedy 1940-58

EXTENSION OF REMARKS
OF
HON. JAMES C. AUCHINCLOSS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. AUCHINCLOSS. Mr. Speaker, when the Soviets invaded Lithuania in June 1940 the death-knell of freedom was sounded in that brave little country and the funeral march of hundreds of thousands of Lithuanians was begun. Lithuanian troops were amalgamated into the Soviet forces. Schools were brought under the Soviet system. Nationalization of land, of finance, of transportation, of industry under the Soviets was the order of the day. Political, economic, and religious freedom was drastically curtailed; failure to comply with the Soviet regime meant deportation or death.

Failure to obey the order of compulsory voting for a one-slate Working People's Union was an immediate invitation to the possible death penalty. In the words of the monthly bulletin of the International Peasant Union—May–June 1950, page 43:

> Stalin restored serfdom in Lithuania.

This statement, made 10 years after the desperate days of 1940 went on to say:

> The enslavement of the population is practically complete.

This enslavement was for the remaining population; for meantime hundreds of thousands of Lithuanians had been murdered for their revolt; hundreds of thousands more had been deported to slave labor camps in Siberia.

The terror and violence of the reign of terror which immediately followed the first Soviet occupation was only surpassed by that which followed the second. In the interim the Lithuanians had been the victims of the German invasion with its horrors in some ways less than those inflicted by the Soviets but even more extensive in that they were intensified by the Jewish pogroms.

The return of the Soviets in 1943–44 brought a new onslaught of terror. Lithuanians who sought to escape deportation by flight were massacred in their tracks. The plight of those who were left can only be sorrowfully imagined, as they were sealed off by the Soviets, isolated since 1944 from the rest of the world, a whole nation practically imprisoned.

Accordingly, my colleagues, it is most appropriate that we, the representatives of the people of the greatest Nation on earth, should pause a moment in our busy lives, laying to one side the problems facing us, and do tribute to the people of this stricken nation. Their liberty has been shattered; their beliefs in the rightness of things has been shaken; their homeland has been destroyed; but their love of liberty is a burning fire; their faith in God is as firm as ever; and their determination to restore their country is a living thing. May they achieve in the near future the realization of their hopes and dreams and may Almighty God take them under the protection of His sheltering wings and keep them safe for the coming of their great day of freedom.

Wembley Ties

EXTENSION OF REMARKS
OF
HON. F. EDWARD HÉBERT
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. HÉBERT. Mr. Speaker, I do hope our colleagues enjoyed wearing Wembley ties on Father's Day.

I hope each package reached its destination with dispatch.

As you know last Friday I continued the annual custom of remembering the Members of Congress with a Wembley tie on Father's Day. With each tie went this letter which tells the story and speaks for itself:

> WASHINGTON, D. C., *June 13, 1958.*
>
> DEAR FRIEND: Yes, today is Friday the 13th.
>
> But every cloud has a silver lining and the fact that it is Friday, June 13 today means that Sunday is June 15. And what is June 15? Father's Day, of course.
>
> And what does Father's Day mean?
>
> It means that it is once again time for my good friends and constituents, Samuel and Emanuel Pulitzer (owners of Wembley Ties, the world's largest manufacturer of neckwear) to salute the fathers of America who are Members of Congress.
>
> It is an annual anticipation. It is an annual event. It is an annual reality. Each year the Pulitzers have asked me to distribute, in their name, these Father's Day ties to remind you that New Orleans is a city of industry as well as gaiety. The Pulitzers are proud, and rightly so, of the national acceptance of their Wembley ties which are worn by more Members of Congress than any other tie. These ties sparkle of the new South, the new industrial New Orleans.
>
> Here is a business which started with a slice of a brother's coat. (It was Manny's and Sam did it.) That daring experiment has grown into the greatest neckwear business in the world. Even the Russians can't top this claim.
>
> It's wonderful to have nice people like Sam and Manny Pulitzer as constituents and I again pass along to you today symbols of their thoughtfulness and generosity—a tie for Father's Day.
>
> Wear it and think of them and think of New Orleans, the city that care forgot and industry remembered.
>
> With my warmest personal best wishes,
>
> F. EDWARD HÉBERT.

The spirit of Wembley neckwear is the spirit of American industry today. Down in New Orleans, Sam and Emanuel Pulitzer are making great plans to increase the appeal and scope of their business, which is today the world's greatest neckwear manufacturer.

Right now on their desks are plans for a brandnew million-dollar neckwear plant which will be the most modern neckwear institution in this country. Completely air conditioned and with other things which will add both to pleasure and efficiency of their 800 employees, the new Wembley plant will be a showplace in fabulous New Orleans.

American men are becoming more fashion conscious each year because of the promotional efforts of aggressive manufacturers like Wembley. Each year Wembley spends hundreds of thousands of dollars in national consumer advertising to increase the appeal of thousands of retailers who feature the Wembley label on their neckwear racks.

Sam and Emanuel Pulitzer have asked me to say to you that they are proud to again say: "Happy, healthy Father's Day to our national lawmakers, the men who guide our country to its ever-ascending road to peace and prosperity."

The Four Outstanding Young Farmers Program

EXTENSION OF REMARKS
OF
HON. KEITH THOMSON
OF WYOMING
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. THOMSON of Wyoming. Mr. Speaker, I would like to call to the attention of my colleagues the fourth annual search for America's outstanding young farmers, which was carried on during this past winter and spring by nearly 1,000 junior chambers of commerce in 47 States, Hawaii, and Alaska. This search reached a highly successful conclusion when, on April 16, 1958, in Indianapolis, Ind., the 49 State and Territorial nominees met and 4 were selected and recognized as the 4 outstanding young farmers of 1957.

This project, which is sponsored annually by the United States Junior Chamber of Commerce and the American Petroleum Institute Committee on Agriculture, is designed to seek out and honor 4 young men between the ages of 21 and 35 who have made outstanding contributions in the field of agriculture and conservation. This year the 4 winners were Cyrille O. Gaure, 35, of Porterville, Calif., operating 760 acres in general farming, principally dry farm grain; Thomas J. LaChance, 34, of Somersville, Conn., operating 470 acres with main crop potatoes; Felix O. Bullard, 29, of Monticello, Fla., operating 2,000 acres with main crop watermelon seed; and William W. Erwin, 32, Bourbon, Ind., operating 2,090 acres in general farming. The judging panel of seven nationally prominent agricultural experts had a difficult time in making their selections

from the field, who were all top agriculturalists in their respective States and Territories.

It is interesting to note that the 49 young men farmed a total of 55,763 acres from the smallest of 2 acres to the largest of 14,000 acres; and have collective assets of more than $5½ million. Most of the nominees are leaders in farm youth group work and in farm trade organizations, and all are active in community affairs and in their respective churches.

One of the most significant aspects of this program developed through a poll taken of the 49 State and Territorial winners, the Nation's outstanding young farmers. This had to do with the attitudes of this group in regard to Government controls in agriculture and price supports. Thirty-eight replied to the poll, and in response to the question, "Do you favor Government price supports?" 8 answered yes, 30 answered no, and of this group 10 favored supply and demand, 5 favored gradual elimination of price supports, 2 favored immediate elimination, and 4 favored the Soil Bank. To the question, "Do you favor more or less Government control of agriculture?" 1 favored more control and 37 favored less control. Of this group, 11 favored going to an agriculture based on the laws of supply and demand.

All of the young farmers not favoring Government controls would, however, favor continuation of research, soil conservation, marketing analysis, reforestation, and educational programs by the Federal Government. Those ballots making comments—25 of 38—all indicated that the farm problem is not one of agricultural economics, but of political interference. There was also strong feeling indicated by comments that the present system of Government controls and price supports breeds inefficiency and results in too many instances of assistance being given "too little and too late."

The Baltic Peoples and Their Fate

EXTENSION OF REMARKS
OF
HON. EDMUND P. RADWAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. RADWAN. Mr. Speaker, the woes and sufferings of the Baltic peoples, the brave and liberty-loving inhabitants of once independent Estonia, Latvia, and Lithuania, and known throughout the Free World. The Free World also knows that their misery and misfortune was brought on by the deliberate machinations of the Kremlin. The dictators in that Soviet hideout planned and plotted for the extinction of free Estonia, Latvia, and Lithuania early in the last war. These countries were overrun by the Red Army, annexed to the Soviet Union, and their innocent but helpless inhabitants forced to accept Communist slavery.

These outrages and inhuman acts of the Soviet Union were contrary to the very pledges which the Soviet Government had made solemnly and openly. Yet in violation of all international laws and customs, they conquered these countries and they still hold them by force, even though their action falls under the moral censure of the Free World.

This rally in publicizing the world condemnation of the Soviet Union for the enslavement of the Baltic peoples, and in exposing the horrors of communism in the Baltic countries, is rendering a great public service. I join the rally wholeheartedly, and wish it success.

The Economic Recession

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. DINGELL. Mr. Speaker, we are hearing from the Secretary of Commerce and other administration officials how the upturn is now at hand and we can all relax and turn our backs on the economic recession which has plagued our country for the past 10 months.

I categorically reject any idea that we dare cease thinking about this problem and that we dare stop working for legislative action for the maximum upturn at the earliest possible date.

Unemployment in the country still approximates 7 percent of our work force. In Detroit, Mich., and in the State of Michigan it is 18 percent and 16 percent respectively of the work force.

Informed economists anticipate little real upturn in the economy prior to next spring. Fortune magazine recently announced that unemployment is expected to be 6 or 7 million next spring.

Anyone who tells my unemployed auto workers or the laid off steelworkers that the economic situation of our country is in good shape faces danger to life and limb.

My purpose in rising today is to renew my urging of vigorous Congressional action, tax cuts for the low-income brackets, and removal of excise taxes on autos and other consumer goods.

Why this continued concern on my part? The answer is simple. We do not know how much this recession has cost us yet. The human suffering and misery caused will never be fully tabulated, but the best guess is that it has cost us our annual growth at the rate of about 3.1 percent a year, or, converted to dollars, about $15 billion. The economy is presently running $35 billion a year below a high employment level. Economists expect that before the economy reaches high gear again the loss will exceed $50 billion and may approach $80 billion. It is anticipated that goods and services which could have been provided this year, but which will be missing from our economy, will exceed $35 billion, and this estimate is based on the hopeful assumption that our output will begin climbing in the fall.

The losses should be looked at in the following light to see just how staggering they are. This recession has or will cost enough to pay for our entire 13-year highway program and have about $15 billion left over. In addition to this, it would pay for all the goods and services which the Federal Government will buy this year; it would buy all the autos, all the furniture, appliances, hardware, and all other hard goods sold last year by the United States; and it would pay for 3 years of State and local government outlays for school payrolls and school buildings and still have $15 billion left over.

For recovery by next spring the economy would have to grow at 11 percent per year, literally a forced-draft growth. If the economy grows at 7 percent per annum, still a rapid rate, we will not recover until the spring of 1960, and the slump will cost $70 billion.

Action now is indispensable to the economic and military security of our Nation.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of June 14, 1958:

WASHINGTON REPORT
(By BRUCE ALGER)

The Trade Agreements Extension Act of 1958, reciprocal trade, 4,434 pages of hearings, 135-page report, 19-page bill, and Department of Defense Reorganization Act of 1958, 887 pages of hearings, 63-page report, 19-page bill, made a full week of floor action. What a contrast—the trade bill was absolutely nonpartisan, the defense bill immediately following was strenuously partisan in a politically supercharged atmosphere. Proving again that truth is stranger than fiction, there were moments of ridiculousness and moments of grandeur and of humor—most human.

The committee trade bill extended the President's present authority to continue lowering tariffs by 1 of 3 formulas, strengthened the escape-clause operation partially allowing the raising of tariffs where United States industry is hurt, redefined Tariff Commission procedure, recognized further the national security aspect of imports strengthening our economy or weakening our self-sufficiency, and specified that acceptance of the bill was not to be construed as Congress approval of GATT (the General Agreement on Trade and Tariffs under which the multilateral trade pact with other nations are made).

A substitute bill, the Simpson bill, in the Rules Committee ground rules for debate, had previously been agreed upon as the alternative plan for trade extension. This bill, as the only choice, offered a 2-year extension (instead of 5), permitted a 10-percent tariff reduction (not 25 percent) specified the Tariff Commission (not the State Department) to furnish the list of products to be negotiated under the peril point, declared escape clause findings and relief from tariff injury could be overturned by majority Congress vote (not President

alone), continued present trade agreements, gave defense industries the right of appeal to Congress, and strengthened the Tariff Commission as an arm of Congress.

The arguments for the committee bill were generally used against the substitute bill, and vice versa. The problem for House Members in such oversimplification and overstatement—to determine validity of the arguments for and against each, since the same arguments could be made on occasion for both. There was merit in both bills.

Arguments advanced for extension of our present trade policy for 5 years (the committee bill): (1) $19 billion exports and $13 billion imports give us healthy $6 billion balance (so trade policy is good); (2) competition with a minimum of tariff restriction, in world trade, is healthy and necessary; (3) world peace can be advanced through increased trade; (4) reciprocal trade provides only the flexible mechanism; policy decisions can be made separately; (5) chamber of commerce and AFL–CIO both for extension—these and others.

Arguments for the substitute bill seeking to improve trade while protecting certain United States industry (and some Members not conceding arguments advanced for committee bill inapplicable to substitute): (1) Certain United States industries need some protection from low wages paid workers of other nations; (2) United States industry over the years has been built up behind protective tariffs; (3) reciprocal trade is not reciprocal—for example, British tariffs are 5 times higher than ours, United States overall has lowest tariffs; (4) under reciprocal trade, United States supplied war materials to Japan during China war and for the Pearl Harbor attack; Italy was provided planes and weapons for vicious attack on Ethiopia; (5) after 21 years of reciprocal trade, world trade is more tightly regimented now than ever; the escape clause has not protected United States industry, thousands of which are hurt; of 87 escape clause hearings of injury, relief has been given in only 10 cases; these and others.

For myself, I was concerned also over these considerations: (1) Our trade policy is being determined by State Department internationalists as foreign-affairs matters, not by hard-headed economics; (2) state trading (Soviet style), which is Government-controlled trade for political reasons, is contrary to the United States enterprise and policy; (3) the GATT, under which 55,000 trade concessions have been made, has never been submitted to nor approved by Congress; (4) the reciprocal-trade law specifies that no American industry shall be hurt (this is the law to which three Presidents and every Congress have agreed, but industries have been hurt, without relief granted; for example, oil and textiles); (5) reciprocal trade is one thing; United States becoming dependent on others is another, and the latter, defensewise, can endanger us; (6) the relationship of our foreign aid and foreign purchase of our exports has not been studied; (7) 5 years is too long on extension, considering bill's controversial weaknesses.

The vote came on the substitute bill, which I approved (it was defeated); then on recommittal to committee to improve the bill in the light of criticisms, which I approved (defeated); then final passage of the committee bill, which I reluctantly approved, judging the good outweighed the bad. Speculating on the failure to include an oil-import limitation, since voluntary controls haven't worked, a respected Democrat stated that the Speaker's plan was for Senator JOHNSON in the Senate to add the amendment in order to gain the independent oilmen's financial support for his presidential race in 1960.

The Department of Defense Reorganization Act of 1958 provided for unity in strategic planning, military command, and in our fighting forces, along with streamlining the Defense Department, a prodigious effort to provide the most efficient and least costly defensive system possible. The bill passed out of the committee unanimously. Then the harmony stopped. The President asked for three amendments to improve unification. The political fight began as Republicans rallied behind the President, and the Democrats, with Speaker RAYBURN at the helm, opposed the President. In the face of this blatant political lineup, members of both parties disclaimed any political intentions, bewildering only to those who don't understand House political operation, as each party seeks to build its legislative record. A standing ovation by the Republicans went to a Texan, GEORGE MAHON, when he stated in a heartfelt speech that he refused to join the Democrat lineup but would support the President. He said we should give the President the tools he needs to do the job. This issue transcends partisan politics. I suspect the American people will back the President's judgment on military matters before that of the House Democrat leadership.

Dedication Ceremonies of the New Community Center, Duncansville, Pa., on Flag Day, June 14, 1958

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. VAN ZANDT. Mr. Speaker, the community of Duncansville, Pa., on June 14, 1958, combined Flag Day ceremonies with the dedication of the new $55,000 community center. It was my privilege to deliver the following address for the occasion:

SPEECH BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE DEDICATION CEREMONIES OF THE NEW COMMUNITY CENTER AT DUNCANSVILLE, PA., ON FLAG DAY, JUNE 14, 1958

Mr. Chairman, members of the clergy, ladies and gentlemen, it is an honor to be invited to participate in this program incident to the dedication of the new Duncansville Community Center. This modern building is proof of the accomplishments that are possible through community spirit and a high degree of cooperation by all residents.

I am told that this fine, new community center is the realization of a fond dream by many of the older residents of Duncansville, who for years have looked forward to the day when they would be able to view a modern community building as a reality and as the fulfillment of their dream.

While it required patient planning, untiring zeal, and unselfish devotion over a period of time by those who spearheaded the building program, yet success would have been impossible without real community effort that included the financial support of businessmen and of residents in all walks of life.

Today Duncansville may well be proud of this fine edifice which from a practical standpoint will serve a dual purpose by housing fire and ambulance equipment and at the same time providing the means for recreational activities in the spacious recreation room.

The borough of Duncansville owes a lasting debt of gratitude to members of the building authority board, to the burgess and members of borough council, and especially to the campaign fund committee whose successful efforts in soliciting funds assured the construction of this fine community center, which stands as a fitting monument to the many willing hands and generous hearts that have made it a wonderful reality. It is appropriate that Flag Day has been selected as the date for dedication of the Duncansville Community Center. We can always talk about the flag of our country. There is a great wealth of interesting stories about the Stars and Stripes, even though it has been our national emblem since 1777.

June is the birth month of the flag. It was on June 14, 1777, that the Continental Congress adopted the red, white, and blue Stars and Stripes design as the official flag of the United States. Now some of our citizens may declare, "fine, but what is so important about our flag at this late date?" Then someone will add that surely every American knows about the flag.

How can there be any new ideas about it? Well there are new ideas about the flag and they are mighty important today. For example, a recent session of Congress passed two flag measures. One put God into our pledge of allegiance. It now reads: I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The other Congressional bill which President Eisenhower signed with reservations because he thought the act needed clarification, prohibits the display of any national or international flag equal, above, or in a position of superior prominence or honor to the United States emblem.

Sometime in the near future Congress may again become interested in flag changes, if Alaska and Hawaii are admitted as new States. Each new State adds another star to the flag. Two more would make 50 stars.

The flag is older than any of us. It is actually ageless. There are some interesting historical facts about that. For example the Stars and Stripes was flying 4 years before the United States Constitution was ratified. We had our flag 12 years before George Washington was inaugurated as the first President of the United States. The flag was the emblem of our country 37 years before Francis Scott Key composed the opening stanza of the song The Star-Spangled Banner. And the flag was 154 years old before Congress finally adopted that song as our national anthem in 1931.

By the way, my first experience with Congress was in the early 1930's, when I appeared before Congressional committees as Pennsylvania State Commander of the Veterans of Foreign Wars of the United States in behalf of a bill that made the Star-Spangled Banner the national anthem.

In this mechanical era we can make other age comparisons. Our flag was flying 30 years before Robert Fulton sailed the first steamboat up the Hudson from New York City to Albany. The flag was 54 years old when the first American steam locomotive was put on its tracks for a run between Albany and Schenectady, N. Y. And our flag was 126 years old when the Wright brothers flew the first airplane at Kill Devil Hill, N. C., in 1903.

So you see we have inherited knowledge of the flag and our love for the Stars and Stripes from our forefathers far back in American history. We have literally grown up with the flag. It has always been part of our lives and one of the first things every American school child learns is how to respect the Stars and Stripes.

Our children also learn the pledge of allegiance to the flag and our national anthem

both of which to our embarrassment we adults sometimes find we have forgotten.

There have been many tributes to the flag. Every man, woman, and child who appreciates being an American can find words of praise for the symbol that represents the ideals we identify as our way of life.

We have learned those things but we do forget. We forget that the Stars and Stripes belongs to all the people and that we are honor bound to protect the flag because, after all, it does represent our freedoms and loyalties.

Our flag is not just a colorful piece of cloth. It is truly a personality. It is as much alive and as vitally important as the free air we breathe. The flag is part of every American, living or dead.

The Stars and Stripes of the United States always has been, and always will be, the proud and beautiful symbol of free men dedicated to the everlasting defense of their liberties. That alone makes our national emblem of paramount importance.

The Stars and Stripes was created at the time in American history when men faced a great test of strength. The early Americans had the courage to back their convictions. They dared to fight. They sacrificed their personal fortunes and even their lives to defend the liberties they believed more precious than anything else they possessed. As a result the American flag is today the national emblem of more than 170 million people who live in the most powerful free nation on earth.

Old Glory has always flown as a daring, courageous banner of freedom. It was with George Washington and his men when they crossed the Delaware. It emerged victorious from the uncertain dawn at Fort McHenry. It led American armed forces to victory in the Spanish-American War and in later conflicts. Our flag was carried into battle by American men at Chateau-Thierry and Belleau Woods in June 1918. It went with the United States "D-Day" forces when they landed on the shores of Europe in June 1944.

The flag flew victoriously with United States air, land, and sea forces fighting from one end of the Pacific to the other. Also the flag went into armed conflict against communism when American troops were plunged into the Korean war. Our flag has flown the seven seas in peace and war. It has led our Armed Forces into action across the deserts of Africa, in the arctic, and through the mountains and jungles of many faroff lands.

The flag of our country has been bathed in blood and tears. It has inspired the heights of joy and song. It has hailed the victors and embraced the mortal remains of those who gave their lives in its defense.

Old Glory is everything to us because it represents our Constitution, Government, and the people. The Stars and Stripes is the symbol of our faith in God. That is why our national emblem is given the place of honor in American churches. Without the flag and all that it represents there might be no churches. The flag is the guardian of religious freedom guaranteed by the Constitution.

Therefore, all of our people, whether they be Protestant, Catholic, or Jew, may kneel to pray without fear of persecution, each in accord with his personal religious belief. No other banner gives every American that right or security.

Therefore none other can rightfully supplant the Stars and Stripes in the honored place of any house of worship.

What is the big issue today? Stating it in terms of national emblems the answer is: Which shall we have, the Star-Spangled Banner or the hammer and sickle? Which flag represents most truthfully the desires of all men?

Well only half of the world has freedom. The other half of the world is trapped, toiling, suffering under the Red banner of communism. The threat of communism extends within our own shores. Communists right here in the United States take their orders from Moscow. Those orders are to undermine our confidence in our Government, weaken our loyalties, and render us impotent through fear. Then communism would destroy our form of government.

The Communists have boasted openly that this is their number one goal. They would have a Red dictator in Washington and a Red flag flying over us instead of the Stars and Stripes. Here is what Mr. Khrushchev said in recent months when he hurled a bold and boisterous challenge to the United States:

1. "We declare war on you in the peaceful field of trade."

2. "You are not being threatened with ICBM's but with peaceful competition in consumer goods."

3. "We will prove the superiority of our economic system over yours."

4. "Your grandchildren in America will live under socialism."

This bold and boisterous challenge by Mr. Khrushchev reveals the Soviet pattern of communizing the United States and abolishing the American way of life. Heaven forbid that we ever deteriorate to such an extent that we let the Communists overpower us. One good look at the red, white, and blue Stars and Stripes should be enough to stir the blood of every loyal American citizen and rouse everyone into a tight-fisted resolve that we shall remain free men forever.

It might be well at this time for every American to recall the toast given by the American patriot Stephen Decatur when he declared "Our Country. In her intercourse with foreign nations may she always be in the right, but our country right or wrong."

Therefore on this Flag Day of 1958, and in dedicating this community center, as loyal citizens of a great Republic let us declare, may our country always be right, but right or wrong, we shall defend the Nation and its Flag forever, the United States of America and its glorious Stars and Stripes.

Thomas A. Mathis

EXTENSION OF REMARKS
OF
HON. JAMES C. AUCHINCLOSS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. AUCHINCLOSS. Mr. Speaker, on May 20, 1958, the Republican leader, indeed the leader of Ocean County, N. J., Thomas A. Mathis, died, and his passing was a great loss to his many friends there and throughout the State. Capt. Tom Mathis, as he was called with sincere affection, was beloved by people in all walks of life—farmer and fisherman, banker and merchant, rich and poor. The fact that he was an ardent Republican and led the election to office of Republican candidates for many years, made no difference. Everyone loved him.

Thomas A. Mathis was 88 years old at the time of his death and his long life was a full and eventful one. At the age of 16 he shipped as cabin boy on a sailing vessel and continued the mariner's life for 21 years, retiring in 1906 with a master mariner's license, which he carried to the day of his death. He also held a first-class pilot's license for the waters between Eastport, Maine, and Philadelphia. As first officer on a steam vessel he made a 3-year trip around the world and served as second officer on the *City of St. Augustine* on the New York-to-Florida run. He skippered the International Cup winner *Columbia* in many races and was first officer on the famous yacht *Corsair*, owned by J. P. Morgan.

A year or so after Captain Tom retired from the sea, he entered politics in Ocean County and in 1909 was appointed to fill an unexpired term in the State senate but failed of reelection. This did not discourage him, however, but rather strengthened his determination, and was what really started his great political career in building one of the strongest political parties in the State. He started out to meet people everywhere and in his own words he "stumped through the county, climbing fences to talk to farmers, and knocking on every kitchen door for votes." He was elected to the State senate in the next election, holding that office for eight terms. He also served as majority leader and president of the State senate. Later he served as secretary of state of New Jersey for 10 years and only a legal technicality prevented his receiving an appointement for another term of 5 years.

During all this time Captain Tom was organizing and perfecting the Republican Party in Ocean County where he set up clubs named after himself in every community. They were known as the T. A. M. Republican Clubs and were kept active the year around. He was a tireless leader and always kept himself advised of the activities of these groups. On one occasion when reminiscing about the past he referred to the experiences of his political leadership in terms of the old sea captain that he was: "You have your storms to battle, your calms to endure, and your shoals to avoid; and you've got to keep your eyes open for the other fellow's torpedo. But I've had a lot of fun out of it." A most adequate summation of the problems and trials of a successful political leader.

In spite of his 88 years Tom Mathis was active right up to the end. He was at his real estate and insurance office every day attending to his business and meeting the constant stream of visitors from all walks of life who came to see him. Some sought advice and received good counsel; some sought financial assistance and, if their cause was worthy, did not go away disappointed; some wanted a favor and he did what he could to help. No wonder he was loved by so many and was a real leader among men.

His political sagacity was highly respected and was proverbial throughout the State. He was born with the political touch and his candidates for office were elected and reelected time and again. He made a boast that he would never desert anyone who was loyal to his

organization and he kept his word. Although he was a stanch Republican and never deviated from the paths of his party, his candidates were supported by Republicans and Democrats alike, and Captain Tom always saw to it that such favors were not overlooked. He was a wise and practical politician.

Like a host of others I have lost a great personal friend and I shall miss him. I never knew him to be false to his word and I have always been grateful to him for telling me the facts as he saw them, disagreeable though they might be. He was shrewd and cautious, and I shall always remember his advice to me on one occasion when I was anxious to rush in to try to correct a situation, "Remember, Jim," he said, "don't try to make the trolley car all at once."

He was a loyal American, true to his country's ideals, and he would have no dealings with anyone tainted with communism or any other foreign ideology. His passing is mourned by many throughout our State and, indeed, our political life has suffered a loss that is hard to estimate. He was a gentleman of the old school who played the game hard, sometimes ruthlessly, but as Monsieur Beaucaire said when he caught his adversary cheating at cards, "With the cards, with the dice, with the small sword, but always fair, Monsieur, always fair." Captain Tom Mathis was always fair.

Salary Increases Inflationary

EXTENSION OF REMARKS
OF
HON. WILL E. NEAL
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. NEAL. Mr. Speaker, on April 14, 1958, I expressed opposition to percentage-wise increases in Federal employees' salaries, especially emphasizing the need for and the justice of raises for the predominantly large group of postal and classified employees whose salaries had fallen far below the advances in living costs. The reaction to this statement was somewhat surprising in that some complaining employees interpreted the intent of that statement by emphasis on words out of context.

I still maintain that Congressional approval of uniform pay raises for all Federal employees is not in the best interest of the public.

While I am in a position to realize that men in public life are accustomed to different standards of living that require careful budgeting of income in order to keep up with the Joneses, their necessity for self-denial and careful budgeting in no way compares with that experienced by the great mass of average citizens who must adjust their meager incomes to the ordinary requirements of family obligations. The 5 million workers furloughed or discharged with no visible means of support beyond their entitled period of unemployment compensation find it difficult to explain why employees supported by their tax moneys should at the same time be granted increases through Congressional approval.

Rearing a family today is a most expensive obligation too often overlooked by officials in Government who are primarily responsible for the imposition of taxes affecting people at the grassroots. Not only do the low-income salaried and wage groups find it difficult to meet their living costs after taxes are squeezed from their pay envelopes, but pensioners, retirees, those on public relief, and others with income from dividends are equally hard pressed.

Of course, the real culprit is inflation. It is the uneconomic tangent leading the way to the regularly advancing costs of food, raiment, services, and the ordinary things that every family should have to insure the needs and comforts of living—essential demands that apply equally to all families regardless of their income. Barring sickness and accident, family costs above the requirements at these levels rise in proportion to the amounts spent for nonessentials and luxuries.

Solution to the problems of inflation should be approached in two directions. The first objective should bring a raise in the salaries and wages of those groups whose incomes fall short of meeting inflated costs up to existing limits of prices for essential family demands. This means raising the salary scales of those at the low-income level. This the Congress has done, but those of us who opposed raising higher level salaries were left no choice but to vote the salary increase bill reported by the committee.

The second and far more effective anti-inflation measure should be to hold the line on top salaries at all levels, and especially salaries of the higher paid Government workers. No one can deny that rivalry between employee groups in business and industry, each in turn demanding wage advantages, is an important factor in contributing to spiraling inflation, and since it is true that inflation is our greatest economic enemy, it should be attacked at the most vulnerable point. This point, it seems to me, is found at the Federal level where an acknowledged effort to hold the line on further salary increases would have a decided deterrent effect on others in industry who would be expected to follow customary trends.

Now that the supergrade Federal salaries are being boosted percentagewise, organized employees have a legitimate excuse for pressing further demands which, if granted, would automatically result in increased prices of essential commodities when the increase granted to the lower paid salary group will face the same disadvantageous position they occupied before.

In this period of inflation when social security and pension stipends fail so miserably in covering living costs, and when the recipients are forced to share hidden taxes with the rest of us, we officials in Government, whether elected or appointed, should not forget that the payment of taxes by the great majority to support our salaries is a mandatory duty which requires great sacrifice. And, what is more, regardless of the form or the amount of taxes sent to Washington, one-fourth of it is never returned to the people back home.

It is the old story of spiraling inflation and in this case definitely encouraged by Government. Congressional approval of higher topnotch salaries and its recent authorization of some 1,000 additional supergrade career positions to impose additional tax take from the pay envelope of every worker is cause aplenty for popular resentment.

Most Federal employees are dedicated public servants who perform their assigned duties well and honorably, but secure in their positions with built-in promotions, fringe benefits, and guaranteed retirements they are prone to overlook the plight of the common man whose earnings are subject to tax obligations over which they have no control.

Not only is this true in bureaus and various agencies, it is equally true in the Executive and Defense Departments. Even the Congress succumbs to organized pressure groups whose well-paid, well-trained, and effective lobbyists seeking selfish advantage press for legislation favorable to them but not in the interest of the general public. All too often has Congress approved temporary emergency legislation only to fail to repeal these statutes after the emergencies have disappeared. This custom, together with ultra-social welfare legislation, pyramids the annual obligation that passes on to the tax-weary public.

These annual mandatory obligations including interest on the national debt and the Veterans' Administration are now approaching $20 billion, far more than the total cost of Government only a few years ago.

People back home who must bear this cost, many of them unemployed, three-fourths of the working public unable to keep pace with advancing wages of organized labor, and salary standards of top priority Federal employees, are becoming alarmingly vocal in their resentment toward big government, big expenditures, and involuntary exorbitant taxes. It is time we in Government, servants of all the people, read the warning signs.

The Class of 1958 Faces the World

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 16, 1958

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address I delivered at the commencement exercises of the Agricultural and Technical Institute, State University of New York, at Farmingdale, N. Y., on Sunday afternoon, June 15, 1958:

COMMENCEMENT ADDRESS, BY CONGRESSMAN VICTOR L. ANFUSO, AGRICULTURAL AND TECHNICAL INSTITUTE, STATE UNIVERSITY OF NEW YORK, FARMINGDALE, N. Y., JUNE 15, 1958

Mr. Chairman, honored faculty, members of the class of 1958, ladies and gentlemen, I consider it a great privilege to have been in-

vited to participate in this solemn convocation and to have the opportunity to share a few thoughts with you. I am particularly pleased to have this high honor at a time which coincides with the 10th anniversary of the State University of New York. We are all very proud of this great institution of higher learning and its many achievements since its inception.

The class of 1958, I am told, numbers approximately 450 persons. Each of you is receiving today an associate degree in applied science. From here on you will be known as technicians in 1 of the 14 fields offered by the Agricultural and Technical Institute. Some of you will be technicians in agriculture or ornamental horticulture; a larger number will be in the fields of industrial technologies; others are to become technicians in art and business, and a smaller number is entering the field of dental hygiene.

How times have changed since I sat with the class of 1927 at our commencement exercises. Outside of those among us who entered law or medicine, the remainder for the most part received a general education and had no idea what they were going to do next or where they would end up. With you it is different. You have been trained for a specific task, you know exactly what you are going to do. I can only conclude that the younger generation of today is much more practical than we were.

In one way, however, I feel certain there has been no change. I can vividly recall when I sat there at my graduation, thinking not so much of the future as of the immediate past, of the happy years I spent at college, and the fact that this happy period in my life had now come to an end. It was with a mixed feeling of joy and sadness that I was now saying farewell to my alma mater, to my professors, and fellow students. I dare say that many of our young friends here today are cherishing the same thoughts. In this respect we have not changed.

At this point, I should like to direct your thoughts into the present, the world of today, the world which you are facing now. What sort of a world is it? And how do you find your proper place in it? I do not know whether I can satisfactorily answer such questions. Above all, I must ask you not to regard what I am going to say to you as political oratory.

The story is told in Washington about a certain Congressman whom a constituent of his was trying to reach. An important debate was going on then in the House Chamber but the constituent nevertheless sent in a page boy to call the Congressman. When he finally came into the cloakroom, the constituent started to apologize to the Congressman for calling him off the House floor.

"Oh, that's all right," said the Congressman. "I am glad to have an excuse to come out here. This cloakroom is the best shelter we have from oratorical fallout."

I do not know about the oratorical part of my effort here, but I am hoping there will be a fallout of ideas which might prove stimulating to you, and perhaps inspiring.

You may have heard the story of Michelangelo and the piece of marble. Michelangelo was strolling one day with a friend of his in Florence and came upon this block of marble half buried with dirt and rubbish. He cleared away the dirt and lifted the marble from the mire. His friend, in surprise, asked what he wanted with such a worthless piece of rock anyway, whereupon Michelangelo replied:

"Oh, there is an angel in that stone and I must bring it out."

He took the marble to his studio. There, he worked on it patiently, lovingly, and finally brought out the hidden glory that was to inspire others for generations to come.

Not many of us are blessed with the talents and the inspiration of a Michelangelo. But all of us can do our share in bringing out that which is true, and good, and inspiring in human nature. I know of no better period in a person's life to start than now, when you have reached full maturity and a stage in life where you are ready to apply your academic training to everyday practical experiences.

As we grow older and more mature, we find that we cannot afford to linger too long over the certainties of yesterday. Instead, we must now cope with the uncertainties of each new day, with its difficult problems, its intriguing challenges. In time you will discover, as I have discovered, that maturity reserves its rewards for those who are willing and ready to face the challenge of the future.

I am convinced that in the years ahead you will be confronted with challenges of greater dimension than any other generation before you has had to face. These challenges will not be limited only to the field of politics or international affairs, but will encompass every human endeavor, with emphasis on science and technology, and on human relations.

I believe that you of the class of 1958, graduating from an institution of higher learning such as this, are well prepared to assume the responsibilities and to play your role in a rapidly changing world of technology and scientific progress. In this role it is not so much what our Nation's destiny holds out in promise to you, but rather what it expects of you, and what it needs in these crucial and trying years ahead. For those of you who will show a willingness to meet the Nation's urgent requirements and to help solve some of its pressing problems, your place in life is assured.

The one thing all of you still lack is how to apply the vast amount of knowledge you have acquired these past few years to your daily life and the part you are to play in it. Only time and experience will fill that gap. That is something which is slowly acquired through association with others, working side by side with other people in your chosen field of endeavor, in keeping informed of new developments in that field, in concentrating on immediate tasks, and in the development of new ideas.

All of this, however, is not sufficient. In pursuing these steps to acquire experience and to apply your knowledge you will become a well-rounded expert or technician in your field. This may not make you a well-rounded human being, however. In addition, you must develop a balanced and mature viewpoint, a tactful approach to problems and to people; you must become informed on a multitude of things and events; you must become a participating citizen in this democracy of ours, and you must understand the value of such participation. Above all, you must continually try to broaden your knowledge and appreciation of the finer things in life through association with good literature, with music and art, with the theater, and other aspects of our cultural life. All of this will make for leadership and for success. If you concentrate on only one phase, you will some day find yourself in a very narrow dead-end—and by then it may be too late to retrieve your steps.

The great American humorist and folk-philosopher Will Rogers once said: "It's not what you know, but how you use what you know that counts." That is very true. It is not enough merely to learn something, we must also acquire the experience which helps us to better understand that which we have learned. Knowledge is only a tool. If we are to do good work with this tool, we must keep it sharp by continuing our education and broadening our experiences. If we stop learning, life will pass us by.

Let me caution you, however, that neither should you ever feel superior to anyone else merely because you have acquired a college education. Abraham Lincoln and Harry Truman, in my mind, are the best examples of educated men who never went to college.

During the past year our system of education in America has been under severe criticism for failure to stress the fields of science and technology. Ever since Russia launched its first sputnik last October, we have suddenly awakened to the stark fact that we have fallen behind the Russians in scientific progress and achievements and that this constitutes a grave threat to our national security and future survival. Since then there has been much more emphasis in our schools on science and technology.

I can understand the logic of it. I can see the need for it. But I must warn you not to overlook other phases of community life. Science and technology in themselves will not solve America's problems in the future or provide us with complete assurance of security. The security of our people and its survival will not be assured merely by expanding our scientific and technological training in our schools. It requires much more than that.

If we should concentrate only on that type of training, we may find some day that we have prepared people to build bigger and better missiles and other nuclear weapons, but that they are a failure as human beings, as loyal citizens, as participants in a democratic society. We shall find them incapable of putting their knowledge and ability to good use in society. Before a man can be a good scientist, or a good technician, or engineer, or businessman, or whatever else he seeks to attain in life, he must first be a rational human being, conscious of society and its way of life, able to cooperate with his fellow men, and to find the proper role for himself in his community. This is what spells the difference between life in a democracy and under a dictatorship.

Thus, a good education is that which trains him to live rationally, which awakens in him a consciousness of life around him, which teaches him to assume responsibility, and which enables him to think for himself. Education, to my mind, is the key to our future. For this reason, I feel that we must do everything possible to maintain diversity in education, rather than overemphasizing certain fields or concentrating all our attention in limited directions. The famous 19th century American philosopher Ralph Waldo Emerson expressed this thought: "The true test of civilization is not the census, nor the size of cities, nor the crops, but the kind of men the country turns out."

As we look about us in the world today, we are confronted with many problems at home and abroad. Pick up your newspaper and you will see these problems staring you in the face. One day it is the implication of a new Russian sputnik which has been sent up into space. The next day, it is violence in Lebanon, or Algeria, or Latin America. Then, it is a crisis of great proportions in France which has shaken our longstanding ally to its very foundations. On the homefront, we are troubled by the economic situation and a sizable unemployment. The cost of living continues to increase. The crisis in the Nation's schools is no nearer a solution now than it was a year or two ago.

The upshot of it all is that throughout this great Nation of ours, as well as among our friends and allies of the Free World everywhere, there is today a rising demand for American leadership and guidance—moral, spiritual, political, economic, military, scientific—in short, a demand for leadership and guidance of every kind. People everywhere look to us for new viewpoints, for imaginative ideas, for bold action to hold the Free World together against the onslaught of international communism. Above all, they look to us for new enthusiasm, new courage, and effective action to face the many problems with which the world is confronted and to find a satisfactory solution for them.

Right now the world is divided into two major camps, the East and the West, which are engaged in a great ideological struggle. It is a battle of ideas which, in my estimation, is more important than the battle of weapons. Both we and the Russians know that a battle of weapons would mean suicide for the human race; and while both are preparing new and fantastic weapons, I believe that we may never witness a war with weapons of total destruction. It is a well-known fact that the leaders of the Kremlin are relying on propaganda and deception, on conspiracy and subversion, rather than on atomic weapons and missiles, in their efforts to conquer the Free World.

While there may never be a shooting war, nevertheless, we are living in a period of great moral crisis. We cannot afford to merely sit back and wait for events to develop. We cannot close our eyes to what is transpiring all over the world, and hope it will pass us by. We cannot isolate ourselves from everything and everyone, nor can we afford to remain neutral. It was the 17th century poet and theologian, John Donne, who in the course of one of his sermons said:

"No man is an island, entire of itself; every man is a piece of the continent, a part of the main. Any man's death diminishes me, because I am involved in mankind; and, therefore, never send to know for whom the bell tolls; it tolls for thee."

John Donne's reference to a man can also be applied to a nation. Today we can truly say that no nation is an island, entire of itself; every nation is a piece of the continent, a part of the main; and the death of any free nation diminishes us, too. All of us are deeply concerned about the security of the Free World, and particularly the security of our own country and its survival in the future. We are concerned about it not merely for ourselves, but even more so for our children. We want to hand down to you and to future generations a free, a happy, and a prosperous nation, as we know it. To achieve this, we must build and prepare against any possible danger. We must stop following and begin leading. Either we assume our position of moral leadership of the Free World, as expected of us, or we shall be forced in due time to take a back seat and become a second- or third-rate power. Let us remember that older and stronger nations than we have disintegrated.

Hence, I feel that the time has come for us to adopt and pursue a dedicated policy of national rebuilding. We must develop a dynamic approach to problems. We must seek to rebuild our position in the world as the most powerful force for freedom, to which the whole human race can once again look with hope in their hearts and with respect for our humanitarian principles.

In short, we must regain our leadership in the community of nations, which has been severely shaken and undermined in recent years. We must regain the confidence of people all over the world in our aims, in our principles, in our deeds. This is the challenge that we face in the world today. This is the challenge that will face you as you go forth to make your mark and to find your place in the community. It is a challenge to keep our Nation strong and free and united. It is a challenge to continue to build and develop our political and social institutions, our human and economic resources, our educational and religious life, in order to maintain a great promise for the present and future generations—as was done in past generations—the promise of expanding opportunities and progress in freedom for all Americans.

The famous French scientist, Louis Pasteur, once said:

"I hold the unconquerable belief that science and peace will triumph over ignorance and war, that nations will come together not to destroy but to construct, and the future belongs to those who accomplish most for humanity."

I believe that if we continue to work in the interests of humanity, the future will belong to us—as Pasteur has prophesied. Let us continue to have faith in our country, in its destiny, and in its future. Let us continue to march forward together on the road to freedom, peace, brotherhood, and understanding among nations. Let us continue to build with love and tolerance. For only in this way shall we make it possible for our younger generation to have the opportunities and to weave the great dream of America, as was done by the American people for nearly two centuries.

In conclusion, I extend my sincerest wishes to the class of 1958 and to your parents and friends. I congratulate you upon the successful completion of your formal education—and upon the commencement of your lives as well-trained and responsible adults. May I leave with you, as a parting thought, a set of 10 principles which should serve as a guide for you in a very active, happy, and successful life:

1. To thyself, be true.
2. To thy family, be affectionate.
3. To thy neighbor, be generous.
4. To thy community, be serviceable.
5. To mankind, be just.
6. To every living creature, be compassionate.
7. To the world, be courageous.
8. To the past, be understanding.
9. To the future, be hopeful.
10. And to God, be humble.

Hale Boggs: A "Prophet" With Honor Even in His Own Country Deserves New Orleans' "International Award of Merit" From the "International City"

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 16, 1958

Mr. HÉBERT. Mr. Speaker, it has been said that a prophet is not without honor save in his own country, but such is not so with my distinguished colleague and old friend, HALE BOGGS, who shares with me the honor of representing the great and fascinating city of New Orleans.

Those of us in the House know of the great contribution which my fellow Louisianian made during the arduous days of preparation for presentation of the bill extending the reciprocal trade bill. The distinguished gentleman from Arkansas and chairman of Ways and Means Committee, WILBUR MILLS, will be the first to gratefully acknowledge the assistance which he received from HALE BOGGS during the preparation and final days of the bill on the floor. We who serve with HALE BOGGS in the House were privileged to hear him deliver one of the finest and most effective speeches heard on this floor in support of the reciprocal trade bill.

Only too often, however, the folks back home really do not grasp or appreciate the vital and influential role which one of their own Members of the Congress play in such important legislation.

This is one time, however, the folks back home did know it and did recognize it.

The influential Times-Picayune, one of the great newspapers of America, had this to say editorially:

HOUSE VOTE A BOON TO TRADE

Most far reaching of steps yet taken to nail down the United States position as an advocate and practitioner of foreign trade was taken by the House Wednesday in approving the President's reciprocal trade program 317 to 98. On the recommitment motion and substitute the vote was closer but not nearly as close as forecast.

The 5-year extension, longest yet approved, was a major advance over the 1-, 2-, and 3-year continuances granted during the last 24 years. It will insure more stability for our trade policies and eliminate the uncertainty expressed by foreigners in negotiating agreements with us.

The House outcome is a boon to the trade-conscious area served by New Orleans, and it is a matter of some pride with this area that the intensive work of Representative HALE BOGGS proved so effective.

President Eisenhower is the major victor, of course. He stood firm and applied pressure to a degree unusual with him. But it was HALE BOGGS, chairman of the Ways and Means Subcommittee on Foreign Trade and Arkansas Representative WILBUR MILLS, chairman of the parent committee, who carried on the floor fight which won more Democrats to the President's aid than Republicans. Through the hearings conducted abroad and work in Washington and about the country, Representative BOGGS laid the groundwork for Congressional acceptance of the program. The President was fortunate too in having the assistance of the leaders of both parties in Congress.

Louisiana Congressmen and most of those from neighboring States except Mississippi supported the program. Unhappily, all but one of the Mississippi Congressmen veered away. We think their discontent could have been more properly directed at the cotton dumping in foreign markets rather than at the trade program.

The measure now goes to the Senate. It will be more extensively debated and delayed there, but the record of that body on the trade agreements in the past is cause for optimism. It approved the 1955 3-year extension of the program, 75 to 13.

Recession conditions, of course, have intensified the feeling of the hard-core protectionists who have gained recruits from the textile, oil, coal, and metal-mining areas. Some oil and metal interests have been to an extent mollified by helps the administration has extended or projected.

Under the bill the President can reduce tariffs up to 5 percent a year and either accept or reject Tariff Commission recommendations for the relief of industries endangered or severely harmed by low tariffs. There are some other escapes for adversely affected business.

Commitments of this country to the policies of a trading Nation has a significance reaching far into the future. With its mounting industrial production and surplus production facilities, it will have to sell and also buy on a steadily increasing scale to maintain its growth and prosperity. Apart from that, its commerce is likely to be its greatest peace weapon and its strongest tie with the Free World.

But an editorial is the expression of the policy of 1 organization or 1 group. The true reflection of the entire community is to be found in what the community's leaders think and here is where

HALE BOGGS attained his greatest recognition and just tribute—a homage well due him.

Here is the news story from the Times-Picayune appearing the day after the House passed the reciprocal trade bill. It tells the full story of the appreciation for the work of HALE BOGGS and I am privileged to bring it to your attention because I think you should know what they think about HALE BOGGS back home, "Way down yonder in New Orleans":

BOGGS PRAISED IN PACT VICTORY—ORLEANS LEADERS SEND CONGRATULATIONS

House approval of a bill extending the reciprocal trade program for 5 years was described in New Orleans Wednesday as a tremendous victory for the liberalization of trade throughout the world.

International House President Richard W. Freeman said this in a statement which also credited the leadership and energy of our own Congressman HALE BOGGS in the fight to continue the trade agreements. BOGGS is chairman of the Ways and Means Subcommittee on Foreign Trade Policy.

BOGGS cited the Times-Picayune for the newspaper's support of the extension of reciprocal trade agreements. In a telegram to the newspaper, BOGGS said:

"The consistent and intelligent editorial support of the Times-Picayune contributed tremendously to the magnificent victory achieved for the trade agreements program today. As chairman of the subcommittee in charge of the bill, may I express my profound gratitude and appreciation. This is a great day for New Orleans, Louisiana, the United States and the Free World."

Mayor deLesseps S. Morrison also commended BOGGS for carrying the ball, adding: "This bill is of vital importance to us, as foreign trade is the life of our port, which is in turn the life of New Orleans."

OTHERS HAIL VICTORY

Also hailing the House action was E. M. Rowley, president of the chamber of commerce of the New Orleans area, who sent congratulatory telegrams to BOGGS, Congressman F. EDWARD HÉBERT, and United States Senators ALLEN J. ELLENDER and RUSSELL B. LONG, of Louisiana.

And congratulatory wires were sent to BOGGS by other New Orleans leaders including Joseph M. Rault, Maurice F. Barr, Robert E. Elliott, A. E. Hegewisch, and Neville Levy.

Freeman said: "Extension of this legislation has been a major project of International House for nearly a year, and during the course of this work International House contacted every Member of Congress a number of times, every chamber of commerce in the United States and many in foreign countries, and practically every port, trade, and civic association interested in foreign trade.

CALLED ANSWER TO REDS

"This victory today in Congress will be hailed throughout the Free World as the United States answer to Premier Khrushchev's declaration of trade war upon the United States, which he made last year. It will be recognized as placing the United States more firmly upon the road of liberal trade, and will be a tremendous stimulus for more world trade and world peace."

In addition to wiring BOGGS the congratulations from the entire membership of International House, Freeman also sent a congratulatory telegram to Congressman WILBUR D. MILLS, chairman of the House Ways and Means Committee, in which he stated that the House action reestablishes the United States prestige in foreign trade policy worldwide.

Several weeks ago it was my unusual distinction to be presented the International Award of Merit, by Mayor deLesseps S. Morrison, of New Orelans. It is the highest award the city of New Orleans can make. The award had been presented only seven times before and I was the first Member of Congress to receive it. I hope that HALE BOGGS will be called home very soon to receive the International Award of Merit from a grateful city and an appreciative community. He deserves it so much more than did I.

SENATE

TUESDAY, JUNE 17, 1958

(Legislative day of Monday, June 16, 1958)

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

Rt. Rev. Frank A. Juhan, D. D., bishop of the Protestant Episcopal Church of Florida, offered the following prayer:

Most gracious God, we humbly beseech Thee, as for the people of these United States in general, so especially for their Senators and Representatives in Congress assembled; that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy church, the safety, honor, and welfare of Thy people; that all things may be so ordered and settled by their endeavors upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations. These and all other necessaries, for them, for us, and Thy whole church, we humbly beg in the name and mediation of Jesus Christ, our most blessed Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 16, 1958, was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

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

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

ANNOUNCEMENT OF MEETING OF THE TWO HOUSES ON JUNE 18, TO HEAR ADDRESS BY PRESIDENT OF THE PHILIPPINES—ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, I should like to announce, for the information of the Senate, that tomorrow at 12:30 the Honorable Carlos P. Garcia, President of the Philippines, will address a joint meeting of the two Houses.

Therefore, I ask unanimous consent that tomorrow at 12:20 p. m. the Senate take a recess, subject to the call of the Chair, in order that Senators may proceed to the House of Representatives to hear President Garcia's address.

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

USE OF THE CORN TASSEL AS THE NATIONAL FLORAL EMBLEM—RESOLUTIONS

Mr. HUMPHREY. Mr. President, I have received several resolutions relating to a proposal pending in the Senate, advanced in the Senate by the senior Senator from Illinois [Mr. DOUGLAS], and in the other body by the Representative from the Fifth Minnesota Congressional District, Mr. JUDD.

The proposal would provide that the national floral emblem of the United States shall be the corn tassel.

Interestingly enough, a number of civic organizations and patriotic groups have taken a very definite stand on this matter and have expressed themselves either in letter, bulletin, or resolution. I have received a number of such resolutions from the State of Minnesota and from other parts of the country, particularly from Illinois.

I ask unanimous consent that the resolutions be printed in the RECORD and appropriately referred.

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

Whereas a great deal of interest has awakened in the United States for the selection of a national floral emblem by Congress; and

Whereas the Stars and Stripes are a symbol of our country grown from the little band of 13 colonies, represented by the stripes, to a united Nation of 48 States, represented by the stars; and

Whereas the Star-Spangled Banner written by an American patriot while being detained a prisoner aboard an enemy vessel during the bombardment of Fort McHenry, was adopted our national anthem; and

Whereas the eagle known for its power of sight, courage, dignity, majestic appearance, and strength was designated our national bird; and

Whereas in choosing our national floral emblem it is therefore extremely important that it too, be symbolic of our Nation; and

Whereas the corn tassel, faithful flower of the United States, true symbol of this vast bountiful land, foundation of our economy, with its roots in every State of the Union is truly symbolic of our Nation; Therefore, be it

Resolved, That the Minnesota Federation of Business and Professional Women's Clubs, in convention assembled, this 17th day of May 1958, recommend to the Congress of the United States that the corn tassel be officially designated our country's national floral emblem.

DULUTH, MINN., *May 17, 1958.*