From where is this money to come, if Federal, State, and local taxes eat up business income?

There are over 100,000 taxing authorities in our country. Their weight can literally crush the ability of business to meet its job-creating capital needs.

As you so well know, our present tax structure is seriously outdated. It is a set of laws reflecting largely the conditions of the past, especially World War II, when the goal was the confiscation of war profits, not the building of a sound peacetime economy.

A dynamic program of tax reform and reduction is needed in its place. Such a program can ease the burden our taxes are placing on the accumulation of capital for investment.

It can relieve the stifling taxload being carried by the individual citizen, and by our business system.

The Revenue Act of 1954 was a major step in this direction, bringing the greatest dollar reduction in Federal taxes in our history.

Today, the President's insistence on a balanced budget is essential to this goal.

And, needless to say, the broad support of the people will be necessary if this program eventually is to be accomplished.

Let me repeat: The forces devoted to irresponsible spending and taxation are strongly organized. They are highly vocal. They are grimly persistent. They remain confident.

As opposed to them, the number leading the fight for sound government has been relatively small. In Washington, this fight has been led, in large part, by the President and the Vice President, sustained by key members of the administration and some stalwart Members of the Congress.

These are the men who have battled for fiscal sanity, for a balanced budget, for steps leading to tax reform and reduction. More—many more—are needed in every State in the Union.

And here I submit, gentlemen, is the most crucial problem facing this country. It is the need for all who believe in sound government to stand forth and support the efforts that must be made to maintain it.

It is the need for men who have talents of leadership to apply these talents to the political life of the nation.

I would suggest that too much is being expected of too few. The majority of our people want sound and responsible progress by all segments of our society. There has been a vast increase in public consciousness of the fact that only the people, in the end, can see to it that this kind of progress is maintained.

No more dramatic example could be given than the way in which the people have made it clear that they want the abuses of labor monopoly power stopped. Their mandate has been so strong that the adoption of a vitally needed labor reform law—which the labor monopoly leaders appeared to have blocked as little as 3 months ago—is nearly a reality.

We have seen, too, how the forward march of inflation has been slowed by an aroused public opinion. In no other way could the inflationary forces that ran rampant for so many years have been brought to a halt.

But we must not be misled. Let public vigilance fall away only a little, and the pressure groups will be in the ascendence again. The spenders and taxers will not yield easily, nor will those determined to exploit labor monopoly power.

To keep the public interest uppermost, the people will need articulate help and leadership in every community; not advice from the sidelines; nor cautious detachment from the arena where the decisions are being made.

I know of no men in America life whose leadership could be more important than the men in this room at this moment.

No one could speak with greater authority, for you have shown how successfully you can deal with the very problems that confront us.

This great industry has been outstanding in fighting inflation by holding down prices. In the 10 years from 1949 to 1958, gasoline prices, exclusive of taxes, increased less than 6 percent on a national average, while the cost of living rose more than 20 percent. And these were prices for gasoline constantly improved in quality through huge expenditures in research and development.

Your experience in this industry, too, equips you to emphasize the necessity of vast expenditures by private industry for technology and facilities to meet public needs.

The oil industry knows only too well that, if its capital is taxed away, it cannot continue to make the enormous investments, and take the risks, that have enabled it to serve the public so well to this time.

You know, at first hand, such inflationary pressures as that behind the highway construction program. You know that we must be extremely careful that our Federal highway program is carried forward on the most efficient basis possible.

Already, we find, the estimated costs of this program are running 45 percent higher than in 1956, when it was first approved in Congress.

Our people must be urged to see that this program does not become immersed in a pork barrel. Its potential as an element of inflation is great and serious.

I know very well, indeed, how easy it is to become engrossed in the problems and duties of daily business. I know how difficult it is to find the time for other activity.

But it can be done. In time of war, all of us are ready to change our lives, to go where we are needed, to serve in the best way we can. We are willing to make any sacrifice to preserve the life and future of our Nation.

We are engaged in no shooting war, but my friends, we are engaged in a battle to preserve the life and the bright future of our country.

It is a time for service, for sacrifice, for leadership.

There is in this room, a tremendous reservoir of vital political thinking, and of great ability to communicate this thinking.

This, too, is demonstrated on the record. I have been told that at least 10 major oil companies have launched public affairs programs to make their employees better informed citizens—and to encourage employees to participate, as citizens, in political activity.

I know personally that many of you are giving increasingly of your time and ability, as citizens, to public affairs and political participation. This, of course, is of first importance. If a public affairs program for employees is to succeed, it must certainly have the demonstrated leadership of the management of the enterprise.

I would appeal to you, in all events, to speak, work and fight for sound policies and a stronger America.

I would ask you to assess anew the importance of your political participation.

The political party of our choice is, and will be, what we make of it—either by participation, or lack of participation, in its affairs and its choice of candidates.

Unless more responsible citizens devote real time and effort to unselfish politics, government by pressure groups will triumph.

Only by genuine participation can we be sure that the Government will serve all the people—not some special interest—and assure that the government will serve all the citizens.

This is a day of great meaning in our Nation's history. All America is proud and grateful on this anniversary of these first magnificent 100 years.

It is a day of even greater meaning to our Nation's future. We know that untold wonders will come in the years ahead, in the second century of oil progress.

We salute you—we look to your leadership in industry, and in our national life.

In the spirit of your accomplishment, we shall move forward into the golden era of opportunity that lies before us.

We shall prove anew there is no conceivable limit to the advance of a free people—no goal they cannot, with wisdom and courage, attain.

SENATE

WEDNESDAY, SEPTEMBER 2, 1959

(Legislative day of Monday, August 31, 1959)

The Senate met at 10 o'clock a.m., on the expiration of the recess.

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

Father of all men, in a day of tribulation, when the very foundations of human society seem to be resting on sinking sand, Thou hast called us to dedicate our brief and little lives to vast and vital causes.

In the midst of world conditions that baffle us, of swift social currents which sweep away our strongest bulwarks, and of evil forces whose hideous cruelty stabs our anguished hearts, we confess that the world in which our lot is cast is too much for us.

Forgive us that it has taken the dreadful threat of a global war for us to recognize that all peoples must work out the common concerns of humanity together, or else go down together into the flaming burial of a final suicidal holocaust.

Because there is no solution of the world's ills, save as it springs from Thy sovereignty and from the hearts of men, we pray, for ourselves, create in us clean hearts, O God, and renew right spirits within us, that we may contribute worthily to mankind's abiding peace.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 1, 1959, was dispensed with.

HOUSE BILL PLACED ON THE CALENDAR

The bill (H.R. 8728) to amend the Federal Boating Act of 1958 to extend for an additional year the period when

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certain provisions of that act will take effect, received from the House of Representatives on September 1, 1959, was read twice by its title and placed on the calendar.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Insurance Subcommittee of the Committee on Post Office and Civil Service and the Finance Committee were authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, yesterday the Senate entered an order that today there would be the usual morning hour for the transaction of purely routine business, with statements limited to 3 minutes.

The VICE PRESIDENT. That is correct; and morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF U.S. SOLDIERS' HOME

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the U.S. Soldiers' Home, for the fiscal year 1958, and a copy of the report of the annual inspection of the home, 1958, by the Inspector General of the Army (with accompanying papers); to the Committee on Armed Services.

REPORT OF CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

A letter from the chairman, Subcommittee on Canadian Affairs, of the Senate Committee on Foreign Relations, transmitting, pursuant to law, a report on the second meeting of the Canada-United States Interparliamentary Group, held in Montreal and Ottawa, Canada, on June 25–28, 1959 (with an accompanying report); to the Committee on Foreign Relations.

AMENDMENT OF SECTION 203(j) OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(j)), to provide that the Department of Defense may allocate surplus property under its control for transfer under that act only to educational institutions conducting approved military programs (with an accompanying paper); to the Committee on Government Operations.

AUDIT REPORT ON ACCOUNTS OF DISBURSING OFFICERS OF THE ARMY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the accounts of disbursing officers of the Army, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

REPEAL OF CERTAIN RETIREMENT PROMOTION AUTHORITY OF COAST AND GEODETIC SURVEY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to repeal certain retirement promotion authority of the Coast and Geodetic Survey (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REPORT ON TORT CLAIMS PAID BY VETERANS' ADMINISTRATION

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Administration, during fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY FEDERAL AVIATION AGENCY

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Agency, during the fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS

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

By the VICE PRESIDENT:

A telegram from the chairman of the Board of Supervisors of Santa Clara County, Calif., embodying a resolution adopted by that board, favoring the enactment of legislation to continue and complete the San Francisco Bay study, and flood control and reclamation projects; ordered to lie on the table.

A resolution adopted by the City Council of the City of Pueblo, Colo., favoring the enactment of legislation to provide home rule in the District of Columbia; ordered to lie on the table.

SMALL WATERSHED PROGRAM IN KANSAS—RESOLUTION

Mr. CARLSON. Mr. President, the Farmers Union Jobbing Association in its meeting at Kansas City on August 18 adopted a resolution in regard to the small watershed program for the control of water runoff.

There is much interest in the small watershed program in Kansas and there are some very fine projects under construction.

Many other watersheds are being studied at the present time with a view of establishing watershed drainage areas.

This is a program that needs to be expanded greatly in our State and I request that this resolution be made a part of these remarks and referred to the appropriate committee.

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

Resolved by the directors of the Farmers Union Jobbing Association, in meeting in Kansas City, Mo. this August 18, 1959, That it continue to favor the use of the small watershed method of flood control rather than the construction of large dams in the main streams. Further, we are especially concerned and opposed to the construction of the eight proposed dams on the tributaries of the Kaw River, which are in the area served this association; be it further

Resolved, That copies of this resolution be mailed to Senators SCHOEPPEL and CARLSON, Congressmen REES and AVERY, the Abilene Reflector Chronicle and such other newspapers of the involved area.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. Con. Res. 73. Concurrent resolution to create a Joint Committee on a National Fuels Policy (Rept. No. 874); referred to the Committee on Rules and Administration.

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

S. 1892. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma (Rept. No. 872); and

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939 (Rept. No. 873).

By Mr. GOLDWATER, from the Committee on Interior and Insular Affairs, without amendment:

S. 2286. A bill to authorize the leasing of land on the Colorado River Indian Reservation, Ariz. and Calif., and for other purposes (Rept. No. 876).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2061. A bill to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States (Rept. No. 879).

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

S. 2598. A bill to amend the Federal Boating Act of 1958 to extend until January 1, 1961, the period when certain provisions of that act will take effect (Rept. No. 875).

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

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students (Rept. No. 877); and

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes (Rept. No. 878).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. BYRD of Virginia (by request):

S. 2630. A bill to provide for a parkway connection between Mount Vernon and Woodlawn Plantations, in the State of Virginia, and for other purposes; to the Committee on Public Works.

By Mr. WILEY:

S. 2631. A bill for the relief of Dr. Gernot Rath; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CASE of New Jersey, Mr. FREAR, and Mr. WILLIAMS of Delaware):

S. 2632. A bill to assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which threaten the oyster industry on the east coast; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRD of Virginia:

S.J. Res. 137. Joint resolution to authorize the James Monroe Memorial Foundation to erect a memorial on public grounds in the District of Columbia to honor James Monroe, fifth President of the United States; to the Committee on Rules and Administration.

FILING OF APPLICATIONS FOR MOVING COSTS RESULTING FROM CERTAIN PUBLIC WORKS PROJECTS—AMENDMENT

Mr. BIBLE submitted an amendment, intended to be proposed by him, to the bill (H.R. 4656) to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property, which was ordered to lie on the table and to be printed.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938—AMENDMENT

Mr. ANDERSON submitted an amendment, intended to be proposed by him, to the bill (H.R. 4874) to amend section 334 of the Agricultural Adjustment Act of 1938, as amended, to provide that for certain purposes of this section, farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty, which was ordered to lie on the table and be printed.

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

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

By Mr. ENGLE:

Citation presented to Senator SYMINGTON by the national convention of AMVETS, at Grand Rapids, Mich., on August 22, 1959; and address delivered by Senator SYMINGTON before that convention.

By Mr. MONRONEY:

Address delivered by Senator BARTLETT before the Association of Local Transport Airlines, at Anchorage, Alaska, on July 29, 1959.

Article entitled "Oklahoma," published in the Lykes Fleet Flashes magazine, New Orleans, La.

By Mr. BARTLETT:

Statement by him relating to the golden dollar sent to each Member of Congress, supplied by the Fairbanks, Alaska, Chamber of Commerce.

By Mr. WILEY:

Remarks by him on the diversion of water issue.

TELEVISION SHOW "CELEBRITY" WITH JOE McCAFFREY

Mr. MANSFIELD. Mr. President, for more than 4 years I have been a part of the audience which has enjoyed and has been enlightened by Joe McCaffrey's television show, "Celebrity Parade." It is, in my opinion, one of the finest examples of how the medium of television can be used both to entertain and to inform.

The show was sponsored by the Retail Clerks International Association. It is a tribute to the good sense and the public spiritedness of that union and its outstanding president, James Suffridge, that Joe McCaffrey was chosen to officiate over "Celebrity Parade," and was given a free hand to run it impartially, objectively, and in very good taste.

So fairly did Joe McCaffrey perform his functions, that in recent weeks both the chairman of the Democratic Party and the chairman of the Republican Party appeared on "Celebrity Parade."

During the years it has been on the airways, moreover, the program has featured, among its 450 guests, 44 members of the present Senate, Ambassadors, authors, outstanding correspondents, and a cross section of rank-and-file citizens. It has focused public attention not only on great political issues, but also on some of the serious social problems which affect the Nation, such as mental health, education, and marital discord. The program has also done yeoman's work for worthy private organizations, such as the Salvation Army, the Heart Association, and the Tuberculosis Association.

I regret, Mr. President, that during the past few years Joe McCaffrey's "Celebrity Parade" has been televised only in the Washington area. This limited range denied to the rest of the Nation, the many hours of pleasure and information which the program has provided.

I regret even more, Mr. President, that "Celebrity Parade" is now leaving the air, even in the Washington area. I trust that the departure will be but a prelude to greater public service for Joe McCaffrey. He is, in my opinion, one of the Nation's finest and most impartial men in the news and public-service fields. With the airways already putting forth a surfeit of bombastic, biased newscasts and vast numbers of cops-and-robbers and cowboys-and-Indians and assorted violence and nonsense of other kinds of programs, all encased and striated with commercials which often are insulting to the intelligence of 6 year olds, we can ill-afford not to use, to the fullest, the talents of a Joe McCaffrey or to lose programs of the caliber of "Celebrity Parade."

JUVENILE DELINQUENCY AND YOUTH CRIME IN NEW YORK CITY

Mr. JAVITS. Mr. President, New York is being troubled with an outbreak of teenage crime and teenage gang violence which is of a most extraordinary character—so much so as to require emergency action by the Governor of the State and the mayor of the city of New York. Four young people have been killed in this outbreak, and the police network has drawn in a great many suspects. This situation naturally gives a community very grave cause for concern and introspection of a most serious character into its own situation.

This outbreak of juvenile delinquency and youth crime is not unique to New York; it is a national phenomenon. Indeed, it is an international phenomenon—from what we hear—with its presence evident even in the Soviet Union, notwithstanding the Communists' bombast about the "paradise" in which they live.

Mr. President, today the New York Times has analyzed the situation in various cities, including Philadelphia, Chicago, Detroit, St. Louis, Cleveland, and San Francisco, where curfew laws are in force to keep children off the streets.

Personally, I do not like curfew laws; I do not think any person who is deeply interested in civil liberties likes them. Nevertheless, the situation is so severe that perhaps even this extreme measure of very doubtful constitutionality should at least be considered by the authorities. Perhaps some adaptation of it might work. Also, we have grave problems of intergroup relationships and interracial relations on which we must work in the tradition of the dedication of New York's government, city and State, and the great majority of its people that equal opportunity and equality of status before the law are precious and inviolable to us.

Mr. President, the point of my remarks this morning, however, aside from calling the attention of the Senate to this very serious situation, is the fact that we have on the calendar a juvenile delinquency bill, the Juvenile Delinquency Act of 1959, Calendar No. 819, Senate bill 694, which was reported out of my own Committee on Labor and Public Welfare.

This bill—although modest in scope, for it deals very largely with only experimental techniques for handling juvenile delinquency and youth crime—at the very least will put the National Government's prestige and the national governmental organization, both in the educational field and in the other fields in which the National Government operates, behind the efforts of the cities and the States to deal with juvenile delinquency and youth crime.

I believe this to be a most urgent matter among our problems at home. We have found, and I, myself, found this

when I was attorney general of New York, and was a member of the New York State Commission on Youth and Delinquency—a commission, which I helped start, headed by Tom Watson, Jr.—that the old ideas to the effect that juvenile delinquency and youth crime were attributable mainly to slums and perhaps even to under par economic status were not entirely valid. For example we found that broken homes and the rootlessness and frustration of youth in the atomic age are among the principal causes of youth crimes; and that new techniques, through which the State substitutes for the broken homes and the rootlessness, by means of the services it offers, are extremely effective in this field. In this connection, the Governor of our State has called for cooperative action by churches, synagogues, temples, civic and veterans' organizations, and voluntary groups of all kinds. This is very important.

So, Mr. President, in highlighting this serious situation which we in New York face, and which is but a demonstration of what is occurring in the rest of the country and in the world, I urge that the Senate act on the measure known as the Juvenile Delinquency Act of 1959.

I point out that the ability to cope with this problem at the moment is being outstripped at an alarming rate by the increase in the problem itself.

Mr. President, I ask unanimous consent to have printed as a part of my remarks my own concurrent views in the report on this question, which detail a great many figures to demonstrate that fact, and also the analysis from the New York Times on the operations of a curfew.

I conclude by urging upon our leadership action—I hope action today—on the bill known as the Juvenile Delinquency Act of 1959, which can be called up at any time.

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

SUPPLEMENTAL VIEWS OF SENATOR JAVITS

The committee bill as it is now constituted provides for the highly important basis of experiment projects from which our most intelligent and effective efforts to cope with and to prevent the increasingly rapid spread of juvenile delinquency are likely to emanate. Most importantly it enables the Federal Government to help in the national juvenile delinquency emergency—and this is the major contribution of the bill. Where it falls short is in the failure to give aid on a sharing basis to State, municipal and voluntary efforts to prevent and cure juvenile delinquency, nor does it help with the training of needed personnel. My bill, the Juvenile Delinquency Control Act (S. 1341), covers these matters. They are so essential to a Federal juvenile delinquency program and the juvenile delinquency emergency is so great that the committee's bill can only be considered a first step on the part of the Federal Government.

The committee bill makes no provision to follow through on efforts to study juvenile delinquency. Even if we learn more and more about the causes of juvenile delinquency and develop methods to prevent and deal with it, we will still need a growing number of trained personnel to make use of this knowledge and these methods and we need to encourage the setting up of definitive means to put the methods into practice on a large enough scale.

I have been impressed by the importance which many of the most distinguished and experienced witnesses attached to the need for increasing the woefully inadequate force of people trained to deal with the problems of our youth: trained social workers, police officers, parents, judges and psychiatrists and psychologists. An analysis of these personnel shortages can be found on pages 149 to 151 of the hearings. Independent inquiry has confirmed these findings. There are an estimated 100,000 people in the United States trying to cope with mounting problems of juvenile delinquency but only a very small part of them can be said to have adequate training for their task; for instance, of the 50,000 police so engaged only 5,000 to 10,000 are specifically trained. It was furthermore noted in the hearings that whereas juvenile delinquency rose by 82 percent between 1952 and 1957, the number of probation officers for delinquents increased by only 46 percent.

I am convinced that our ability to cope with this problem is being outstripped at an increasing and alarming rate by the problem itself. Between 1948 and 1957 the number of juvenile court cases increased at nearly five times the rate at which the 10- to 17-year-old population increased. Between 1957 and 1965 this age group will have increased by another 35 percent. Does this mean that juvenile court cases, now 600,000 per year, will rise by 175 percent and that our court facilities will be swamped by 1,650,000 cases, involving perhaps 1,300,000 or 1 out of 25 of our youngsters? By 1970 there will be a further 10 percent increase in this population. Will our system of youth courts then break down under 2½ million cases involving 1 out of every 20 Americans in this age group?

The trend in arrests is even more alarming. Between 1948 and 1957 arrests of persons under 18 years of age multiplied eight times. Many of these youngsters are dealt with by the police several times a year and, therefore, the number of cases exceeds the number of youth in trouble annually, but this is far from comforting to the thinking person. For, although it makes the problem somewhat less widespread than would appear at first glance, it also indicates that it is much more deeply rooted. If a great number of young people get into trouble once and take the warning and then adhere to the ground rules of civilized society, we can take comfort in the thought of the occasional heedlessness and continual exuberance of youth. However, when a smaller but frighteningly large and increasing number of youngsters habitually commit acts which require attention from the police and when their repeated encounters with the law teach them nothing of right or wrong or of the requirements of social behavior—it is then that we must take alarm.

The problem of juvenile delinquency is on the increase. It does not involve the young man who "borrows" the neighbor's car to go for a spin or the young girl who gets into trouble in some big city. These youngsters can often be handled by religious advisers, teachers, and understanding parents. Usually they won't get into trouble again. But, of the hundreds of thousands of others who appear before juvenile courts for auto theft, larceny, burglary, assault, possession of drugs, drunkenness, vagrancy and even homicide—their problems require the concentrated attention of men and women specificaly trained to cope with them. The children appearing before juvenile courts generally have deepseated problems of delinquency. The fact that many of them appear in court repeatedly and that many of those sent to institutions are returnees, indicates that there is a failure in their treatment. A large part of the failure resides in the shortage of trained personnel. The gap is widening and it is self-perpetuating. We must make a large-scale attempt to put enough people in the field so that at least the number of repeaters can be cut down.

It should also be remembered that usually the longer a youngster engages in crime the more difficult is his rehabilitation. Thus, the problem is growing in two dimensions in breadth and depth.

Juvenile delinquency is a social disease. It is contagious and therefore it threatens the fabric of society. It is also deeply personal, and our respect for the individual human life makes it imperative that we provide the means by which the individual can be helped. There is no drug which will cure this disease—only trained people to help young people to understand the effect of our society and of our laws upon them—and their opportunities under them—can really help.

Let me also point out that in human problems the best research is done by those in the field and the most accurate conclusions are drawn by enlisting the widest experience. Therefore, personnel trained to combat juvenile delinquency will not only be of immediate and tangible help but will also contribute much to the growing and changing body of knowledge we must build.

In conclusion, I would like to deny the validity of the approach which attributes the disturbing statistics merely to greater awareness of the problem or to the traditional conservatism of the adult who takes too serious a view of youthful behavior. The causes of juvenile delinquency are deeply rooted in the uncertainties, injustices, and even in the range of opportunities afforded by the wealth and technology of our modern time. In countries and societies which vary from ours to a greater or lesser degree, the growing instability of youth is noted: in Great Britain, in Sweden, in the Soviet Union, in West Germany.

Both crime among the children of the privileged and crime among the children of the slums have multiplied rapidly. There is no cure-all. Neither permissiveness nor punishment, neither church nor school, nor psychiatrist, neither parent nor policeman, neither judge nor jailer can provide the whole answer. Only all of these things, and many others, widely applied, can help us toward a solution. Therefore, our efforts to prevent and combat juvenile delinquency must be more broad gaged and more practical than what we here propose in this bill.

S. 694

A bill to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems

Be it enacted by the Senate and House of Represenentatives of the United States of America in Congress assembled,

Findings and policies

SEC. 2. (a) The Congress hereby finds and declares that juvenile delinquency diminishes the strength and vitality of the people of our Nation; that such delinquency is increasing in both urban and rural communities; and that its prevention, control, and treatment require intensive efforts on the part of private and governmental interests.

(b) The policy of the Federal Government shall be to assist in the prevention, control, and treatment of juvenile delinquency.

TITLE I—DEMONSTRATION AND STUDY PROJECTS

SEC. 101. (a) For the purpose of demonstrating and developing improved methods, including methods for the training of personnel, for the prevention, control, and treatment of juvenile delinquency, there is hereby authorized to be appropriated for

the fiscal year ending June 30, 1960, and for each of the four succeeding fiscal years such sum, not to exceed $5,000,000, as the Congress may determine.

(b) The sums appropriated under this title shall be available for grants or contracts to carry out projects for demonstrations and studies which, in the judgment of the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary") hold promise of making a substantial contribution to the discovery, the development, or the evaluation or demonstration of the effectiveness, of techniques and practices, including techniques and practices for the training of personnel, for the prevention, control, and treatment of juvenile delinquency. The Secretary may make such grants to States and municipalities and to other public and private nonprofit agencies, including institutions of higher learning or research: *Provided*, That the Secretary shall require each grant recipient to contribute money, facilities, or services to the extent the Secretary deems appropriate. He may enter into contracts for such projects with public or private organizations or agencies or with any individuals.

(c) Payments under this title may be made in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this title.

TITLE II—TECHNICAL ASSISTANCE SERVICES

SEC. 201. (a) The Secretary shall make studies, investigations, and reports with respect to matters relating to the prevention, control, and treatment of juvenile delinquency, including the effectiveness of programs carried out under this Act, cooperate with and render technical assistance to States and municipalities and other public and private agencies in such matters, and provide short-term training and instruction in technical matters relating to juvenile delinquency.

(b) The Secretary shall, in connection with all grants and contracts provided for in title I, collect, evaluate, publish, and disseminate information and materials for agencies and personnel engaged in programs concerning juvenile delinquency.

TITLE III—NATIONAL ADVISORY COUNCIL ON JUVENILE DELINQUENCY

SEC. 301. (a) There is hereby established in the Department of Health, Education, and Welfare a National Advisory Council on Juvenile Delinquency (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and twelve members appointed without regard to the civil service laws by the Secretary. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) who are recognized authorities in professional or technical fields related to juvenile delinquency or persons representative of the general public who are leaders in programs concerned with juvenile delinquency. The Council shall advise the Secretary on the administration of this Act.

(b) Before any grant or contract is made under title I, the Council shall review the project involved and shall submit its recommendation thereon to the Secretary. The Council may also recommend to the Secretary projects initiated by it. The Secretary is authorized to utilize the services of any member or members of the Council in connection with matters relating to this Act for such periods, in addition to conference periods, as he may determine.

(c) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

(d) (1) Any member of the Council is hereby exempted, with respect to such appointment, from the operation of sections 381, 283, 284, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) shall not extend—

(A) to the receipt of payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment; or

(B) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

TITLE IV—GENERAL PROVISIONS

SEC. 401. (a) The Secretary is authorized to make regulations governing the administration of this Act.

(b) The Secretary shall include in his annual report a full report of the administration of this Act.

(c) There are hereby authorized to be included for each fiscal year in the appropriation for the Department of Health, Education, and Welfare such sums as are necessary to administer this Act.

(d) The term "State" in this Act includes the District of Columbia, Virgin Islands, Puerto Rico, and Guam.

[From the New York Times, Sept. 2, 1959]

CURFEWS ON TEENAGERS APPLAUDED BY POLICE IN SIX U.S. CITIES—STREET BAN FOUND AID IN CRIME FIGHT—IT IS NOT PANACEA, HOWEVER, OFFICIALS NOTE—PROPOSAL BEING CONSIDERED HERE

(By Seymour Topping)

A survey of six large cities in the United States shows that a curfew for teenagers can be useful in combating juvenile delinquency, but that it falls far short of being a cure-all for violence and crime.

City officials here debated yesterday the wisdom of imposing a curfew after the recent gang killings of four Manhattan teenagers.

Police Commissioner Stephen P. Kennedy opposed the curfew proposal as unfair "to the 97 percent of our children who are law abiding." The commissioner expressed doubt that a curfew would be effective and said it should be a parental responsibility in any case.

Mr. Kennedy is believed to have reflected the views of Mayor Wagner who was instrumental in killing a curfew law introduced into the city council in 1954.

Councilman J. Daniel Diggs of Brooklyn announced Monday that he would introduce a proposal to require the city to enforce a 10 p.m. street curfew on teenagers.

In the cities of Philadelphia, Chicago, Detroit, St. Louis, Cleveland, and San Francisco laws are in force that keep children under the age of 17 off the streets after certain hours. At least a dozen other big cities have similar ordinances, as do many smaller communities.

CURFEW CALLED ENFORCEABLE

Police spokesmen in the six cities surveyed agreed that their curfew laws were enforcible and worth while. They stressed, however, that it was only one of many aids utilized against juvenile delinquency.

Philadelphia has a typical comprehensive ordinance that has been in effect since February 1, 1955.

Children under the age of 17, must be off the streets before 10:30 p.m. unless accompanied by a responsible adult. The law applies Sunday through Thursday and, the time limit is midnight on Friday and Saturday. In the recent New York killings, the assailants involved were mostly 17 or 18 years of age, while their victims were 16 or younger.

The Philadelphia curfew allows exceptions when a child is en route home from regular employment or has been sent by a parent on some urgent errand such as for medicine.

When a patrolman arrests a violator, a warning is sent to the parent or guardian. A second violation puts the child and responsible adult before a magistrate's court, which sits once a month and tries an average of 50 cases in an evening.

A parent can be fined $5 to $100 plus court costs. The manager or proprietor of any public establishment that allows youths to loiter there after curfew can be fined $25 to $300.

Inspector Harry Fox, head of the juvenile division, said there were 10,044 violations last year in Philadelphia, a city of 2 million. Mr. Fox said juvenile crime was down 9 percent last year and had fallen 4 percent in 1957.

In explaining the value of a curfew Lt. John Hagermoser of Detroit's Youth Board said: "It costs negligent parents money and so they become more alert to what their children are doing."

"It helps by making a youngster more apprehensive and less apt to stay out late and get into trouble," Sgt. James Stokes of the Chicago police Youth Board, said.

Capt. Adolph C. Jacobsmeyer of the juvenile division of the St. Louis police said: "We find that 13 percent of the children picked up after curfew are involved in various kinds of other police offenses."

Harry Fedele of the Cleveland Juvenile Bureau said: "It does help a great deal in keeping down juvenile crime. It permits us to nip gang fights in the bud by clearing the kids off the streets."

Describing the curfew as a "terrific help," San Francisco Police Chief Thomas J. Cahill said that "through a word of caution, we are able many times, we are sure, to prevent youngsters from getting into trouble."

[From the Washington Post, Sept. 2, 1959]

THE NEW FEUDALISM

Within a single week four more killings—all of them utterly senseless—have resulted from blood feuds involving the juvenile gangs of Manhattan. Some 1,400 New York City policemen have been diverted from other important duties to assist in the effort to repress such adolescent crimes of violence.

In a series of intergang collisions, or "rumbles," on the night of August 23, a 15-year-old girl was shot to death, and a 14-year-old boy was fatally stabbed on the lower east side. Four nights later in the west side district, long and notoriously known as Hell's Kitchen, two boys were stabbed to death in a public playground.

The second of these incidents was even uglier than the other; for the victims seem not to have been members of any rival gang and the assailants seem to have had no special grievance against them. The assailants, it appears, were young Puerto Ricans representing gangs from another neighborhood known variously by such grandiose designations as the Young Lords, the Heart

Kings, and the Vampires. Apparently they were in search of another young Puerto Rican who had insulted and threatened one of their members. Not finding him, they sought to slake their spirit of vengeance on a group of neighborhood youths, mostly of Greek or Slavic ancestry.

The police had little difficulty in identifying the participants in the disturbance. But the incident has let loose a long-brewing storm of criticism against Mayor Wagner's youth board, which has been attempting to resolve the problem of juvenile violence by seeking close and confidential relationships with the adolescent gangs that would enable it to arrange truces or peace treaties among them.

This, according to the critics, amounts to a virtual recognition of the gangs as sovereign powers. And indeed the juvenile gang, with its elaborate organization, its claim to a particular territorial jurisdiction, of "turf," does manifest many characteristics of the political state, an imperium in imperio. Man, said Aristotle, is by nature a political animal, and the gang is another proof of the truth of this assertion. It affords a form of citizenship to those for whom the larger political community has no meaning. It offers to a frightened and rootless generation the sense of protecting, of participation, of "belonging"; but, like the "polis" and the Nation, it exacts in return a sacrificial loyalty and obedience.

FEDERAL AND PRIVATE AID TO EDUCATION

Mr. JAVITS. Mr. President, I call attention to the fact that Federal aid to education, notwithstanding the terrible things that are often anticipated about it, is working out magnificently well. The Federal Education Commissioner has just completed his anniversary report on the National Defense Education Act, which Congress passed just a year ago, and he has nothing but good things to say about it, in the main.

For one thing, the student loan program, which I had the honor, with other Senators, to pioneer here, and which I think the Congress was most farsighted in adopting, rather than the outright grant idea, is working remarkably well, Commissioner Derthick says. I quote him:

> Field representatives report tremendous enthusiasm in all parts of the country for the student loan program.

Again, it is a demonstration of the fact that our young people are hardy and are willing to take responsibility, and are not going soft, as so many people think, but are willing to invest in their education and repay the loan as soon as they get employment. The whole program shows a most promising picture.

Mr. President, I ask unanimous consent that a report upon this subject from an article in the New York Times of this morning be included in the RECORD as a part of my remarks.

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

EDUCATION CHIEF HAILS YEAR'S GAIN—DERTHICK'S REPORT DETAILS PROGRESS ON SCHOOL AID UNDER 1958 LEGISLATION

(By Bess Furman)

WASHINGTON, September 1.—Dr. Lawrence Derthick today hailed the first year's record of the National Defense Education Act as really impressive.

The Federal Education Commissioner has just compiled an anniversary report on the complicated legislation. It was enacted by Congress to meet the challenge implicit in the launching of Russian space satellites. President Eisenhower signed the 4-year, billion-dollar measure last September 2.

In tallying the results, Dr. Derthick first praised the American free-education system. He said "54 States and Territories" had enthusiastically accepted the Federal plan.

From the outset, he said, State agencies and institutions of higher learning have helped develop rules, regulations, and guidelines, and have given voluntary testimony that no Federal control of education has resulted from the act.

COINCIDES WITH VISIT

By coincidence, the report comes in the month that Nikita S. Khrushchev, Soviet Premier, will visit this country. Also, the final report of the first official education mission to the Soviet Union, which was headed by Dr. Derthick, is scheduled for release next week.

Among the gains of the last year reported by Dr. Derthick were these:

"The act is accomplishing its purpose of channeling talented high school seniors into college.

"It is regarded as a 'lifesaver' by colleges, since it is starting to produce a new group of doctors of philosophy as future college teachers. The shortage of such teachers is critical.

"Under its provisions, States have tooled up to start supplying high schools this month with modern scientific and language-teaching equipment.

"It has stepped up vocational education in scientific fields.

"It is spreading student counseling, the teaching of languages hitherto rarely on the curriculum, including Russian; the use of television as a teaching tool and the use of modern tabulating machines for uniform education statistics."

Details given by the Commissioner included the following on principal programs:

STUDENT LOANS

A total of $1 million has been distributed to 1,192 colleges, and an additional 180 are starting loan programs this fall. The program now covers colleges representing 88 percent of the total enrollment. The new appropriation raises Federal loan funds to $61 million, not enough to meet the demand. A special consultant panel has developed a procedure for reviewing requests to insure maximum benefits from loans.

"Field representatives report tremendous enthusiasm in all parts of the country for the student loan program," Dr. Derthick said.

"Although this program is in its infancy, it may be confidently stated that thousands of students who are planning to attend college this fall would have found it impossible to continue their education without the aid given through Federal loans."

FELLOWSHIPS

A thousand fellowships have been awarded at an estimated cost of $5,300,000. Those consist of a $2,000 annual stipend for each fellow, plus $400 for each dependent. A few started to study in the summer; most start this month. Fifteen hundred more fellowships will be awarded about April 1.

"Smaller colleges are asking talented graduates to seek fellowships and return as faculty members," Dr. Derthick said.

EQUIPMENT

Plans by 49 States to purchase scientific and language-teaching aids and to repair laboratories have been approved, and $33,748,097 has been certified to for distribution to them.

Applications for $1,104,919 in loans to purchase similar equipment for 88 private schools in 32 States have been approved. Thirty-seven more applications totaling $428,193 have been received, and probably will be approved this fiscal year.

Mr. JAVITS. Mr. President, as a part of the same subject, I think it is tremendously important to all of us to note that corporate gifts to higher education have risen most remarkably in the last year. Business and industry are reported to have given $136 million in 1958, as compared with $109 million in 1956. Corporate contributions for all philanthropic purposes rose from $418 million to $550 million in the same period.

The significance of that fact is the great capitalist revolution in which corporations, in beginning to recognize their trusteeship for the public interest, are demonstrating that sense of trusteeship in their responsibility for great public activities like education.

It seems to me that there is a very intimate connection between the possible continued existence of private colleges—in the United States and the willingness of American business and individual Americans to support them, in order to enable them to continue their service to the whole country.

Mr. President, I ask unanimous consent that this news story from the New York Times may be made a part of my remarks.

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

CORPORATE GIFTS TO SCHOOLS RISE—RECORD $136 MILLION GIVEN IN 1958 DESPITE RECESSION, NATIONAL SURVEY FINDS—COLLEGES GET MOST AID—23.5 PERCENT INCREASE OVER 1956 BY 215 COMPANIES NOTED—EIGHT IN RED CONTRIBUTE

Despite the recent economic recession, corporate aid to education set a record last year, the Council for Financial Aid to Education reported yesterday.

Business and industry gave about $136 million to education in 1958, compared with $109 million in 1956, according to council projections. Corporate contributions for all philanthropic purposes rose from $418 million to $550 million over this period.

The council reported the findings of its third biennial survey, which covered 1958. The council said that a new check of 215 companies in the 1956 study had showed a 23.5-percent increase in education grants. These companies gave $40,917,571 in 1958, against $33,140,806 2 years ago.

Dr. Frank H. Sparks, president of the council, said the increases "were made during an off-profit year."

"This is encouraging evidence that the most alert business management in the world regards the financial support of higher education as of the first importance," he said.

EIGHT GAVE DESPITE LOSS

The survey found that eight companies contributed despite operating losses last year. One concern, through its foundation, gave almost four times as much as it earned.

A total of 352 of the Nation's largest corporations took part in the 1958 survey. Of this number, 137 were new or first-time respondents.

This, the council said, led it to believe that many more companies had begun contributing to education.

Most of the companies, the report noted, gave their gifts to institutions of higher education. Eighty-one companies gave to junior or community colleges, and 65 to pre-college institutions. A preference was shown for supporting private institutions, the

council said, although 126 companies reported gifts to publicly controlled institutions. Unaccredited colleges received grants from 39 companies.

THIRTY-FOUR PERCENT UNRESTRICTED

Unrestricted gifts to education amounted to $16,619,255, or a little more than 34 percent of the total $48,771,277 given by the 352 companies.

The breakdown of designated gifts was as follows:

	Amount	Percent of total
Buildings and equipment	$8,257,244	16.9
Student financial aid	7,298,303	15.0
Graduate/professional education	5,703,049	11.7
Basic research	2,841,489	5.8
Departmental grants	1,553,742	3.2
Faculty compensation	1,498,417	3.1
Endowment	451,275	0.9
Other purposes	4,519,503	9.2

Other major findings of the survey were:

Education received 28.4 percent of corporate gifts in 1958, according to the 339 companies reporting their total programs.

The greatest increase in aid to education, 210 percent, came from banking concerns.

Twenty-eight companies—twice the 1956 number—contributed to education last year at the rate of 1 percent or more of net income before taxes.

DISCRIMINATORY MEMBERSHIP POLICIES OF 40 AND 8

Mr. JAVITS. Mr. President, last week on the Senate floor I protested the unfortunate action taken by a majority of the delegates to the American Legion annual convention when they voted down a proposal which would have abolished the discriminatory membership rules of a Legion affiliate, the 40 and 8, which permits only white males to join. Such restrictions obviously bar Negro veterans and those of oriental descent.

I said at that time that any such action directly contradicts the very basis of our Constitution and the very basis of the development of the American Legion itself, which, under its constitution, welcomes all U.S. citizens who have served honorably in time of war.

As a member of the Legion, I stated at that time that I would not resign, but would join in the fight against this attitude in the Legion. I urged my view on the newly elected national commander, who, to my great pleasure, and that of my colleague from New York [Mr. KEATING], happens to be a New Yorker, Martin B. McKneally, from Newburgh, N.Y., whom I happen to know personally. He has already released a public statement, and indeed my colleague from New York [Mr. KEATING] introduced that statement into the RECORD. But Mr. McKneally has sent me a telegram today which I think would also be of interest to Members of this body, especially commenting upon my feeling that the thing to do is not to resign from the American Legion, but to fight within the American Legion; to stay in the American Legion and help to preserve, maintain, and improve the Legion as an influence for the preservation of American ideals.

I say wholeheartedly I feel fortified in my decision not to resign from the American Legion, but to work for action within the Legion with my comrades to reverse the action of the convention delegates, about which we feel so badly, and which I feel is most unwise not only in the eyes of Americans, but in the eyes of people of the free world.

I pledge myself as a member of the Legion to follow this action very closely, and the action which the new national commander proposes to take, namely, to appoint a committee to look into this question. I promise him my full cooperation. I feel much honored that my fellow New Yorker, Martin B. McKneally, has shown by this action the true qualities of a national commander of the American Legion. I am very happy to serve under him.

I ask unanimous consent that the telegram to which I have referred may be made a part of the RECORD at this point.

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

NEW YORK, N.Y., *August 31, 1959.*

Hon. JACOB K. JAVITS,
The U.S. Senate, Washington, D.C.:

Thank you for the kind sentiments expressed in your recent telegram. May I laud you for the position taken by you in connection with the 40 and 8? I trust that all others will follow your example and stay in or join the American Legion and help us to preserve and maintain and improve this great organization as an influence for the preservation of American ideals. The following was released to all news media today:

"An issue raised at the recent national convention of the American Legion in Minneapolis has received much public comment and calls for a statement from me as the national commander.

"The comment is based upon the rejection of a resolution by the convention which declared the eligibility requirements of the 40 and 8 to be in violation of the constitution of the American Legion and called for immediate compliance by the 40 and 8 with the American Legion constitution.

"The convention, it must be borne in mind, did not stop there. It adopted the report of the constitution and bylaws committee of the convention, which declared that exclusion of members because of race, creed, or color in either the Legion or its subsidiary organization 'is presently considered unlawful.' It also passed a resolution which called upon the 40 and 8 to reexamine its eligibility requirements with the purpose of making them coincide with those of the American Legion.

"This resolution, while general in tone, nevertheless calls for immediate action by the American Legion.

"As national commander, it is my responsibility to see that that action is not delayed. For the information of all, I shall state my own personal position in this matter.

"(1) I believe that the essential requirements for eligibility in the American Legion, as set out in its constitution, should not be added to by a subsidiary organization. The 40 and 8, which is an independent corporation, restricts its membership to legionnaires who are 'white males.' The membership requirements of the American Legion, be it noted, are simple: honorable service by U.S. citizens in time of war, and none other.

"(2) I beleive that American Legion, composed as it is of veterans of three wars which were fought for the preservation of freedom and human dignity, should be in the forefront in promoting brotherhood and should be the leader in allaying prejudice.

"(3) I am required in this connection to do all that lies within my power to uphold the constitution of the American Legion, and to do less would be a clear violation of my obligations as national commander.

"I shall appoint a committee to meet with the 40 and 8 to discuss and clarify and to bring to a proper conclusion this conflict; and I shall act in all these matters without delay.

"In conclusion, I say that my responsibility as national commander is to preserve the American Legion and all of its original greatness as the guardian of American ideals and to lead this organization in the difficult days that lie ahead, and to act always in accordance with the highest and best traditions of the American Legion and of the United States of America."

I would appreciate your reaction.

MARTIN B. MCKNEALLY,
National Commander, the American Legion.

ORDER TO RECESS TO 11 O'CLOCK A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 11 o'clock tomorrow morning.

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

ORDER FOR LIMITATION OF DEBATE DURING MORNING BUSINESS TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that we have the usual morning hour when we convene tomorrow, for the transaction of routine business, with a limitation on statements of 3 minutes.

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

LAKE MICHIGAN WATER DIVERSION

Mr. WILEY. Mr. President, I have heard it said on the floor a number of times, and I think it was said only in a kind of effort to provoke our side, that we were filibustering. In this morning's Washington Post and Times Herald there is a fine editorial entitled "Snitching Great Lakes Water." I am going to read it because it is a complete answer to what I think is a superficial objection. I said yesterday that if someone would examine the RECORD and ascertain the amount of time that has been spent discussing the issue or issues, he would find that most of the time was consumed by extraneous matter.

The editorial reads:

Opponents of the Great Lakes water diversion bill are under charges of filibustering, but up to this point the debate seems to illustrate the basic difference—

I emphasize "the basic difference"—

between a filibuster and vigorous discussion on a vital issue.

I interject at this point to say that last night it was my privilege to see the President of the United States on television. The telecast came from England, and he was discussing matters with Mr. Macmillan. Among other things, he spoke very feelingly about the fact that for some 140-odd years we have lived at peace with our great neighbor to the north of us. There were no battlewagons, there were no fortifications on

the border between the two countries, but we were living at peace. But he brought out the idea, further, it was imperative that we continue that condition, especially in these days when we are facing conditions which may blow up the world in our faces unless we use judgment and reason.

I continue reading:

A filibuster is a time wasting device to prevent action by the Senate after all the arguments are in. Though many arguments have been repeated in the debate on the water diversion bill, the net effect has been to alert the country and the Senate to the dangers of a measure that has been too little understood.

Yes; it is too little understood. In the time of the little arguing we have done on the floor—and I have done very little—the seats have been empty, as they are now. We are only getting into the minds of Senators the vital issue; that is, we must not kick Canada, the best friend we ever had, in the teeth.

I continue to read the editorial:

Though many arguments have been repeated in the debate on the water diversion bill, the net effect has been to alert the country and the Senate to the dangers of a measure that has been too little understood. What now appears to be a very large minority opposing the bill may become a majority.

The arguments for not rushing into a venture of this sort are very persuasive. Senator MCNAMARA pointed out that four cases involving water diversion from Lake Michigan are now before the Supreme Court and that a special master appointed by the Court will soon begin taking testimony on every facet of this problem. It is well to remember that Chicago's existing right of diversion stems from the Court's decree of 1930. Even if legislation should seem ultimately desirable, Congress could legislate to far better advantage after the Court has further spelled out the legal issues.

Another strong argument for not passing the bill now is that the Senate Foreign Relations Committee has had no opportunity to study it. On Monday the Senate refused by a narrow margin to send the bill to Foreign Relations, but Canada's objections to the bill remain strong. It would be inexcusable to pass the bill without a full analysis of these objections and the impact that such action would have upon relations between the United States and Canada.

I repeat:

It would be inexcusable to pass the bill without a full analysis of these objections and the impact that such action would have upon relations between the United States and Canada.

Sponsors of the bill try to justify riding roughshod over Canada's wishes regarding these international waters by saying that officials in Ottawa have shifted their position in the last year—

I deny that statement. I expect to speak today, to show there has been no shift of position. If we were to tell the truth, it would relate to the actions in our own State Department on that issue, rather than a change in the position of the Canadian Government—

Spokesmen for Canada deny this emphatically, but even if it were true wo do not see that it would have any substantial bearing on the issue now before the Senate. There is no question whatever about Canada's present resentment over the effort to take water without her consent from the Great Lakes-St. Lawrence system jointly owned by the two countries, and it is current attitudes and policies that have to be reckoned with.

There are strong indications, moreover, that in any event approval of the bill by the Senate would be only a gesture. President Eisenhower would doubtless veto this measure as he has done in the case of two similar bills—in part because it would divert Canadian-United States water without any negotiations on the subject with Canada. It is said that some Senators are being urged to vote for the bill as a means of conciliating the sponsors because the President will prevent it from becoming effective—

Yesterday that issue was met head on by my distinguished associate from Wisconsin, who is doing a tremendous job on the floor of the Senate, and has been carrying most of the argument so far.

I will say definitely, in my opinion this is a Government of divided powers. We legislators cannot shift our responsibility to the President; and, vice versa, the President cannot shift his responsibility to us. In my humble opinion, it is our function to get acquainted with the facts. In my opinion, this is the most significant and far-reaching piece of proposed legislation which has come before the Senate this session. Its consequences would be such that if we do the wrong thing we will alienate, as the Canadian note implies, a large section of our friends to the north.

I continue to read the editorial:

Surely the opposite reasoning ought to prevail in a responsible legislative body. Since a veto seems inevitable, why would any Senator wish to antagonize our good neighbor to the north by a futile gesture that will serve no other purpose?

Mr. President, in view of my disjointed discussion, so to speak, of the issues involved, I ask unanimous consent that the entire editorial be printed in the RECORD.

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

SNITCHING GREAT LAKES WATER

Opponents of the Great Lakes water diversion bill are under charges of filibustering, but up to this point the debate seems to illustrate the basic difference between a filibuster and vigorous discussion on a vital issue. A filibuster is a timewasting device to prevent action by the Senate after all the arguments are in. Though many arguments have been repeated in the debate on the water diversion bill, the net effect has been to alert the country and the Senate to the dangers of a measure that has been too little understood. What now appears to be a very large minority opposing the bill may become a majority.

The arguments for not rushing into a venture of this sort are very persuasive. Senator MCNAMARA pointed out that four cases involving water diversion from Lake Michigan are now before the Supreme Court and that a special master appointed by the Court will soon begin taking testimony on every facet of this problem. It is well to remember that Chicago's existing right of diversion stems from the Court's decree of 1930. Even if legislation should seem ultimately desirable, Congress could legislate to far better advantage after the Court has further spelled out the legal issues.

Another strong argument for not passing the bill now is that the Senate Foreign Relations Committee has had no opportunity to study it. On Monday the Senate refused by a narrow margin to send the bill to Foreign Relations, but Canada's objections to the bill remain strong. It would be inexcusable to pass the bill without a full analysis of these objections and the impact that such action would have upon relations between the United States and Canada.

Sponsors of the bill try to justify riding roughshod over Canada's wishes regarding these international waters by saying that officials in Ottawa have shifted their position in the last year. Spokesmen for Canada deny this emphatically, but even if it were true we do not see that it would have any substantial bearing on the issue now before the Senate. There is no question whatever about Canada's present resentment over the effort to take water without her consent from the Great Lakes-St. Lawrence system jointly owned by the two countries, and it is current attitudes and policies that have to be reckoned with.

There are strong indications, moreover, that in any event approval of the bill by the Senate would be only a gesture. President Eisenhower would doubtless veto this measure as he has done in the case of two similar bills—in part because it would divert Canadian-United States water without any negotiations on the subject with Canada. It is said that some Senators are being urged to vote for the bill as a means of conciliating the sponsors because the President will prevent it from become effective. Surely the opposite reasoning ought to prevail in a responsible legislative body. Since a veto seems inevitable, why would any Senator wish to antagonize our good neighbor to the north by a futile gesture that will serve no other purpose?

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

Mr. WILEY. I yield.

Mr. DOUGLAS. I congratulate the Senator from Wisconsin for the self-criticism in which the Senator has indulged, in stating his remarks were disjointed. I congratulate the Senator on the accuracy of his observation.

Mr. WILEY. Mr. President, if I may reply to that, I am sure the brilliant remark, the scintillating remark, the wonderful professorial remark of the distinguished Senator from Illinois really does not merit any response, but I kind of love those old grey hairs of his, because at times his mind becomes very irrational.

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

Mr. WILEY. I yield.

The VICE PRESIDENT. The time of the Senator from Wisconsin has expired. The Senator may seek recognition in his own right.

Mr. PROXMIRE subsequently said: Mr. President, earlier today my senior colleague [Mr. WILEY], who is doing a fine job in fighting against the enactment of H.R. 1, not only in the interest of Wisconsin, but also in the behalf of all the Great Lakes States and the other interested States, and to make sure that our country gives proper consideration to the interests of Canada, placed an insertion in the RECORD which I wish to refer to at this time.

I ask unanimous consent that my remarks on this editorial appear immediately after earlier remarks of my senior colleague from Wisconsin.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. Mr. President, there are two or three important points I wish to mention in respect to this editorial.

First, it appears in a neutral newspaper. The Washington Post, of course, has no reason to favor Chicago, New York, Wisconsin, or Canada. It is a newspaper which can speak out from its conscience and on the merits, without regard to any special commercial or industrial interest.

In the second place, as my distinguished colleague has mentioned, the editorial in the Washington Post points out the opponents of this bill have not and are not engaging in a filibuster. The first sentence reads:

Opponents of the Great Lakes water diversion bill are under charges of filibustering, but up to this point the debate seems to illustrate the basic difference between a filibuster and vigorous discussion on a vital issue.

Yesterday we discussed H.R. 1 at substantial length. In the course of the discussion, we who oppose the bill stuck to the point just as much as we could. When I held the floor for a considerable period yesterday afternoon, at no time did I depart during the debate from my discussion of the merits of the bill. On one occasion I was questioned on interest rates, which subjects, of course, is neither germane nor relevant to H.R. 1. It is interesting to note, however, that my interrogators were proponents of the bill. They included the distinguished Senator from Tennessee [Mr. GORE] and the distinguished Senator from Mississippi [Mr. EASTLAND], both of whom have voted for the bill. We were questioned at some length on interest rates, for a period of perhaps a half hour.

Except for that discussion, we stayed right on the proposed legislation. The only interruption was when my good friend, the senior Senator from Illinois [Mr. DOUGLAS], departed from the discussion on the bill to discuss the question of filibuster itself, which, as the Washington Post editorial points out, is not pertinent to the discussion of this proposed legislation.

Mr. President, I have one further remark to make on this editorial. I call attention to the last paragraph.

The conclusion reached in the last paragraph may be erroneous. It reads:

President Eisenhower would doubtless veto this measure as he has done in the case of two similar bills.

Mr. President, I earnestly hope that the Washington Post is right, but the conclusion as to a veto is based on the fact that the President has vetoed two similar bills. I call attention to the fact that when those bills were vetoed the junior Senator from Illinois [Mr. DIRKSEN] was not the minority leader. He was not the spokesman for the President in the U.S. Senate. Today the junior Senator from Illinois, who is a strong proponent of the bill, a man to whom this bill is of very great interest, is the President's spokesman.

I know the President is a fine man. He is a man who will act on the basis of the merits. But the fact is that the President is an extremely busy man. He has many other concerns. It is entirely possible that the enormously persuasive influence of the junior Senator from Illinois, which he has already demonstrated on votes previously taken on the bill, may prevail on the President. For this reason I hope that Senators will recognize that if they vote for this bill and it passes, there is a possibility that the President of the United States may sign the bill and it would become law.

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

Mr. PROXMIRE. I yield to the Senator from Vermont for a question.

Mr. AIKEN. I hope the Senator has observed that, in spite of the position of the leadership on this side of the aisle, the majority of Republicans have voted against this water steal, and in favor of preserving our treaty with Canada, in every record vote which has been taken on the bill.

Mr. PROXMIRE. I am delighted the Senator from Vermont has pointed out that fact. He is correct. There is no doubt that the agencies of our Government support the opposition to this bill. The agencies which are under the President of the United States feel strongly that the President should veto the bill if it shall be passed. But I say he may not.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I yield for a question.

Mr. DOUGLAS. Does not the Senator think this information will be extremely valuable to carry to the voters of Chicago and Illinois about the position of the Republicans and of the administration? Does not the Senator think that would be very good information to carry to the voters of Illinois?

Mr. PROXMIRE. I presume it would be of great use in Illinois. I can understand why the Senator from Illinois has asked this question of the Senator.

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

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

Leonard P. Walsh, of the District of Columbia, to be U.S. district judge for the District of Columbia.

By Mr. BYRD of Virginia, from the Committee on Finance:

Norman A. Kreckman, of New York, to be collector of customs, with headquarters at Rochester, N.Y.; and

David A. Lindsay, of New York, to be General Counsel for the Department of the Treasury.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Chief Clerk read the nomination of John A. McCone, of California, to be a representative of the United States of America to the third session of the General Conference of the International Atomic Energy Agency.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Paul F. Foster, of Maryland, to be an alternate representative of the United States of America to the third session of the General Conference of the International Atomic Energy Agency.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED NATIONS

The Chief Clerk read the nomination of Henry Cabot Lodge, of Massachusetts, to be a representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of JAMES G. FULTON, U.S. Representative from the State of Pennsylvania, to be a representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of CLEMENT J. ZABLOCKI, U.S. Representative from the State of Wisconsin, to be a representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Walter S. Robertson, of Virginia, to be a representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of George Meany of Maryland, to be a representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Virgil M. Hancher, of Iowa, to be an alternate representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Charles W. Anderson, Jr., of Kentucky, to be an alternate representative of the United States of America to the 14th session of the General Assembly of

the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Erle Cocke, Jr., of Georgia, to be an alternate representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Mrs. Oswald B. Lord, of New York, to be an alternate representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Harold Riegelman, of New York, to be an alternate representative of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. JAVITS. Mr. President, I should like to say a word about the confirmation of the nominations of the delegates and alternate delegates to the United Nations.

I have with great pleasure this morning found upon the list two men who are personal friends of mine of years standing, with whom I have enjoyed a close and very happy relationship. They are men of such service and distinction for our country that I shall take only a brief moment of the Senate's time to say a word about them.

The first is JAMES G. FULTON, a Representative in Congress from the State of Pennsylvania; and the other is Harold Riegelman, of New York.

JIM FULTON is probably the closest friend I had in the House of Representatives. We sat together on the Committee on Foreign Affairs for 8 years, and we fought many battles for what I consider to be and for what he considers to be the constructive foreign policy for the United States. I wish to pay him a special tribute, as the chairman of a small subcommittee of 3 which went to Europe in 1947, and helped mightily to produce the Displaced Persons Act of 1948. As a result of the investigation which Representative FULTON, Representative CHELF, of Kentucky, and I, then being a Representative from New York, made of the displaced persons camps, visiting personally some 750 of them, and bringing back to the House of Representatives a personal report, I feel we had an enormous impact upon the House and were heavily responsible for the Displaced Persons Act. Of all the fine things Representative FULTON has done, Mr. President, I think his chairmanship of that subcommittee in the 80th Congress will always be his finest ornament.

Mr. President, Harold Riegelman is one of our very distinguished New Yorkers, a one-time Republican candidate for mayor of New York, a leading citizen in the community sense and in every way, well known to every New Yorker as an agreeably astute and as a liberal-minded watchdog of the public purse. Mr. Riegelman is now, I suppose, entitled to be called Ambassador. He is a very distinguished member of a fine New York law firm, and has never been a lawyer who, notwithstanding his success, has denied to the public service one moment of his time. He has a most illustrious record, as is evident from the papers on file with the committee. It is a great personal pleasure to me to note the preferment which has been vouchsafed to him today.

Mr. President, I also have two other friends upon this list, CLEMENT J. ZABLOCKI, from the House of Representatives, who will also represent our country, as a delegate, and Mrs. Oswald B. Lord. I congratulate both of them upon their confirmation today.

Mr. JOHNSON of Texas. Mr. President, I should like to associate myself with the very generous statement my friend from New York has made about Representative FULTON and Representative ZABLOCKI. I have known them for many years, and have a very high regard for them. The President has made two very good appointments in honoring them.

I have noted with a great deal of interest and approval the very excellent service former Senator Lodge is rendering at the United Nations, and I am glad to see the Senate take favorable action in connection with all these nominations.

Mr. PROXMIRE. Mr. President, on this same matter, I should like to say that the Honorable CLEMENT J. ZABLOCKI is the Representative from the Fourth District in Milwaukee. He is continuing to render very fine service on the House Foreign Affairs Committee. He has had a number of very difficult assignments which he has discharged very ably, and I am very proud that he is being confirmed this morning. I am sure that in appointing him the President has shown very good judgment. I am sure that CLEMENT J. ZABLOCKI will serve the Nation well. He is certainly eminently qualified.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Harry F. Stimpson, Jr., of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, the nomination is confirmed.

U.S. DISTRICT JUDGES

The Chief Clerk read sundry nominations of U.S. district judges.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

JUDGE OF THE DISTRICT COURT

The Chief Clerk read the nomination of Walter A. Gordon, of California, to be judge of the District Court for the Virgin Islands for a term of 8 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. I ask that the President be notified of all nominations confirmed today.

The PRESIDING OFFICER. The President will be notified forthwith.

Mr. WILEY subsequently said: Mr. President, with regard to the nominees to the United Nations, I am personally acquainted with Henry Cabot Lodge; Representative James G. Fulton, of Pennsylvania; Representative Clement J. Zablocki, of Wisconsin; Walter S. Robertson, of Virginia; and George Meany, of Maryland. I am also acquainted with Mrs. Oswald B. Lord, of New York.

I approve everything that was said by my associate [Mr. PROXMIRE] in relation to Representative ZABLOCKI. All the nominees to whom I have referred are great Americans. I am satisfied that they will perform a distinguished service in the United Nations. I only wish I could be there and watch them. They are dedicated individuals, who recognize the significance of the United Nations in this age.

Mr. KUCHEL subsequently said: Mr. President, the name of a distinguished American, a longtime able lawyer and a native Californian has been sent to the Senate as a nominee by the President of the United States to be judge of the District Court for the Virgin Islands. In confirming Walter A. Gordon to be a member of the Federal judiciary today, the Senate has approved a thoroughly competent and distinguished attorney, a very able public servant, and, beyond that, one whose whole lifetime does infinite credit to the maxim that in free America people are created free and equal and each citizen advances in accordance with his own zeal and his own ability, his own capacity and his own labor.

Years ago Federal Judge Walter A. Gordon was a student at the University of California. He graduated in law from that great institution as a doctor of jurisprudence. He was a great athlete. He was an all-American football player at his alma mater. He practiced law in his home county of Alameda with distinction. Subsequently the Governor of California, now the distinguished Chief Justice of the United States, appointed him first as a member and then as chairman for almost a decade of the California Adult Authority, where he performed an invaluable and outstanding public service, recognized by the bench and bar and the general public alike.

The President of the United States appointed Judge Gordon the Governor of the Virgin Islands, in which as chief executive of that American possession he achieved a great reputation among the people over whose public problems he sat in judgment as chief administrator.

Judge Gordon is a family man. He and Mrs. Gordon have three children,

Walter Jr., Edwin C., and Betty Mae. The two sons were in the American Army during World War II. One was commissioned an officer on the field of battle for bravery.

The people of my State feel a sense of pride in the action of the Senate in confirming Walter A. Gordon, of California, as judge of the District Court for the Virgin Islands and in the judgment of the President in nominating him.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate return to the consideration of legislative business.

The motion was agreed to, and the Senate proceeded to consider legislative business.

DEFINITION OF TERMS USED IN DEBATE OVER LABOR LEGISLATION

Mr. GOLDWATER. Mr. President, there is a slight possibility that there might be some discussion of the labor bill on the floor, although I am more and more hopeful by the hour that we will reach general rapport before the day is over. However, there always exists the possibility that we might have one or two unresolved parts of the bill now in conference. I have therefore prepared a glossary of terms which might be used in any debate which might ensue over any legislation. I am also mailing a copy of it to each of my colleagues, because I find in speaking to them there is a general misunderstanding of many of these terms, which seem rather simple to those who live with them day after day.

Therefore, Mr. President, I ask unanimous consent that this definition of terms that may be used in a debate over labor legislation be made a part of my remarks at this point.

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

DEFINITIONS OF TERMS USED IN THE CURRENT DEBATE OVER LABOR LEGISLATION

1. Secondary boycott: A secondary boycott involves the application of pressure—usually economic pressure—on one company for the purpose of forcing it to stop doing business with another company. There are two types of secondary boycotts: the secondary employee boycott and the secondary consumer boycott.

A secondary employee boycott involves the refusal of employees of a neutral or third party employer to perform work for the purpose of compelling their employer to cease doing business with another employer.

A secondary consumer, or customer, boycott involves the refusal of consumers or customers to buy the products or services of one employer in order to force him to stop doing business with another employer.

It is generally agreed that the Taft-Hartley Act was intended to outlaw the inducement of secondary employee boycotts. The language of the act does not touch the secondary consumer boycott. The current discussion in regard to secondary boycotts relates to making more effective the prohibition against secondary employee boycotts and the question of adding a prohibition against secondary consumer boycotts. Among terms commonly used in secondary boycott discussions are the following:

(a) Primary employer: He is the employer involved in the primary dispute with the union.

(b) Secondary employer: He is the employer who does business with the primary employer that is engaged in a labor dispute.

(c) Common situs: The term refers to the physical location, such as a construction project, where the employees of more than one employer are performing work at the same time.

The question of picketing at a common situs is at issue. The present law has been interpreted to permit picketing at the common situs only under very limited circumstances, one of which is that the employer with whom the union has a primary dispute does not have a regular place of business in the area.

(d) Hot cargo clause: This is a provision in a collective bargaining contract which seeks to permit employees to refuse to perform work on materials or equipment received from or being sent to another employer with whom the union has a primary dispute.

Under early Board and court decisions, hot cargo clauses were accepted as a valid defense to otherwise unlawful conduct. Subsequent decisions have changed the rule. Hot cargo provisions are no longer a valid defense to otherwise unlawful conduct under the secondary boycott provisions of the act.

(e) Struck work: Struck work is work which is farmed out or subcontracted to another employer because of the existence of a strike in the primary employer's shop.

Under the present act the Board and the courts have, under certain circumstances, found no violation of the secondary boycott section of the act where employees of a secondary employer have refused to handle work from another employer which would have been handled by his own employees but for the existence of a strike.

2. Picketing:

(a) Blackmail or coercive picketing: This is a general term referring to picketing which has the effect of coercing employees in the exercise of their right to freely select or reject a bargaining agent.

For more than 5 years the Board and the courts held that the Taft-Hartley Act did not restrict such picketing except where the picketing was designed to compel an employer to bargain with one union where another union had already been certified. Within the past several years, Board and court thinking has changed and now, under certain circumstances, such picketing will be regarded as a violation of section 8(b)(1) of the act.

(b) Organizational picketing: This is picketing which ostensibly is directed toward urging employees to join a union.

(c) Recognition picketing: This is picketing which has as its objective compelling the employer to recognize the union as the bargaining agent for its employees without an election.

Some State courts have tried to make a distinction between organizational and recognition picketing, permitting the former while prohibiting the latter. In some cases, the difference in the objective of the picketing may be obvious; in other cases the difference turns on rather small facts.

3. Strikes: A strike is a concerted refusal on the part of employees to perform work. A strike can be either primary or secondary.

(a) Economic strike: This is a strike which takes place because of a dispute over wages, hours, and working conditions. Such a strike is really a primary employee boycott.

(b) Unfair labor practice strike: The purpose of such a strike is to counter what the union alleges to be the company's unfair labor practices.

(c) Recognition strike: This is a strike to compel the company to recognize the union as the bargaining agent for a group of employees without an election.

4. No-man's land: The phrase refers to those businesses in the United States over which the National Labor Relations Board could, but has declined to, exercise jurisdiction and over which State courts and agencies have been, by Supreme Court decisions, precluded from exercising jurisdiction in certain basic matters relating to labor relations. These companies and their employees are currently without a forum which can consider such basic matters as representation and unfair labor practices.

The courts have generally held that Congress, in passing the Wagner Act in 1935 and the Taft-Hartley Act in 1947, intended to exercise its full authority under the commerce clause in the Constitution. Thus, the NLRB was empowered to exercise jurisdiction over all enterprises engaged in interstate commerce and all enterprises whose activities affected interstate commerce. The Board, for administrative reasons, has never exercised its full jurisdiction. Until about 3 years ago State courts and State agencies generally operated in those areas in which the National Board could have acted but did not. Then, beginning with the Supreme Court's decision in the Garner case, State courts and agencies have been increasingly restricted in their activities in this area on the theory that, for certain important purposes, Federal law has preempted the field.

PROPOSED BOYCOTT OF TOUGH-LABOR-BILL BACKERS

Mr. GOLDWATER. Mr. President, I cannot speak of the legality or the morality of the action I am about to bring to the attention of the Senate, but I have in my hand a very interesting clipping from the Louisville Courier Journal, which indicates that the executive secretary of the Kentucky State AFL–CIO is publishing the names of firms which wrote their Representatives asking that the Landrum-Griffin bill be passed. In other words, this is a new way of getting a blacklist. The State AFL–CIO are urging that people not trade with these American businessmen who saw in their own hearts the need for stronger legislation than the Senate passed, and who urged their Representatives in Congress to vote their wishes.

This labor leader is probably well within his legal rights in doing this, he may be within his moral rights, but, Mr. President, this is the kind of thing that has to stop in this country, on both sides. We have to stop blacklisting union members because management does not agree with them. We have to stop blacklisting management because the union does not happen to agree with them.

I am a little surprised that after the uncalled-for letter of James Carey, another labor leader in the country should see fit to expose one of labor's weak flanks to the public at this particular time. I hope my colleagues will take note of what I am referring to.

I ask unanimous consent that this clipping from the Louisville Courier Journal be inserted at this point in my remarks.

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

EZELLE URGES BOYCOTTING TOUGH-LABOR-BILL BACKERS—WOULDN'T BUY FROM RETAILERS WHO WROTE CONGRESSMEN—SAYS UNDER 100 FIRMS INVOLVED

Louisville area organized labor was urged last night to quit buying from retailers who wrote Congressmen to back tough labor legislation.

Sam Ezelle, executive secretary of the Kentucky State AFL–CIO, said the Kentucky Labor News would publish the names of the firms that wrote Congressmen.

The paper, official organ of the State labor body which has about 100,000 members, has already published a list of 13 firms here that urged adoption of the labor-hated Landrum-Griffin bill.

Ezelle made his boycott recommendation in a report on Federal legislation to the Louisville Central Labor Council.

"I am more than a little tired of this 1-day-a-week romance with storekeepers," he said. "They love us on payday and the rest of the week they write letters to Frankfort urging a right-to-work law and to Washington for a Landrum-Griffin bill."

Ezelle said he had ways of finding out which stores wrote Congressmen.

"Don't ask me how, but I can find out," he said.

He said, in addition to publishing the names in the State publication, lists would be sent to local unions.

"Now I'm not saying don't buy from them," he said. "But as good unionists you know what to do and it won't be a secondary boycott."

Ezelle estimated that there are a little less than 100 stores involved.

The CLC endorsed Ezelle's proposal.

In other action, the CLC voted a $100 donation to Kosair Crippled Children Hospital, heard a plea from Louisville police officers for support to get higher wages, and an address from University of Louisville President Philip Davidson.

Detective Charles Yates, speaking for the Louisville Police Officers Association, asked organized labor's help in circulating, and signing petitions to the board of aldermen asking for a pay raise.

Davidson told the meeting of the university's development plans.

LABOR LEGISLATION

Mr. MANSFIELD. Mr. President, if the Senator from Arizona will yield for a question, I do not know whether he can answer this or not, but I should like to ask a question relative to the conference on the labor-management bill. Is consideration being given to the possibility of exempting the clothing and garment trades so that they can continue on the same basis on which they operate at the present time?

Mr. GOLDWATER. I might say that, thanks to the help of the senior Senator from New York [Mr. JAVITS], the junior Senator from New York [Mr. KEATING], and the Senator from Pennsylvania [Mr. SCOTT], we have been able to devise language which will accomplish that result. The conferees have been in complete accord that this should be done all the way through, but we were unable to get language that would satisfy the desire, and not at the same time expand it to cover any number of other firms. In other words, we did not want to exempt all industries from the hot cargo provisions of the bill, but I can assure the distinguished Senator from Montana that the language is before us, that we are agreed on it, and I am very hopeful, as I said earlier, that some time today we can reach complete agreement.

I may say, in concluding my reply, that in my opinion we have only one stumbling block, and that is what we call the construction situs, which was offered as an amendment to the Senate bill, and which was defeated on the Senate floor, and which was part of the Elliott bill which was defeated. It is not contained in the House bill, and is not contained in either bill. It is extraneous. It has absolutely no application to the disclosures before the McClellan committee.

All the members of the Labor and Public Welfare Committee have given their word that they would take this whole subject of the construction industry up at the next session, and give it their full attention. This is in no way construction situs, in no way solves the problems of the construction industry. I am very hopeful that during the course of the day the forces working for the inclusion of this stumbling block will recede, that they will realize that reasonable men will keep their word and do something about it next year. To me it is unheard of to include in a conference report a piece of legislation that was turned down by both Houses and has no application to labor reform. So I am hopeful that we can overcome the effort.

Mr. MANSFIELD. I thank the Senator for his words of encouragement relative to what may well be a final solution to protect the good labor relations now existing in the clothing and garment trade industries, and I hope that the other matters will be considered and resolved also.

Mr. GOLDWATER. I can assure the Senator I have a deep interest in this. As the Senator knows, I have been a retailer all of my life. I have worked in what we call the garment sections of New York, Los Angeles, St. Louis, and Chicago. I know this problem intimately. I would be the last one who would want to see this relationship upset.

Mr. MANSFIELD. I thank the Senator, and I hope that the construction trades matter will be settled satisfactorily.

Mr. DOUGLAS and Mr. JAVITS addressed the Chair.

Mr. GOLDWATER. I have promised to yield to the Senator from Illinois.

Mr. DOUGLAS. Would not the Senator from Arizona agree with me that the able and persistent efforts of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Michigan [Mr. MCNAMARA], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Oregon [Mr. MORSE], have contributed greatly to the exemption of the garment trades and of the building trades from provisions found objectionable, and that the forces that have been trying to punish these unions have come primarily from the coalition of rightwing Republicans and of some of our brethren from south of the Mason and Dixon line?

Mr. GOLDWATER. Mr. President, with the first part of that question I can agree wholeheartedly, and I go further and say that all members of this conference have been extremely helpful. There has been no party feeling. There has been no politics.

As to the second part of the question, I challenge my friend from Illinois to describe one punitive measure in this bill he can ascribe to Democrats or Republicans. I regret that at this late hour the Senator decides to inject partisan politics in something that has not been in our deliberations so far.

I regret that at this late hour he decides to inject partisan politics into what has not been partisan politics.

Mr. DOUGLAS. It is certainly true that in the bill passed by the House there were a number of punitive measures.

Mr. GOLDWATER. Can the Senator name one?

Mr. DOUGLAS. Certainly; a complete ban on organizational picketing.

Mr. GOLDWATER. There was no complete ban on organizational picketing. The Senator has not read the bill.

Mr. DOUGLAS. The Landrum-Griffin bill virtually bans all forms of organizational picketing.

Mr. GOLDWATER. "Virtually" is a long way from "complete." I suggest that the Senator further explore the field. He will find that the word "virtually" does not even apply.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Arizona be allowed 2 additional minutes in order that he may yield to the Senator from New York.

The PRESIDING OFFICER (Mr. Moss in the chair). Without objection, it is so ordered.

Mr. JAVITS. I appreciate the courtesy of the Senator from Arizona in yielding to me. I think I know a little about the garment trade exemption. I found no member of the conference committee who did not want to provide for it, though there was considerable difference of opinion as to how it might best be done. But during my talks with members of the conference committee, I found unanimity over the fact that elimination of the type of sweatshop practice which has been eliminated in the apparel business—at least it is on the way toward being eliminated, if it has not been completely eliminated as yet—should be encouraged, with special consideration in the proposed legislation.

I cannot testify with respect to other aspects of the bill, or characterize them. There are other sections of the bill, which I opposed here and in the other body, but I do know about the exemption for the garment trade. I felt very much that there was great goodwill manifested on all sides in an effort to solve this problem.

I think the Senator from Arizona has been too modest in speaking of his own

part, which was most constructive and very helpful. I am very glad that the Senate is able to receive such a constructive report on this particular question.

As to the rest of the bill, I, like all my colleagues, have the expectation that we may be faced with a product which we can accept in an agreed-upon conference report.

THE DUNES OF INDIANA

Mr. DOUGLAS. Mr. President, as Members of this body know some months ago a number of us introduced a bill to set aside 5,000 acres of the Indiana sand dune areas as a national park. The distinguished present occupant of the chair [Mr. Moss] and the Senator from Alaska [Mr. GRUENING] made a trip to this area and submitted a very able report recommending that this be done.

I ask unanimous consent that a fine editorial supporting this effort, published in the San Francisco Chronicle of August 28, be printed in the RECORD at this point as a part of my remarks. It shows that this is a national issue.

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

THE DUNES OF INDIANA

Along the Lake Michigan shoreline in Indiana two antagonists glare at each other across some 5,000 acres of wild and lonely sand dunes. They represent, in unusually clear definition, other and similar forces which have fought and are fighting on other wild and lonely fronts, including on at Point Reyes, only 30 miles from San Francisco.

On one side, equipped with bird books, cameras, binoculars, and easels are the conservationists. They would keep the land as it is. On the other side, bulldozers already fueled and snorting, is industry, in this case two giant steel corporations. They own the dunes, plan to slice a harbor between their holdings and set up huge steel mills. If they succeed, this last stretch of untouched lakefront will be lost forever as a place of retreat for city dwellers and nature lovers, especially those from nearby Chicago and Gary, both cities badly in need of refuge from the asphalt jungle.

Why should what happens to 3½ miles of sand, bog, and forest on the Lake Michigan shoreline be of concern to us 2,300 miles away? Much the same question was asked over 40 years ago at a hearing to establish a Federal Indiana Dunes Park. A New York conservationist answered it:

"In no sense is this a local question. People who live in New York have just as near and dear an interest in the preservation of recreational zones * * * on the shores of Lake Michigan as they have in the preservation of similar objects in Yellowstone Park, or the Yosemite Valley, or Niagara Falls, or in the city of New York itself."

If this is true in a general and philosophic sense, it is also now true in a specific one. A group of 17 conservation-minded Senators has introduced the SOS (save our shores) bill which calls for the Federal acquisition for parks of the 5,000 acres of Indiana dunes, the 35,000 acres of Point Reyes beach, brush, and forest, and some some 441,000 other acres of recreational shoreline from Cape Cod to California's Channel Islands. It should have the support of everyone who believes that man, like the living things he so often supplants, needs a refuge from his own works.

The beaches of Lake Michigan are a lot closer to those of California than geography would indicate.

Mr. DOUGLAS. The editorial in the San Francisco Chronicle goes right to the point of the matter. This is not a struggle between Illinois and Indiana. It is a struggle between the conservationists and the giant industrial corporations, of National Steel and Bethlehem Steel, which wish to despoil one of the great natural beauty spots of the country and turn it over to industry.

Dealing with another, though somewhat cognate, matter, the effort on the part of many of us to preserve the dunes for the people of the country, including the people of Indiana, has met with great support inside the State of Indiana. Some 45,000 citizens, at least, of that State have signed petitions in support of our move to have a national monument created there.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a concurrent resolution which was introduced in the Indiana Legislature during the 1959 session.

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

HOUSE CONCURRENT RESOLUTION 3

Concurrent resolution memorializing the Congress of the United States to enact appropriate legislation to designate a certain area in Chicago, Cook County, Ill., as a national park and to convert the area, with Indiana help, into a dunes wonderland

Whereas certain Members of the Congress of the United States representing the sovereign State of Illinois are advocating the conversion of a portion of the State of Indiana's already limited shoreline bordering on Lake Michigan into a national park for cultural reasons; and

Whereas, they infer and imply that these cultural reasons far outweigh the quite apparent value that this particular area has as, potentially, one of the greatest industrial sectors in this country today; and

Whereas the boundless energy and unconfined zeal with which these worthy gentlemen press for the establishment of this area as a national park creates the suspicion that they may be working in concert with certain militant and well-financed groups, having business interests in and around the city of Chicago, State of Illinois, who are seeking to eliminate competition by putting a quietus upon the industrialization of this obviously valuable area, perverting the venerable power of eminent domain to personal advantage under the velvet glove guise of culture; and

Whereas others who have joined the clamorous chorus for culture seeking the establishment of a national park are, in truth and in fact, despoilers of the dunelands immediately adjoining the subject area, in that they have constructed exclusive summer home neighborhoods, occupied largely by Illinois residents, which are protected from the cultureless public by chain link fences and private police forces; and

Whereas the sovereign State of Indiana many years ago established a State park in the dunes area comprised of many thousands of acres which said State park still exists today, secure in its pristine beauty as a well preserved monument to the primeval past in spite of a heavy and constant Chicagoan and Illinoisan onslaught; and

Whereas, on the chance that a modicum of sincerity may be detected in this clarion call of culture, with deepest sympathy for the plight of the people of Illinois, whose national representatives must now inveigh against a sister State in order to supplement its park and recreation needs because of the improvidence of its State and local government, and with heartfelt sorrow for the pitiable condition of the once robust and vigorous city of Chicago, which now, like Ferdinand the Bull, would rather smell the duneland's wildflowers, instead of calling forth the powers of the land to build new jobs and virile industry; be it

Resolved by the House of Representatives of the General Assembly of the State of Indiana (the Senate concurring):

SECTION 1. That the Congress of the United States be, and it is hereby memorialized to enact appropriate legislation designating that area of the city of Chicago, State of Illinois, commonly known as the Loop, and extending eastward to the shores of Lake Michigan, as a national park.

SEC. 2. That such legislation further provides for the condemnation of all buildings in the area and that they be sold to the highest bidder and removed forthwith.

SEC. 3. That upon being notified that the area has been cleared, the State of Indiana shall immediately provide the city of Chicago with as much as is necessary of genuine duneland sand, sandfleas, slough and bog water, cattails, wildflower, scrub oak, fossils, and tin used-hops receptacles, so that an authentic dunes wonderland may be carefully reproduced.

SEC. 4. That the Congress of the United States advise the culture cacklers representing the State of Illinois to mind their own cotton pickin' business and we in Indiana will mind ours.

Mr. DOUGLAS. This concurrent resolution was introduced by Representative Robert E. Granelspacher, of Jasper, Ind., and Representative Otto Porgay, of South Bend, Ind. It is a very denunciatory resolution and I wish to read certain salient portions of it. The first section is as follows:

SECTION 1. That the Congress of the United States be, and it is hereby memorialized to enact appropriate legislation designating that area of the city of Chicago, State of Illinois, commonly known as the Loop, and extending eastward to the shores of Lake Michigan, as a national park.

Section 2 reads as follows:

SEC. 2. That such legislation further provide for the condemnation of buildings in the area and that they be sold to the highest bidder and removed forthwith.

Section 3, in which the Indiana legislators proceed to defame their own dunes, read as follows:

SEC. 3. That upon being notified that the area has been cleared, the State of Indiana shall immediately provide the city of Chicago with as much as is necessary of genuine dune land sand, sand fleas, slough and bog water, cattails, wildflowers, scrub oak, fossils, and tin used-hops receptacles, so that an authentic dunes wonderland may be carefully reproduced.

Section 4 reads as follows:

SEC. 4. That the Congress of the United States advise the culture cacklers representing the State of Illinois to mind their own cotton-pickin' business and we in Indiana will mind ours.

I think this resolution should be kept as a museum piece to show the depths to which certain defamers of the city of Chicago may go.

I am very happy to say, for the reputation of the State of Indiana, that the resolution was not reported from committee. However, it does indicate the

type of opposition which Chicago generally experiences whenever we try to do anything for the benefit of the country. We realize that some of this type of opposition exists in connection with our efforts to deal with the pollution problems which we of necessity face. It is very easy to defame a large city unjustly, but I do not think it appeals to the sober sense and ethical standards of the majority of the American people. At least that is my faith.

THE TRANSPORTATION ACT OF 1958

Mr. BRIDGES. Mr. President, before I begin my remarks, I ask unanimous consent that I may be allowed about 10 minutes additional time during the morning hour in order that I may complete them.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Just about a year ago the President approved the Transportation Act of 1958. Its purpose was to assist railroads by aiding them to acquire, build, modernize, and maintain facilities, plants, and equipment so as to "encourage the employment of labor and to foster the preservation and development of a national transportation system adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense." While the act we passed applied, in some respects, to all segments of transportation, the consideration that prompted our immediate action was the rapidly deteriorating situation of the railroads. It was the first comprehensive piece of legislation enacted by Congress in recent years to aid this great and indispensable industry. When passed, it was generally acclaimed by the public because the people knew that the railroads of the country were in dire financial plight and there were real fears that this vital link in our own transportation system might be broken beyond repair or restoration. That applies to my own section of the country, New England, and to the rest of the East, as well. Those of us in Congress who advocated its passage knew that it was no panacea for all of the ills of the railroad industry, but we thought it was a step in the right direction.

While we commemorate the anniversary of this legislation, let us remember that it is the duty of Congress not only to enact laws, but also to ascertain from time to time whether the laws passed have accomplished their intended purposes, and, if they have not, whether that failure is the result of inadequate legislation or of improper administration.

Briefly, the Transportation Act of 1958 was intended to do four things:

First. To provide, through Government guarantee, for loans to meet the emergency needs of carriers unable to borrow from private sources.

Second. To make it possible for railroads to more quickly prune out unnecessary and unprofitable trains.

Third. To put back, or retain, under Commission control the transportation of certain commodities which were escaping regulation as a result of court decisions.

Fourth. To permit the establishment of rates at levels designed to encourage the free play of natural economic forces in the division of traffic between competing modes of transportation.

There were other subjects then under consideration, many of which were controversial. To deal with these and other problems we directed the conduct of a comprehensive study to bring forth recommendations as to what Congress should do to get the most for the public out of our complex and rapidly expanding facilities for public transportation.

I think it is important for us to note that in spelling out these remedies, we did something revolutionary in transportation. Always before Congress has imposed increasingly restrictive measures. The railroads for decades have been considered a monopoly. Restriction was placed upon restriction until we finally realized that we had charged the Interstate Commerce Commission with the virtually impossible task of dividing the traffic between the various modes of transportation. Congress and the courts had gone counter to the antitrust principles which apply in other industry and had so construed the rule of ratemaking as to make it almost impossible for one form of transportation to reduce its rates if that reduction would, in the opinion of the Commission, deprive another form of transportation of traffic which the Commission deemed to be its fair share. We had been so intent upon preserving the so-called inherent advantages of all forms of transportation, that we were depriving the traveling and shipping public of the lower costs which are inherent in clean and vigorous competition.

In the Transportation Act of 1958—for the first time—we faced the fact that there is no transportation monopoly. To some degree we relaxed our previously imposed restrictions. We relieved the Commission of some of the burden of deciding which traffic belonged to which type of carrier and directed that rates should be tested by conditions within the industry seeking to make reductions. We made it clear that when one mode of transportation can reduce its rates and make money in the process, it should be allowed to do so. It was to be relieved of the obligation to keep its rates up and thus charge the public more merely to keep a less efficient mode of transportation in position to get what was considered to be its share of the traffic.

When we review developments in the past 12 months what do we find to be the situation? What has been the effect of our mandates of a year ago? It is my considered opinion that the Transportation Act of 1958 has not accomplished its intended purpose and that the failure cannot be charged off to the relatively short period of time that has elapsed.

An article which was published in the August 24 issue of the Journal of Commerce reported on developments under the 1958 act. The article was written by the Washington bureau of that publication and reflects that careful research had been made as to what has occurred. So that it may be available for the information of Congress, I ask unanimous consent that the article be printed at this point in the RECORD.

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

RAIL RELIEF STILL LAGGING UNDER 1958 ACT—STATUTE STAYS TANGLED IN MESH OF OWN WORDS AND ICC PROCEDURES

WASHINGTON.—The Railroad Relief Act of 1958 heads into its second year and an examination of its short lifetime indicates the law is headed for a long infancy.

Of the four major points written into law last year, not one has yet been accepted into the conglomeration of statutes known as transportation law.

Bogged down in the administrative process the relief supposedly accorded railroads in particular, and common carriage in general, is still awaiting weaning from the Interstate Commerce Commission (ICC).

FOUR PROVISIONS

Generally, the Transportation Act of 1958 provided:

For the guarantee by the Federal Government of the repayment of $500 million in loans from private sources to needy railroads.

Quicker discontinuance of interstate and intrastate trains and ferries deemed unprofitable.

The regulation by ICC of rates on formerly exempt commodities such as fruits and vegetables and fish.

A new rule of ratemaking by which ICC would determine the reasonableness of rates via a mode of transportation without taking into consideration the effect such rates might have on competitors.

Thus far, there have been these developments:

1. Although Government backing of nearly $65 million in loans has been sought, ICC has approved only $3,934,960 for Federal guarantee.

2. Fifty-three interstate trains have been discontinued and not one intrastate train.

NO RATE ACTION

3. Not one rate has been prescribed by the ICC for the transportation of commodities brought under regulation by the law of August 12, 1959.

4. The new rule of ratemaking appears to be no more than so much additional legal verbiage to add to the already complex term "reasonableness," and may be years in settling.

On the loan provision, the commission has actually approved the guarantee of a loan of $3 million for the Boston & Maine Railroad and a loan of $934,960 for the Georgia & Florida Railroad.

APPLICATIONS PENDING

It has stated terms under which it will approve a loan of $9,889,540 for the New York, New Haven & Hartford Railroad, but the transaction has not yet been concluded.

The Boston & Maine originally asked for ICC approval of a $6 million loan. Pending are applications from the New Haven for an additional $500,000 and from the Georgia & Florida for $1 million. Also, the New York Central has asked for a guarantee for a $40 million loan, the Atlantic & Danville Railroad for $800,000 and the Lehigh Valley for $6 million.

ICC's budget allots around $100,000 for the processing of such applications, an amount which is recoverable from fees assessed against applicants at a rate of three-quarters of 1 percent of the face amount of the loan.

POOR BY COMPARISON

While the number of unprofitable trains that have been discontinued might seem impressive it hardly seems so compared with the number of trains discontinued prior to the 1958 law.

In the 7-year period, 1951–57, the railroads discontinued on an average of 173 trains a year by obtaining appropriate authorizations from State commissions. The high number was 243 trains in 1952 and 117 trains in 1957.

No application for authority to discontinue intrastate trains, which involves a longer hearing process, has been approved by the ICC. Over 25 intrastate trains are involved in pending applications.

The 1958 law also eliminated any doubt as to ICC jurisdiction over the transportation of fresh and frozen fruits and vegetables and other commodities formerly considered exempt.

Rate regulation over such transportation, advocated by the regulated motor carriers as well as by the railroads, was supposed to have the effect of putting the regulated carriers on an even basis with gypsy haulers in obtaining the traffic.

The ICC followed its precedent of not suspending initial rates of carriers and let the gypsy carriers establish any rates they wanted. At the same time, however, the Commission instituted hundreds of investigations into the new rates for the purpose of arriving at reasonableness.

MIGHT TAKE YEARS

At this time, there has not yet been an examiner's report, and the ordinary timetable—examiners' reports, exceptions, Commission decisions, petitions for reconsideration, reconsideration, appeals to courts (most likely), etc.—indicates it might be years before a rate level may be established.

One of the more interesting aspects of the 1958 law is the so-called rule of ratemaking, whereby the Commission is admonished to consider the reasonableness of carrier rates without weighing the effect of such rates on competitive modes of transportation, "giving due consideration to the national transportation policy."

In only one or two cases has ICC had opportunities to view rates where the new ratemaking section was involved. In all instances it has held that the national transportation policy requires that all types of carriers be healthy and that there can be no such vigorous system without considering the adverse effect one carrier's rates might have on another mode.

LOWER RATES APPROVED

But then, in an obscure case last week—one involving reduced motor carrier rates on building materials from Twin Cities, Minn., to points in South Dakota—an ICC division approved the lower rates over the protest of railroads, saying that under the 1958 law, "a carrier is not required to maintain rates on an artificially high level to protect the traffic of another mode of transportation."

The Transportation Act of 1958 reached its first birthday with only a smattering of controversy. There are many more voices to be heard before it reaches the age of legal maturity.

Mr. BRIDGES. Mr. President, the article states that railroad relief is still lagging under the 1958 act, and that the statute remains tangled in the "mesh of its own words and ICC procedure."

It was our intent that, through the act, the railroads and other carriers should be given greater freedom in adjusting their rates and that the Interstate Commerce Commission was to expedite their consideration. It was thought flexibility in adjustment of rates would bring more business and would result in rehabilitating and revitalizing this industry. Committees of Congress were told that competitive rate adjustments under the supervision of the Interstate Commerce Commission could be the most effective way that railroads could help themselves. We considered this a fair approach because we felt that this legislation would enable all types of carriers to file competitive rate schedules; and, in turn, higher rates would be averted. In this way, the public would be benefited and inflation be dealt a devastating blow.

As we look back over the past year in an attempt to discover what the results have been, we find that the remarkable recovery in our national economy has made it possible for many of our railroads to improve their position simply because there has been more traffic to haul. Because the act does not lend itself to easy interpretation of its provisions, only a few railroads have applied for loans as authorized in the act.

While the railroad industry as a whole, up to the present time, seems to have prospered, we must admit the probability that recovery comes from an improvement in business conditions rather than from legislation. However, in my opinion, the July earnings of the railroads are alarming. They indicate a trend in the wrong direction. The steel strike and other factors have reduced the volume of available traffic. It is clear that if general business conditions level off again the railroads will be back at our doorstep in need of assistance. We will be confronted with the question as to why our act of 1958 has not brought results.

The railroads and their problems are of particular concern to the people of the New England area, including my own State of New Hampshire, while agriculture is important to us we are very dependent upon industry. We realize that the railroads are the backbone of our transportation system and are necessary to economic welfare and growth. They are indispensable to national defense. In my part of the country, we are well aware of the fact that where there is no railroad serving a given community heavy industry is not easily attracted and thus industrial development may be curtailed. We of the New England States, cannot sit idly by and permit the further abandonment of railroad trackage. We believe that it is absolutely necessary that we should, in every manner possible, assist the railroads to help themselves in order to preserve their economy and well-being, not only for the people engaged in the industry, but for the economic welfare of our people and the defense of our country. Whatever additional legislation the Congress deems necessary to help the railroads solve their problems should be enacted.

The railroads, certainly in the eastern part of the country, are in a dire situation. I do not like to think of what could happen if the worse should develop, as it might well develop.

Our American way of life makes possible the principles of free enterprise which are so fundamental to the preservation of business and industry. I think it is about time that we start translating these high-sounding phrases into positive action. We should permit the railroads and other carriers to operate as free enterprises and to exercise the freedom of action and freedom of decision found in other industries. Unless we do so, we are either going to be compelled to spend untold millions of dollars to support them, or face Government ownership—and may God spare us that result. Do the people in any other mode of transportation think for a moment that they could, in such an eventuality, escape the same ultimate fate? It seems to me that all forms of transportation have a direct and common interest in helping to preserve a healthy and prosperous railroad system.

Do not misunderstand my position. I am a vigorous supporter of all forms of public transportation and their problems, as they may arise, are also of great concern to me. Each of them is indispensable to our economy. However, when we look back over the record of the past 25 years we see that all other forms of transportation have multiplied in size and scope and have increased their facilities and equipment many times over. This has been all to the good and I commend the trucking industry, the airlines and the water carriers for the vigorous way in which they have met the challenges of our growing economy. But the railroads, which once were the sole connecting link in industrial America, and which at the turn of the century handled more than 90 percent of the traffic movement, and which only as late as 25 years ago handled 70 percent, have today declined to less than 50 percent of the total. How much lower should this index be permitted to drop?

Because of my concern for the economic plight of the railroads in my part of the country, I have been seeking information, as have many of you, as to how these problems may be solved. I have been intrigued by a relatively new development called piggyback. I believe that here is a technique which might very well be a solution for many of the railroads' problems. I see it as a means for getting trailers from place to place at lower cost and I welcome its promise as a means of reducing highway congestion. I gain a further impression that great savings for the shippers lie ahead in blending together the best features of the various modes of transportation.

This new method is said be rapidly growing and is being generally accepted by the shipping public and the railroads. A recent military report expressed the belief that the use of "piggyback," together with acceptance of uniform standards for containerization, will give us a more adequate transportation system, essential to the needs of warfare in an atomic age.

"Piggyback" may be of material assistance in the improvement in the railroad situation in two ways: First, in some instances, it encourages purchase and ownership of flat cars by shippers thus attracting new capital, and second, it provides a more efficient use for railroad cars. Flat cars may be quickly loaded and unloaded by merely rolling trailers on or off, and eliminating expensive intracity switching. And further, by this method, railroad cars are confined to use in mass movement be-

tween terminal points where they are most efficient, while delivery is accomplished by simply rolling the trailers off the flat cars.

Apparently "piggyback" is still in the embryonic stage, but its possibilities appear to be good.

I have explained the new freedom we gave, or intended to give, to all modes of transportation, because all modes of transportation are necessary, in order to be realistic in the reduction of rates as a means of finding the economic level at which each is the most efficient. I have just mentioned this new method of operation where highway trailers or containers may be hauled on flat cars and then quickly pulled over the highway to their ultimate destination. These two new things afford more real promise for the development of a transportation system in keeping with the times than anything else I have been able to discover. This combination of lower rates and better service could spell railroad recovery and make unnecessary Government subsidy to assure their continuous existence in our free enterprise system.

The railroads themselves in the past year by their actions have earned a great deal of credit for improvements they have made and are planning to make to modernize and speed up the efficiency of the railroad system. They have demonstrated an abundant belief in the principle of self-help. They have not stood still. They have introduced many innovations and have been turning more and more to the use of modern electronic devices to supplant outmoded yards and terminals and are also modernizing their accounting procedures.

They have demonstrated the wisdom of rate reduction by revision of their freight rates in order to meet the competition of the St. Lawrence Seaway. Only a short time ago, the eastern railroads reduced the grain freight rates to eastern points and ports, and, in so doing, they immediately commenced to enjoy the support of the grain shippers. In all of these endeavors they should be further encouraged.

This is just a part of the freedom of action that was intended by Congress, and, if we are to keep faith, we must open the door wider if the railroads are to survive and remain a vital part of our transportation system as a private industry, to the end that it will not be necessary for them to abandon any more railroad trackage. They have a duty to expand their service and participate in the business that is available to all methods of transportation on a competitive, economic basis.

In this connection, I should like to commend the recent action of the Senate Committee on Interstate and Foreign Commerce on which my distinguished junior colleague from New Hampshire [Mr. COTTON] serves so ably. In response to the mandate of Congress in the Transportation Act of 1958 the Chairman of the Committee, the distinguished senior Senator from Washington [Mr. MAGNUSON], recently appointed an advisory council of industry leaders from throughout the country to make a thorough study of the entire transportation field. This study by the Nation's top leaders from industry and labor, and including representatives of the public, with the aid of a highly qualified staff, will endeavor to frame a legislative program to foster the further development of the Nation's transportation system. Such a study should, of course, include not only the railroads, but also the carriers which operate over the highways and airways, on the sea, and on the inland waterway systems.

Also, I note that in his budget message to the Congress for 1960, the President directed the Secretary of Commerce to conduct a similar study—and I quote the order, appearing on page M–46:

> In recent years, the Federal Government has had to take actions to meet emergency problems which have arisen in highways, railways, and aviation. These actions have sometimes been taken on a partial and piecemeal basis, without full consideration of the impact on other transportation programs. The Secretary of Commerce, at my request, is undertaking a comprehensive study of national transportation to identify emerging problems, redefine the appropriate Federal role, and recommend any legislation or administrative actions needed to assure the balanced development of our transportation system.

We should be able to work out a public policy which will aid all segments of transportation and assure the continuation of our traditional, vigorous, free enterprise and competitive transportation complex, with a minimum of public regulation.

I hope these studies will encompass a complete and thorough review of the Transportation Act of 1958. Its objectives, as outlined in the Senate committee's report, should be surveyed, and there should be a determination of the degree to which it has succeeded or has failed of realization. The studies should also encompass a comprehensive review of the tax burden of the railroads, particularly as it may relate to possible inequities in their competitive position.

I think it is extremely important that these studies also include a review of the manner in which the administrative agency has interpreted the congressional mandate and intent and the speed and efficiency with which it has acted. It would be a misconception to infer that this statement by me indicates a lack of confidence on my part in our administrative agencies. Quite the contrary is the case. But I do believe most firmly that their principal duty is to carry out the intent of the Congress, as expressed in the laws Congress has enacted.

Mr. President, by way of conclusion, I should like to point out that the future welfare of the railroads as an integral part of our transportation economy and the continued employment of thousands of railroad workers in that industry cannot be left to stopgap or patch-and-mend measures which might be enacted by the Congress in times of fiscal emergency or national crisis. It is from within the railroad industry itself that strength must come on a continuing basis. Does it not seem reasonable, therefore, that if the railroads have found even a beginning of a workable solution, all parts of the Government should do everything legitimately within their respective spheres of power to foster and encourage them in their endeavors? Most certainly, the Congress and the agencies directly affiliated with the legislative branch have a particular obligation and responsibility to do their respective parts.

I hope this may be the trend of the future, because, in my judgment, it is the wisest and best public policy, and is absolutely essential to an expanding America.

Mr. WILEY. Mr. President, will the Senator from New Hampshire yield for a question?

Mr. BRIDGES. I yield.

Mr. WILEY. Mr. President, I wish to compliment the Senator from New Hampshire on his most thoughtful presentation.

Before I came to Washington, I was a local attorney, and represented three railroads. I remember at that time the extent to which what we might call "trips" were used.

The other day someone said, "The railroads must wake up to the tremendous opportunity which exists for them in America. In Europe, one can buy a railroad ticket that is good for 90 days."

Great numbers of Americans—including myself—have not visited all parts of this country. Does not the Senator from New Hampshire believe it would be well for the railroads to organize what might be called "See America" trips? For that purpose, they could provide sleeping compartments on the trains. Railroad trips could be provided, for instance, across the continent, going west across the northern route, and returning by means of the southern route, and en route stopping at all the worthwhile places; and the railroads could arrange for group trips, with perhaps 100 or more persons in a group. Many suggestions of this sort have been made.

Certainly we need to have in the railroad business those who will realize the opportunities which exist for proper utilization of the fine railroad system we have.

I am sure the Senator from New Hampshire realizes full well, as he has said, that we cannot afford to let our railroad transportation system die, insofar as taking care of the public is concerned.

Mr. BRIDGES. That is correct.

Mr. WILEY. In my State, the railroads want to get rid of their passenger service. But if the railroads were to lower the passenger service rates, and were to use less costly equipment, and if they served the public in such ways that many people would want to utilize that service, I am sure the railroads would find that the 3 million Americans who each year are reaching the time when they wish to utilize our transportation systems would wish to use the railroads. So I think the suggestions the Senator from New Hampshire has made will bear good fruit.

Mr. BRIDGES. I thank the Senator from Wisconsin for his comments and his suggestions.

If America is to prosper in times of peace, she must have not only adequate

railroad transportation, but also adequate truck transportation, adequate air transportation, and adequate ship transportation, both along our coasts and on our navigable rivers. I believe that all elements of service of those types must be maintained.

Today, I have discussed the situation in the railroad transportation industry, because, in particular—as the Senator knows—in my part of the country the railroads are the weakest link in the entire transportation system. In New England and the East there are railroads that are but two steps from bankruptcy. Some of these railroads are in dire financial plight. As a representative of one of the New England States and its people and its industries, we cannot afford to see the railroads fold up.

Furthermore, regardless of what form of transportation one may prefer to use, in case of a great national emergency, it is absolutely essential that the railroads be ready and available. If they are to be ready and available at such times, they must be maintained in healthy condition.

Mr. WILEY. Mr. President, at this point will the Senator from New Hampshire yield again?

Mr. BRIDGES. Certainly.

Mr. WILEY. As I understand the position of the Senator from New Hampshire, it is that not only the railroads but also the Congress owe the country the obligation of seeing to it that what we might call a railroad clinic is held, to find the necessary answers.

Mr. BRIDGES. Yes.

Mr. WILEY. We cannot find them by means of appropriating money, as we did some time ago.

Mr. BRIDGES. Yes. The Transportation Act which Congress passed about a year ago has been acclaimed by many persons. However, it has not accomplished what I hoped it would accomplish for both the Nation and the railroads.

Mr. WILEY. Someone has said that if the Government keeps feeding the people, they do not take the initiative which they should take. I believe that applies both to the railroads and to any others who may be in distress.

Certainly a clinic is needed, to examine the present situation and to seek the remedy.

Mr. BRIDGES. I thank the distinguished Senator from Wisconsin.

The PRESIDING OFFICER. The time available to the Senator from New Hampshire, under the limitation in the morning hour, has expired.

THE CIGAR INDUSTRY OF TAMPA, FLA.

Mr. HOLLAND. Mr. President, 92 years ago—in the year 1867—Don Ignacio Haya, a native of Spain, founded Cigar Factory No. 1 in Tampa, Fla., and pioneered the movement which has made this progressive Florida city the fine cigar capital of the world, where more all-Havana cigars are made than in the city of Havana itself.

Today, the Tampa cigar industry is comprised of 77 factories which employ approximately 20 percent of the entire labor market of the city and supply its largest industrial payroll.

Of the 4,500 manufacturing workers in the Tampa cigar industry, 3,000 devote their skill to making handmade all-Havana cigars by the careful Spanish method which requires triple the national average time for making a cigar.

Tampa and all Florida are proud of its cigar industry, with which are identified many of our fine old Florida families, generally of Cuban or Spanish origin. The art of Cuban craftsmen who followed the traditional Spanish hand method of rolling and finishing cigars has been handed down from generation to generation, and results in a standard of taste and quality in cigars which has brought this major Florida industry world renown.

On behalf of the Tampa cigar industry, my colleague, Senator SMATHERS, and I invite all Senators who enjoy the pasttime to top off their noon meal today with one of the fine all-Havana cigars which will be passed around the dining rooms, through the courtesy of the cigar manufacturers of Tampa, Fla. These cigars are made from the finest leaf tobacco grown on the island of Cuba, whose principal market is the Tampa factories. We hope that Senators will enjoy these cigars, which we are happy to provide.

RADIO AND TELEVISION COVERAGE OF EISENHOWER TRIP AND THE DAVIS CUP MATCHES

Mr. KEATING. Mr. President, there has always been a great deal of criticism of our radio and TV networks to the effect that they have not given adequate coverage or prime network time to newsworthy and topical current events programs. It often disturbs me that those who criticize the networks most often do not take note of those occasions on which the networks do an excellent job in covering either major news items or various events of educational or cultural importance.

I want today to call attention to an excellent editorial in this morning's New York Times which praises the radio and TV industry for their fine coverage of President Eisenhower's triumphal tour of Europe and the Davis Cup tennis matches. On both occasions, the networks allocated prime evening and weekend afternoon time for these events, and, as a result, it was necessary to cancel programs which would have yielded considerable revenue. I commend the radio and TV networks for their fine coverage of these two events.

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

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

PUBLIC SERVICE ON THE AIR

People who have been listening to their radios or watching their television screens these last several days have had the chance to witness some excellent examples of public service by these media. The very full reporting of President Eisenhower's trip abroad, the prompt rebroadcast of the television conversation between the President and Prime Minister Macmillan, and the nearly 5-hour transmission of the Davis Cup matches last Sunday were outstanding examples. At times the broadcasters have canceled sponsored shows to provide time for these public service broadcasts, at consequent financial sacrifice to themselves. Such enterprise and effective concern for the public interest deserve recognition.

STATES' RIGHTS TO TAX INTERSTATE COMMERCE

Mr. WILEY. Mr. President, we recall that, following the Supreme Court's decision relating to the rights of States to tax firms dealing in interstate commerce, there has been a great deal of concern among firms throughout the country regarding the impact which the Court's decision would have on their businesses.

Fortunately, both the Senate and the House of Representatives have now passed bills aimed toward clarifying the situation and helping to eliminate some of the problems—as well as to make a study of the overall situation. As we know, the bill is now in conference.

The conferees—I would hope—will find it possible to reach an early agreement on the different versions of this legislation. Certainly this should be one of the pieces of legislation finally approved during this session of the Congress. Although the measure will not solve all the problems, it is a step in the right direction.

To bring to the attention of the conferees the deep concern of a number of our businessmen in this matter, I request unanimous consent to have a number of theses messages printed at this point in the RECORD.

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

AUGUST 31, 1959.

Senator ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: We know from your careful interest in the business community of your State that you are fully familiar with the problems in taxation of interstate business which have been generated by the Supreme Court cases of this spring on the subject. Principally, these cases are the Stockham Valve Case, the Northwest Portland Cement case, the Browne-Foreman case, and the International Shoe case.

I know you can appreciate that the taxation of profits based on the point of destination of sales will create an enormous paperwork burden on companies such as our own. It will likewise tend to expose company profits to multiple taxation since it is exceedingly unlikely that the States taxing on the point of origin basis will change their positions. Finally, a point of destination basis for taxation will inevitably work an inequity on some businesses whose presence in the State is known by the taxing officials as against equally strong companies whose presence in such State is not known.

Accordingly, we wish to add our strong endorsement to what, in all fairness, seems to be required; namely, congressional action discouraging income taxation based on sales in States of destination unless there is some other substantial activity besides mere solicitation of orders occurring in such State.

Very truly yours.

AUGUST 31, 1959.
The Honorable ALEXANDER WILEY,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR WILEY: The Swiss Colony is a member of the U.S. small business. It is a mail order concern with national distribution but only one office. That office is located in the city of Monroe, State of Wisconsin.

We have been following with interest recent U.S. Supreme Court decisions regarding the taxability of an enterprise such as ours by the various States of the Union.

You undoubtedly realize the impact it would have on us if we had to calculate, segregate, and allocate our income and expenses among the 50 States of the Union in order to determine the proper tax to be paid to each of them.

The cost of clerical and accounting work involved alone would eliminate us from competition—the taxes we would have to pay would definitely underline the elimination.

These recent powers uncovered for the taxing authorities of the States are so wide that details to prove the effect they would have on us and upon our fellow small businesses are almost unnecessary. We will, however, be very happy to submit details to you.

We ask your consideration. We strongly urge that you fully study—as various news and tax reports indicate you are already doing—this potential monster.

At the same time we sincerely thank you for everything you have done and will be doing for us in this respect as well as that of other noteworthy legislation.

Best wishes.

Cordially, ——— ———.

MILWAUKEE, WIS., *August 25, 1959.*
The Honorable ALEXANDER WILEY,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILEY: We have written you before requesting your assistance in providing legislation to prevent State taxation of income derived from interstate commerce.

We understand that the House and Senate are now considering this legislation under a bill entitled House Joint Resolution 450 in the House and S. 2524 in the Senate.

We are requesting you as our representative in the Senate to support these bills.

Yours very truly,

——— ———.

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

DEAR SIR: Recently the Supreme Court made a decision (Stockham Valves-Northwestern Cement) that if not corrected by effective legislation will be disastrous to many small and medium sized companies doing business in more than one State.

I am speaking, of course, about the power of States to tax companies on what would normally be considered interstate commerce. Such taxes may now be imposed against a company which merely has advertised or sent a salesman into the State. Many States are currently rushing legislation through to take advantage of this decision.

I strongly urge you to support legislation such as S. 2524 with the following minimum provisions:

1. Prohibit States from taxing the income from interstate commerce unless the taxpayer has a place of business within the State.

2. Prescribe a uniform allocation formula for apportioning such income.

3. Prevent the States from collecting taxes retroactively based on the new Supreme Court interpretation.

Effective action must be taken on this before adjournment, as further delay may be disastrous to Wisconsin businessmen engaged in interstate commerce.

Very truly yours, D. R. AXTELL.

APPLETON, WIS., *August 27, 1959.*
Hon. ALEXANDER WILEY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: I am quite concerned because of the Supreme Court decision relative to the right of States to assess income taxes on a manufacturer who ships in interstate commerce.

The paperwork and tax accountant expense will be terrific. In other words, according to the decision, we would be required to file income tax returns in every State in the Union. We now file only in Wisconsin and California because we have warehouses in California. What the Supreme Court decision amounts to is that each State will require what amounts to a duty as if we were shipping into a foreign country.

I feel that legislation should be provided at once to avoid the chaos and confusion this decision will cause in interstate commerce.

Please give us a reply as to your views on this very important matter.

Very truly yours,

SEYMOUR GMEINER.

MANITOWOC, WIS., *August 27, 1959.*
Hon. ALEXANDER WILEY,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILEY: We wish to urge you to support the bills which are now in Congress which would prevent the various States from taxing corporations on interstate commerce. Under the decision of the U.S. Supreme Court in two related cases, one involving Georgia taxes and the other involving Minnesota taxes (*Northwestern States Portland Cement Company* v. *Minnesota* and *Williams* v. *Stockham Valves and Fittings, Incorporated*, 358 U.S. 50), the Supreme Court gave the various States power to tax that portion of interstate commerce carried on in their State by companies located outside the State.

This power given to the States will have the effect of restricting interstate commerce very drastically and will throw a tremendous amount of detailed work on the various companies doing interstate business, as well as resulting in duplicate taxation on income.

We urge you to take every measure to correct this very serious situation. May we have an expression from you as to your decision in this matter?

Awaiting your reply, we are,

Sincerely yours.

WAUKESHA, WIS., *August 31, 1959.*
Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SIR: Those who have been concerned over the recent Supreme Court decisions (Northwestern Cement–Stockham Valves) were pleased with the prompt action taken by both the House and Senate in the passage of corrective legislation. However, since the bills differ in certain important respects, I assume that these must be settled in conference.

The following are my comments on the most important of these differences:

1. The final legislation should bar assessment of back taxes as was done in the Senate bill (S. 2524). If this is not done, States would assess such taxes retroactively to the first year their income tax law was in effect (with interest). This could result in severe hardship particularly for small or medium sized companies doing business in interstate commerce.

2. The final legislation should cover all taxes on interstate commerce, as was done in the House bill (H.J. Res. 450).

Very truly yours.

ORDER OF BUSINESS

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

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

Mr. WILEY. Mr. President, I desire to speak on another subject.

The PRESIDING OFFICER. The Senator desires to speak on another subject.

Mr. WILEY. I am going to look at the clock now, Mr. President, to make sure that my dear friend from Illinois is not wrong. It is possible he could be wrong, as he has been on the whole issue regarding diversion of water from Lake Michigan.

Mr. President, I desire now to speak on another subject for 3 minutes.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry? How many more speeches does the Senator from Wisconsin have up his sleeve in an effort to continue his filibuster?

Mr. WILEY. Mr. President, without taking time from my 3 minutes, I want to say, if the distinguished Senator will recognize that this is the morning hour and that the purpose of the morning hour is to get into the RECORD matters which pertain particularly to vital issues in the country, later on we shall have something to say on the question of filibustering.

If the Senator has read the editorial published in this morning's Washington Post and Times Herald, he knows that the newspaper really took him for a little ride by indirection, because he is the one who has been shouting "filibuster."

I must say, the Senator does not distinguish between what is an argument on the issues and what relates to something collateral thereto. That is what determines a filibuster.

I must say, the Senator is a genius in filibustering himself, as the RECORD shows, since the Senator has held the floor for weeks and months at a time. He is the last one in the world who should attempt to criticize a Senator who is trying to give out a little information to the public on subjects which relate not to the issue before the Senate, in the morning hour.

Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

NEEDED ACTION ON THE NATIONAL HIGHWAY PROGRAM

Mr. WILEY. Mr. President, in Wisconsin and across the Nation, the national highway program is facing serious curtailment. Why?

Because the Congress has failed to act to provide the financing.

We recall that the President, again and again, has urged action by Congress to provide additional funds for improvement and expansion of our Nation's highways.

In the interest of the economy, I believe we can no longer afford to delay this vital program. Fortunately, the bill in the House has now been reported by the Public Works Committee, and, as I

understand it, is to be brought before the Rules Committee this morning.

Recently, I have received—as I am sure have other Senators—messages from individuals, businesses, and from county and State highway commissions stressing the difficulties and adverse economic repercussions caused by the "slowdown" of the highway construction program. Reflecting the need for expeditious action, I request unanimous consent to have a number of these communications printed at this point in the RECORD.

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

TREMPEALEAU COUNTY
HIGHWAY DEPARTMENT,
Whitehall, Wis., August 17, 1959.

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

DEAR SENATOR WILEY: The undersigned highway committee of the Trempealeau County Board of Supervisors wishes to bring to your attention the sincere desire of this committee that the Congress insure the continuation of the Federal highway construction program by the appropriation of sufficient funds through increased gasoline taxes, or such other measure as may be deemed appropriate.

Your committee is confident that it is expressing the will of the citizens of Trempealeau County in stating that the present Federal highway construction program is vital to the interests of this area and that to restrict or delay that program is not only to jeopardize the defense of our Nation, but will result in needless disruption of the local economy and serious interference with the projected highway maintenance and construction program of Trempealeau County as well.

We wish to respectfully urge that your office and influence be utilized to effect the adoption by the Congress of legislation that will provide the necessary funds by the United States to permit the various States to immediately resume their respective highway construction and maintenance programs, which programs are so vitally dependent upon the disposition of Congress.

Please permit us to extend in advance our appreciation for your efforts in behalf of this program and our gratitude for your effective representation of the interests of the people of Trempealeau County before the Congress in the past.

Very sincerely,

RUSSELL PAULSON,
JAMES STEEN,
IRWIN A. HOGDEN,
Trempealeau County Highway Committee.

BLACK RIVER FALLS, WIS.,
August 31, 1959.

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

DEAR MR. WILEY: The undersigned highway committee of the Jackson County Board of Supervisors wish to bring to your attention the sincere desire of this committee that the Congress insure the continuation of the Federal highway construction program by the appropriation of sufficient funds through increased gasoline taxes, or such other measure as may be deemed appropriate.

Your committee is confident that it is expressing the will of the citizens of Jackson County in stating that the present Federal highway construction program is vital to the interests of this area and that to restrict or delay that program is not only to jeopardize the defense of our Nation, but will result in needless disruption of the local economy and serious interference with the projected highway maintenance and constructon program of Jackson County as well.

We wish to respectfully urge that your office and influence be utilized to effect the adoption by the Congress of legislation that will provide the necessary funds by the United States to permit the various States to immediately resume their respective highway construction and maintenance programs, which programs are so vitally dependent upon the disposition of Congress.

Please permit us to extend in advance our appreciation for your efforts in behalf of this program and our gratitude for your effective representation of the interests of the people of Jackson County before the Congress in the past.

Very sincerely,

WALTER HART,
EDWIN PETERSON,
WM. J. HARKNER,
Jackson County Highway Committee.

The Honorable ALEXANDER J. WILEY,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR WILEY: May we please call your attention to the possibility of disruption of the economy of a sizable segment of industries in the State of Wisconsin which will result from enforcement of the recently passed 1960 Department of Commerce General Appropriations Act.

It is the writer's understanding that prior to the passage of this act the Bureau of Public Roads had access to moneys from the general fund for financing their projects, when necessary. The discontinuation of the availability of these moneys apparently puts the State highway commission in a position where instead of being able to obtain their reimbursement for work done within approximately 90 days it will make it necessary for them to wait approximately 8 to 10 months for payment. As a result they have apparently been forced to curtail the program which they had planned for the State.

We here in the State, who have geared ourselves to the anticipated large-scale national program of roadbuilding, will find it very embarrassing as it will force cutbacks in employment, which will finally affect the entire economy of the State if some immediate remedy is not found.

I am appealing to you in your position in the U.S. Congress to do all possible to correct this situation immediately, by whatever action is necessary.

Sincerely yours.

AUGUST 10, 1959.

Subject: Federal aid highway bill.
Senator A. WILEY,
Washington, D.C.

DEAR SENATOR WILEY: Please be advised that the failure of the Federal Government to continue the highway program has affected us most seriously inasmuch as we are subcontractors on many road jobs.

We therefore would appreciate very much if you would do everything within your power to see that the Government aids the highway program and continues it at as rapid a pace as possible.

Yours very truly,

THE PATENT SCAFFOLDING CO.
OF WISCONSIN.

AUGUST 18, 1959.

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

DEAR SENATOR: The purpose of this letter is to call your attention to the fact that the Federal highway program is proceeding faster, according to my observations, than the actual need for the highways happens to be.

Consequently, this program can very well be delayed as much as 2 years without it hurting anybody at all because the need for the highways as per the program is in excess of requirements.

Another thing, it is pretty generally recognized that a tax, once imposed, is never repealed. I feel that after we pay an additional 1-cent gasoline tax for a given period of years that it will become a matter-of-fact thing, and we will go on paying it for the rest of our lives.

I sincerely hope that you will fight this measure to a successful finish because it does not deserve your support in my humble opinion.

Sincerely yours.

BRILLION, WIS., *August 21, 1959.*

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

DEAR SIR: I am certain you realize by the nature of our business that we are, both directly and indirectly, involved in the national roadbuilding program. Directly, by supplying construction type castings, such as manholes and catch basin castings, etc., to the roadbuilder. Indirectly, by supplying rough gray iron castings to the manufacturers of heavy roadbuilding equipment.

Therefore, if we are to maintain steady employment and solid growth it is imperative that the roadbuilding program continue at a steady pace. I am also certain you are well acquainted with the additional losses in American lives delay in the national roadbuilding program will entail.

I am also of the opinion that the pay-as-you-go plan, as it was originally laid out, is by far the best. If an increase in the gas tax presents itself as an equitable solution to the program's continuance I do not believe we have any alternative but to adopt this means of financing.

It is quite apparent that something must be done soon, which is the reason for this letter. I am sure you will do the best thing for all parties involved.

I would appreciate being kept up to date on your progress.

Thank you for your time and consideration.

Very truly yours,

BRILLION IRON WORKS, INC.,
NEALE H. CAFLISCH.

AUGUST 5, 1959.

Hon. ALEXANDER WILEY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: The recent news concerning Federal aid for our Wisconsin highway program in 1961 and 1962 is certainly tragic, to say the least. We all know our need for better highways, as well as the employment this aid provides.

Your support of any legislation involving this aid to our highway program cannot be overemphasized.

Sincerely,

WILLIAM KLEMMER.

MILWAUKEE, WIS., *August 26, 1959.*

The Honorable ALEXANDER WILEY,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR WILEY: The crisis that has developed in our interstate road building program through lack of funds is a threat to the welfare of our Nation. I believe our legislators must take immediate steps to insure the needed funds to continue this program without interruption as envisioned in the Highway Act of 1956.

The cost of a cutback at this time would be tremendous through the loss of continuity in engineering, manpower and etc., which has all been geared to a continuous operation. Manufacturers as well have equipped

their organizations with necessary personnel, facilities and tools to insure that anticipated demands for their products would and could be met. Thousands of our citizens are also dependent on the uninterrupted continuation of this program for their livelihood.

In the vicinity of our larger metropolitan areas, local construction has been planned to work into the Interstate System in bypassing congested areas with construction already started. A holdup at this time would create worse traffic jams than anyone can possibly envision.

The present and increasing death rate of our citizens on antiquated highways with only 68 million vehicles at the present time will mount rapidly with the anticipated 100 million vehicles on our roads by 1975. Our road program must continue to help curb this death rate. It has been estimated that 4,000 lives yearly can be saved by the Interstate System.

The above figures alone make the cost of this program a secondary item. However, it is highly recommended that Federal financing be managed on a businesslike or "pay-as-you-go basis." Deficit financing of any type would not only increase the national debt but would add to the ultimate cost of the program. With this in mind I strongly urge your support in affecting legislation to continue the interstate highway program on an uninterrupted basis by increasing the present gasoline tax to pay for this program.

Very truly yours.

DIVERSION OF WATER FROM LAKE MICHIGAN, AT CHICAGO

Mr. WILEY. Mr. President, on a subject which relates to the point at issue——

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. WILEY. I am happy to yield.

Mr. DOUGLAS. Is this a continuation of the filibuster?

Mr. WILEY. Again I say, all the Senator knows is the word "filibuster." That is very apparent. The Senator keeps pointing to a filibuster—filibuster—filibuster. As I say, if the Senator will read the morning newspaper, he will find it really takes the distinguished Senator for a ride, by indirection, because he is the one who has been shouting to high heaven, "filibuster."

This is not a filibuster.

Mr. President, in pointing out the dangers of this bill H.R. 1, we are attempting to show that the measure would, first, be against domestic interests; and, second, threaten our relations with our good neighbor, Canada.

However, the enactment of the ill-advised bill would also create dangerous, far-reaching repercussions—adverse to U.S. interests—around the globe.

Historically, the United States has an honored reputation for living up to and carrying out in letter and spirit our agreements with other nations.

The proposed legislation before us threatens to negate that history; to destroy our reputation for integrity, honesty, dependability, and good faith in international negotiations.

How?

Let us look at a few ways by which it could adversely affect us:

First of all, the evidence presented to the Senate—in the form of views by the Canadian Government—are overwhelming proof that the pending legislation—if enacted—would be a definite violation of both the spirit and the letter of agreements with that friendly country.

Now, the proponents of this bill are proposing that, first, we ignore the protest of Canada; and, second, that we refuse to live up to the Boundary Water Treaty of 1909 and the Niagara Treaty of 1950.

We must ask ourselves such soul-searching questions as, What would this do to us in the eyes of the world?

First. What would this mean to America—for the reputation, dignity, and stature of the United States—if we deliberately and flagrantly take actions that violate the spirit and the letter of such international agreements?

Second. President Eisenhower is now traveling abroad—to further cement understanding and agreements with Great Britain, Germany, and France.

What would the enactment of treaty-breaking legislation by the U.S. Congress do to his attempts to reach agreement?

In effect, it would seriously handicap, or contribute to destroy the purpose—and hope for success—of the President's mission.

Third. What would such actions do to future negotiations for peace treaties, economic agreements, or any other negotiations between ourselves and other countries?

Just this: The confidence of the nations of the world in our willingness to live up to treaties and agreements would be seriously undermined.

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

Mr. WILEY. I ask unanimous consent that I have 3 minutes more, and then I will cease speaking during the morning hour.

Mr. DOUGLAS. I object.

The PRESIDING OFFICER. Objection is heard. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

DIVERSION OF WATER FROM LAKE MICHIGAN, AT CHICAGO

The Senate resumed the consideration of the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. PROXMIRE] to the first committee, amendment, striking out on page 3, lines 22 and 23, the words "one hundred and seventy-five" and inserting in lieu thereof the words "one hundred and eighty-five".

Mr. WILEY. Mr. President——

The PRESIDING OFFICER. The senior Senator from Wisconsin.

Mr. WILEY. I assume now we are not operating under the 3-minute rule.

The PRESIDING OFFICER. No. The morning hour has been concluded.

Mr. WILEY. I thank the Presiding Officer.

The PRESIDING OFFICER. We are now considering amendments to H.R. 1.

Mr. WILEY. Mr. President, in the exchanges the other day on the Senate floor, I think between the Senator from Alabama [Mr. SPARKMAN] and the Senator from Wisconsin [Mr. PROXMIRE], it was developed that there should not have been a vote to table the motion to send the bill to the Foreign Relations Committee until there had been a complete discussion of the issues.

I wish to say, Mr. President, that we have reached a very fine conclusion. I must say that while the Senate is busy in its committee work and Senators do not show up on the floor because they are busy with other activities, there is evidence that the real issue is permeating the minds and the consciousness of the men who will have to make a decision on the issues.

Because yesterday there were only two or three of us on the floor when the junior Senator from Wisconsin [Mr. PROXMIRE] gave such a very fine exposition of the angle I shall discuss, and the other issues, I still have the fortitude to bring before the Senate some of the ideas which I have caused to be put into a brief which was circulated among the Senators some days previously, but which apparently a good many of the Senators have not, even up to the present time, found time to read.

I have just sent to my office for a copy of the brief which was previously circulated. I ask that they be placed on the desks of Senators, in the hope that they will have the opportunity at least to examine the appendix to the brief, which I shall discuss in the near future. It sets forth not only the position of the Canadian Government and the present Premier, but also the position of his predecessor, and of a very prominent member of the Canadian Parliament.

Another thing I shall do is to repeat, in substance, a few of the ideas I mentioned on the floor of the Senate the other day. Among other things, I said that in my 20 years' service it was my great privilege to become acquainted with men of judgment, men of reason, men who think things through. I made the statement that when Senator Vandenberg, who occupied a seat not far from mine, would rise to speak, in order that his remarks might be in continuity, he would ask not to be interrupted. I am making that request now, because in the time I shall consume I trust I shall set forth succinctly my own views on the subject.

The other day I mentioned the fact that during this debate I have had two surprises. Very little attention was paid to my statement. First, I found that a number of Senators had not acquainted themselves with the issue, but had given their pledged word to vote in a certain way.

The other day I set forth on the floor of the Senate the fact that there were three bills. The first bill was in the House, and it was disposed of last year. It was a different bill entirely from the one reported from the committee.

The bill which was introduced in the Senate is a different bill from the bill which came from the committee. The

committee appended to the House bill two amendments which made it an entirely different measure. I placed those three bills in the RECORD.

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

Mr. WILEY. No. I do not wish to yield now. I ask to be permitted to continue my speech without interruption. When I am through I shall be very happy to yield, and be catechized by the distinguished Senator from Illinois. I want the RECORD to be in such shape that those who read can understand my position which I trust will be logical and informative.

I never question the integrity of a fellow Senator. We all have different backgrounds. The things that count more than anything else are the religious background, the educational background, the economic background, but, more than anything else, the geographical background. We strive to serve the interests of our section.

But the big issue involved in this case has no such application, because we are all Americans. When a Senator tells me—as several have—that he has given his pledge to Representative O'BRIEN to support his bill, I call attention to the fact that the bill which came from the Senate committee is entirely different. It is not the O'Brien bill. It is entirely different from the O'Brien bill of 1957, which was the one which some Senators, while they were Members of the House, had occasion to see. It is not the same bill as the Douglas bill or the O'Brien bill of 1958.

I remember when I occupied another seat in the Senate, when I first came here. I remember a very distinguished Senator from Illinois. His name was Lewis. He was a Lord Chesterfield, both in manner and dress. He came over to my seat, and was very friendly. I, of course, being a neophyte, appreciated the wisdom of an older man.

What did he say? Among other things he said, "I never commit myself to a vote in a certain direction on any bill until the measure is in front of me."

"Why?" I asked. I listened to his reply. He said, "You introduce a bill in the Senate. It goes to a committee. The committee operates on it. Then the bill comes back to the Senate, and the Senate operates on it, with amendments. Then it goes to the House, and when it reaches the House it goes through the same committee process. Then the bill may go to conference, and it comes back again after the conferees have acted."

We have an example of that at the present time. There is now in progress a conference on a labor reform bill. What will the result be? I do not know. No other Senator knows. The work of the labor bill conferees will be the result of compromise.

I remember hearing the distinguished Senator from Georgia [Mr. RUSSELL] say on the floor of the Senate, "Now that my bill has been amended, I must vote against it."

Following out the advice given to me by the distinguished Senator Lewis of Illinois, I can say that I have never given a firm commitment with respect to any bill, because, as may well happen in connection with the labor reform bill, there may be things in the bill which I oppose, as well as things which I favor. Yet I must vote one way or the other.

As I said the other day, the reason I am going into this subject is that I think I owe an obligation to younger Senators, just as Senator Lewis, of Illinois, felt that he owed me an obligation.

I had a background that also educated me. The idea of making commitments in respect of something that has not even been born does not make sense to me.

I remember a statement made by a prominent labor leader in the State of Wisconsin. Within the past 60 days he attended a luncheon in Washington at which I was present. He said, "I do not agree with Senator WILEY on many things, but no one has a rope around his neck."

I remember very well that during my last campaign one of the kingmakers, when asked whether he intended to support me, said, "Hell, no."

"Why? Isn't he honest?"

He replied, "Yes; he is honest."

"But what is the trouble?"

"He does not take orders."

That is why I can sleep well at night. Of course I disappoint people. Everyone is disappointed at times. Nevertheless, all I want is that when I shuffle off, it can be said of me, "He was his own boss. He was honest. His only boss was his Maker."

What application does that have to the bill before us? When the kingmaker back in my State—and his remark reached me—said, "The old s.o.b."—commenting on me—"does not obey orders," it was the best compliment I ever got.

When the man, the head of one of the fine, clean unions, made this other statement, I felt that labor and management at least had sized me up. So I am not bothered. Nobody tells me what to do.

I spoke yesterday with a fine member of a labor union. He started the conversation by saying, "You know, the Kennedy amendment," and so forth.

I said, "I don't know anything about it, and I don't think you do either. In other words, there has not been an agreement among the conferees."

He smiled and let it go at that. It did not take any time. We had no difference. I simply carried on.

Mr. President, I wish to follow through with the ideas contained in the brief which is on the desks of Senators. I call attention to the fact that annexed to the brief is a very interesting document. I hope Senators will take it and "pick at it," because to me it raises a big issue. For instance, it opens with this statement by Canadian Prime Minister Diefenbaker in the House of Commons on April 16, 1959:

Mr. Speaker, on April 8, 1959, the honorable member for Rosedale asked:

"Would the Prime Minister tell us the attitude of the Canadian Government toward the legislation recently passed in the U.S. House of Representatives in regard to the diversion of water from the Great Lakes at Chicago?"

I replied, after dealing with one or two matters of history, and said:

"We are paying the closest attention to this matter, at the same time not wishing to do anything that would in any way cause a situation to arise which might not be beneficial."

I now wish to bring the House up to date on this subject. When I last spoke on April 8 I stated what the fact was, that the Government was giving careful consideration, and since then has given further consideration to the most effective manner of making known Canada's opposition to the bill which, as I said a moment ago, has passed the House of Representatives and is now before the Senate Committee on Public Works.

Mr. President, the Prime Minister of Canada was giving careful consideration to the most effective manner of presenting Canada's opposition to the bill in the U.S. Congress. He said, further:

A note registering the reasons for Canada's objection was delivered on April 9, and with the leave of the House I ask permission to table it so that it might possibly appear in Votes and Proceedings. I am not going to read the entire note, but just two particular paragraphs thereof to indicate the general tenor and attitude of the Government in this regard. In the third paragraph the following appears.

I carry on with the Prime Minister quoting from the note:

Every diversion of water from the Great Lakes watershed at Chicago inevitably decreases the volume of water remaining in the basin for all purposes. The Government of Canada is opposed to any action which will have the effect of reducing the volume of water in the Great Lakes Basin. Careful inquiry has failed to reveal any sources of water in Canada which could be added to the present supplies of the basin to compensate for further withdrawals in the United States. The Government of Canada considers that many agreements and understandings between the United States and Canada would be broken if unilateral action were taken to divert additional water from the Great Lakes watershed at Chicago and directs attention to provision of two treaties in particular.

Let me digress from that matter just a moment. Is this something new? We will find out as we read the note that is is not.

Charles Evans Hughes, when he was the special master, spoke on this subject and said, in substance, that if the additional 1,000 cubic feet were granted, the total diversion would be 4,100 cubic feet; or following the Hughes analogy, 6 inches for 8,500 cubic feet, and 3 inches for 4,100 cubic feet.

I continue with the statement of Prime Minister Diefenbaker:

The first is the Boundary Waters Treaty of 1909 and the second is the Niagara Treaty of 1950.

The general summation of the attitude of the Government in this regard is contained in the last two pertinent paragraphs:

"Because of the importance attached by the United States and Canada to the honoring of international undertakings in letter and in spirit, the Government of Canada views with serious concern any possible impairment of agreements and undertakings relating to the Great Lakes Basin. Furthermore, the alarms created by repeated proposals for diversion which inevitably disturb the people and industry of Canada are a source of profound irritation to the relations between our two countries which we can ill afford."

Oh, Mr. President, as I heard the President of the United States last night, sitting close to British Prime Minister Macmillan, giving his views, and speaking about our relationship with Canada for 140 years, it thrilled me to hear him say that along the 3,000 miles of boundary there are no fortifications, no battle wagons, but simply friendship—enduring friendship. When I consider that happy situation, and when I read this document in my hand, I am sensible of the fact that we Senators must not attempt to "pass the buck" to the President of the United States.

Of course, some have suggested that the President will veto the bill. But no Senator should attempt to rely upon that procedure. Each Senator should tend properly to his own business.

I read further from the proceedings in the Canadian House of Commons and—in this instance—the Canadian note to the United States:

I am instructed, therefore, to express the hope—

Mr. President, I emphasize the words "the hope"—

of the Government of Canada that the United States of America will view this matter with equal concern and will be able to give satisfactory assurances that unilateral action will not be taken which would imperil the present regime of the waters in the Great Lakes Basin and the status of the agreements and understandings to which I have referred.

I read further from the proceedings in the Canadian House of Commons:

Mr. SPEAKER. Would the Prime Minister perhaps modify his request so the letter will be printed as an appendix to Hansard?

Mr. DIEFENBAKER. Yes.

Mr. SPEAKER. Is the House agreeable to having this document printed as an appendix to Hansard today?

SOME HONORABLE MEMBERS. Agreed.

(For text of document referred to above, see appendix.)

Mr. President, could anything have been more impressive than that statement by the Prime Minister of our sister nation?

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Wisconsin yield to me, to permit me to make an insertion in the RECORD?

Mr. WILEY. Mr. President, inasmuch as the distinguished Senator from South Carolina wishes to make an insertion in the RECORD at this time, let me state that I have no objection to yielding for that purpose and to accommodating him in that way, if there is no objection, because—although my remarks will be relatively brief—after he makes the insertion he has in mind, I shall be glad to resume.

So I am ready to accommodate my friend, on the condition that when he concludes his statement, my subsequent remarks will be printed in the RECORD in sequence with the remarks I have already made today.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object, let me say it is obvious that we are being faced with a filibuster led by the two Senators from Wisconsin.

I have taken the position that they must bear the responsibility for the filibuster, and that the Senate rules should be strictly enforced.

The rule provides that a Senator can yield only for a question; and that if he yields for any purpose other than a question, he loses his right to the floor.

I have a very high opinion of my colleague, the Senator from South Carolina [Mr. JOHNSTON], and I should like to cooperate in obliging him. But in the interest of orderly procedure in the Senate, and because of my desire to have the Senate get on with its business, and to make it as difficult as possible for my friends from Wisconsin to carry on their filibuster, I must, although most reluctantly, object. I hope the Senator from South Carolina realizes why I do so.

I hope that later a way may be cleared to enable the Senator from South Carolina to insert in the RECORD the matter he has in mind. But I cannot accommodate him at the expense of the just claims of the city of Chicago and the people of that part of the country.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WILEY. Mr. President, under those circumstances, I must continue my remarks.

I am sure the Senator from Illinois is repeating his old stunt of filibustering; and he is doing a pretty good job of using time by objecting whenever he can.

I must state that if he will have someone examine the RECORD and ascertain the time that has been consumed by other Senators, he will find that we who oppose his nefarious scheme have not been filibustering. One who filibusters does not talk to the point. One who filibusters talks on anything but the point.

Mr. President, in resuming my remarks, let me state that I believe I had pointed out that the first note was printed in its entirety in Hansard for the Canadian House of Commons—in other words, in the equivalent of our CONGRESSIONAL RECORD. The note was printed in the appendix to Hansard. I hold that insertion in my hand.

I was saying that not only did the Prime Minister of Canada express the hope that our country would view this matter with equal concern and would be able to give satisfactory assurances that unilateral action would not be taken, but he also expressed the hope that the United States would carry out her treaty obligations and agreements.

Mr. President, when I was at the United Natons, I became very well acquainted with the Honorable L. B. Pearson, then the Prime Minister of Canada. Today, he is the leader of the opposition in the Canadian House of Commons, at Ottawa. Let me read now what Mr. Pearson said in the course of that debate in the House of Commons:

However, the note has been presented, and I hope it will have the effect it should have in preventing the United States from taking action which would be a breach of treaty arrangements between the two countries.

Well, well, well, Mr. President; there we have it. So there is unity in Canada on this subject; there is no question about that.

Mr. President, I read further from the debates in the Canadian House of Commons:

Mr. H. W. HERRIDGE (Kootenay West). Mr. Speaker, on behalf of this group I want to say that we are extremely pleased to hear the statement of the Prime Minister with respect to this latest note. We are also pleased to note that it is in stronger terms than any previous note.

Mr. President, I emphasize the words "in stronger terms than any previous note."

I read further from the debate in the Canadian House of Commons:

We support the Government in any effort it may take to protect Canadian interests. We in this group hope that the Congress of the United States will pay attention to this day's proceedings and note from the proceedings that Parliament in this respect is unanimous.

Mr. President, under these circumstances I cannot understand why anyone would fail to understand the chief issue.

Someone has said that five or six States are against Illinois. However, the opposition is not to Illinois, but is only to Chicago and the Chicago district.

As Senators will learn, time and time again the Chicago district has failed to comply with the directions of the Supreme Court, and has exercised almost mandatory power, at times, despite the directions of the Supreme Court. When the Chicago district could not move the Court to do what it wished, Chicago has attempted to persuade the Congress of the United States to take action in the case.

Let us understand clearly what the situation is. As stated yesterday, back in 1930, the Supreme Court made its findings and its decisions, and provided then what amount of water Chicago would be allowed to take out of Lake Michigan and what should be done.

Thereafter, following that direction by the Supreme Court, Chicago developed one of the finest sanitary systems in the world, and that system did a good job. But about 5 years ago, Chicago began to add to her then area of approximately 120 square miles, and increased it, up to the present time, to between 500 and 600 square miles.

Of course, Mr. President, if an automobile or any other piece of machinery that is capable of doing a good job is suddenly asked to do 200 times what it was designed to do, there can be no doubt about what will happen.

So then it was that Chicago applied to the Supreme Court; and the Court allowed temporary relief, and suggested that Chicago clean up her own mess. But Chicago has not done so.

Chicago now has a case before the Supreme Court, which has appointed a special master to find the facts in the situation.

According to the history of this matter which we shall relate, that has happened time and time again. Time and time again, Chicago has obtained temporary relief, which was granted by the

Supreme Court with the idea that Chicago would do the necessary job, by building an efficient sewage disposal plant sufficient to take care of the increased amounts of sewage. Of course, as Chicago has so greatly increased in area, the amount of sewage which must be treated has likewise greatly increased in volume. But they just sat pretty, and did not comply with the direction of the Court.

Now, Mr. President, listen to this last sentence again, in which Mr. Herridge said:

We in this group hope that the Congress of the United States will pay attention to this day's proceedings and note from the proceedings that parliament in this respect is unanimous.

Mr. President, you remember what happened. After the bill had gone to the Public Works Committee of the Senate, the Prime Minister sent this note. I read only two sections of it, but I am going to read the rest of it. I want this record to be so clear that those who read and want to understand can see the issue. We have here the opposition of a united Canadian group in the government. Let us say we have the opposition of the Government of Canada, as expressed by Prime Minister Diefenbaker, the previous Prime Minister, L. B. Pearson, and by the representative of a group on the floor of Parliament, the Honorable H. W. Herridge.

It is so plain what the attitude was that there is a general assumption by lawyers that with this note the matter should have been presented in the first instance to the Committee on Foreign Relations.

Let us get it straight. This note, which I shall now read, was presented first after the bill went to the Public Works Committee. The date was about 3 weeks after the bill went to the Public Works Committee. Then it was that the note was presented to the Secretary of State.

The note reads:

SIR: I have the honor on instructions from my Government to refer to proposals for legislation in the United States of America concerning an increase in the diversion of water from Lake Michigan through the Chicago drainage canal. It is noted that one proposal to this effect has been approved by the House of Representatives and will shortly be considered by the Senate. During a period of many years there have been numerous occasions on which the Government of Canada has made representations to the Government of the United States of America with respect to proposals concerning the diversion of water from Lake Michigan out of the Great Lakes watershed at Chicago.

Many of these representations have been directed toward particular proposals then under discussion by United States of America authorities. Because of the importance of the question, the Government of Canada believes it timely to reexamine the considerations which it regards as most important concerning any proposals for additional diversion of water from the Great Lakes watershed. Accordingly, in order that there may be no misunderstanding as to the views of the Government of Canada, I have been instructed to bring the following considerations to your attention.

Then follows this paragraph:

Every diversion of water from the Great Lakes watershed at Chicago inevitably decreases the volume of water remaining in the basin for all purposes. The Government of Canada is opposed to any action which will have the effect of reducing the volume of water in the Great Lakes Basin. Careful inquiry has failed to reveal any sources of water in Canada which could be added to the present supplies of the basin to compensate for further withdrawals in the United States of America. The Government of Canada considers that many agreements and understandings between the United States of America and Canada would be broken if unilateral action were taken to divert additional water from the Great Lakes watershed at Chicago and directs attention to provisions of two treaties in particular.

Mr. President, I think this is very important. The Prime Minister of Canada did not just generalize. The Prime Minister of Canada particularized. He put his finger on the spot. He called to the attention of our Government—your Government and mine—the particular treaties that would be violated. The first is—and I am reading from the note:

(a) The Boundary Water Treaty, 1909: The applicability of either article II, paragraph 2 or article III of this treaty depends upon the interpretation of physical facts.

If Lake Michigan physically flows into the boundary water of Lake Huron, article II preserves to Canada the right to object to such a diversion which would be productive of material injury to the navigation interests in Canadian waters.

If, as has been asserted by eminent U.S.A. jurists, article III of the treaty applies, no further diversion shall be made except with the approval of the International Joint Commission.

(b) Niagara Treaty, 1950: This treaty allocates water for scenic and power purposes. The amount of water which shall be available for these purposes is the total outflow from Lake Erie. The specific inclusion of certain added waters in article III of the treaty emphasizes the underlying assumption that existing supplies will continue unabated. In addition to these treaty provisions, there is a further agreement of far-reaching importance. Power development in the Provinces of Ontario and Quebec is predicated upon agreed criteria for regulation of the flows of the St. Lawrence River. The order of approval of the International Joint Commission of October 29, 1952, as supplemented on July 2, 1956, and accepted by both our Governments, forms the basis for the construction and operation of the hydroelectric power installations in the international section of the St. Lawrence River. Criterion (a) of this order of approval assumes a continuous diversion out of the Great Lakes Basin limited to the present 3,100 cubic feet per second at Chicago.

There we have it. The order assumes that 3,100 cubic feet per second at Chicago shall be the basis of how we shall carry on in relation to the water supply in Lake Michigan.

Yes, Mr. President, we can set a great precedent of treatybreaking. I shall talk about that in the not too distant future. We can talk about the effects of breaking faith with the best friend we have in the world. There are none better than the common people of Canada, who have done a tremendous job, as anyone who travels through Canada can see. We can create, as has been suggested in the note, further misunderstanding.

We know what is meant when it is said, "In order that there may be no misunderstanding as to the views of the Government of Canada." That is what the Ambassador said.

Mr. President, I continue to read from the note which was sent to the Secretary of State 3 weeks after the Public Works Committee got the bill:

Navigation and commercial interests depend upon the maintenance of the basis upon which channel enlargements have been designed in order that vessels of deep draft may proceed with full load to and from the ports of the Upper Great Lakes. In this connection I would refer to the following matters:

(a) The construction of the St. Lawrence Seaway. Legislation in the two countries and the several exchanges of notes concerning the construction and operation of the seaway now just completed are based on the assumption and undertsanding that there will not be unilateral action repugnant to the purposes of the legislation. Withdrawal of water from the Great Lakes Basin would materially affect the operation of the St. Lawrence Seaway;

I think that has been demonstrated on the floor beyond the slightest doubt. The Senators from New York showed what would be the effect on the development of water power. We shall show, before we are through, what will be the effect and what is the effect upon the Great Lakes ports and upon navigation. That has been stressed fully, but it is a question of injury which the Senators have not thought about in regard to the bill.

Mr. President, Canada and America have put a billion dollars into the St. Lawrence Seaway, to make it the fourth coast in America. Yes, we have sought to make it a place where we can live and develop and grow. Shortly there will be 100 million people in that basin. Now we are talking about making it possible for one city to lay a precedent by action of Congress. Then there will be countless bills presented to Congress, from other cities. Think what logrolling there will be—"Yes; I voted for your bill; now you vote for mine." What a brilliant prospect that is. What a wonderful thing to look forward to. We do not have enough to tend to without creating another "open sore," so to speak, in legislation.

Mr. President, I continue the quotation:

Withdrawal of water from the Great Lakes Basin would materially affect the operation of the St. Lawrence Seaway.

The Canadian Ambassador said that. Really, there has been no proof to the contrary on the floor of the Senate.

Mr. President, I continue to read:

(b) Dredging. By agreement contained in the various exchanges of notes between the two countries, profiles have been prepared for the excavation which has taken place or is about to take place in the International Rapids section of the river, in the Amherstburg Channel and in the St. Clair River.

I presume the word "profile" means the same as "plans."

These agreements are based on the implied understanding that material changes

would not be made in the volume of water available for navigation.

Mr. KEATING. Mr. President, will the distinguished Senator yield for a question?

Mr. DOUGLAS. Mr. President, I must insist upon orderly procedure of the Senate. The Senator may yield for a question but not for an insertion in the RECORD.

Mr. KEATING. I asked the Senator to yield for a question.

Mr. WILEY. Mr. President, now that the Senator from Illinois has been so gracious and at long last has melted, I hope if I yield for the question that the question will follow in the proper context of what I am saying. If it relates to this matter I ask that it follow in order. I trust that my yielding will not interfere in the slightest degree with my right to pursue this course.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KEATING. Mr. President, the inquiry I want to address to the Senator from Wisconsin, who is making such a valiant fight and such an excellent argument, is this: Has the distinguished Senator from Wisconsin heard on the floor any effective response to the argument relating to the damage to our international relations which passage of the bill would cause? Has that question been answered by any Senator on the floor?

Mr. WILEY. I think I have been on the floor all the time, except perhaps for a little "breathing spell," we might say, when I have stepped out. I have heard no answer. The answer to the Senator's question is, "No."

Mr. KEATING. Does not the distinguished Senator from Wisconsin feel that is certainly one of the major implications of this proposed legislation?

Mr. WILEY. Undoubtedly.

Mr. KEATING. Does not the Senator feel it deserves some reply from those who are advancing the need for the proposed legislation?

Mr. WILEY. I presume we will hear an argument on that at the proper time. I will say that in spite of the statement of the distinguished Senator from Illinois, who constantly says there is a filibuster—of course, the Senator from New York had better look out, or he will be accused of filibustering, too——

Mr. KEATING. I have been.

Mr. WILEY. The Senator from Illinois has been doing a pretty good job himself in making a contribution to the continuity of the matter so far. But I have not heard anything, in response to the question.

Mr. KEATING. I thank my colleague.

Mr. PROXMIRE. Mr. President, will my colleague yield on the same point?

Mr. WILEY. If I may yield for a question without losing the floor.

The PRESIDING OFFICER. The senior Senator from Wisconsin yields to the junior Senator from Wisconsin for a question.

Mr. PROXMIRE. Is it not true that if the opponents of H.R. 1 desire to engage in a filibuster, what they would do would be to constantly suggest the absence of a quorum? Is it not true that by doing this a great deal of time could easily be consumed with very little, almost no, effort on the part of the opponents of the bill? Is it not true that we could do this over and over again? Is it not true that often in the past when opponents of a bill have wished to prevent a vote, they have resorted to this device, and is it not also true that the opponents of H.R. 1 have suggested almost no absences of a quorum?

And may I ask this concluding question? Is it not true that today we have not had a single quorum call, although it is 2½ hours since the Senate convened? I think this is the first time since the Senate has met this year that the Senate has gone for 2½ hours without a quorum call. Is it not also true that the reason we have not suggested the absence of a quorum is because we are very anxious to get the merits of this bill before the Senate and before the country?

Mr. WILEY. Mr. President, that is correct, and I must say, in commenting on the answer, that I am sure my distinguished colleague from Wisconsin is well versed in what constitutes a filibuster, because he sat at the feet of the distinguished Senator from Illinois.

Mr. KEATING. Mr. President, will the distinguished Senator yield for another question?

Mr. WILEY. I yield under the same conditions.

The PRESIDING OFFICER. The senior Senator from Wisconsin yields to the Senator from New York for a question.

Mr. KEATING. Has the attention of the Senator from Wisconsin been called to an excellent editorial in this morning's Washington Post and Times Herald in which the distinction is drawn between debate to furnish information and greater knowledge, deeper knowledge, to the Members of the Senate, and what could be termed a filibuster, in which the editors reach the justified conclusion that this debate has been on the subject all the way through, and has been conducted in order that the Members of the Senate might have greater knowledge, with the probability that if they are given the opportunity to vote again, as I hope the Senator will give them, and I am sure he will, they will say that the international ramifications of this bill are so important that it should be considered by the Foreign Relations Committee?

Mr. WILEY. I must say to the distinguished Senator from New York that I read the editorial, and I immediately prescribed it for the consideration of the Senator from Illinois, but he, being so filibuster-minded himself, could not see the point. I feel that the editorial itself takes the Senator from Illinois for a nice little ride.

Mr. KEATING. Mr. President, if the Senator will yield, I want to be sure that my colleague from Illinois hears this. Would the Senator yield for the purpose of a unanimous-consent request to place in the RECORD this editorial?

Mr. DOUGLAS. I must reluctantly object.

The PRESIDING OFFICER. Objection is heard.

Mr. WILEY. Mr. President, I thank all three—what shall I say?—battlers.

Mr. PROXMIRE. Will the Senator yield for another question?

Mr. WILEY. On the same conditions.

Mr. PROXMIRE. Would the Senator be interested in knowing that his junior colleague has tremendous admiration for the very competent job the senior Senator from Wisconsin has been doing on this issue of whether or not this bill should be referred to the Foreign Relations Committee?

Mr. WILEY. I thank my colleague.

Mr. PROXMIRE. Would the Senator be interested in knowing, further, that I have carefully read his brief, and that I, of course, earnestly hope that all other Senators will read it? Would the Senator be interested in knowing, further, that the junior Senator from Wisconsin feels that it would be very difficult for any Senator carefully and thoughtfully to read this brief and then vote against referring this bill to the Foreign Relations Committee?

Would the Senator be interested in knowing, further, that in the judgment of the junior Senator from Wisconsin it is very masterful, competent job?

Mr. WILEY. Mr. President, I thank my colleague. You know, at my age what one likes more than appreciation is more appreciation. So I am very grateful, I assure the Senator.

I shall now continue my discussion of this very, very important phase of what I consider is probably the main issue. It is a bigger issue than the issue between the five States and Chicago. This issue is the question of maintaining friendly relations, giving heed to the expressions of the leaders of the friendly nation to the north on a subject that relates fundamentally to the matter of whether we will become treatybreakers, whether we will become breakers of agreements, whether we will do that which will be detrimental to the St. Lawrence Waterway, on which we and Canada have spent a billion dollars.

That is a great moral issue, but more than that, it involves a great legal issue. It involves breaking a precedent of 175 years in which we have been a Nation, and I submit, Mr. President, that as far as I am concerned, if we should fail in having the bill sent to the Foreign Relations Committee, though I do not think we will, we will talk here until, as the fellow says, "Hell freezes over," as far as I am concerned.

No, I am trying to use a common phrase, one that is, let us say, very informative. It is not one that is used carelessly. It is an expression that expresses in no uncertain terms the determination of all of us that America shall not start in breaking the commandments, the commandments that have made international policy so firm between us and our allies. I do not have to say anything further on that subject except to say, as I repeated, and I of course shall repeat again.

Am I getting a real smile from my associate from Illinois? There is not much between us except a line, you know, across the State, but we are awfully glad that we lost Chicago some 75

or 80 years ago, whenever it was the Government took that area off of the Wisconsin Territory.

Mr. KEATING. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield, subject to the usual conditions.

The PRESIDING OFFICER. The Senator from Wisconsin yields to the Senator from New York for a question.

Mr. KEATING. Has the Senator noticed that when the Senator from Wisconsin and the junior Senator from New York engage in a colloquy, the distinguished Senator from Illinois moves over closer with apparently a suspicion that there might be something sinister or untoward in our actions?

Mr. WILEY. Oh, no, no. I cannot agree to that. I think he just has a liking for me. That is all.

Mr. KEATING. That may be it.

Mr. WILEY. So I am glad to see him becoming closer and closer here to distinguished Senators.

Mr. FULBRIGHT. Will the Senator yield for a question?

Mr. WILEY. Subject to the conditions that I not lose the floor, I will yield for a question.

The PRESIDING OFFICER. The Senator from Wisconsin yields to the Senator from Arkansas for a question.

Mr. FULBRIGHT. Mr. President, I should like to ask if I may insert something in the RECORD.

Mr. DOUGLAS. I must object.

Mr. FULBRIGHT. I was asking a question.

The PRESIDING OFFICER. Does the Senator from Illinois object to an insertion in the RECORD?

Mr. DOUGLAS. I object.

The PRESIDING OFFICER. The Senator from Illinois objects. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the senior Senator from Wisconsin yield for a question?

Mr. WILEY. Subject to the usual conditions.

Mr. PROXMIRE. Does it not strike the senior Senator from Wisconsin as unusual that the close friendship of the Senator from Illinois for the Senator from Arkansas, which was so apparent yesterday and which was so striking, has now apparently deteriorated to such a point that now the Senator from Illinois will not make an exception for his firm and good friend from Arkansas?

Mr. WILEY. Mr. President, I would not go that far. I will just say that the Senator from Illinois is getting a little weak and tired and wants this matter to close.

Mr. KEATING. Will the Senator yield to me for a question?

Mr. WILEY. Under the conditions I have heretofore stated, yes.

Mr. KEATING. Does the Senator realize that, despite objections made by the Senator from Illinois to certain unanimous-consent requests of mine, I bear no ill will toward him?

Mr. WILEY. That is one of the remarkable things about being a Senator. As I stated earlier, in speaking about a Senator's obligation, I never criticize a Senator because he disagrees with me. All I ask is that a Senator not give snap judgment when he has not gone into the record. That is why I have caused to be placed on the desks of Senators copies of a brief which I presented to the Committee on Foreign Relations, and which has in it excerpts from the debates in the Canadian Parliament, the purpose being to throw light on a very misty subject, which started out being misty, first, because of the attitude of the two distinguished Senators from Illinois. I see the junior Senator from Illinois [Mr. DIRKSEN] approaching with a smile on his countenance.

Second, there is the influence of the O'Brien group in the House. They have had exceedingly great influence here. It is my object, of course, to clear away the mist if I can, by bringing out the facts, and by logic, as well as by the contentions not only of the present Prime Minister of Canada, but the former Prime Minister, Mr. Pearson, as well as of Mr. Herrid, a Member of the Canadian Parliament, who said:

> We in this group hope that the Congress of the United States will pay attention to this day's proceedings and note from the proceedings that Parliament in this respect is unanimous.

I shall continue reading from the note which I started to read. The last thing I spoke about was the new channel, with respect to which it was said that there was an exchange of notes on February 28, 1959:

> (c) New channel. In an exchange of notes dated February 28, 1959, it has been agreed that a new channel should be constructed to eliminate the so-called southeast bend of the St. Clair River—

This is the important thing. This is from the Prime Minister of Canada—

> The agreement by the Government of Canada to this proposal was based on the understanding that there would be no artificial interference with the present supplies of water.

"No artificial interference with the present supplies of water." What is it Chicago wants? First, she has 3,200 or 3,300 cubic feet, which was allowed by the Court. Now she wants the Congress of the United States to give her another thousand cubic feet. We have already had plenty of evidence as to what the influence of a thousand cubic feet would be, and what the meaning of a thousand cubic feet per second is—not per minute, not per year, not for 24 hours, but for 365 days in the year, a thousand cubic feet every second. It amounts to more than a thousand billion gallons off the surface of that lake. It is said that that does not amount to anything. We shall see about that.

I continue reading:

> Because of the importance attached by the United States of America and Canada to the honoring of international undertakings in letter and in spirit, the Government of Canada views with serious concern any possible impairment of agreements and undertakings relating to the Great Lakes Basin.

Canada "views with serious concern." Can we not "view with serious concern" when a great sister nation speaks to us about a situation? Can we not think this problem through, as unbiased, unprejudiced, untied individuals, as Senators who want to find a solution?

How can a solution be found? It can be found by referring this question to the Committee on Foreign Relations. Why? First, because it relates to treaties with our best friend, Canada. Second, it relates to understandings with and commitments to our best friend, Canada. Yet we are asked to ignore them.

I read further from the parliamentary debates:

> Furthermore, the alarms created by repeated proposals for diversion which inevitably disturb the people and industry of Canada are a source of profound irritation to the relations between our two countries which we can ill afford.

Could any language be clearer? They are talking about a source of profound irritation to the relations between the two countries. The argument is so profound that we shall be here for a long time, if necessary. A great principle is involved. Can we afford to break treaties? Can we put ourselves in the same class with Khrushchev? Can we become what other names infamous in history became because they would not keep treaties? The answer is "No." For me and my children the answer will be "No" for a long, long time.

I read further:

> I am instructed, therefore, to express the hope of the Government of Canada that the United States of America will view this matter with equal concern and will be able to give satisfactory assurances that unilateral action will not be taken which would imperil the present regime of the waters in the Great Lakes basin and the status of the agreements and understandings to which I have referred.

Was that the end of it? It was the end of the April 8 note. But to show how our Canadian friends keep their fingers on what transpires in America, and how they are remaining alert, when the Committee on Public Works, first, by a vote of 7 to 7 on a motion to table, and then by a vote of 8 to 6 to report the bill, reported the bill to the Senate——

Mr. PROXMIRE. Mr. President, will the Senator yield at that point for a question?

The PRESIDING OFFICER. Does the senior Senator from Wisconsin yield to the junior Senator for a question?

Mr. WILEY. I yield under the same conditions stated heretofore.

Mr. PROXMIRE. Is it not true that although the bill was reported by a vote of 8 to 6, three of the eight members of the Public Works Committee who voted to report the bill favorably recommended that it be referred to the Committee on Foreign Relations?

Mr. WILEY. The Senator is correct.

Mr. PROXMIRE. Is it not true, therefore, that a majority of the Public Works Committee is telling the Senate that in its judgment the bill should go to the Foreign Relations Committee?

Mr. WILEY. That is absolutely true; but I also wish to make clear that I am satisfied that the other members of the committee feel likewise. At least one of them said to me, "We are only the Public Works Committee. We have not had time to go into the issue, which be-

longs under the jurisdiction of the Foreign Relations Committee. In fact, we are not competent to do so, because we are not schooled in the field of foreign relations."

In other words, I think it is very clear that although I submitted this brief to the Committee on Public Works, a brief which I have caused to be placed on the desks of Senators, I presume that members of that committee, like Senators who are members of other committees, felt that they were not sufficiently informed about the diplomatic phase of the matter as it concerns our relations with Canada. At the time I attended that committee's meeting, I think only three members of the committee were present. As a consequence, they were not informed on the subject which I am now discussing. I am certain that a majority of the Senate and of the people of the country are not informed about it.

I observe that the distinguished senior Senator from Kansas [Mr. SCHOEPPEL] has entered the Chamber. I may say to him that I have caused to be placed on his desk a brief which I hope he will take the time to read, particularly the exhibit which is attached and which is the position of the Canadian Government, stated in no uncertain terms. The Senator from Kansas will find that it is the unanimous position of the Canadian Government with respect to the proposed diversion of water from Lake Michigan. All I ask is that every Senator afford himself the opportunity to examine this brief.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question on this very important point?

Mr. WILEY. I yield.

Mr. PROXMIRE. Is it not the clear policy of the leadership in the Senate on virtually all bills to accept the recommendation of a majority of the committee, and to adopt that recommendation as the position of the leadership? In other words, is it not true, in the absence of some overriding party policy or some traditional policy of the Democratic or the Republican Party, that when a committee makes a majority recommendation, the leadership honors its recommendation and does its best to see that the majority recommendation is carried out?

Mr. WILEY. I think that as a matter of policy that is true. On the other hand, there are many exceptions. But I think the Senator has proved by his statement that the majority of even the Committee on Public Works was in favor of having the bill referred to the Committee on Foreign Relations.

Mr. PROXMIRE. Is it not probably true, as was indicated by the distinguished junior Senator from Alabama [Mr. SPARKMAN], that many Senators do not know that the recommendation of the Committee on Public Works is that H.R. 1 be referred to the Committee on Foreign Relations?

Mr. WILEY. My answer to that would be that I have not canvassed that situation. I have not asked any Senator to support our position. I feel that the solution of this matter is something for each individual Senator to reach when he realizes the significance of the issue which is here presented. I hope that the position which my colleague implied in his question is the correct one.

Mr. PROXMIRE. Is it not important that Senators, like the two Senators from Wisconsin who oppose the bill, do all in their power to call the attention of the Senate to the fact that the committee which reported the bill in this instance itself recommended that the bill be referred to the Committee on Foreign Relations?

In view of the fact that most Senators have only a cursory interest in other than national matters, matters which do not apply to their own States, do they not place great reliance and trust in the judgment of the committee and vote in accordance with the majority decision of the committee?

Mr. WILEY. I hope the Senator is right in what he implies. This is not the complete answer so far, because after the committee reported the bill to the Senate by a vote of 8 to 6, two or three Senators, as suggested by my distinguished colleague, proposed that the matter be referred to the Committee on Foreign Relations.

When it became known to Canada that its previous note had received apparently—I say apparently—no consideration—which was not true—and when the committee reported the bill, the conclusion was that the Senate had been sold a bill of goods and that the previous note had not been called adequately to the attention of the Senate.

So on August 20—and, as I remember, the bill was reported several days before that—the Department of State received the following note. From whom? From the Canadian Government, through its Ambassador. I quote:

> I have the honor to refer to my note No. 184 of April 9, 1959, concerning legislative proposals to increase the diversion of water from Lake Michigan at Chicago.
>
> I am instructed to inform you that the Government of Canada has taken note of the recent legislative developments in the United States concerning this matter.

That means the action of the committee.

> In this connection, I am to advise you that the Government of Canada explicitly reaffirms the position set forth at length in the above-mentioned note.

What note? The note of April 9, 1959, which I have been discussing.

> In the view of my Government any additional diversion of water out of the Great Lakes watershed would be inconsistent with existing agreements and arrangements which together constitute an agreed regime with respect to these waters. The proposed unilateral derogation from the existing regime therefore occasions serious concern in Canada.

I think we might again ask ourselves about the serious concern in Canada.

> Please accept, sir, the renewed assurances of my highest consideration.

I am concerned. Let Canada know that I am concerned and that my colleague from Wisconsin is concerned. I trust that the majority of the Senate is concerned. That means we are not flouting the notes of a friendly nation. It means we are giving consideration to this very serious matter. It is a serious matter when men will ignore such a responsibility as is ours today. It is very serious.

Mr. President, there is something else. I realize, as I have said heretofore, the influence of the distinguished senior Senator from Illinois [Mr. DOUGLAS]. I realize also the influence of the minority leader, the distinguished junior Senator from Illinois [Mr. DIRKSEN].

Senators on both sides of the aisle have come to me. I have not asked them to vote for anything in all my years as a Senator. I again say, as I said earlier, that I have a high concern for the integrity of the Senate. Senators come to me and have said, "I am sorry, but I have pledged my word."

I again say: "Pledged your word? And you know nothing about the proposal?"

One Senator who said that came to me this morning. He said, "You are right. I had not gone into this matter. I gave my promise, but it was a blanket promise, without knowing the facts. I now know the facts. I have read your note. I know what the issue is. It is bigger than Illinois against five States. The real issue is whether America will keep faith."

Mr. President, when I was privileged to attend the Queen's visit to Canada, I saw then the distinguished Member of our House of Representatives who accompanied the Senator from Illinois. I refer to Representative YATES, who previously had accompanied the Senator from Illinois [Mr. DOUGLAS] to Canada, to have our Ambassador there arrange for them a consultation with the Prime Minister of Canada. All these matters are covered in the material I have attached to my statement, just to show how attempts have been made to use influence.

I do not condemn what these two distinguished gentlemen did; but neither do I approve. Certainly our State Department has its own functions.

Let us see what was said in the Canadian House of Commons on April 23:

> WATER RESOURCES—CHICAGO DIVERSION—MEETING BETWEEN PRIME MINISTER AND MEMBERS OF U.S. CONGRESS
>
> On the orders of the day:
>
> Hon. LIONEL CHEVRIER (Laurier). May I direct a question to the Prime Minister. Will the Prime Minister be good enough to tell the house whether he received Senator PAUL DOUGLAS, of Illinois, this morning in order to discuss with him the question of the diversion of water from the Great Lakes basin into the Chicago drainage canal; and would the Prime Minister say, if he met the Senator, what was the result of the interview?
>
> Rt. Hon. J. G. DIEFENBAKER (Prime Minister). The honorable member for Essex West also intended to ask this question. Some few days ago the U.S. Ambassador suggested that it might be possible for me to meet with U.S. Senator DOUGLAS and Congressman YATES, one a Member of the Senate from Illinois and the other a Member of the House of Representatives from the same State. They were here this morning and I met with them, though they were not here in any sense as an official delegation, because the suggestion had been made that the meeting might provide an opportunity for them to place before the Government the views which

they hold respecting the bill which would provide for an additional diversion of water from Lake Michigan at Chicago.

I listened to the expression of their views and we had a very interesting talk together, but I may say without any equivocation that I was unable to offer them any hope that as a result of the expression of their views the known opposition of the Government of Canada to the bill would in any way be diminished.

That is clear enough, I think, to make it understandable to all that while I was very happy to meet with these gentlemen, their views did not alter the views expressed in the message to the Acting Secretary of State of the United States, sent by this Government on April 9.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. WILEY. Yes, without losing the floor.

Mr. DOUGLAS. Let me ask the Senator from Wisconsin what was wrong concerning the visit of the Senator from Illinois and Representative YATES to the Prime Minister of Canada? What fault does the Senator from Wisconsin find with it?

Mr. WILEY. Does the Senator from Illinois ask what was wrong about it?

Mr. DOUGLAS. Yes; what, if anything, was wrong with that?

Mr. WILEY. I did not imply that anything was either right or improper.

Mr. DOUGLAS. Then why is the Senator from Wisconsin bringing up this matter?

Mr. WILEY. I am talking about the Senator's attempts to influence. I am talking about how the Senator from Illinois exerts his influence on the floor of the Senate, on Members of the Senate. I am talking about how he and the O'Brien outfit in the House of Representatives even got promises to vote so-and-so. That is what I am talking about. I am trying to expose the fact, so it will not happen again. I am saying that what we need is an exposition of the facts, and no more trips by Members to Canada, to visit the Prime Minister of Canada—for, after all, relationships between our Government and the Canadian Government are the function of our State Department—and no more attempts to get the Prime Minister of Canada to switch the views of Canada.

Mr. DOUGLAS. Mr. President, I make the point that the Senator from Wisconsin is out of order.

Mr. WILEY. Mr. President, I am not criticizing the Senator from Illinois. I could say that, in a sense, he is an awfully good contractor.

Mr. DOUGLAS. Mr. President, I make the point of order that the Senator from Wisconsin is out of order, and should be required to take his seat.

Mr. MANSFIELD. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order is demanded; and the Senator from Wisconsin may proceed.

Mr. WILEY. I thank the Chair. Of course, I have the floor. It seems that, at least to some extent, I have gotten under the skin of the Senator from Illinois.

I was referring to the fact that the Senator from Illinois went to Canada, to attempt to meddle with governmental business in Canada. That is really something to think about. I do not know whether any bill or any law was involved. I am simply calling the facts to the attention of the Senate.

The Senate now has before it H.R. 1. The fact that only a few Senators are now in the Chamber indicates clearly that the attention of most Senators has been occupied by other matters. But I want the RECORD to stand; and I have been quoting from the debate which occurred in the Canadian House of Commons.

Mr. President, earlier today my attention was called to an editorial entitled "Snitching Great Lakes Water," which was published today in the Washington Post. In connection with the arguments I am making at this time, I desire to read part of one of the paragraphs of the editorial:

> Sponsors of the bill try to justify riding roughshod over Canada's wishes regarding these international waters by saying that officials in Ottawa have shifted their position in the last year. Spokesmen for Canada deny this emphatically, but even if it were true we do not see that it would have any substantial bearing on the issue now before the Senate.

I think the record shows very clearly, Mr. President, what effect a little bit of influence had in connection with the debate last year. I am sure it reached even into the State Department, at times.

But Canada reaffirms her position. She has stood firm, through the years, on this matter.

I wish to say very definitely that if the matter had not gone, last year, the way it did, the scalp of someone would have been nipped a little bit. I do not refer to any Senators; I refer to folks in the State Department, who, I am sure, were taking action not consistent with what Secretary Dulles knew on the subject.

Mr. President, as my dear associate would say, I am just getting into my speech; at this time I am really getting into it. He has done a wonderful job. Mine will not equal his, because, although he is young in years, he is old in wisdom; wisdom has really gotten into his gray matter, so that he can take care of almost anyone, on any occasion.

We recall the way he politicked in Wisconsin. He really had no trouble at all going up and down the highways and byways of that State, into the factories and onto the farms. He did not make any promises; he simply talked and proceeded to present the facts.

So, as—of course—one of the younger Members, myself, at this time I feel so chipper, as I contemplate this subject, that I shall certainly continue my remarks for another 3 or 4 hours; and then we shall see how the gentleman feels on the subject.

Mr. President, in pointing to the dangers of the pending bill, we are attempting to show that the bill is, first, against our domestic interests, and, second, threatens our relations with our good neighbor, Canada. However, the enactment of an ill-advised bill would also create danagerous far-reaching repercussions adverse to the U.S. interests around the globe. Historically, the United States has an honored reputation for living up to and carrying out in letter and in spirit our agreements with other nations. The proposed legislation before us threatens to negate that history, to destroy our reputation for integrity, honesty, dependability, and good faith in international negotiations.

As one who has been on the Foreign Relations Committee for a good many years, I submit, Mr. President, that this matter of international honesty, integrity, and dependability is not just talk. It is a matter that receives serious consideration in the U.S. Senate Foreign Relations Committee. If we make an agreement, we have got to know that the folks with whom we are dealing have got the character to carry through. That has been our policy through the centuries and the decades.

Mr. LAUSCHE. Amen.

Mr. WILEY. And good faith in our international negotiations is imperatively necessary. If we become the exponents of breaking faith, what effect will it have?

Let us look at a few ways by which the interests of the United States could be adversely affected. First of all, the evidence presented to the Senate is in the form of views of the Canadian Government. These are overwhelming proof that the pending legislation, if enacted, would be a definite violation of both the spirit and the letter of an agreement with that friendly country.

The proponents of this bill are proposing that we ignore these two protests of Canada; that we refuse to live up to the Boundary Waters Treaty of 1909 and the Niagara Treaty of 1950.

We had better ask ourselves such soul-searching questions as, What would this do to us in the eyes of the world? What would this mean, first, to the reputation, dignity, and stature of the United States, if we deliberately and flagrantly took action that violated the spirit and the letter of such international agreements?

Secondly, President Eisenhower is now traveling abroad to further cement understandings and agreements with Great Britain, Germany, and France. What would be the effect of the enactment of this treaty breaking legislation by the U. S. Congress?

What would be the effect? Well, I am sure that some of my colleagues heard the President say last night that we have lived in peace with Canada, without fortifications on a boundary line 3,000 miles long. Senators know what the effect would be if we set the example now of breaking agreements.

What would be the effect of the enactment of this treaty breaking legislation by the U.S. Congress? What would it do to our chances of reaching an agreement abroad? In effect, it would seriously handicap or contribute to destroying the purpose and hope for success of the President's mission.

But my objection, Mr. President, is deeper even than that. I am an American, and I believe in keeping faith. I believe that our agreements or treaties must be inviolate so far as we are concerned.

What would such action—and I am referring to passing the bill—do to future

negotiations for treaties, economic agreements, or any other negotiations between our country and other countries? Just this: The confidence of the nations of the world in our willingness to live up to treaties and agreements would be seriously undermined.

I hope each Senator will recognize the significance of his position. I just hope that the effect of his vote will reach back into his constituency, because the effect of voting for the bill would be, "I do not give a tinker's blank as to what our agreement with Canada is. I do not believe we have any business considering our treaties with Canada."

Such a vote might have serious effect on some persons at the next election.

A suggestion was made this morning by the distinguished Senator from Illinois, when he was talking about the voters in Chicago. Well, I have letters from Chicago; and if I had time, I could tell something about the district's actions and what the people think of the district. I am not going into that, because that would be just another diversion. That would be just following the tactics of my distinguished associate from Illinois. I am sticking to the point, to the issues. It does not make any difference in that respect what the neglect of the district has been, what it has been accused of; and I might say that the people of Chicago, by an overwhelming vote, want the district to clean up the mess, the same as the Supreme Court has said many times it was the function of the district to do.

And if at this time we very clearly indicate by an overwhelming vote that we want the district to clean up the mess, too, they will probably go ahead and do it. But if we delay or if we have a close vote which indicates that the Chicago bunch in the House can keep on having an excuse for being reelected each time by putting in these bills, then we will find out something different. I am asking, in the interest of international justice, international integrity, international dealings, that we keep faith.

I am also asking for order, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOUGLAS. Mr. President, under rule XIX, I suggest that the Senator from Wisconsin is out of order and should take his seat.

Mr. WILEY. Mr. President, the Senator is not even asking a question. I object.

Mr. DOUGLAS. I understand the Senator from Wisconsin referred to me and my colleagues as "the Chicago bunch." This is a violation of rule XIX. I respectfully request the Chair to rule upon my point of order, and, if my point of order is well taken, that the Senator from Wisconsin be requested to take his seat.

Mr. WILEY. I do not yield for a point of order, Mr. President.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. Under Senate Rule XIX, when a Senator reflects upon another State the Chair has no discretion but to ask the Senator to take his seat.

Mr. WILEY. May I be heard, Mr. President?

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator may proceed upon the adoption of a motion to that effect.

Mr. MAGNUSON. Mr. President, I move that the Senator from Wisconsin be permitted to proceed in order.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington. [Putting the question.]

Mr. DOUGLAS. Mr. President, reserving the right to object——

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin may proceed in order.

Mr. WILEY. Mr. President, may I suggest also that the point of order, which I think the RECORD will show, is not in accordance with reflection on a State. My remarks related not to Illinois, but they related to the district. I want to get that clear. I want to say, if it were pertinent and if it were not another diversion, I would produce evidence right from the records; but I make it plain that that is not my point.

I wish to say, I shall abide by the rule, if I correctly understand it. Does it relate to the State?

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. WILEY. I should like to know whether the rule has application to a city or to a district, or whether it relates to a State.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that any reflection upon a portion of a State would be considered to be a reflection upon the State.

Mr. WILEY. Does the Presiding Officer refer to any section?

The PRESIDING OFFICER. Any reflection upon a portion of a State would be considered as a reflection upon the State.

Mr. WILEY. I will abide by the rule, but I must call attention to the fact that they are not all angels in Chicago.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin may proceed. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. WILEY. Mr. President, I want to pursue my presentation.

I think the last thing I spoke of was: Thirdly, what would such action do to future negotiations for peace treaties, economic agreements, or any other negotiations between ourselves and other countries? That is a very important question, Mr. President. The confidence of the nations of the world in America must not be shaken by an action which would result from this proposal before the greatest deliberative body in the world.

Look at the Senators. Yes. Confidence must not be shaken.

Fourth, the enactment of legislation to authorize treatybreaking would be a tremendous boost—for what? It would aid Communist propaganda. Can Senators not see that? Can Senators not see what propaganda the Communists would send throughout the country? They would say, "America—America, which poses to be so clean, which poses to have such moral concepts, to never break its word—ah, look at what it has done. It has violated the treaty of 1909 and the treaty of 1950, setting up in detail the agreements."

The passage of the propsed legislation would be a tremendous boost to the Communist propaganda. Over and over we have accused the Communists of failing to live up to their agreements, of tearing up treaties, of violating in every possible way agreements which they have made with other countries. Who did that? We did that, on the floor of the Senate. We have spoken out time and time again. The Government of the United States, speaking through its department, has called attention to that fact.

Mr. President, we are asked to follow in their footsteps. We are asked to follow in the footsteps of the treaty breakers. Are we now to put ourselves in the position of aiding the Communists? Are we now to do that? Are we to be irresponsible? Are we to destroy the integrity—yes, the dependability—of a nation which, in the eyes of the world, now deserves the utmost respect?

If this should happen—and I sincerely hope it will not—Khrushchev could laugh at us at future East-West negotiations. That would be a wonderful reception for him when he comes to America. There is not any question about what he would put on the radio and television.

Khrushchev would tell us, "You have been posing as great international moralists. You have been talking about living up to agreements. You have been accusing me. What about your obligations under the 1909 treaty and under the 1950 treaty? What about your obligations under the St. Lawrence Seaway agreements, to maintain it intact?

Mr. President, the question of this threat to our national dignity and integrity is really a serious one. I have mentioned before how serious I think it is. I am going to repeat it.

In this world of tremendous friction and challenges, with possibilities of a catastrophic eruption, there is one thing we have to establish, which is that when America gives its word it keeps its word. When the President speaks, as he has, to Mr. Adenauer, and when he gives his word, we are going to keep his word. When the President speaks to the Prime Minister of Britain, as he spoke last night over the international television broadcast, we are going to keep his word. When the President goes to France, we will do likewise.

I feel we are going to keep faith with Canada. We are not going to permit ourselves to be sabotaged into a lot of weak thinking. Instead of being siphoned off up a blind alley, we are going to keep our eyes on the prime issue, which is that Canada and America have to live together and to work together, as they have in two wars fought together. So we are going to keep faith.

Rarely, if ever, in our history has there been such a concerted effort by a special interest to "throw to the winds" the traditional reputation for integrity, high

standards of conduct, good faith and conscientiousness which our country has had down through its history, as it has attempted to live up to its agreements.

I respect the proponents of this bill as good Americans. I can only believe that in this case their heads are under the water. They are not seeing beyond their local cause. They fail to realize the dangers—the far-reaching dangers inherent in this proposed legislation. I sincerely hope that this phase of my argument will have the effect of opening up their eyes and getting them out of this water which seems to embarrass them as they present their viewpoint.

In the note there was brought out the statement that every diversion of water from the Great Lakes watershed at Chicago inevitably decreases the volume of water remaining in the basin for all purposes.

We can get down now into some of the facts relating to what we might call the domestic issue, which of course crosses with the foreign relations issue of our dealings with Canada. The Government of Canada, it was said, is objecting to any action which will have the effect of reducing the volume of water in the Great Lakes.

In relation to the second ground, the Supreme Court said in 266 U.S.:

> With regard to the second ground, the treaty of 1909 with Great Britain expressly provides against uses affecting the natural level or flow of boundary waters without authority of the United States or the Dominion of Canada within their respective jurisdictions and approval of the International Joint Commission agreed there.

The prominent word there is "uses." It provides against uses affecting the natural flow of boundary waters without the authority of the United States or of the Dominion of Canada.

Let me say, confirming the statement I have just made in relation to Canada's position, that diversion of water from the Great Lakes watershed at Chicago inevitably decreases the volume of water remaining in the basin for all purposes, let me say that the language I have just quoted is also in substance the language of a great American, Henry L. Stimson, who in 1913 said:

> In a word, every drop of water taken out at Chicago necessarily tends to nullify costly improvements made under direct authority of Congress throughout the Great Lakes. (Marquette Law Review, 155.)

That is pretty clear. I think Mr. Stimson at that time was Secretary of State; I am not so sure. He said, among other things, that it would nullify expenditures of an amount of money, millions of dollars, as well as inflict even greater loss upon the navigation interests using such waters.

We will take now the provision that has been asserted by U.S. jurists, that article III of the treaty applies, that no further diversion shall be made without the approval of the International Joint Commission.

Yesterday there was quite a discussion of that, and if we take article III of the treaty we find that the statements made yesterday were pertinent and applicable. The court has said that if article III of the treaty applies, then no further diversion shall be made without the approval of the International Joint Commission. Is there any provision in there indicating that the proponents want to refer the question to the Commission for approval? Look at the bill. Of course I am discussing the first amendment.

The Niagara Treaty has been mentioned, and the specific inclusion of certain added waters in article III of the treaty emphasizes the underlying assumption that existing supplies will continue unabated.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield for a question, without losing my right to the floor.

Mr. LAUSCHE. Does the Senator from Wisconsin know and understand that at present the International Joint Commission is making an investigation, upon the joint request of the Dominion of Canada and the United States Government, about a proposed diversion of water in the Columbia River Basin 700 miles north of our border?

Mr. WILEY. Yes, I have that information. I thank the distinguished Senator from Ohio for bringing it up at this point, because it is very relevant. In other words, if we were to break the treaty we have, there is no question in my mind that Canada would have justification for doing the very thing the Senator mentions without approval of the Commission, because we both agreed that we would submit such matters to the Commission. This is absolutely what we might call a tangent effort, over and above our agreements in that regard, to get the Congress of the United States to do the dirty work.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. WILEY. Yes.

Mr. LAUSCHE. Is it not a fact that when Canada proposed to do some diverting of the headland waters of the Columbia River basin, our Government thought that the treaty of 1909 applied, and that our Government said, in effect, "Let's not get into a dispute about this. Call upon the duly constituted machinery, the International Joint Commission, to hear the testimony and render a decision"?

Mr. WILEY. I thank the distinguished Senator again. His statement is one of fact, a fact that I would have covered, but it will not be necessary now, because our Government and Canada have "played ball" for 140 years. They have never broken faith between each other. This is the first instance where anyone wants us to breach the faith by legislative action.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. WILEY. For a question.

Mr. LAUSCHE. Is it not a fact that when the Dominion of Canada submitted to the International Joint Commission the problem of the water use in the Columbia River Basin it in effect said, "We entered into a solemn agreement with you designating how disputes shall be settled, and we contemplate abiding by that solemn agreement"?

Mr. WILEY. I again thank the Senator. In that he is stating a very important fact of our relations with our great neighbor to the north. Through the decades, as I have said, ours has been a friendly relationship, based upon moral responsibility and legal responsibility.

Mr. LAUSCHE. Will the Senator yield for a further question, Mr. President?

Mr. WILEY. Under the conditions heretofore stated.

Mr. LAUSCHE. And is it not a fact that the Dominion of Canada in protesting this contemplated increase of a thousand cubic feet per second in the diversion at Chicago has called upon us to use the procedures set forth in the 1909 agreement to settle this misunderstanding?

Mr. WILEY. I think the Senator is correct. Again I state that it is pursuant to agreements between our two Governments. There is the 1909 treaty. Of course, that was a treaty with Great Britain, and after Canada became a Commonwealth she assumed the responsibility. What is more, she has lived up to everything in that treaty through the years. She has kept the faith. That is Canada, keeping the faith.

Mr. LAUSCHE. And is it not a fact that if the pending bill shall be enacted it will be the first time in our history, at least with Canada, that we have broken our word?

Mr. WILEY. I would not say at least with Canada. I should say that the American doctrine is that a treaty can only be abrogated by mutual consent of the parties. That has been our policy, and we have lived up to it.

Of course, when we found that we were attacked, that of itself, in several instances, made it necessary to abrogate a treaty, but there is no instance I know of where America, having entered into a valid treaty in relation to any subject, has broken faith. America has the reputation throughout the world of being a nation that keeps faith, that lives up to its word; moreover, it is the great helper of humanity. In the past 10 or 12 years we have spent some $60 billion in seeking to resuscitate nations of the world which were formerly our enemies. If the Senator heard the President last night, he knows that President Eisenhower and Mr. Macmillan agreed that one of the big challenges was to continue to see to it that some 600 million people or more living under submarginal conditions are given a helping hand. That is America. That is the Senator's country and my country. I will not be a party to putting a black mark against its name.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. WILEY. I yield.

Mr. LAUSCHE. Is it not a fact that on the floor of the Senate, on the floor of the House of Representatives, in the columns of the writers of the Nation, and in the words of commentators on television and radio, the argument has been repeatedly made that the word of the Soviet Communists and of the Red Chinese Communists cannot be depended on, because of repeated violations of international treaties?

Mr. WILEY. That is a correct statement. The same statement has been made on the floor of the Senate, in the press, and by those high in authority. That is one of our present problems. The President went to Europe with the idea of consolidating the West, obtaining unity of approach. He is doing one of the great jobs of history. I take off my hat to him. When Khrushchev comes over here, I am satisfied that what President Eisenhower is accomplishing over there will have an effect on Khrushchev.

But we recognize that while the Russian people—some 200 million of them—are good people, the philosophy of Khrushchev and his crowd is not the same as ours. They do not think as we do. They have not the same moral responsibility. As a consequence, when agreements are made, we shall have to be wary. We must keep our powder dry, our eyes open, and our ability to take care of ourselves intact.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. WILEY. I yield for a question.

Mr. LAUSCHE. Is it not a fact that in the general approach of the Red Soviets to responsibilities, and to what we recognize as justice, they interpret words and make their decisions on the basis of what will best serve their cause? In other words, everything that is helpful to Soviet Russia is right. All that is neutral or harmful is wrong; and on that basis they approach their responsibilities.

Mr. WILEY. In reply to that statement, let me say that I believe the common people of Russia have moral responsibility. This is not the first time in the history of the world when great bodies of people have been under the influence and thumb of a few who have precipitated great international catastrophies. History records the fact that ambition is a tremendous force for evil. We have seen it in the case of Hitler and the Kaiser. In the development of the history of the people of the world we have seen how Britain, France, Spain, and other nations have sensed, as they thought, the need for world domination. Before them came Greece and Rome, and before them Egypt and other nations.

But the world is different now. If such a process were to start again, by intercontinental bombs and missiles we could destroy the race.

Second, the issue is so important and conditions are so different that we learn to keep faith with governments, either through fear of what might happen if faith were broken, or through an understanding of the divine principles of brotherhood. In that way we can get results.

We do not believe that the Kremlin sees things as we do. It has done a stupendous job for the Kremlin. With our assistance their nanny goat was saved. They have now precipitated revolution all over the world, based upon several factors, the first of which is the submarginal living standard of many peoples; second, a desire for political freedom. The leaders in the Kremlin have given aid to revolutions. They are indulging in that practice now. They are undoubtedly behind the Chinese attack on Tibet. There is no question that in Southeast Asia they are precipitating the Communist drive.

All those things bring us to this conclusion: When we talk, words mean different things. If we were to talk about moral responsibility to Khrushchev, as the Senator has suggested, he would not understand what we were talking about. His idea is based upon the lust for power, for world domination—one world, under the domination of him and his group. That is his mission. It seems to me that we should realize that we must not, by our own acts, contribute toward making him more effective on the world's stage.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio for a further question?

Mr. WILEY. I am glad to yield provided I do not lose the floor.

Mr. LAUSCHE. In the opinion of the Senator from Wisconsin, what would the reaction of our American citizenry be if there were brought pointedly to their knowledge the fact that the U.S. Senate is asked to violate a solemn promise and agreement made by the United States with the United Kingdom and with the Dominion of Canada?

Mr. WILEY. I have great faith in the moral responsibility of our people. I was brought up in a Christian home. I am sensitive of the fact that one of the things that was taught was, "Never give your word unless you can keep it."

What is needed in the world is more spiritual perception, so to speak—a comprehension of the verities of life. I am satisfied that among the one-hundred-seventy-odd-million Americans there is the fundamental conclusion that if and when the facts are known, they will resent the enactment of such a proposal as is before us. I am satisfied that they are a people who keep the faith, especially when relationships between our country and another country are involved.

That is the strength of our Government. That is what gives President Eisenhower strength in Europe. The people of Europe know America. They know the history of America. They know how we have kept faith during the decades and centuries.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. WILEY. I yield.

Mr. LAUSCHE. I wish the Senator would express his appraisal of what the impact would be upon our youth if they were told that the U.S. Senate, designedly and with full knowledge of the facts, had decided to break a solemn promise and agreement which our Government had made with the Dominion of Canada and the United Kingdom.

Mr. WILEY. That is a very important question, and one which has had my consideration through the years in my own life. What is my impact upon youth, so far as I may have a little influence? In my humble opinion the effect of what the Senator describes would be very detrimental. I am satisfied that it would give impetus to the "roughnecks" we read about in New York, Chicago, and elsewhere—people who break faith with society, those who feel that they have no obligation to be honest, those who feel that theirs is to be a life of ruthlessness.

In my opinion, today we are debating an issue which has consequences which neither the Senator nor I can foresee. We can simply conjecture. Yet we know, that in the homes where the children are taught Christian morality, to keep faith, and to live decent lives, if and when Khrushchev or others start their propaganda, and the word goes out that we are breaking faith with our best friend, the effect will be very detrimental to the stability of the youth of our Nation.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. WILEY. I yield.

Mr. LAUSCHE. Will the Senator please express his opinion on this statement: No greater responsibility and service rest with a government than, by its conduct to its citizenry, to demonstrate that it believes in the basic virtues of life, and especially in the obligation to keep one's word.

Mr. WILEY. I respond by saying that I am very grateful that the great State of Ohio has sent its distinguished senior Senator to the Senate. I have marveled at his grasp of the spiritual verities. I have heard him, in our little breakfast group, discuss the fundamentals of life. The Senator is making a great contribution to the thinking of America. I hope his ideas will receive wide circulation. The senior Senator from Ohio is discussing something so fundamental—so fundamental—I repeat it the third time: so fundamental—that we cannot ignore that issue in this particular matter.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. WILEY. Let me conclude. Then I will yield.

I am satisfied that the Senator from Ohio has brought up in his interrogations today things which will make it possible for me not to have to carry on a great deal longer, because I was going into the moral issues, which the Senator from Ohio grasped so fundamentally, and which are involved in this very matter. They will have an impact upon not only the youth of America but also upon the older people of America.

I thank the Senator from Ohio. He has done great work heretofore by asking questions, and he is doing a greater work now in his questions because he is bringing home to all of us a responsibility which we must not overlook.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield.

Mr. DOUGLAS. In the Christian boyhood of the senior Senator from Wisconsin, to which he has alluded, did he learn the Ten Commandments?

Mr. WILEY. I think I learned them. Did the Senator from Illinois?

Mr. DOUGLAS. Does the Senator remember the Commandment: Thou shalt not bear false witness?

Mr. WILEY. Yes. I have never seen anyone who bore more false witness than

the Senator from Illinois in his argument. I have heard it; I have listened to it.

Now may I continue? Are there any further questions from the distinguished Senator from Ohio?

Mr. LAUSCHE. I should like to ask a further question.

Mr. WILEY. I yield provided I do not lose the floor.

Mr. LAUSCHE. Has the Senator from Wisconsin either read or heard the argument that Soviet Russia violated its treaty with Poland, and stabbed Poland in the back? That Soviet Russia violated its treaty with Germany, and engaged in a war with Germany? That Red China promised religious freedom to the Tibetans and broke its word? That Soviet Russia, in agreements made by Stalin, Churchill, Roosevelt, and Truman, promised that the citizens of the captive nations—I think there are 17 of them—were to have the right, by ballot, to determine the type of government they wanted, and that that right of ballot was denied?

Mr. WILEY. I am very familiar with those matter, which have had our consideration, and which have at least opened the eyes of some of us to what might be called the pervading philosophy of the Kremlin. It will be realized, of course, that when those treaties were broken, much suffering was caused. It is all a part of the push, so to speak, in which the Kremlin is engaged for world domination. If they cannot do it by their own effort, they will get some of their stooges to go ahead and do the job.

The Senator from Ohio refers to the fact that the Soviet Government broke its word, its agreements, and its treaties. That is what they want us to do in this instance.

Mr. LAUSCHE. I thank the Senator from Wisconsin.

Mr. WILEY. I read from the Niagara Treaty of 1950:

> The specific inclusion of certain added waters in article III of the treaty emphasizes the underlying assumption that existing supplies of water will continue unabated.

Who said that? In the first place, our Court has said it, in substance. In the next place, the Government of Canada has said it. The assumption is that the water supply will remain unabated. Is the taking of another 1,000 feet on top of the 3,300 feet something which was settled by a judgment of the Court? Not by Congress, but by the Court? Subsequent applications have been made. To whom? They tried the Court; they have not tried Congress. Have we not enough to do without settling this difference? Or will we go ahead and become embroiled, session after session, in this matter?

I suggest that the U.S. Senate, in no unmistakable terms, settle the matter by voting so overwhelmingly that the proponents of the bill will not expect to come back next year again with it.

> In addition to these provisions, there is a further agreement of far-reaching importance. Power development in the Provinces of Ontario and Quebec is predicated upon agreed criteria for regulations of the flow of the St. Lawrence River.

We have agreed with Canada to maintain the flow of the St. Lawrence River so as to provide for power development.

> The order of approval of the International Joint Commission of October 29, 1952, as supplemented on July 2, 1956, and accepted by both our governments, forms the basis for the construction and operation of the hydroelectric power installations in the international section of the St. Lawrence River.

Some of us have seen that development. Some of us have had a little to do with it. Some of us do not want that international development damaged. I repeat:

> The order of approval of the International Joint Commission of October 29, 1952, as supplemented on July 2, 1956, and accepted by both our governments—

Let us get back again to 1956—

> accepted by both our governments, forms the basis for the construction and operation of the hydroelectric power installations in the international section of the St. Lawrence River.

Mr. President, in that area Canada and the United States are, together, building great powerplants from which power is being distributed; and in all that great undertaking, the two countries are playing ball together.

But now some want to have that fine relationship broken.

Mr. President, the criterion of the order of 1956 and the order of approval assumes a continuous diversion out of the Great Lakes Basin limited to 3,100 or 3,200 cubic feet of water a second. But now Chicago wants to be allowed to divert an additional 1,000 cubic feet of water a second.

Mr. President, it is stated by the highest authority that the agreement provided for limiting the diversion at Chicago to the present 3,100 or 3,200 cubic feet of water a second; and Chicago knew that.

Mr. LAUSCHE. Mr. President, will the Senator from Wisconsin yield for a question in regard to the point he is making?

Mr. WILEY. I yield for a question, without losing my right to the floor.

Mr. LAUSCHE. Is the Senator from Wisconsin familiar with the statement beginning on page 575 of the book on international law, written by Charles C. Hyde, formerly Legal Adviser for the Department of State, and a longtime professor of international law at Columbia University, and presently considered the most eminent authority on international law in the last half century; and I ask the Senator from Wisconsin to comment on the statement, which deals with the proposed Great Lakes-St. Lawrence Waterway:

> SEC. 184A. Proposed Great Lakes-St. Lawrence Deep Waterway: Recognizing that the construction of a deep waterway, not less than 27 feet in depth, for navigation from the interior of the continent of North America, through the Great Lakes and the St. Lawrence River to the sea, with the development of waterpower incidental thereto, would result in marked and enduring benefits to the agricultural, manufacturing and commercial interests of both countries; and recognizing also the desirability of effecting a permanent settlement of the questions raised by the diversion of waters from or into the Great Lakes system, the United States and Canada signed at Washington, July 18, 1932, the so-called Great Lakes-St. Lawrence Deep Waterway Treaty. The plan, which contemplated regulated diversions, was one which, nevertheless, subordinated the appropriations of water to the maintenance of desired levels of the Great Lakes system. Not only was there elaborate provision for the construction of appropriate works by both contracting parties, but there were also specific limitations imposed touching the amounts and the purposes of appropriations of water in specified sections of the area involved. Thus there were arrangements for the utilization of water for the production of power on either side of the international boundary in what was described as the International Rapids Section. Careful arrangement was made for the preservation of the levels of the Great Lakes System. Accordingly, it was provided that the diversion of water through the Chicago Drainage Canal—

And I call special attention to the following—

> should conform to the quantity provided under the decree of the Supreme Court of the United States of April 21, 1930; and also that in the event that the American Government should propose, in order to meet an emergency, an increase in the permitted diversion, to which the Canadian Government took exception, the matter should be submitted for final decision to an arbitral tribunal, which should be empowered to authorize, for such time and to such extent as was necessary to meet the emergency, an increase in the diversion of water beyond the limits of the decree of the Supreme Court, and to stipulate such compensatory provisions as it might deem just and equitable.

And is the Senator from Wisconsin also familiar with the fact that in the negotiations which went on and in the agreement which finally was made, it was specifically stipulated that the diversion at Chicago would be fixed at the level established by the Court in its 1930 decree?

Mr. WILEY. Mr. President, I wish to thank the distinguished Senator from Ohio for reading that very fine passage. As he will recall, he and I were in the same office when we looked at the book from which the Senator from Ohio has been reading. He will also remember that earlier today I referred to the fact that the 1930 agreement settled that matter. But now we find that some seek to abrogate that agreement, and seek to do so by unilateral action.

I must also say that the 1956 decision of the International Joint Commission, which is accepted by both Governments, forms the basis of the operation of the works in the international section of the St. Lawrence River; and, in that connection, recognition has been given to the terms of the previous stipulation in regard to the removal of 3,100 cubic feet of water a second.

Mr. LAUSCHE. Mr. President, is the Senator from Wisconsin also aware that the author of this book, who is one of the most distinguished writers on this subject in the last half century, also wrote the following:

> It was also provided that no diversion of water, other than the foregoing, from the Great Lakes system, or from the international section to another watershed should thereafter be made, except by authorization

of the International Joint Commission established pursuant to the Boundary Waters Treaty of January 11, 1909 (on which the United States and Canada had equal representation).

Mr. WILEY. Mr. President, again I thank the distinguished Senator from Ohio. As I have said, I am proud to know him. He is making a great contribution to our consideration of this matter—as he does in connection with every matter on which he speaks, because he has such a fine mind and he has learned so very much in the university of hard knocks.

Mr. LAUSCHE. I thank the Senator from Wisconsin.

Mr. President, will the Senator from Wisconsin yield for another question?

Mr. WILEY. I yield for a question, without losing the floor.

Mr. LAUSCHE. Is it not a fact that throughout the entire history of our country, as regards her relationships with Canada, our country has entered into agreements which have fixed her rights and responsibilities, and there has never been an instance in which our Government has created a situation which has caused the Government of Canada to protest an action contemplated by our Government, until the making of the present attempt?

Mr. WILEY. That is correct. Since 1812 or 1814, we have never had any difference or difficulty with Canda; and even in 1812 and 1814, the difference our country had was with Britain.

But the point we make is that, through the years, Canada and the United States have set an outstanding example of the highest morality in international relationships. They have kept the faith; they have kept the agreements they have made with each other. The result is that today there are no battle wagons on the Great Lakes, and there are no fortifications on that 3,000-mile border—as was referred to so eloquently, on yesterday, by the President of the United States.

Mr. President, we must keep our relationships with Canada that way. We must maintain the great confidence which the peoples of the two countries have in each other. We must make sure that those fine relationships continue. If we do not, well, we are simply stirring up something that our children and our children's children will have to deal with. I am not going to be a party to that kind of action.

Now, I want to continue.

Navigation and commercial interests depend upon maintenance of the water level as the basis upon which channel enlargement has been designed, in order that vessels of deeper draft may proceed with full draft to and from the ports of the upper Great Lakes.

That goes to the question of, What are we going to do? Are we going to deprive ourselves of our inheritance? We, of the Middle West, feel that the great fourth seacoast which has been built by this country and Canada is to be maintained by us, and not dissipated by any action, one way or another.

The construction of the St. Lawrence Seaway, in legislation between the two countries, in several exchanges of notes concerning the construction and operation of the seaway, is all based upon the assumption and understanding that there will not be unilateral action repugnant to the purposes of the legislation.

Withdrawal of water from the Great Lakes Basin would materially affect operation of the St. Lawrence Seaway. Who said that? Well, the Prime Minister of Canada said that. Is he the only one? No; the Supreme Court said that in 1925, in 266 United States 405.

I might quote further what the Court said with regard to the treaty of 1909:

[The treaty] expressly provides against uses affecting the natural level or flow of boundary waters without authority of the United States or the Dominion of Canada.

It was our Supreme Court who said that. As I said before, the distinguished district representatives have time and again applied to the Court for relief; but now they want the Congress of the United States to take action, though the matter is pending in the Supreme Court and the Supreme Court has appointed a master.

Mr. President, I want to set something right. In the course of the debate, a statement was made to the effect that Secretary of State Root had made a statement that the treaty of 1909 was not intended to cover Lake Michigan as a boundary water; that he (Root) said that the treaty provided for prenavigation of both countries in Lake Michigan as long as the treaty remained in force. This is away back about 1910. However, the boundary waters treaty and its application to Chicago came to the attention of the Supreme Court in a suit filed by the Federal Government—let us understand that, filed by your Government and mine, Mr. President—against the Sanitary District of Chicago, wherein the United States sought to enjoin the diversion of the waters of Lake Michigan in excess at that time of 4,167 cubic feet per second authorized by the Secretary of War.

Well, the Court said—266 United States 405—with regard to this ground that "the treaty of 1909 with Great Britain expressly provides against uses affecting the natural level or flow of boundary waters without authority of the United States or the Dominion of Canada within their respective jurisdictions and approval of the International Joint Commission thereon."

Mr. LAUSCHE. Mr. President, will the Senator yield on that point for a question?

Mr. WILEY. Yes; without my losing the right to the floor.

Mr. LAUSCHE. Did I correctly understand the Senator to quote what the Supreme Court said?

Mr. WILEY. That is right. I quoted what the Supreme Court said.

Mr. LAUSCHE. Will the Senator yield for a further question?

Mr. WILEY. Yes.

Mr. LAUSCHE. Did the Supreme Court say that under the treaty no diversion could be made increasing the flow to above what it was determined it should be in the 1930 decision?

Mr. WILEY. No; this is a 1925 case. The 1930 case reiterated the position the Senator is asking about.

Mr. LAUSCHE. Will the Senator yield for a further question?

Mr. WILEY. Yes; without yielding the floor.

Mr. LAUSCHE. Will the Senator please read again what the Supreme Court said concerning the manner in which consent had to be obtained to authorize a diversion?

Mr. WILEY. I shall have to read the language I have here, which I think in part answers the question. I would have to have the case in front of me. If I were arguing in court, I would have that volume. I am presenting what I think is the important issue, because it is raised by the opposition here, which is the statement by Secretary Root. The Supreme Court has time and time again set aside that point, even on the application of Chicago. It has granted Chicago relief in its application for additional water at times when conditions got so bad that Chicago needed it. But the Supreme Court also said to Chicago, time and time again, "Clean up your mess. Go to it. Build up sanitary works. Do not defer any longer."

I shall quote one of the decisions later, not today, because I understand the Senator from Ohio wants to take the floor, and I shall be very happy to let a better man talk.

Mr. LAUSCHE. Mr. President, will the Senator yield for a further question?

Mr. WILEY. I yield.

Mr. LAUSCHE. If the Senator asks me whether I want him to yield the floor in favor of me, does he know my answer will be to let the Senator from Wisconsin keep on talking?

Mr. WILEY. Again I feel complimented. Let me again say that the Court used the language that I have suggested, but Secretary of War Stimson in 1913—and this is part of the answer the Senator wants—expressed the opinion that the boundary waters treaty of 1909 did not sanction the Chicago diversion and that such questions should, in accordance with the terms of the treaty, be placed before the International Joint Commission.

I want to repeat that the proponents threw the matter about Secretary Root in the debate simply to confuse the issue. Ever since his expression, the Court has taken jurisdiction, first, on the application of the Federal Government; second, on the application of the district; third, on the application of the various States that received a raw deal in this matter. So the Court has jurisdiction.

What was the issue? Should more water be diverted? Then it was that in 1930 the Supreme Court said, "This settles it. We will permit a diversion up to 3,200 cubic feet per second." The Court permitted it because of conditions and because the district had not built up its works, which the district had been told previously by the Supreme Court to do. Because the district had not built up sanitary works, the Supreme Court permitted it to have an additional amount, and moderated it so that by a certain time—I think it was in 1939—

the amount had to be brought to 3,100 or 3,200 cubic feet.

Those are the facts. Now they are applying again. So the point raised has gone out the window at least a dozen times.

Today, the diversion of waters of the Great Lakes-St. Lawrence system through the Chicago drainage canal is governed by the Supreme Court decision of April 21, 1930, and averages 1,500 cubic feet per second plus domestic pumpage of 1,700 cubic feet per second, or a total of 3,200 cubic feet per second. That is the situation as it is. But we have to remember that the Supreme Court has maintained jurisdiction. The Supreme Court has jurisdiction. It appointed a special master recently, which shows its jurisdiction. In spite of that, the Illinois drainage district wants the Senate of the United States to take over. One point I want to emphasize is that since the day on which the bill was originally referred, new and highly significant evidence of Canada's objection has been presented to the United States. I want to repeat that. Since the bill was presented Canada has come forth twice, emphatically stating its position. The appropriate forum for the analysis and evaluation of the bases for the objections is the Committee on Foreign Relations. Our relations with our good neighbor to the north have come a long way since our own Northwest rang with cries of "fifty-four forty or fight." Through long years of working patiently toward peaceful solution of mutual problems, the United States and Canada have become cotrustees of the natural resources of the North American Continent, and cotrustees, to a large extent, of the peace of the world. If we create differences, what will be done by some of these Communists who are reaching out, in all directions, to take over? What will be the effect on our relations with South America, to say nothing of the effect on the rest of the world? We are the cotrustees of the peace of the world. If we break faith, we may set an example which may interfere with that cotrusteeship.

Are we to throw away these long years of cooperation and turn a deaf ear to our cotrustee when she voices grave doubts about the legality of a unilateral move we are planning? Or are we going to study those objections and weigh those doubts and make our decision only after a thorough evaluation of the issues? These international issues have not been thoroughly examined yet.

These issues are numerous. They are complex. They should be explored and evaluated during the course of the debate on the floor of the Senate, but they should also be examined in the Committee on Foreign Relations.

The Canadian objections to this bill should be given careful analysis in the Committee on Foreign Relations so that they may be there distilled by the members of this body whose function is to consider all matters pertaining to relations of the United States with foreign nations.

Mr. President, I repeat, when the bill came from the House and was sent to the committee—not to the Committee on Foreign Relations—the committee received a note from the Secretary of State setting forth what I have talked about today. The committee received a copy of the Canadian note. But it received more than that. The committee received evidence from the Canadian congressional record, if we want to call it that. After the committee had reported the fact to the Senate, again the Canadian Government sent its note of August 21, in which it reiterated its objection and in which it said, among other things, that "the Government of Canada explicitly reaffirms the position set forth at length in the above-mentioned note."

The Canadian Ambassador said, in no uncertain terms.

In the view of my Government any additional diversion of water out of the Great Lakes watershed would be inconsistent with existing agreements and arrangements which together constitute an agreed regime with respect to these waters.

The Ambassador said:

The proposed unilateral derogation—

Those are awfully good words, "unilateral derogation"—or kicking Canada in the teeth—

from the existing regime therefore occasions serious concern in Canada.

Mr. President, I shall yield the floor in a few moments. I shall engage in this battle until it terminates. I shall have much more to say later on.

At this time 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. GORE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President, I yield to the junior Senator from Wisconsin.

Mr. PROXMIRE. I ask the distinguished Senator from Tennessee to observe the time. Is it now not after 2:30?

Mr. GORE. That is right; yes.

Mr. PROXMIRE. Is it not true that the Senate convened this morning at 10 o'clock?

Mr. GORE. That is true.

Mr. PROXMIRE. Would the Senator from Tennessee be surprised to learn that this is the first quorum call the Senate has had today?

Mr. GORE. I should not be surprised, because I have been listening.

Mr. PROXMIRE. Would the Senator not agree that it is customary, when it is desired on the part of opponents of a bill to delay, to engage in dilatory tactics, to frequently suggest the absence of a quorum? Is that not true?

Mr. GORE. Well, it is true in some cases. It would not necessarily be true in all.

I do not understand the purpose of this catechism. I rose to address the Senate on another subject.

Mr. PROXMIRE. I thank the Senator from Tennessee for yielding to permit the Senator from Wisconsin to make this point. Will the Senator yield just a little further?

Mr. GORE. I yield.

Mr. PROXMIRE. Is it not true that if the opponents of the pending bill desired to delay a vote on the bill, rather than discuss its merits, they could with very little effort have suggested frequently the absence of a quorum, rather than engage, at substantial effort to themselves, in stating as fully as they could their position on the bill for the enlightenment of the Senate?

Mr. GORE. I agree that a number of parliamentary maneuvers are available to those who wish to use them for dilatory purposes or otherwise. I have not noticed any such parliamentary maneuvers today.

Mr. PROXMIRE. I ask the Senator to yield for a concluding question.

Mr. GORE. I yield.

Mr. PROXMIRE. Is it not true that the opponents of H.R. 1 have made absolutely no use whatsoever of the quorum call as a dilatory measure to prevent a vote today?

Mr. GORE. If so, I am not aware of it.

Mr. PROXMIRE. I thank the Senator.

Mr. DOUGLAS. Mr. President, is it not also true that live quorum calls were demanded on three or four occasions in previous days? Is it not also true that there have been no quorum calls today because these very able filibusters would be taken off their feet, so that what they are parading as a virtue has really been a parliamentary device, and is not this a further tribute to the astuteness of the incipient great filibuster here, the junior Senator from Wisconsin?

Mr. GORE. Mr. President, I hold the senior Senator from Illinois and the junior Senator from Wisconsin in the highest esteem and in a state of warm personal affection. However, I had no intention of stepping into this matter. I wish to address the Senate upon a very serious subject.

MESSAGE FROM THE HOUSE

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

S. 6. An act to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 690. An act to provide for the increased use of agricultural products for industrial purposes;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller; and

S. 2162. An act to provide a health benefits program for Government employees.

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

H.R. 1516. An act for the relief of Juan D. Quintos, Jaime Hernandez, Delfin Buencamino, Soledad Gomez, Nieves G. Argonza, Felididdad G. Sarayba, Carmen Vda de Gomez, Perfecta B. Quintos, and Bienvenida San Augustin;

H.R. 1593. An act for the relief of Melvin H. Baker and Frances V. Baker;

H.R. 1607. An act for the relief of Mrs. Anne Morgan;

H.R. 1639. An act for the relief of Patrick Muldoon;

H.R. 2164. An act to reduce the cabaret tax from 20 to 10 percent;

H.R. 2310. An act for the relief of Hoo W. Yuey;

H.R. 2582. An act for the relief of the Worthington Oil Refiners, Inc.;

H.R. 2707. An act for the relief of Gustav K. Broecker;

H.R. 3115. An act for the relief of Doris A. Reese;

H.R. 3524. An act for the relief of Sister Carolina (Antonietta Vallo), Sister Noemi (Francesca Carbone), Sister Marta (Sabine Guglielmi), Sister Rafaella (Angela Sicolo), Sister Maria Annunziata (Teresa Carbone), and Sister Maria (Carolina Nutricati);

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 4826. An act for the relief of Arthur E. Collins;

H.R. 5160. An act for the relief of William Joseph Vincent;

H.R. 6023. An act for the relief of William J. Kaiser;

H.R. 6081. An act for the relief of M. Sgt. Emery C. Jones;

H.R. 6136. An act to authorize the sale of certain tribal land of the Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin;

H.R. 6402. An act for the relief of Victor Stiglic;

H.R. 6449. An act for the relief of Mrs. Virginia Miles;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6809. An act for the relief of Lt. (jg.) James W. Little;

H.R. 6948. An act for the relief of Miss Marion A. Cramer;

H.R. 7116. An act for the relief of George W. Gibson;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7365. An act for the relief of Mrs. Nell C. Player;

H.R. 7379. An act to amend the act of July 27, 1956, with respect to the detention of mail for temporary periods in the public interest, and for other purposes;

H.R. 7447. An act for the relief of Paul Levitt;

H.R. 7476. An act to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control;

H.R. 7640. An act for the relief of James F. Conroy;

H.R. 7889. An act to require marketing quotas for rice when the total supply exceeds the normal supply;

H.R. 8042. An act to authorize the Secretary of Commerce to resell four C1–SAY–1 type vessels to the Government of the Republic of China for use in Chinese trade in Far East and Near East waters exclusively;

H.R. 8217. An act for the relief of Orville J. Henke;

H.R. 8251. An act for the relief of Tatsumi Ajisaka and others;

H.R. 8312. An act for the relief of Arthur C. Berry and others;

H.R. 8437. An act to provide for the reinstatement and validation of United States oil and gas lease BLM O28500; and

H.R. 8653. An act for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Lines).

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 1516. An act for the relief of Juan D. Quintos, Jamie Hernandez, Delfin Buencamino, Soledad Gomez, Nieves G. Argonza, Felididad G. Sarayba, Carmen Vda de Gomez, Perfecta B. Quintos, and Bivenvenida San Augustin;

H.R. 1593. An act for the relief of Melvin H. Baker and Frances V. Baker;

H.R. 1607. An act for the relief of Mrs. Anne Morgan;

H.R. 1639. An act for the relief of Patrick Muldoon;

H.R. 2310. An act for the relief of Hoo W. Yuey;

H.R. 2582. An act for the relief of the Worthington Oil Refiners, Inc.;

H.R. 2707. An act for the relief of Gustav K. Broecker;

H.R. 3115. An act for the relief of Doris A. Reese;

H.R. 3524. An act for the relief of Sister Carolina (Antonietta Vallo), Sister Noemi (Francesca Carbone), Sister Marta (Sabine Guglielmi), Sister Rafaella (Angela Sicolo), Sister Maria Annunziata (Teresa Carbone), and Sister Maria (Carolina Nutricati);

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 4826. An act for the relief of Arthur E. Collins;

H.R. 5160. An act for the relief of William Joseph Vincent;

H.R. 6023. An act for the relief of William J. Kaiser;

H.R. 6081. An act for the relief of M. Sgt. Emery C. Jones;

H.R. 6402. An act for the relief of Victor Stiglic;

H.R. 6449. An act for the relief of Mrs. Virginia Miles;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6809. An act for the relief of Lt. (jg.) James W. Little;

H.R. 6948. An act for the relief of Miss Marion A. Cramer;

H.R. 7116. An act for the relief of George W. Gibson;

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H.R. 8312. An act for the relief of Arthur C. Berry and others; and

H.R. 8653. An act for the relief of American President Lines, Ltd., Nitto Shosen Co., Ltd., and Koninklijke Java-China-Paketvaart Lijnen N.V. (Royal Interocean Lines); to the Committee on the Judiciary.

H.R. 2164. An act to reduce the cabaret tax from 20 to 10 percent; to the Committee on Finance.

H.R. 6136. An act to authorize the sale of certain tribal land of the Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin; and

H.R. 8437. An act to provide for the reinstatement and validation of U.S. oil and gas lease BLM O28500; to the Committee on Interior and Insular Affairs.

H.R. 7379. An act to amend the act of July 27, 1956, with respect to the detention of mail for temporary periods in the public interests, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7476. An act to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control; placed on the calendar.

H.R. 7889. An act to require marketing quotas for rice when the total supply exceeds the normal supply; to the Committee on Agriculture and Forestry.

H.R. 8042. An act to authorize the Secretary of Commerce to resell four C1–SAY–1 type vessels to the Government of the Republic of China for use in Chinese trade in Far East and Near East waters exclusively; to the Committee on Interstate and Foreign Commerce.

INTEREST RATES ON GOVERNMENT BONDS

Mr. GORE. Mr. President, yesterday 39 issues of U.S. Government bonds sold at alltime total lows.

Mr. President, there was a state of alarm in many financial circles yesterday. There is a state of uneasiness prevailing throughout our country.

While some pretend that all of this is a happenstance, while some pretend that the Government has no policy which brings this about, while some contend that this is a mere accident, I find that this rise in the prime interest rate which was put into effect yesterday was forecast in an article in the Evening Star of last June 12, and for those who contend that the action of the Government has no bearing upon the interest-rate structure of the country, I suggest that they read this article. It was written by Donald B. Hadley.

Mr. Hadley conducted an interview with the banks of the city of Washington. I should like to read his article. It is worth, in my opinion, the attention of the Senate.

This is under date of June 12, just about the same time, Mr. President, that officials of our Government were undertaking to lead the public to believe that the action of the Federal Reserve System in raising the rediscount rate, which it had just done, would not result in increased interest rates throughout our country.

I should like to read the article, which is as follows:

Washington bank borrowers are beginning to feel the effects of the latest increase in Federal Reserve System rediscount rates and the prime rate of New York banks.

Rates on renewals and new loans have been raised in the last 2 weeks by most Washington banks and the result has been a certain amount of shopping around by borrowers for the best possible terms.

Extent of the increases are difficult to determine, but for all but the smallest loans they have amounted to around half of a percentage point. Many who have paid 5½ percent must now pay 6 percent. The smallest loans will be affected little, especially where maximum rates already are being charged.

D.C. BANKS LENT UP

While customers shopped around, their activities were somewhat limited by the

fact that Washington banks in general are just about lent up and there is not much rush to lend more money. A number of institutions would have to borrow from the Federal Reserve on rising rates or sell bonds and they do not desire to do this.

Another reason the bankers are not interested in competing for loans is that New York bankers are predicting a further rise in the prime rate before the end of the year. Commonly mentioned in the predictions is a 5 percent rate.

Self-protection requires bankers to keep in line with competitive rates in times of credit stringency, one banking leader pointed out today.

"Some of our customers may think we raise rates to make more money, but we keep our ears to the ground and our rates in line with our competitors so as to avoid being swamped with demands for loans," he said.

"Word gets around fast if one bank does not go along with higher rates and terrific pressure builds up for loans, some of it from depositors and businessmen who have been associated with the bank. It might make it impossible to serve our regular customers properly."

BANKERS MUST PAY MORE

The Federal Reserve Banks' rediscount rates, the interest which banks must pay if they have to borrow funds for relending purposes, were raised to 3½ percent recently.

New York City banks raised the prime rate on bank loans to 4½ percent from 4 percent and banks all over the country follow this lead because the largest supply of lendable money is there.

Mr. President, I invite attention to the fact that this article was written on June 12. This prediction came true yesterday. It was clearly understood that it would come true. In fact, but for some speeches on the floor of the U.S. Senate, according to an article in the Wall Street Journal, the New York banks would have put this interest-rate increase in effect sooner. Let me read from an article in the Wall Street Journal of yesterday. It was printed before the rate went into effect. It states that the banks had contemplated raising consumer loan rates earlier during the summer, but "held off when President Eisenhower's proposal to remove the 4¼-percent ceiling on longer term Government bonds stirred protests in Congress against higher interest rates generally."

They delayed a while because there were protests in Congress about rising interest rates. But the Congress is about to adjourn, so they proceed to put this increase into effect.

I express the view that had Congress approved the request of the administration to give the approval of the U.S. Congress to the high-interest-rate policy, the prime rate would now be even greater than 5 percent.

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

Mr. GORE. I yield.

Mr. ANDERSON. The able Senator from Tennessee spoke before the Senate many, many times about the gradual drop in the prices of Government bonds. Yesterday, according to the morning newspapers, certain Government bonds dropped half a point, or sixteen thirty-seconds, on the market.

I invite the Senator's attention to this fact only because there was an article in one of the newspapers to the effect that President Eisenhower, before taking off for Europe, sent a special message to the Senate and House, and said, in effect, "Give Secretary of the Treasury Anderson the power he needs to do his job."

He wants to raise the ceiling on E-bonds. Why should a person buy an E-bond when he can buy a 2½-percent bonds of 1961 which yields 4.92%? The quotation in this morning's Washington Post shows that 2½-percent bonds of 1961 were quoted yesterday at 94.28 bid and 95 asked. The column in the Post which shows the yield indicates that the yield on that type of bond is 4.92%. If a man wants a 2-year investment, he can buy that bond and get nearly 5 percent. If he wants a 4-year investment, he can buy a 2½-percent bond of 1963, which, according to the morning newspaper, yields 4.77%, and nearly 8½ points in capital gains, which is a very low rate of taxation.

If a man wants a 6-year investment, he can buy a 2⅝-percent bond of 1965 for 89.24, with a yield of 4.76%.

Does not that point up what the Senator from Tennessee was calling attention to all last spring and the year before, that the tight money policy was driving down the value of securities which had been bought by working people on payroll collection plans, with the guarantee of the United States behind them?

Mr. GORE. I think it does, and I think the figures the able Senator has cited demonstrate that while this policy may be a bonanza to a few people, it spells economic harm or disaster to many people.

Mr. ANDERSON. Mr. President, will the Senator further yield?

Mr. GORE. I yield.

Mr. ANDERSON. The article states that the Congress has given the "ho-hum" to the request to do something about the rate on E-bonds. Is it not a pretty good thing to call attention to the fact that when people buy E-bonds, they can go into the market and buy much higher yielding bonds without difficulty?

Mr. GORE. The Senator is correct.

Mr. ANDERSON. The Congress has been trying to say to people, "Save your money." But they are not so happy when they find themselves in a situation in which, having saved their money and bought bonds, the bonds which they bought for $100 have dropped to $89. I think it is a very bad thing for people who have bought such bonds, as well as for the credit of the United States, to have them drop to extremely low points.

Mr. GORE. I should like to inquire of the Senator if it is not a matter of his personal knowledge that many small banks in the United States would be bankrupt today if they listed their Government bond portfolios at market prices?

Mr. ANDERSON. I would never say that a bank could be bankrupt; but I will put it this way: I believe that many banks across the United States would have to substantially reduce the amounts they carried in their surplus accounts if they put their Government bonds in at what they are worth.

One day I came across the statement of one particular bank which had a few million dollars in capital surplus, but a $1 million loss in its Treasury bond account. That is not a permanent loss, perhaps, but it is a pretty serious loss.

Mr. GORE. If a bank sustained a loss on its Government bond portfolio greater than its net assets, would it not be bankrupt, whether we wish to use that term or not?

Mr. ANDERSON. I do not know of a bank that has sustained a loss greater than its capital structure, because I am sure the Government would be required to do something. Banks are allowed to carry the figures representing capital surplus on their letterheads and windows, and in announcements to the public.

The fact is that the Government bond list has gone down so much that it presents a very serious problem to the banks.

Mr. GORE. Is it not true that the Government, the FDIC, and the bank examiners, permit banks to list their holdings of Government bonds at par value, instead of market value?

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

Mr. GORE. I yield.

Mr. MONRONEY. I have sought verification of that, and of what happened to the banks which have substantial amounts of long-term Government obligations. I was advised by the FDIC that it is the standard policy, backed up by the law, that the banks can account for such bonds in their reserves at either their par value, which would be 100 cents on the dollar, or at market value.

Thus, as I understand from the FDIC, they can take a writeoff of capital losses, and if they are in a highly profitable position they enjoy a certain tax advantage by being able to write down these bonds.

Second, a small bank, which may have a large portfolio of long-term Government bonds in its reserves, is subject to criticism by the examiner if the portfolio is not sufficiently balanced by short-term Government bonds. Thus the U.S. Government securities are placed in the same category as are doubtful loans which have been made the bank, and the examiner criticizes the bank if the proportion of holdings is not well balanced as between long-term and short-term bonds.

This is the ultimate of disregard for securities issued in the name of the U.S. Government. It is the direct result of the Government-enforced and Government-promulgated policy of raising interest rates, and thus lowering the market values of every single security which is out.

The 2½-percent bond is worth less for every one-fourth of 1 percent interest which the new securities bear. Yet we have put Government interest rates on an escalator by direct Government action which was not authorized by Congress.

Congress has consistently voted rate increases for GI housing, FHA, and similar forms of loans. But the Government was not satisfied with the legislative increases in interest rates on all

Government-insured mortgages and securities. The Government has raised interest rates administratively, such as on Farmers Home Administration loans. They have done it to the full extent of their authority. So no stone has been left unturned by this administration to force upward, upward, and upward, in an ever-increasing, rapidly moving spiral, the cost of borrowing money, first, for the U.S. Government, which must be paid for by the taxpayers; and, second, for persons who must borrow money for businesses or farm operations, and whose interest rate is directly related to the interest rate which the Government is currently paying.

I compliment the Senator from Tennessee [Mr. GORE], the Senator from New Mexico [Mr. ANDERSON], the Senator from Colorado [Mr. CARROLL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Wisconsin [Mr. PROXMIRE], and many other Senators, who have consistently voted against this policy which will drive us into a worse inflation, and sooner or later into a "bust" which will be the rival of any depression the Nation has ever had.

Mr. GORE. I thank the Senator from Oklahoma. Does not this action mean that the cost of living will go higher?

Mr. MONRONEY. Interest rates today figure heavily in almost every substantial purchase which any buyer makes. If he buys a car, the interest cost is generally about 10 percent more. If he buys a home, interest will be 20 or 25 percent of the cost of the home. The cost of the groceries he buys reflects the upward interest rate which the processors must pay for their expanded plants. The little businessman must pay the increased cost of interest. It is a cost of living which is added as a result in Government policy.

Mr. GORE. I yield to the Senator from New Mexico.

Mr. ANDERSON. I enter into the colloquy only to compliment the Senator from Tennessee for calling attention to the situation now, as he has done many times in the past. The import of the article this morning was that the Treasury cannot issue long-term bonds at very high interest rates. What that does to the national debt is plenty. The cost of servicing the national debt has gone up $2 billion in the last 2 years. If the Government could issue more long-term bonds at 5 percent, it would saddle on this country a long-term debt of staggering proportions.

Mr. GORE. I believe the able Senator from New Mexico was present at a meeting of the Committee on Finance within the last 2 or 3 months, at which Mr. Stans, the Director of the Bureau of the Budget, admitted to the committee that the increased cost of interest on the national debt was $500 million in excess of what he had estimated it to be in the budget presented in January.

Mr. ANDERSON. The Senator from Tennessee is quite correct. Mr. Stans gave that as an explanation of why the budget would be out of balance.

Mr. GORE. So the administration has unbalanced its own budget by driving the interest rate artificially higher.

Mr. ANDERSON. I could not agree with the Senator more.

Mr. GORE. That either condemns the administration as the worst forecaster in history or the worst manager of the public debt in history, if not both.

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

Mr. GORE. I yield.

Mr. MONRONEY. I only wish that some of the financial writers and others who purport to give basic information on what Congress is doing would at least publicize the fact that President Eisenhower in his message to Congress was asking for power which no President in our history, from George Washington down to Dwight Eisenhower, has ever enjoyed. Up until the period of World War II, every President in history had to seek the authority from Congress for the dollar amount of each bond issue and for the rate of interest which would be paid upon those bonds. No President had the authority, even since World War I, to issue bonds without the direct authority of Congress for the issuance of the bonds, and the authority to pay a definite, fixed interest rate at which Congress authorized long-term bonds to be floated.

During World War I, the constant need for the replenishment of Government resources led Congress to grant authority to the then Secretary of the Treasury, Carter Glass, to issue bonds without fixed limits as to the amount. But the 4¼-percent long-term interest ceiling which has been in effect since World War I was placed on those bonds as a part of the historic right of Congress to maintain control over the currency. We have lived under the 4¼-percent ceiling since World War I. Yet, without considering this historic practice, the President has come before Congress in the closing days of the session and has asked for an unlimited interest rate on long-term bonds without Congress having any right whatever to say what the limit shall be. This action should be explained and made known to the American people, who are so conscious of the executive grab for power.

The Senator from Tennessee remembers the days of President Franklin Roosevelt. It was he who drove down the interest rates and tried to break the stranglehold of the big banking interests on the money markets. Whenever he asked for additional Presidential power, the heavens fell in in editorial criticism. Yet the man in the White House today has asked for something which no President in history has ever enjoyed, and we are told editorially that Congress must supinely lie down and yield its vast power so as to commit the Government, for 20 or 25 years, to paying interest rates which will run somewhere above 4¼ percent, perhaps to 5 percent, 6 percent, or 10 percent. Once issued on a 20- or 25-year basis, there is no recall. So even if Congress should grant an extension of 1 or 2 years, the Government would pay through the nose for 20 years for whatever high interest rate is fixed on the long-term bonds.

Mr. GORE. The refusal of Congress to be pressured by the administration and the big-money interests into placing its stamp of approval upon the high interest rate, tight money policy is one of the proud performances of Congress.

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

Mr. GORE. I yield.

Mr. CLARK. Is the Senator familiar with an article which was published in the Washington Post and Times Herald this morning, under the byline of Mr. J. A. Livingston, and entitled "A Matter of Justice to Government Bond Buyers"?

Mr. GORE. I did not read the article, I am sorry to say.

Mr. CLARK. Mr. Livingston is also a reporter for the Philadelphia Evening Bulletin. His column is syndicated. Therefore, its publication in the Washington Post is a matter of peculiar interest to me. I understand the Senator from Tennessee has the article before him. I call his attention to the next to the last paragraph of the article, which reads:

> For Congress to adjourn without acting on the interest rates would be irresponsible.

I wonder whether my friend, the Senator from Tennessee, agrees with that rather strong statement.

Mr. GORE. I thoroughly disagree with it. I believe it would be very hurtful to the country for Congress to place its stamp of approval upon the tight money policy. Congress should stand firm. Congress should use its constitutional power to force the administration to abandon its unwise monetary policy, which is driving interest rates to artificial and historic heights.

Mr. CLARK. Does not the Senator from Tennessee agree with me that for Mr. Livingston to make such a statement is, in itself, irresponsible?

Mr. GORE. I am not acquainted with the degree of capacity of Mr. Livingston to understand the monetary situation. If he understands it, and still makes such a statement, it is irresponsible. If he does not know the subject about which he writes, his statement would be characterized as ill-informed chatter.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. CLARK. Mr. Livingston is a well-known financial writer of what might be called the Ricardian school of economics—a school entirely obsolete and thoroughly discredited, but much in vogue with big bankers and Wall Street financiers. It is the same school of economics to which Mr. Edward Collins belongs; and he has been writing Ricardian articles which have been published not only in the New York Times news columns but also editorials in the same fine newspaper.

I should like to suggest to my colleagues that those in the administration who are so complacent about rising interest rates, which make it far more difficult for the Government to balance the budget and stabilize its financial operations, should read more modern economics and should pay more attention to what is recommended by Members of Congress who have studied this matter, and should pay a little less attention to what writers such as the ones to whom

I have referred are saying on this subject.

Mr. GORE. I have read the writings of the gentleman to whom the able Senator from Pennsylvania has referred, and upon occasion I have wondered whether they have studied anything later than the writings of Adam Smith.

Mr. CLARK. The same thought has occurred to me.

Mr. GORE. And I have wondered whether they are aware of the current economic facts of life.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. CLARK. Mr. Livingston further stated in the article—after saying that it "would be irresponsible" for Congress to adjourn "without acting on the interest rates"—

> It would justify President Eisenhower's calling a special session.

The other day, on the floor of the Senate, my friend, the Senator from Tennessee, and the junior Senator from Wisconsin [Mr. PROXMIRE], whom I also see in the Chamber at this time, suggested that it might be wise to call a special session on the subject, so that Congress could educate not only the financial writers of New York and Philadelphia, but also the people of America, in regard to the economic folly behind the high-interest-rate policy of the Treasury and the Federal Reserve Board.

Does the Senator from Tennessee agree with that suggestion?

Mr. GORE. Of course; it was my suggestion.

Mr. CLARK. Does my friend, the Senator from Tennessee, still adhere to that suggestion?

Mr. GORE. Yes, for I believe it might well serve the public interest to have a time set aside—as a special session of Congress for that purpose would provide—to thoroughly discuss the disastrous consequences of the unwise inflationary policy which is being foisted on the American people by an administration which, on the one hand, claims it has no such policy and, on the other, asks the Congress to endorse its policy.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. CLARK. I ask the Senator from Tennessee to comment on the further statement by Mr. Livingston:

> When the Treasury has no alternative but to sell strictly short-term securities, it is putting out the closest thing possible to irredeemable paper money.

Does the Senator from Tennessee agree that "the Treasury has no alternative but to sell strictly short-term securities"?

Mr. GORE. No; I thoroughly disagree.

Mr. CLARK. Is it not true that the Federal Reserve Board could move into the situation and in all likelihood could, in a relatively short time, bring the interest rates back to somewhere near where they should be, if our friends on the other side of the aisle would stop shouting panic every time the interest rate went up one-tenth of 1 percent?

Mr. GORE. Yes. In that connection, I wish to cite the record. In 1957, when the recession was tightening and the 1958 elections were approaching, the administration decided to reverse its tight money policies—at least, temporarily. Mr. Humphrey retired as Secretary of the Treasury, and renewed his career of quail hunting and steel or money making; and a new Secretary of the Treasury came into office. At that time the new Secretary was interested in lowering the interest rate on Government obligations and in lowering other interest rates in the country. In this objective, he informed me, that he would have the support and the prestige of President Eisenhower.

During the first 9 months after he took office, seven Government bond issues were sold, at successively lower rates of interest. The first bond issue he floated was at 4 percent. The issue sold in June of last year was marketed at 2¾ percent.

So, Mr. President, in answer to the question asked by the able Senator from Pennsylvania, I cite the record: The Government not only can, but it has, and it can again; it is a question of determination of policy and a question of action by our Government in which is vested the constitutional power to regulate the value of money.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. CLARK. In that period, did not the Federal Reserve Board cooperate with the Treasury in bringing down the interest rates?

Mr. GORE. That is a matter of record, and it is true.

Mr. CLARK. Would not similar action by the Federal Reserve Board have the same result today?

Mr. GORE. There is no question whatever that this is within the power of the Government—and it has been demonstrated time and time again; and that makes me wonder how it is that so many men of sincerity undertake to tell the American people that the high interest rates now in effect came about purely by accident.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. CLARK. Is it not true that in each instance during the 9-month period to which the Senator from Tennessee referred a moment ago, the Government bond issue at a low interest rate was oversubscribed?

Mr. GORE. I am informed that in every instance that was true.

Mr. CLARK. In conclusion, let me say that, as regards Mr. Livingston, Mr. Collins, and similar writers who endorse the position of Wall Street and the Treasury and the big New York banks, my comment would be, "Forgive them, for they know not what they do."

Mr. MONRONEY. Mr. President, will the Senator from Tennessee yield to me?

Mr. CAPEHART. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield first to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, would not the Senator from Tennessee say that at a period of time when the Government is being threatened with having to pay exorbitant interest rates to outside purchasers of its securities, the Federal Reserve—having in mind its public duty as the central bank of the United States—should at least buy during that period a few more bonds of longer maturities?

Mr. GORE. I think the Federal Reserve should do so; and I think it is remiss in the performance of its duty and is failing to perform its statutory function.

However, I believe it is complying fully with the wishes and the policy of the administration.

Mr. MONRONEY. Mr. President, will the Senator from Tennessee yield further?

Mr. GORE. I yield.

Mr. MONRONEY. But although it is the duty of the Federal Reserve to assist in the tremendous task of the management of the public debt, at this critical period—so critical that the President has even threatened to call a special session of Congress, in order to have Congress raise the statutory interest rate, which has stood since World War I—the holdings of the Federal Reserve System are lower than they were at the corresponding time last year. At a time when the long-term holdings of the Federal Reserve should be increased, the Federal Reserve is decreasing its portfolio of long-term maturities, and is increasing its holdings of short-term maturities. This seems to me to be a case of "Wrong Way Corrigan" if they are trying to assist in the management of the public debt.

Mr. GORE. Not only is the performance of the Government self-defeating in the regard to which the Senator has made reference; the higher interest rates being forced and encouraged by the Government are now encouraging the banks, as the able junior Senator from New Mexico pointed out, to sell holdings or portions of bank holdings in Government bonds, in order to make some profitable investments. That is reported in the New York Times of today, on page 40–C.

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

Mr. GORE. I will yield if the Senator will let me complete reading the article from the Star. I lack only about three paragraphs. I want to complete reading the article in the Star that appeared on June 12, 1959. This, let me repeat, is the article of an industrious, inquiring, and enterprising reporter, who, at a time when spokesmen in the U.S. Congress and spokesmen appearing on behalf of the administration before a congressional committee were undertaking to say that a rise in the rediscount rate by the Federal Reserve would have no result in raising commercial interest rates, wrote a very interesting and challenging article. I will continue to read:

> Self-protection requires bankers to keep in line with competitive rates in times of credit stringency, one banking leader pointed out today.
>
> Some of our customers may think we raise rates to make more money—

Is it not remarkable that some customer might have such a thought? It is perfectly astounding that the thought would ever occur to an American citizen that interest rates were being raised in order that banks might make more money. But, improbable as this may appear, the banker says some people actually think that. The heretic had better watch out: he may not get a loan.

Let me continue his quotation:

but we keep our ears to the ground and our rates in line with our competitors so as to avoid being swamped with demands for loans.

Word gets around fast if one bank does not go along with higher rates, terrific pressure builds up for loans, some of it from depositors and businessmen who have been associated with the bank. It might make it impossible to serve our regular customers properly.

The Federal Reserve Bank's rediscount rates, the interest which banks must pay if they have to borrow funds for relending purposes, were raised to 3½ percent recently.

New York City banks raised the prime rate on bank loans to 4½ percent from 4 percent, and banks all over the country follow this lead because the largest supply of lendable money is there.

That is the end of the article. I wish to point out that within one 12-month period—within less than a 12-month period, by a few days—the prime interest rate charged by the New York banks has been raised 1½ percent, from 3½ to 5 percent. If Congress should place its stamp of approval upon this tight money policy, I warn the Senate that in the last year of a moribund administration, yielding as it is, and as it has, to the interests of big money combines, the prime rate might advance by another 1½ percent during the next 12 months.

This is a disastrous policy for the small businessman who must borrow in order to stay in business. It is restricting the growth of our national economy. During a period when we are in a cold war contest with the Communist world, we have had an average growth in our national gross product of only about 1½ percent a year, while that of the Soviet Union is reported to be 8 percent per year. How is that winning the cold war economic battle?

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

Mr. GORE. I yield to the senior Senator from Indiana.

Mr. CAPEHART. Would the Senator give me just a moment to possibly explain the other side of the coin?

Mr. GORE. I will yield for a question, and then I will be glad to listen to the Senator's speech.

Mr. CAPEHART. The question is, Is not there another side of this coin, namely, that it is almost impossible to sell Government bonds at a lesser interest rate than one can buy mortgages for or buy existing loans for? For example, bonds today are selling for 85 in order to yield an interest rate of a little more than 4 percent.

Mr. GORE. The Senator is slightly in error. They are selling as low as 80 today.

Mr. CAPEHART. They are selling at a very low figure. The question is, How do we expect the Federal Government or the Secretary of the Treasury to sell Government bonds? He will have to sell about $80 billion worth this year at a lesser interest rate than people can get in other investments. For example, I will not ask the visitors in the galleries to stand who own E- or H-bonds, or perhaps other Government bonds or insurance policies issued by companies whose money is invested in bonds, but are these people going to continue to buy or hold E-bonds or H-bonds, when they can dispose of them and invest in other securities which pay them a larger rate of interest? They will not do it.

Mr. GORE. I shall be glad to respond to the questions of my friend, the distinguished Senator from Indiana. I agree with him that there are two sides to this coin. I am on the people's side of the coin, on the side of the people who must borrow, the interest of the people who must buy on installment, the interest of the small businessman, the interest of the citizens of the country whose welfare is involved in a growing, developing, expanding national economy. Those interests are involved on the side of the coin with which I am associated, and those who wish to preserve and reward the status quo are on the other side of the coin.

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

Mr. GORE. The Senator asked a series of questions. I have replied only partially to one of them. I must reply to the others.

The able Senator has asked how the Treasury Department can market the bonds. The Senator was in the Chamber when I related the experience of the Government during the first 9 months of the incumbency of the present Secretary of the Treasury, which preceded the 1958 election. I wonder if the Senator could explain how the Government succeeded, during those 9 months, in lowering the interest rate not only on Government bonds but also in the commercial banks of the country?

Mr. CAPEHART. May I answer that question?

Mr. GORE. Yes.

Mr. CAPEHART. It is the same sincere, conscientious Secretary of the Treasury that we have today who was then involved. I am certain the Secretary dislikes as much as I, or as the able Senator from Tennessee, the fact that interest rates are going up.

Mr. GORE. The Senator is not answering how it was done. Will the Senator tell me how the Government performed that sleight of hand act?

Mr. CAPEHART. I do not know that I can. I do not know that I want to take the time to do it. All I know is that the same Secretary of the Treasury today says that for him to properly handle the financial matters of this Nation he must have an increase in the interest rate on E- and H-bonds, and he must have an increase in the interest rates on new bonds which he sells, because the interest rates on all other things have gone up.

Mr. GORE. The able Senator says that is all he knows. I do not so deprecate the Senator. I think he knows far more than that. I think the Senator is well aware that this policy has not been the result of accident. I think the Senator is well aware that the results are not "happenchance." I think the Senator is well aware that policies of the Government have produced these results. I think the Senator is well aware that these results have been intended. I do not deprecate the able Senator.

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

Mr. GORE. I yield.

Mr. CAPEHART. I think the results of World War II, the results of a $290 billion debt, the results of excessive spending over the years, the results of the increase in the prosperity of the Nation, and the results of the increase in the gross national debt have required more money to handle the financial matters. The competition for money is the same as the competition for any other service which is rendered in the United States.

Mr. GORE. Well——

Mr. CAPEHART. Will the Senator let me finish, please?

Mr. GORE. I have the floor, please.

Mr. CAPEHART. The Senator had his opportunity.

Mr. GORE. The Senator has said that more money is required because of the growth and expansion both of the population and of the economy. I wish to quote a New York banker, from a story which was published in the Wall Street Journal on yesterday:

We are being squeezed for money. I'd say the climate is right for a rate increase.

Yes, the supply has been squeezed. Instead of there being a supply adequate to meet the growing demands, as the able Senator has described with such great southernlike eloquence, the supply is being squeezed, and the situation was created which is described in yesterday morning's Wall Street Journal by a banker with the statement: "I'd say the climate is right for a rate increase."

Yes, the climate was right for an increase. It had been carefully prepared.

And it occurred before sundown of the same day.

Now I yield.

Mr. CAPEHART. There is no question that there is a greater demand today for loans than ever before in the history of this Nation. There is no question that the national debt is bigger today than it was ever before in the history of this Nation.

Mr. GORE. Not in comparison——

Mr. CAPEHART. Let me finish, please.

Mr. GORE. I know the Senator wants to state the full facts. It is not bigger, in comparison with the gross national product.

Mr. CAPEHART. I am saying, if I may continue——

Mr. GORE. Yes; the Senator may continue.

Mr. CAPEHART. The Federal debt and the debts of States, cities, and counties are all greater today than ever before in American history. The debts of individuals in America are greater today than ever before in the history of this Nation. The gross national product

is bigger today. That means we are doing more business. More people are employed, at higher wages.

All of this requires more money. That means there is competition for the money, and that means the people who have the money to loan want more interest. I refer to the little people, to the big people, and to the middle-class people who have money to loan. These are the people who buy the E-bonds, the H-bonds, and other bonds. These are the people who deposit money in the banks. We ought to encourage them to do so. They are demanding higher interest rates, greater interest rates, because everything they buy—shoes, clothing, automobiles, groceries, and everything else—is higher in price.

Mr. GORE. I desire to reply to the Senator.

Mr. CAPEHART. Let me finish, please.

Mr. GORE. I want to reply to the first part of the Senator's statement.

Mr. CAPEHART. Let me finish.

Mr. GORE. I will reply to the first part of the statement of the Senator and then yield.

Mr. CAPEHART. Is the Senator afraid to hear what I am about to say?

Mr. GORE. I appreciate what the able Senator is saying. I do not want the Senator to make one statement, however, and then rush to another without reply. I wish first to reply to the statement the able Senator has made, that there is a greater demand for money, that there is a greater need for money, and that there is a need for more money.

I should like to ask the Senator, do higher interest rates create more money? Or, do higher interest rates solve the problem which the able Senator has described?

Mr. CAPEHART. Will the Senator let me answer?

Mr. GORE. I will.

Mr. CAPEHART. That does not necessarily create higher interest rates or lower interest rates. The fact remains that people are not going to buy Government bonds at a lower interest rate than they will receive if they buy other kinds of securities.

Mr. GORE. That is begging the question.

Mr. CAPEHART. That is not begging the question at all.

Mr. GORE. I asked the Senator how these higher interest rates solved the problem which he so eloquently described. There is a need for more money to meet the growing demands of a large number of people and an expanding economy.

How do high interest rates meet that demand?

Mr. CAPEHART. They do not meet the demand.

Mr. GORE. Very well.

Mr. CAPEHART. I did not say they did.

Mr. GORE. That is exactly what I said.

Mr. CAPEHART. What I said was that there is a greater demand for money, which means that people are competing for the money, and the people who have money naturally are going to loan money to the person who will pay the highest interest rate. That is all I said.

What the Senator is saying is that the Secretary of the Treasury in some way, some how, can change this. I do not understand exactly how the Senator expects the Secretary of the Treasury to do it, unless he wants the Federal Reserve to buy all the bonds.

Mr. GORE. Will the Senator explain how the Secretary of the Treasury or how the Government of the United States succeeded in doing so for a whole 9-month period?

The Senator is the ranking Republican on the Senate Committee on Banking and Currency. The Senator is a man who is affluent—and I congratulate him for it—in his personal affairs, a man who is knowledgeable in the field of finance. The Senator has said that his knowledge is limited in this field, but I recognize him to be possessed of a great deal of knowledge, much more than he admits.

How can the Senator explain this miracle which came about? Was it the result of a waving of a wand? Was it the result of sleight of hand? Was it the result of a policy deliberately followed by the Government of the United States?

Mr. CAPEHART. I wish I had the records before me at the moment so that I might answer the question.

Mr. GORE. Will the Senator get the records and put them in the RECORD?

Mr. CAPEHART. Wait a minute, please.

Mr. GORE. Mr. President, I ask unanimous consent that the senior Senator from Indiana may have permission to insert in the RECORD an explanation of how the Government accomplished this miracle for the 9-month period to which I have referred.

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

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

Mr. GORE. The Senator from Indiana now has the unanimous consent of the U.S. Senate to get all the facts at his command and to give to the Senate an explanation of how the Government performed this supposedly impossible feat in a Republican administration of lowering interest rates as an election approached.

Now I yield.

Mr. CAPEHART. I want to say this. What I said a moment ago was, and I repeat it, that it was the same administration and the same Secretary of the Treasury——

Mr. GORE. There is no doubt about that. That is admitted.

Mr. CAPEHART. Wait a minute—that accomplished what you are talking about, and I think they are sincere and conscientious, and I think that if they could sell bonds today at half the interest rates, they would do so. I think I know that they are up against a very, very serious problem, and I want to say this to the Senator from Tennessee, that if we refuse to permit the Government to increase interest rates and the price of Government bonds goes down and down and foreign holders of gold in this country and of bonds become frightened and they withdraw gold from this country as a result of this policy, I say to you that you may have chaos in this country and I do not want to be a party to it. I do not want to so discourage people from buying Government bonds because the interest rate is so low that we will have chaos in this country and get ourselves into a lot of trouble.

Mr. GORE. I recognize that the Senator does not want to be a party——

Mr. CAPEHART. Will the Senator yield further?

Mr. GORE. Not just now. I recognize that the Senator does not want to be a party to the policies which the next Democratic administration will inaugurate. I realize that he prefers the present policy, the tight money policy. I realize that he may not be victimized by it, but while he may not suffer from it, while he may not deplore it, millions and millions of people who are being driven out of business and into bankruptcy, who are suffering from this policy, deplore it and do not endorse it.

I wish to quote once again from the article in the Wall Street Journal of yesterday which further describes this situation:

> New York bankers testify that the growing tightness of money extends beyond New York. "Out-of-town banks call upon us continually, wanting us to take a piece of this or that loan."

Says an official of one New York City bank: "We can see the money supply grow tighter as we sit here at the desk."

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

Mr. GORE. I just promised to yield to the junior Senator from New Mexico.

Mr. CAPEHART. Do you not prove your own point?

Mr. ANDERSON. When the statement is made that we must have a higher interest rate to induce people to buy bonds, the Secretary of the Treasury wants to increase E- and H-bonds from 3.126 to 3.75. I wonder if he knows the present quotations on Government bonds?

If I were to buy a Government bond which I could cash in at the end of 1 year, instead of buying an E-bond I could buy a Treasury 2⅛ of 1960 at 97.13 yielding 4.31%. If I wanted a 2-year bond, I could get a Treasury 2½ of 1961 priced at 94.28 and get a yield of 4.92%, a terrific yield for a short-term bond.

Would anyone be stupid enough to buy a bond at 3.25 when he can get 4.92?

I remember a businessman who was very sick. He was 75 years old. A friend said to him, "Don't you worry. You will get well. You will be around here when you are 100."

He looked at the friend and he said, "Oh, no. I am a businessman. You are a businessman. God is a businessman. Do you think He will take me for a hundred when He can get me for seventy-five?"

Would anybody take an E-bond for 3.26 when he can get 4.92?

Something must be done other than constantly raising the price of money. The Treasury, as the able Senator from Tennessee pointed out, said the budget was off $500 million because the interest rate was not high enough. If we take the lid off now, it will be off at least a billion dollars next year, and perhaps more. The cost of servicing the national debt increased $2 billion in the past 3 or 4 years.

Mr. GORE. And the cost of building a school, a hospital, a sewer line, a waterworks project is going up and up until it is beyond the reach of many small communities throughout our land.

Mr. ANDERSON. I wonder if the Senator from Tennessee knows that in the last few days there have been indications that the commercial mortgage rate on high-grade commercial properites is up to 5½ percent? I discussed with the head of a very large financial institution just a few days ago what the policy in the future is going to be. He said we will be up to 6 percent before the first of the year, probably by the first of November.

When we jump the interest rate up that far, we place a burden on business, we place a burden on every transaction, we contribute to inflation.

I am glad the Senator from Tennessee is worried about that, because people who own houses or people who are going to have to come in to make new mortgages will be faced with this, and it is a very serious problem.

I do not believe that we are going to be able to sell bonds by granting authority to raise rates on long-range financing.

Mr. GORE. So long as the Government has a policy of pushing interest rate levels higher and higher, who wishes to buy a bond at 4, 4¼, or even 5 when he is on notice that the Government is following a policy to push it below par almost as quickly as it is sold?

Mr. ANDERSON. If he wanted to buy a 10-year bond, he would buy a Treasury 2½ of 1969 with an early maturity of 1964 if he wanted to cash it in. Those are selling at 82 and 16/32s, a yield of 4.71, nearly 4¾ percent on a 10-year bond. Part of it is on a capital gains basis, which makes it very attractive.

Mr. CAPEHART. Will the Senator yield?

Mr. GORE. And those who bought such bonds 1 month ago have already lost money.

Mr. ANDERSON. Exactly.

Mr. GORE. And under this policy those who buy even at the rates which the Senator has quoted will have lost money 60 days from now. How can the Government expect to stabilize interest rates when it has a policy of pushing them higher and higher? What we need in this Government is a determination to put the public welfare first. What we need in this Government is a policy of interest rate stabilization. It can be done. It has been done. It must be done.

I yield now to the——

Mr. CAPEHART. Will the Senator yield?

Mr. GORE. I promised to yield to the junior Senator from Colorado. If the Senator will be patient a moment, I yield to the junior Senator from Colorado.

Mr. CARROLL. Mr. President, I thought perhaps we could reduce to simple terms some of the definitions. For example, when we refer to a prime rate of interest, we mean, as I understand it, the rate of interest charged the most preferential customer. For example, if a New York bank raises its prime rate of interest to 5 percent, what does this do to the small businessman at home who is not a preferential customer of that bank? The Senator from Tennessee has said that in a year or a year and a half the prime rate of interest has been increased from 3½ to 5 percent.

Mr. GORE. That is within the last year.

Mr. CARROLL. Yes. That is right. How will that reflect itself down to the small businessman in State after State throughout the country?

Mr. GORE. It means in my State higher and higher rates of interest, and it means in New York already a 5-percent prime rate, but this article in the Wall Street Journal says that the banks require those who borrow to keep at least 20 percent of the amount they borrow on deposit, which means that the prime rate is actually 6 percent instead of 5. It means that this increase will be reflected all over the land from the Atlantic to the Pacific, the gulf to the Canadian border, and it means that every housewife will face the tough problem of making ends meet with her household budget. It means that the cost of living will go higher and higher in coming months.

Mr. CARROLL. That is exactly the point I wished to bring out. Whether the borrower is the automobile dealer at home, or whether people go to the local bank at home, if the preferential customer must pay 5 percent in New York, one can imagine what borrowers will have to pay in the rural and mountain areas of the West. The rate will go to 6, 7, or 8 percent.

I think one of the most important contributions of the distinguished Senator from Tennessee is on this particular question. I have listened with great patience to the Senator from Indiana [Mr. CAPEHART], and I have a deep concern about Government bonds. I think the Senator from Tennessee has put his finger on the most important point.

According to the statement in the morning newspapers, the New York banks are talking about a tight money policy. If I correctly understand the question of the Senator from Indiana, he says that this is a competitive market.

The next point he made was that our economy is expanding. Three million Americans are being born every year. Are we to have a tighter, more restrictive policy which keeps driving the interest rates up year after year? What will then happen to Government bonds?

If this is a competitive market, what about the supply of money? What about the present fiscal policy, debt management or debt mismanagement? I can understand the deep concern in a period in which redemptions of savings bonds are far outrunning purchases today. That is a serious problem. But we cannot meet it by permitting the bankers to increase their prime rate of interest, and by vesting the Government with authority to try to compete with them in a market which becomes narrower and more restricted under a tight money policy. The principal question is—and I should like to have an answer if we can have it—How are we to increase the supply of money so as to avoid getting into a tight money policy, in which interest rates are driven up and up, not only to the small businessman, but to everyone else? They will be reflected in every refrigerator or automobile that is purchased. If that is not the worst kind of inflation, I would like to know what it is. I ask the Senator from Tennessee to give us some light on that question.

Mr. GORE. The answer of the administration to the problem is to raise interest rates. That does not solve the problem. It makes it worse.

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

Mr. GORE. I yield.

Mr. CAPEHART. Is it not a fact that increases in the cost of lumber, groceries, and everything else affect the purchaser as much as do interest rates?

The second question I wish to ask——

Mr. GORE. Let me answer the first question. The answer to that is "Yes."

I ask the Senator if the cost of lumber, the cost of the truck that hauls it, and the cost of doing business generally is not increased by higher interest rates, thus reflecting higher prices of commodities?

Mr. CAPEHART. Both factors have an influence. Anything that increases costs, of course, is reflected in the selling price. That is true of interest or anything else.

Mr. GORE. Does it not follow, then, that higher interest rates are inflationary?

Mr. CAPEHART. No more so than the increase in the price of anything else—wages or anything else.

Mr. GORE. The Senator has just said that interest rates contribute to higher prices. I have asked him, therefore, if higher interest rates are not inflationary. Of course they are, by the Senator's own statement. If he will concede that higher prices are the end product of inflation——

Mr. CAPEHART. Anything that increases costs increases selling prices.

Mr. GORE. And that includes interest.

Mr. CAPEHART. It includes interest, wages, and everything else.

I shall be very happy to join with the Senator in curing the situation if he knows how to do it. What is his suggestion? Let us introduce legislation to cure the situation. Will the Senator state for the RECORD exactly what he would do to cure the situation?

Mr. GORE. No legislation is needed. What we need is an administration of present laws and programs in the public interest. No new law is needed. What we need is the administration of the

people's government in the people's interest.

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

Mr. GORE. I yield.

Mr. MONRONEY. The Senator is familiar with the fact that the President vetoed the civil works bill the other day, and unfortunately the House lacked one vote of being able to override the veto. As I understand the veto message, the reason for the veto is that the $30 million which had been added is inflationary.

Mr. GORE. Oh, terribly.

Mr. MONRONEY. But the President himself, by directing the Government fiscal policies, has increased the public debt since January by $500 million. Does not the $500 million added to the public debt have a greater impact than the additional $30 million in the civil works bill?

Mr. GORE. Yes. That was the estimate of 60 days ago. It is now more than $500 million.

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

Mr. GORE. I yield.

Mr. CLARK. I should like to make an observation to my good friend from Indiana, with whom I serve on the Committee on Banking and Currency.

The point is that the high interest policy is half unwise and half unnecessary. It is this policy which is creating the chaos of which the Senator from Indiana complains. This policy can and should be changed tomorrow. It could be changed tomorrow by the Federal Reserve Board doing its clear duty, the Treasury Department doing its clear duty, and the President doing his clear duty.

Mr. CAPEHART. What are those three things?

Mr. CLARK. By moving in to support the Government bond market; by stopping all the talk of chaos and scare; by withdrawing the request for an increase in the interest ceiling; and by making the same effort which was made in 1958 to bring down interest rates. It was successful then, and could be successful today.

If the only way Congress can compel the Federal Reserve Board and the Treasury to return to monetary sanity is to refuse to yield on the 4½-percent interest ceiling, then I say by all means, let us refuse to yield.

Mr. GORE. It would be not only acting responsibility, but acting in the public interest. Congress has acted in the public interest. I am proud of the refusal of Congress to give approval to the higher interest rate policy, and I shall resist any such effort, whether it comes this year or next year. This disastrous policy must be stopped, and it will be stopped.

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

Mr. GORE. I yield.

Mr. CLARK. In the article by Mr. J. A. Livingston, to which the Senator and I referred a while ago, he asks in conclusion whether the policy of refusing to yield on the interest ceiling is what the American people want. I say it is what they would want if they knew the facts. Mr. Livingston asks, in conclusion:

> Is that what the American people want? Is that what the Democratic leadership is prepared to defend and sponsor?

I say I do not know, but here is one Democrat who thinks it ought to be the policy of the Democratic Party.

Mr. GORE. So far as another Democrat is concerned, it is a policy. It will not be enacted, if I can prevent it.

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

Mr. GORE. I yield.

Mr. CARROLL. I think I should make my own position clear, so far as I can, if the Senator will permit a comment preceding the question.

I have a deep concern, as I read the financial pages and try to find out what is going on. There is no doubt in my mind that because of the tight money policy, the money market is drying up. This is happening because of the high interest rate on short-term loans. This is what is affecting Government financing.

Mr. GORE. Yet some claim we have a free money market.

Mr. CARROLL. I do not wish to be too critical of the administration, but I think the Federal Reserve Board should pay attention to what is happening. That is why I commend the distinguished junior Senator from Tennessee for his presentation today.

Somehow, in some way—I think the Federal Reserve Board could do it—we must ease up on the tight money policy. A point and a half increase in the prime rate of interest in a 12-month period will be reflected throughout the entire economy of the country. Apply that to the Government bond situation. I agree with the Senator from Indiana that this is a very dangerous financial situation in which we find ourselves. I do not know what we are going to do. We may reach the position of saying, "Perhaps the administration is guilty of debt mismanagement. Perhaps it should have done this, or the Federal Reserve Board should have done that." We may be confronted, not with a theory, not with a criticism of a policy, but with a condition and a problem as to what we shall have to do in the future.

But, as the distinguished Senator from Tennessee has stated, increasing the interest rate is no answer to the problem, because 6 months from now there may be another increase in the interest rate. Then what will happen to Government bonds?

Mr. GORE. There may be another increase in 3 months.

Mr. CARROLL. As I remember, the distinguished Senator from New Hampshire [Mr. BRIDGES] placed in the CONGRESSIONAL RECORD a breakdown of taxes which are being paid today. If my memory serves me correctly, out of every $100 paid in taxes, almost $10 is now going for payment on the national debt. To me, this is a great danger; it is on the direct road to inflation.

Mr. GORE. The Senator from Colorado has used the word "road." I point out that the increased cost of interest on the national debt, above the budget estimates in January, is already more than is needed to bail out from default the highway program, which is now a "must" piece of proposed legislation before Congress.

Mr. CARROLL. Mr. President, will the Senator from Tennessee yield further, to permit me to ask a question of the Senator from Indiana?

Mr. GORE. I yield for that purpose.

Mr. CARROLL. May I have the attention of the Senator from Indiana?

Mr. CAPEHART. Yes; indeed.

Mr. CARROLL. Is there any doubt in the mind of the Senator from Indiana that the present financial condition with respect to interest rates has been brought about because of the lack of an adequate supply of money on the money market? The demand for money is great, I believe the Senator has said.

Mr. CAPEHART. Yes.

Mr. CARROLL. If there were a larger supply of money, would that not tend to reduce interest rates, in the normal situation?

Mr. CAPEHART. The Senator talks about tight money. I presume the Senator means a scarcity of money. If there is a scarcity of money, it will naturally increase interest rates. If there is only a limited amount of money to be loaned, the people will lend it where they can get the highest rate.

So when the Senator talks about tight money, I presume he is speaking about a scarcity of money.

Mr. CARROLL. I mean both ways. There can be an ample supply of money; but if there is control of the money market, the rate of interest can increase. The next question is whether there is an adequate supply of money to accommodate the expanding economy.

Mr. CAPEHART. I do not think the supply at this moment is at the point where the interest rate can be reduced. I think there is a shortage of money at the moment to carry on our expanding economy.

As I said before, the national debt is big; it is the largest in the history of the Nation.

Similarly, the consumer loans, the loans to the people, are the largest in history. The demand on the part of business for loans to carry inventories is the greatest in history, because the inventories are the largest. Today, almost four times as much capital or money is necessary to run either a big business or a little business as was needed 25 years ago, because of the volume of business done and the wages paid. I am not complaining about the wages; I am trying to be factual. More money is required. The result is that that money is competing for an interest rate, and I think rightfully so.

I think the visitors in the galleries, who use their savings to buy E bonds and H bonds or to deposit in savings accounts or to purchase annuities and other forms of savings, are entitled to an increase in their interest rates, because everything they buy, when they go to the markets, costs them more.

I should like to see stability of interest rates, if that could be done. But I also want to encourage people to save money

to buy Government bonds, bonds which will carry an adequate rate of interest in comparison with the cost of the things they buy and the interest rates which prevail today, which they can get if they invest in mortgages and other kinds of securities.

Mr. CARROLL. What is the Government doing to insure an adequate money supply?

Mr. CAPEHART. I think it has done a fairly good job, perhaps not as good as we would like to see. But I think it has managed the business fairly well when we consider that the debt is $290 billion and that $80 billion in Government bonds will come due this year to be refinanced.

Mr. CARROLL. I do not want to take the time of the Senator from Tennessee further. I thought his very fine remarks today were a highlight which has enabled us to understand the problem in simple terms. I think he has done a remarkable job.

Mr. GORE. I thank the Senator from Colorado.

Mr. CAPEHART. Let me say, in all fairness, that I think the matter is so serious it ought to be debated. I am against the philosophy of the Senators on the other side of the aisle who have spoken on this subject. Nevertheless, I do appreciate the problem and think we should discuss it and bring it to the attention of the American people, because I think the question ought to be settled one way or the other.

I think the failure of Congress to do something about increasing interest rates will be harmful to the economy. On the other hand, perhaps the administration has failed to do some of the things it might have done. At the moment, I cannot think of anything which they are doing. Perhaps there are some things which it should be doing. I think interest rates on Government bonds ought to be increased, because I am afraid that one of these days the matter will come to a head and will explode. The question, I believe, ought to be settled one way or the other. The best way to settle it is by open debate, as we are doing today.

Mr. GORE. I compliment the able Senator from Indiana upon his candor. I appreciate his willingness to debate the subject. As he said, there are two sides to the coin. He has stated his view of the question, and others, including myself, have stated a different view. Like the Senator from Indiana, I think it is in the public interest to bring to the attention of the people of the United States the problem, the issue, and the danger.

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

Mr. GORE. I yield.

Mr. ANDERSON. I think that, in view of what the Senator from Indiana has said, with which I completely agree, it might be interesting to call the attention of the Senator from Tennessee and other members of the Committee on Finance—I observe the distinguished Senator from Louisiana [Mr. LONG] also present—a report which has been made available today by the Committee on Finance, entitled "Investigation of the Financial Condition of the United States." It is a 140-page analysis of 2,088 pages of testimony on the financial condition of the United States. I do not suppose it will become a bestseller, but it is an extremely important document. I hope this analysis of the problem, together with the testimony, may be studied by Members of the Senate and discussed.

Mr. GORE. Would the Senator identify the document, so that those who read the CONGRESSIONAL RECORD and who may wish to write in and order the document may do so?

Mr. ANDERSON. It is entitled "Investigation of the Financial Condition of the United States—Analysis of Hearings Before the Committee on Finance, U.S. Senate, 86th Congress, 1st Session."

There are three chapters. One is an analysis by Dr. James W. Ford, who pretty well supports the position taken by the administration; the next is an analysis by Dr. Seymour E. Harris, chairman of the economics department, Harvard University, who is not quite so sympathetic; the third is a very fine analysis by Senator WALLACE F. BENNETT, of Utah, a member of the Committee on Finance, in which the Senator from Utah includes the text of speeches which he gave upon the floor of the Senate.

Mr. GORE. Does the Senate document have a number?

Mr. ANDERSON. I believe not, but it is made available today by the Committee on Finance. The first copies are now coming to the Senate. I think it is interesting that they are coming here at the time when the able Senator from Tennessee has raised this question so forcefully on the floor of the Senate. I am glad he has done so, because I think a discussion of this subject is extremely important. I am not always certain who is right and who is wrong.

Mr. CAPEHART. I think the matter ought to be settled.

Mr. ANDERSON. I think there ought to be a discussion. A subject which is confined to the United States. A similar report has just been made in Great Britain. It has taken 2 or 3 years to complete it. It was made by a committee headed by the Right Honorable Lord Radcliffe, and has been published by the Chancellor of the Exchequer. I think that in many ways that report is perhaps more interesting than the report of the Committee on Finance. But the committee's document and the Radcliffe report could be the basis for a very serious discussion.

I compliment the Senator from Tennessee for raising the question for the attention of the people.

Mr. GORE. I thank the Senator from New Mexico for his contribution to the discussion. I agree that it is timely and appropriate to call attention to this document. I hope it will receive study by many students of the question.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. It might be well to point out some of the places where the high interest rates hit especially hard.

In the case of the purchasers of new homes, I believe the Senator from Tennessee knows that on long-term mortgages, each advance of 1 percent in the interest charged means an advance of 10 percent in the monthly payments.

For example, on a 30-year mortgage, a 2-percent increase in the interest rate—and that much has occurred—means a 20-percent increase in the payments, so that if the monthly payment at 4 percent interest had been $75, the monthly payment would have to be increased to $90 if the interest rate increased to 6 percent.

Mr. GORE. Yes; or even a little more than that.

Mr. LONG of Louisiana. And as regards rents, an increase in the interest rates is passed along a little more rapidly, because the rent the landlord can charge is competitive with the monthly payments made by those who are purchasing new houses; and the landlord must borrow money in order to build new rental housing.

Mr. GORE. Let me mention an instance about which I have heard. A person borrowed $30,000 with which to build a home. He borrowed it on a 25-year amortization schedule. The interest rate was 6 percent. When the mortgage was signed, sealed, and delivered, the borrower asked how much more in interest he would have to pay under the contract and the mortgage he had just signed, as compared with what he would have paid if he had borrowed the same amount of money for the same period of time at the rate available before this administration came into power. From the calculator, the borrower obtained the answer—$11,997. That extra payment of $12,000, lacking $3, did not provide any more housing or a larger loan or any other additional benefit to that homeowner and homebuilder. It is only more interest.

Mr. LONG of Louisiana. I am sure the Senator from Tennessee also realizes that as the cost of new housing rises, it tends to have an adverse effect on the availability of rental housing at reasonable rates. As the landlords have to pay more interest on the money they borrow in order to build new rental housing, that situation tends to make rents rise; and the probability is—and if it has not already happened, it is certainly in the process of happening—that the advance in the interest rate on rental housing construction money from 4 percent to 6 percent means that the rents charged on that rental housing can be expected to increase 20 percent. In other words, rents will be 20 percent higher than they would have been if more reasonable interest rates had been in effect.

If we multiply by 2 percent the public and private debt of approximately $800 billion in this country, we find that the total amount of additional interest payments in the United States in 1 year will thus be increased by approximately $16 billion. Figured on an annual basis, those who owe money will be paying someone else $16 billion more than they would otherwise be paying.

Of course, some of the borrowers are also lenders; but if we reduce that figure by approximately one-third, in order to offset for that factor, we find that, on a per capita basis, the masses of our

people will be paying approximately $60 a person additional each year as a tribute to those who control the money markets of the Nation, if the Government does not use its power to protect them.

Mr. GORE. I thank the Senator from Louisiana.

Mr. PROXMIRE. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. PROXMIRE. Is it not true that that $60 additional a person which is being paid buys nothing more; it does not buy another house or another automobile; it buys nothing but air.

Mr. GORE. Yes. It does not create money. I suppose it succeeds in enabling those who are the beneficiaries to buy more yachts or more penthouses, and makes it possible for them to clip more coupons from tax-exempt securities.

Mr. PROXMIRE. But from the standpoint of the purchasers of new houses, is it not true that that increase in what they have to pay represents the sheerest kind of inflation, in the sense that they receive nothing additional for those additional payments?

Mr. GORE. I thoroughly agree.

Mr. President, the Wall Street Journal for September 1, 1959, carried an article, by Mr. Lee Silberman, in the nature of a roundup of current credit conditions. This article shows quite well some, although not all, of the effects of the tight money policy now being pursued by the U.S. Government.

I wish to emphasize several of the points which are brought out in this article.

First, it is admitted that, since New York banks make some 20 percent of all bank loans to business, these large banks set the pattern for the country. An increase in the "prime" rate charged by these banks will be felt all across the country.

Second, money now is extremely tight. One measure of the tightness of money is the ratio of loans to deposits. At the end of July this ratio was 51 percent nationwide, and up to 60 percent for some big New York banks, the highest since 1933.

Third, higher interest rates would hit retailers and wholesalers very hard at this season, as they are now beginning to build up inventories for fall and winter business. In the end, of course—although Mr. Silberman does not point this out—the extra costs are passed on to the consumers, wherever possible.

Fourth, consumer loan charges will probably advance soon. According to this article, the banks had contemplated raising consumer loan rates earlier during the summer, "but held off when President Eisenhower's proposal to remove the 4¼-percent ceiling on longer term Government bonds stirred protests in Congress against higher interest rates generally." I am glad to note, Mr. President, that those of us who deplore the effects of high interest rates, and who have voiced our feelings, have had some effect, even if only a temporary one, on the business community.

Fifth, major New York banks during the past year have cut their holdings of Government securities from $8 billion to $6 billion. The banks have done this, of course, to raise funds in order to make loans at higher rates of interest, and thus increase their already high earnings.

Sixth, this article contains a very interesting side note on how tight money encourages certain banking practices which I feel border on the unethical. In commenting on the increasing selectivity of bankers and the power of the bankers to decide who will get a loan and who will not, an unidentified banker is quoted as saying, "We now give primary consideration to whether a customer has any call on us—in other words, is he a customer of long standing who keeps up his compensating balances?" The article then goes on to say that banks generally require business borrowers to keep a deposit balance of about 20 percent of their loans. This, of course, increases the real cost of borrowing money by about 1 percent above the apparent, or stated, interest rate.

This unidentified banker is further quoted as saying, "Borrowers who have had no account with us, or just small accounts, are finding it increasingly hard to make the grade." Thus, Mr. President, the bankers can deny necessary financing to the new, small, or weak enterprises.

Mr. President, I ask unanimous consent that the article, by Mr. Silberman, from the Wall Street Journal for September 1, 1959, be printed at this point in my remarks. I commend it to all who may be interested in the effects and practices associated with the current shameful and hurtful tight money policy being pursued by the Federal Reserve System. This article is most timely, in view of the increase of yesterday in the prime rate.

The article forecasting the increase appeared in the morning paper. The increase occurred before nightfall.

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

Mr. GORE. I yield.

Mr. CLARK. I should like to commend my distinguished colleague from Tennessee for the splendid, forthright, and intelligent speech he has just made on this matter of great national interest, and to assure him of my warm support of his views.

In view of the fact that he and I have been discussing an article entitled "A Matter of Justice to Government Bond Buyers," I wonder if he would have any objection to my seeking unanimous consent to have the article appear at the conclusion of his remarks?

Mr. GORE. I think, in justice to Mr. Livingston, the entire article should appear in the RECORD, and I ask unanimous consent that the article be printed following the article from the Wall Street Journal.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

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

[From the Wall Street Journal]

COSTLIER CREDIT: BUSINESSMEN FACE NEW BANK LOAN RATE BOOST, PERHAPS IN A FEW DAYS—LOANS CLIMB DESPITE STEEL STRIKE—FEDERAL RESERVE KEEPS TIGHT REIN ON FUNDS—A RISE FOR CONSUMERS, TOO?

(By Lee Silberman)

NEW YORK.—Businessmen face another general increase in the cost of bank borrowing—possibly within a matter of days.

That's the word from bankers here in the Nation's financial capital. New York City banks, including such giants as Chase Manhattan Bank, First National City Bank, Morgan Guaranty Trust Co., and Chemical Corn Exchange Bank, account for some 20 percent of all bank loans to business. Their actions set lending patterns for banks the Nation over.

A general interest rate boost would be touched off by an increase in the prime rate—the rate the banks charge their biggest borrowers with the best credit ratings. Rates for all other borrowers are scaled upward from the prime rate. The prime rate was boosted in May from 4 percent to its present 4½ percent level. Another increase probably would lift the rate to 5 percent, the highest point in 28 years.

CLIMATE IS RIGHT

"We're being squeezed for money," says a top lending officer of one major New York bank. "I'd say the climate is right for a rate increase."

New York bankers testify that the growing tightness of money extends beyond New York. "Out-of-town banks call us continuously, wanting us to take a piece of this or that loan," says an official of one New York City bank. "You can see the money supply grow tighter as you sit here at the desk."

Talk of tighter money and higher interest rates may seem a bit strange in the midst of a nationwide steel strike. Steel-using industries borrow heavily to finance steel inventories; in recent weeks, they've been working down their stocks, of course—and paying off part of their loans. But bankers report growing demand from other sources has more than offset the reduction in steel-inventory loans.

As an indication of the growing squeeze on the banks, consider their loan-deposit ratio. At the end of July, loans of the Nation's banks were equal to 51 percent of deposits, the highest point since 1933. For New York City banks, the ratios are even higher, ranging up to 60 percent. And bankers report loan demand still is growing faster than deposits.

RETAILERS AND COMMODITY DEALERS

Higher interest rates would hit hard at retailers and wholesalers, who only now are beginning to step up their borrowing to finance accumulation of inventories for the fall and Christmas selling seasons. Commodity dealers and food processors also are beginning to step up their bank borrowing now to finance purchase of crops.

An increase in business loan rates could lead to higher costs for consumers as well as businessmen. Earlier this summer, some New York City banks were planning to increase their consumer loan charges. They now collect, in advance, a fee of $3.75 a year on each $100 that is borrowed to buy autos and appliances and for other purposes. They were aiming to boost this charge to $4.25 but held off when President Eisenhower's proposal to remove the 4½-percent ceiling on longer term Government bonds stirred protests in Congress against higher interest rates generally.

Banks' consumer loan charges are not geared directly to their business loan rates. But bankers expect their return on consumer loans to keep pace with the returns on their other loans, so rising business loan rates are sure to renew pressure for higher consumer loan charges.

The squeeze on the banks' loanable funds stems from several factors.

First, demand for funds is growing. Business loans of major New York City banks at midweek, for example, last week stood at $9.9 billion, an increase of $187 million since June 30.

Loan demand promises to grow. For one thing, there's the usual seasonal upswing in borrowing by wholesalers, retailers, commodity dealers, and food processors. And bankers report a growing demand for credit from other types of businesses, too.

A SPILLOVER INTO BANKS

With capital spending heading upward again, more companies will be seeking financing. Such projects usually are financed through retained earnings and long-term bond borrowing, but with the continuing weakness of the bond market bankers expect much of this credit demand to spill over into the banks. With bond borrowing costs climbing, many companies prefer to postpone bond sales and rely temporarily on bank loans.

And there's no question bond borrowing costs are rising; in some cases, the rises have been much swifter than market specialists have expected. Last week, for example, underwriters of three issues of high-grade corporate bonds found they had set their prices too high. So, reluctantly, they decided to let the issues find their own price levels in the market.

Late last week, some $2.5 million of a $30 million offering of Michigan Bell Telephone Co. debentures was put on the market in this manner. The debentures, initially priced to yield investors 4.75 percent, quickly fell in price so as to yield 4.9 percent.

"It's natural in times of a falling or unsettled bond market for companies to rely on banks for interim financing, hoping for the market to improve," says an official of a major New York bank. "But if the prime rate went up to, say, 5 percent, more corporations would look to the bond market and banks could concentrate more on their normal types of loans for short-term working capital and inventory needs." Bankers also hope that a prime rate boost would lead more borrowers to postpone least-essential projects and thus ease the credit squeeze a bit.

The bond market, while it has been helping to boost demand for bank loans, has in effect been cutting the banks' supplies of loanable funds. In times of tight money, banks normally sell off Government securities to raise funds. Major New York City banks, for example, in the past year have cut their holdings of Government securities from $8 billion to $6 billion. But with prices of Government securities down, further cuts in many cases would be likely to be painful, forcing the banks to absorb losses.

A more important curb on the banks' supply of loanable funds, however, is the current Federal Reserve System policy. Anxious to prevent an inflationary credit splurge, the system has been keeping a close rein on the funds the banks have available to lend.

The system can increase the funds the banks have available to lend by purchasing Government securities; it pays for its purchases with a check and the seller deposits the check in his bank, thus transferring Federal Reserve funds to the banking system which then has more money to lend. Or the system can cut the banks' loanable funds by selling Government securities; the purchaser draws funds from his bank to pay the Federal Reserve.

A gage of the effectiveness of this policy is the reserve position of the banks. Member banks of the System are required to keep on deposit with the System amounts equal to a specified percentage of the deposits on their own books. The percentage varies from city to city; for major New York banks, it's 18 percent. For several weeks, banks have had to borrow heavily from the System to keep their reserves up to minimum levels. At the close of business last Wednesday, the banks' reserves exceeded requirements by $462 million, but this was more than accounted for by borrowings totaling $940 million.

New York City bankers figure the Reserve System may make a prime rate boost a bit more palatable to their customers. They'd like to time a prime rate increase to coincide with a boost in the System's discount rate—the rate at which it lends to member banks. This rate now stands at 3½ percent.

Many bankers believe the Federal Reserve would prefer to wait until after the steel strike to boost the discount rate again. But it may decide that it can't wait. The discount rate normally is closely related to the yield on new issues of 3-month Treasury bills. Last week, however, the Treasury bill rate climbed considerably above the discount rate, and this week mounted still further to a 26-year high of 3.889 percent. "There's no doubt the situation is ripe for a discount rate move," says a New York banker.

Another New York banker, however, insists that a prime rate boost is imminent whether the discount rate goes up or not. "The pressure is building up at such a rate that some banks may not be in the mood to wait around for the System to act," he says. He recalls that banks last May boosted the prime rate more than a week before the discount rate was lifted.

To conserve their loanable funds, banks are becoming increasingly selective in making loans. "We now give primary consideration to whether a customer has any call on us—in other words, is he a customer of long standing who keeps up his compensating balances?" says one New York banker.

Banks generally require business borrowers to keep on deposit with them amounts equal to about 20 percent of their loans. Such deposits draw no interest and thus increase the actual cost of the loans.

"Borrowers who have had no account with us, or just small accounts," says the New York banker, "are finding it increasingly hard to make the grade."

[From the Washington Post, Sept. 2, 1959]

A MATTER OF JUSTICE TO GOVERNMENT BOND BUYERS

(By J. A. Livingston)

It's late, 11th-hour late, yet not too late for Congress to act responsibly and grant justice to 40 million E- and H-bond holders and other investors in Government bonds.

One of the last things President Eisenhower did before taking off for Europe was to send a special message to the Senate and the House. In nontechnical language, he said: Give Secretary of the Treasury Anderson the power he needs to do his job of handling the national debt. But congressional leaders have put the request in the ho-hum file.

This dalliance takes money out of the pockets of you and me—of anyone who owns an E- or an H-bond. It mocks the efforts of Treasury officials to sell savings bonds and long-term bonds.

The Secretary of the Treasury seeks authority to eliminate the interest rate ceiling of 3.26 percent on E- and H-bonds. He wants to pay 3.75 percent on newly sold bonds. When and if the rate goes up, Secretary of the Treasury Anderson intends to increase payments on all E- and H-bonds outstanding by at least one-half percent. In addition, all E- and H-bonds issued at the 3.26 percent rate during June, July, and August will automatically get a boost to 3.75 percent.

The Secretary isn't giving Government money away. The rate has to go up as a practical matter. It ought to go up as a matter of fairness, justice.

REDEMPTIONS ARE HEAVY

Many savings and most savings and loan associations pay as much or better than 3.26 percent. That's why redemptions of savings bonds have exceeded sales in recent months. The present interest rate is competitively too low. Why give the Treasury your savings when you can do better elsewhere?

President Eisenhower also asked Congress to eliminate the present 4¼ percent ceiling on marketable bonds. The House Ways and Means Democrats tacked a rider on this proposal directing the Federal Reserve System, whenever feasible and consistent with sound monetary policy, to purchase Government bonds. "I didn't care one way or another about the amendment," says WILBUR D. MILLS, Democrat, of Arkansas, committee chairman, "but I felt it was necessary for votes."

William McChesney Martin, Jr., Chairman of the Federal Reserve Board, argued the amendment would hamper the Board in fighting inflation. Secretary Anderson supported him. The committee thereupon tabled the proposal. The Senate hasn't even considered the plan formally.

Influential Democrats in both Houses oppose higher interest rates. They feel that the Federal Reserve System can buy Government bonds, force interest rates down and, thus, lower the cost of carrying the U.S. debt. This, they say, would make unnecessary a change in the 4¼-percent ceiling on marketable bonds.

WHY THE IMPASSE

To Martin, Anderson, and orthodox monetary theorists, this would make money too easy and too plentiful. That's the impasse. Congress says the Reserve should rescue the Treasury. The administration says Congress should give the Treasury the tools to do it itself.

It seems to me that Congress has a trustee's responsibility to owners of savings bonds who are not "hep" to the ways of finance. They don't understand the intricacies of money rates. It's unfair to keep them locked in bonds paying 3.26 percent and less when rates elsewhere are higher.

Congress also has a practical responsibility—not only in savings bonds but in marketable bonds. If people redeem savings bonds faster than they buy them, then Secretary Anderson has to raise new cash to pay off the redemptionists. Government debt becomes "unfinanced."

AT 83 CENTS ON THE DOLLAR

The 4¼-percent interest-rate ceiling on long-term bonds compels Anderson to sell only short-term securities. Some Government bonds today can be bought at 83 cents on the dollar. Some sell to yield as high as 4.5 percent. So Anderson can't ask investors, bankers, insurance companies, investment trusts to buy 4¼-percent bonds—securities maturing in more than 5 years. Like the 3.26-percent ceiling on savings bonds, the 4¼-percent rate on marketable bonds is obsolete and noncompetitive.

For Congress to adjourn without acting on the interest rates would be irresponsible. It would justify President Eisenhower's calling a special session. When the Treasury

has no alternative but to sell strictly short-term securities, it is putting out the closest thing possible to irredeemable paper money.

Is that what the American people want? Is that what the Democratic leadership is prepared to defend and sponsor?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. In connection with the Senator's remarks, it occurs to me this might be an appropriate place to insert in the RECORD a statement I had prepared showing the annual average rate of interest on offerings of public marketable securities other than regular Treasury weekly bills, from 1929 to 1959.

I ask unanimous consent that a statement and table appear at this point in the RECORD.

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

STATEMENT BY SENATOR LONG OF LOUISIANA

I have asked the Legislative Reference Service of the Library of Congress to prepare for me a table showing the average annual rate of interest on offerings of public marketable securities other than regular Treasury weekly bills from 1929 through 1959. In view of the current proposal of the administration that Congress increase the ceiling on Treasury long-term bonds, I think that a study of this table is appropriate at this time.

Since 1952 these interest rates have increased from approximately 2 percent to over 3¼ percent. This is due to the deliberate tight-money, high-interest-rate policy of the present administration. You will note that the general trend of higher interest rates was halted in 1958 when our country suffered a sharp economic decline. It is my feeling that, in some measure, this recession was due to the tight-money policy which can only be effective in curbing inflation if it curtails economic activity.

During 1957 when the average rate on these securities had risen to almost 3.7 percent from its level of 2.025 percent in 1952, the cost of industry borrowing and consumer borrowing had risen to such an extent that economic activity was sharply curtailed.

I would like to comment parenthetically that I noticed yesterday that the Treasury had to pay its highest price in 26 years to borrow money for 90 days.

The Democrats have traditionally been the party of low interest rates. I think this table demonstrates that this assertion is justified.

When President Roosevelt was sworn in in 1933, this interest rate was over 3 percent. In 1934 it had declined to less than 2½ percent and it stayed under 2 percent almost every year until 1952. In the immediate postwar years, this interest rate was below 1 percent.

Mr. President, I think that this table is an interesting study for the Members of this body and I commend it to their attention. Under unanimous consent, I insert in the CONGRESSIONAL RECORD the table which I had prepared entitled "Annual Average Rate of Interest on Offerings of Public Marketable Securities Other Than Regular Treasury Weekly Bills, 1929–59":

Annual average rate of interest on offerings of public marketable securities other than regular Treasury weekly bills, 1929–59

	Annual average rate of interest
1959	3.788
1958	2.602
1957	3.670
1956	2.844
1955	2.121
1954	1.728
1953	2.413
1952	2.025
1951	1.855
1950	1.371
1949	1.220
1948	1.200
1947	0.959
1946	0.875
1945	1.465
1944	1.431
1943	1.495
1942	1.523
1941	2.149
1940	1.431
1939	1.939
1938	2.203
1937	1.915
1936	2.403
1935	2.028
1934	2.471
1933	3.026
1932	2.835
1931	2.923
1930	2.615
1929	4.507

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 685. An act to exempt from all taxation certain property of the Association for Childhood Education International in the District of Columbia;

S. 1372. An act to extend the jurisdiction of the Domestic Relations Branch in the Municipal Court for the District of Columbia to cover the adjudication of property rights in certain actions arising in the District of Columbia; and

S. 2035. An act authorizing persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and requiring persons receiving money or property in settlement of such actions or in satisfaction of a judgment in any such action to be appointed as guardian of the estate of such minor.

The message also announced that the House having proceeded to reconsider the bill (H.R. 7509) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was—

Resolved, That the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers;

S. 417. An act to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota;

S. 551. An act to declare portons of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams;

S. 994. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws;

S. 1221. An act to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands;

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site;

S. 1453. An act to authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa to the city of Keosauqua;

S. 1521. An act to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938;

S. 1645. An act to amend section 4161 of title 18, United States Code, relating to computation of good time allowances for prisoners;

S. 1647. An act to amend section 4083, title 18, United States Code, relating to penitentiary imprisonment;

S. 1947. An act relating to the authority of the Customs Court to appoint employees, and for other purposes;

S. 2013. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds;

S. 2029. An act to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes;

S. 2118. An act to amend section 4488 of the Revised Statutes, as amended, to authorize the Secretary of the Department in which the Coast Guard is operating to prescribe regulations governing lifesaving equipment, firefighting equipment, muster lists, ground tackle, hawsers, and bilge systems aboard vessels, and for other purposes;

S. 2334. An act to transfer from the Department of Commerce to the Department of Labor certain functions in respect of insurance benefits and disability payments to seamen for World War II service-connected injuries, death, or disability, and for other purposes;

S. 2339. An act to amend the law relating to the distribution of the funds of the Creek Tribe;

S. 2421. An act to amend the Klamath Termination Act; and

S. 2435. An act to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo.

OPPOSITION TO INVITATION TO KHRUSHCHEV TO ADDRESS A JOINT SESSION OF CONGRESS

Mr. DODD. Mr. President, each day brings another newspaper editorial or congressional speech urging that Khrushchev be invited to address a joint session of Congress during his visit.

Those who a few weeks ago were assuring us that the Khrushchev visit implied no honor or tribute to him and what he represents are now attempting to broaden the scope of his welcome in ways that can only imply just that.

An invitation to Khrushchev to address a joint session of Congress, or either branch of Congress, is an honor, a tribute, and a token of approval which there is no gainsaying.

My attitude toward the Khrushchev visit to this country is already in the RECORD and I see no need to repeat it. In my previous speech, I tried to point out why I believe that the arguments advanced for bringing Khrushchev to this country are either superficial or specious.

But even if these arguments for the visit were valid, they would have no validity whatever when applied to the question of Khrushchev's addressing a joint session of Congress.

A Khrushchev appearance before Congress could not further negotiations for peace. It could not really add to his knowledge of the United States. It could not impress upon him the strength of our country. It could not serve to give him any real knowledge of how our people live or how our Government functions.

It could not add appreciably to the ample opportunity for increased "understanding," already offered Khrushchev by our television and press coverage.

An invitation to a foreign leader to address Congress is a ceremonial honor, pure and simple. To extend it to Khrushchev is a needless, shameless, purposeless affront to our free parliamentary traditions extending over almost two centuries.

Perhaps only those who have attended joint sessions of Congress can perceive the full significance of such an invitation.

If such a ceremony ever takes place, it will bring out the entire top level of our three branches of Government to do honor to Khrushchev.

One Senator has suggested that the President of the United States be on hand to introduce Khrushchev with appropriate warmth.

The Supreme Court Justices in their black robes, the members of the Cabinet, the full membership of the House of Representatives and the Senate, and the world's leading diplomats will all be on hand to rise and to applaud Khrushchev as he marches down the center aisle of the House Chamber and ascends to the rostrum heretofore reserved for spokesmen for freedom.

And the same "courtesy" which moves so many to advocate at Khrushchev joint session of Congress would presumably also move the assembled representatives of our Nation to applaud the Communist propaganda of his speech.

And I suppose that at the end of an hour or two of falsehood, misrepresentation, and fraud, courtesy will again demand that we applaud Khrushchev's performance and rise in a final tribute to him as he leaves the Chamber.

Such a picture to me seems almost too fantastic and incredible to imagine in a free world of sane and rational men.

Despite the repeated protestations that no dishonor or shame would be involved in such proceedings, I can interpret them in no other way.

I would not have believed such a thing possible had not influential Members of Congress and respected organs of the press advocated it.

So far as I have been able to follow this matter, three reasons have been brought forth in favor of Khrushchev's appearance at a joint session.

The first is that it would be an act of discourtesy not to invite him.

In the few short weeks since the invitation was announced, the meaning of the word "courtesy" has undergone a strange metamorphosis.

In the days immediately following the announcement, courtesy quite properly meant refraining from insults, jeers or egg-throwing. A week or two later, courtesy came to preclude even boycotts, peaceful picketing or merely the ignoring of Khrushchev.

And now we are told courtesy demands that we not only refrain from any show of unpleasantness or even inattention, but that we extend to Khrushchev the greatest public honor we can bestow upon any visiting chief of state, an invitation to address Congress.

Perhaps tomorrow we shall be told by the editorial writers and exchange enthusiasts that in the name of courtesy we must cheer Khrushchev, laugh at his homely stories, and put on a real demonstration of warmth and affection for this arch criminal.

The second reason advanced in favor of a Khrushchev joint session is the obscure and fuzzy notion that it is desirable in order to enable the Members of Congress to observe Khrushchev at close range, reading his prepared speech in his native tongue, and thus to gain a better understanding of him.

The congressional Chamber is apparently to be turned into some sort of laboratory or zoo where the Members can study the creature at close range, gain some deep insight into his character and presumably emerge from the experience with an enhanced understanding of world affairs.

This argumentation represented in my judgment a low point in the history of tortured logic until I heard the third reason, which surely carries off the prize.

It is held by some legislators that the sight of Congress assembled in the House Chamber will, in some mysterious manner, impress upon Khrushchev the strength of this country and the worth and vitality of our free institutions.

There is an unconscious vanity and an ironic humor in this attitude of Senators and Representatives which should not be lost upon the contingent in the press gallery and which should bring out the best satiric efforts of our cartoonists.

The more one reflects upon the idea that the sight of Congress will impress Khrushchev, the more absurd it becomes. In some unexplained manner, the sight of several hundred men sitting on the floor of Congress listening to Khrushchev's speech is expected to convey an impression of strength and vigor.

Khrushchev knows what he is and what he has done. He knows the calculated distortions and misrepresentations abounding in his speeches for our consumption. He knows of his own plans for subjugating our people.

Will he therefore be impressed by the sight of our leaders receiving his misrepresentations with cordiality and applause? Or will our friendliness give him an impression of weakness, of stupidity, of lambs ready for the slaughter?

It may be that Khrushchev will detect in the strong visages and impressive deportment of our Senators and Representatives some deep repository of wisdom and strength which will increase his respect for our country and its institutions. But I venture to say that if he does, he will be evincing an insight more profound and penetrating than that of many who have visited these halls.

For it is not in outward appearances that the strength and worth of Congress lie. These can be found only in the long web of tradition, the struggle to fulfill the goals of our Declaration of Independence and our Constitution, the quest for and the defense of freedom, the slow but constant attempts to perfect our system of free institutions, the enduring vigor and vitality of the elective process, the attitudes, traditions and concepts developed in two centuries of trying to keep faith with the democratic ideal.

Are we preserving those traditions, are we keeping faith with those ideals if we say now that a Khrushchev is as welcome here as a Churchill?

Supporters of the Khrushchev invitation to address Congress will say to me, "Everything you say about Khrushchev may be true, and everything you say about freedom may be true, but it is all beside the point. It gets us nowhere in this situation."

Mr. President, it is not beside the point. It is the point.

Arnold Toynbee has said that a civilization begins to fall when it begins to lose contact with the origins of its greatness.

Are we not losing contact with the origins of our greatness when strange notions of courtesy to Communist dictators are more important than old values and codes of conduct? If the origins of our greatness are to be found in the love of liberty, in a contagious idealism, in an approach to national and world problems based on religious convictions and moral principles, then we cannot succeed with mores that are so sophisticated, so tolerant of evil, that we will permit, if only for an hour, the enthronement in our Capitol of the human embodiment of tyranny.

The leaders of free people cannot, like so many pawnbrokers, trim their values to suit each shifting demand of expediency. We cannot trade in our basic convictions and attitudes in return for a fanciful code of diplomatic etiquette.

Somewhere the line must be drawn. Somewhere there must remain an inviolable and undefiled temple of our democracy and our civilization within which tyrants are not permitted. That temple should be this Capitol of the United States, this citadel of freedom, this symbol of democracy, this monument not alone of stone and steel, but of the words, the hopes, the sacrifices of a free people.

Mr. President, not a single precedent for inviting Khrushchev to address the Congress can be found anywhere in our history. Congress must not be hurried, without sufficient reflection, into mocking its past.

My understanding is that a joint session could be arranged in either of the following ways:

It could be brought about by the leadership of both Houses without a joint resolution, without debate, and without any expression of the will of the membership.

Or it could be brought about by the passage of a joint resolution which is normally done perfunctorily, by unanimous consent, but which technically is debatable and which can be brought to a record vote.

Some Senators have served notice that if a joint session is not arranged they would favor a Khrushchev session of the Senate alone and at least one resolution to that effect has already been promised, a resolution which would be debatable and which could be brought to a vote.

I have written to our distinguished majority leader asking that any Khrushchev invitation to address Congress be presented to the entire membership for action. I have asked that before any unanimous-consent request is made concerning such an invitation I be notified so that I could be on hand to object, to insist upon a debate, and, with the help of my colleagues, to bring about an expression of the will of each Senator on this question through a recorded vote.

We all share in the prerogatives and powers of this body. We all share in the responsibility for its actions. If this Congress is to submit to having its rostrum used as a forum for a murderer, an assassin, and a tyrant, then such an act should represent the expressed will, not just of the leaders, but of the entire membership.

I do not presume to be a spokesman for the honor, the traditions, and the ideals of this Congress. Surely, when such an invitation is brought before this body, revered and elder Members who love the Senate and all that it represents will rise to speak out against its defilement.

Surely one by one my colleagues will rise to swell the chorus of opposition to a Khrushchev performance in this Congress.

Surely the Congress of the United States will, in the end, etch indelibly over its portals the inscription, "Only friends of freedom may enter here."

Mr. YOUNG of Ohio. Mr. President, at the outset may I extend my commendation and my admiration to the distinguished and able Senator from Connecticut [Mr. DODD] for the remarks he has made. May I also say that I am in complete accord with everything that he has stated.

Without a doubt, Mr. Khrushchev is a good politician in and expert on the Soviet Union, but there is not a thing he can tell the Congress, and not one of us in interested in listening to any of his harangues. We have, unfortunately, heard of too many of them already.

As the distinguished Senator from Connecticut so ably stated, the privilege of appearing before a joint session of Congress should certainly be reserved for Americans of distinction and achievement, for a visiting chief of state, and for the heads of friendly governments. Khrushchev does not come within any of those categories. He is not the head of a friendly nation. He is not a chief of state. He is not a man of distinction and achievement in this country, and the invitation is extended only to persons in one of those categories, plus, of course, the President of the United States.

We want no part of Khrushchev in the Halls of Congress. On the other hand, the Senator from Connecticut and I agree that as he comes to this country as a guest of the President of the United States, he should be treated with dignity and with courtesy.

We want him to go throughout the land. We want him to see the broad expanse of this Nation. We want him to visit our great industrial cities. There are many such cities, including my home city of Cleveland, Ohio. There, recent immigrants from the old world, first generation Americans, and men and women of various and diverse ethnic origins—of Italian, Slovak, Greek, Russian, Czech, and Polish descent—live in peace, friendliness, comfort, and mutual respect.

We want Mr. Khrushchev to see these things. Perhaps he will have sense enough and prudence enough—although I have grave doubts on that subject—after seeing the expanse of our country and the might of America, and judging the determination and the might of a great free people like ourselves, to go back to the Soviet Union and take a new look, and make a reappraisal of some of dastardly things he has had to say and the misconceptions he has of America.

LEGISLATIVE PROGRAM

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

Mr. DODD. I am happy to yield.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that my friend from Connecticut may yield to me with the understanding that he will not lose his right to the floor.

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

Mr. LONG of Louisiana. Mr. President, I am not sure I heard the unanimous-consent request. What was the request?

Mr. JOHNSON of Texas. That the Senator from Connecticut may yield to me without losing his right to the floor.

Mr. LONG of Louisiana. I have no objection.

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senators present and, through the aides of the Senate, those who are not on the floor at the moment, that the distinguished minority leader informs me the Senator from Massachusetts [Mr. KENNEDY] and the other members of the conference committee have reached an agreement in the conference, and I think that perhaps 13 of the 14 conferees—perhaps only 12 of the 14—will sign the report on the labor bill. It is expected the report will be presented today.

I am informed by the Parliamentarian that as soon as the report is presented, if it is agreeable to the members of both sides of the aisle, and if they are willing to discuss it, we can take it up without it going over for a day, by motion. I am also informed that it would be agreeable to the minority leadership to have the report discussed as late as 12 o'clock this evening.

Under the order previously entered we will meet at 11 a.m. tomorrow. Perhaps we could hope for a vote sometime then.

I simply want the Members to be on notice. I am informed that agreement has been reached in the conference committee, and we will be prepared to consider the conference report as soon as the chairman of the conference is ready to present it. The Senate will act first.

I am also informed that the Appropriations Committee of the House is meeting at 4:30 this afternoon to consider the action it should take on the public works appropriation bill. We can look for prompt action in the House in connection with that matter.

The conference committee either has agreed or is about to agree on the military construction appropriation bill. We would expect to present that conference report, which will have high priority.

I say all of these things while the aides of the Senate are under instructions to inquire as to the wishes of the Members of the Senate, as to whether we should be in session on Saturday and on Monday. If the majority of the Members of the Senate feel that they can be present during those days, and we can run late and keep our discussion at a minimum, it is very possible that we could conclude the session at a reasonably early date.

It looks now as if the mutual security bill, the labor bill—whatever action may have to be taken in connection with the housing bill—the public works appropriation bill, the civil rights bill, and any other bills could be taken up by motion at the proper time.

So I hope all Members will try to arrange their engagements so as to be here during the next few weeks, so that we can conclude action on these measures. I particularly wanted to give as much advance notice on the labor conference report as possible.

Mr. DIRKSEN rose.

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I fully concur in the desire of the majority leader to secure expeditious action on the conference report.

We have been actually engaged in conference 12 or 13 days—perhaps longer, as a matter of fact—and as one of the conferees, I am quite happy over the fact that we could compose our differences and come in with an agreed report. I see my distinguished friend from Michigan and other Senators are present. The sooner it is expedited for action I think the better it will be, and of course it will be in the interest of expeditious adjournment.

Mr. JOHNSON of Texas. Mr. President, I want to commend the distinguished junior Senator from Massachu-

setts [Mr. KENNEDY], the able minority leader, and all their colleagues on both sides of the aisle, who worked so long, so diligently, and so faithfully in connection with this very difficult subject.

I am informed that there was one Member of each body who did not sign the conference report—that 12 or 13 of the 14 voted for it. I think that is a fine testimonial of the very effective efforts of the Senator from Massachusetts [Mr. KENNEDY], of the minority leader, of the Senator from Arizona [Mr. GOLDWATER], of the Senator from Michigan [Mr. MCNAMARA], and of others who worked so diligently.

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

Mr. JOHNSON of Texas. I yield.

Mr. WILEY. It seems to me, if the majority leader will pay attention, in view of the fact that the conferees have labored so long, and we have been laboring here, that we ought to try to recess at a reasonable hour tonight, and have an understanding to that effect. If the explanations are not satisfactory they can go over until tomorrow. It seems to me that if the majority leader, who has been always, let us say, so willing to agree to matters of this kind, will agree that we could leave at, say, 6:30 or 7:30 tonight, and go over until 11 o'clock in the morning, we could have a full explanation and understand what the differences of those two Members were.

I am informed, though I would not say that I have it confirmed, that there is one of the Members who did not sign the report who threatened to talk for hours. If that is so, I think we ought to have the speech in the morning and not have it tonight, when although Senators are not tired, they are a little bit exhausted. I am sure the minority leader looks as if he has been "pulled through a knothole" or something of that kind—tired and worn.

I make the point that that is what we ought to do, in the interest of quickly getting rid of the matters before us.

Mr. JOHNSON of Texas. I thank the Senator for his point.

Mr. WILEY. Is that all I get?

Mr. JOHNSON of Texas. I talked to the Senator's leader at some length. We await the pleasure of the chairman of the conference and the other members.

I always try to be reasonable. Last night we got out of here at 5:30 or 6 o'clock.

Mr. WILEY. It was a quarter of 7.

Mr. JOHNSON of Texas. The night before, at the Senator's suggestion, we got out of here at a reasonable hour, 6 o'clock.

We are in the last days of the session. I do not know how long Senators wish to discuss this matter. I should like to have more information from them before I make a final decision. When I make a commitment I keep it, but I do not want to make one at this time.

Mr. DODD. Mr. President, I ask unanimous consent that the remarks of the majority leader and other Senators on procedural points be printed after my remarks in the RECORD.

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

AUTHORIZATION FOR ENTIRE STAFF OF COMMITTEE ON LABOR AND PUBLIC WELFARE TO BE ON FLOOR DURING CONSIDERATION OF CONFERENCE REPORT ON LABOR BILL

Mr. GOLDWATER. Mr. President, the rule relating to the number of staff members who may be on the floor at one time would permit only one member of the minority staff of the Committee on Labor and Public Welfare to be present during the consideration of the conference report on the labor bill. Because of the very unusual nature of the conference report and the circumstances which surround it, I ask unanimous consent that the entire staff of the committee may be permitted to be on the floor during the time when the conference report on the labor bill is discussed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SURVEY OF PROPOSED OREGON DUNES NATIONAL SEASHORE RECREATION AREA BY ROBERT W. CHANDLER, OF THE BEND (OREG.) BULLETIN

Mr. NEUBERGER. Mr. President, nationwide interest attaches to the effort on the part of certain Members of the Senate to preserve scenic portions of the country's shoreline in national seashore recreation areas under the supervision of the U.S. National Park Service.

The pages of the RECORD have recently contained extensive speeches on such proposed parks by the senior Senator from Illinois [Mr. DOUGLAS], by the senior Senator from Montana [Mr. MURRAY], by the junior Senator from Texas [Mr. YARBOROUGH], and by many other leaders in the field of conservation of our outdoor grandeur. These have been outstanding speeches.

Looming large in any proposed legislation for the national seashore recreation areas is the Oregon Dunes and Sea Lion Caves National Seashore, along the magnificent seacoast of my native State. Indeed, this area has been recommended for national park status by the National Park Service Advisory Board of the Interior Department. Because I concur thoroughly in this recommendation, I have introduced legislation to transmit the proposal into law. I have had encouragement in my efforts from the administration through the Department of the Interior.

For all these reasons, I believe Members of the Senate will be interested in a most illuminating series of articles which appeared in the Bend (Oreg.) Bulletin from August 24 until August 27, 1959, by Robert W. Chandler, editor of that daily newspaper. Although he himself resides in an inland community, Mr. Chandler journeyed to the Oregon coast to ascertain personally the facts about the proposed national seashore recreation area.

I will let Mr. Chandler's thorough series of four articles speak for itself. However, I am immensely heartened and encouraged by the concluding sentence in his fourth article. It reads as follows:

> Among those who fully understand the facts, support for the park can be found in a sizable majority.

Mr. President, I ask unanimous consent to include in the CONGRESSIONAL RECORD the four articles on the proposed Oregon Dunes National Seashore Recreation Area written by Robert W. Chandler, of the Bend Bulletin.

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

[From the Bend Bulletin, Aug. 24, 1959]

DUNES PROPOSAL CREATES STIR IN OREGON; SIDES CHOOSE UP FOR CONGRESSIONAL FIGHT—HERE ARE FACTS IN COAST PARK CONTROVERSY

(EDITOR'S NOTE: In March this year the National Park Service reported results of a yearlong survey of recreation areas on the Pacific coast. Included in recommendations accompanying the survey was one that an area between Florence and Reedsport on the Oregon coast, plus Oregon's Sea Lion Caves, be set aside as a national recreation area. The proposal has been the subject of considerable discussion, within and without the area, since that time. The editor of the Bend Bulletin recently spent several days in the area, looking over the proposal and discussing it with proponents and opponents. His findings are presented in a series of articles, the first of which follows.)

(By Robert W. Chandler)

REEDSPORT, OREG.—Come to this Oregon city where the Umpqua River runs into the Pacific and you will hear considerable mention of the park or the national park.

Ask what's going on, and you will receive a number of answers. Some of them demonstrate a pretty thorough lack of familiarity with the whole subject.

For the national park is, strictly speaking, not a national park at all. At present it's a strip of land of varying widths in the area between Reedsport and Florence, 23 miles to the north.

An advisory board to the National Park Service has recommended it be acquired—along with the Sea Lion Caves 12 miles north of Florence, for the Oregon Coast National Seashore Recreation Area.

What is such an area? Are there any in Oregon now? What do people here think of the proposal? How are such areas created?

It was to answer these and other questions that I have just spent time, effort, and gasoline looking over the area.

The official description of the tentative area involved—which could be changed in some details after hearings to be held in the area in October by committees of both the U.S. Senate and House of Representatives—is:

LOCATION

The sand dunes extend for a distance of 23 miles south of Florence. The Sea Lion Caves area is 12 miles north of Florence.

ACCESSIBILITY

The coast highway (U.S. 101) passes through or is adjacent to the entire area.

DESCRIPTION OF AREA

The area comprises 24 miles of shoreline with over 33,000 acres of upland. This includes three distinct types of land forms. Fronting the ocean is an attractive, clean, fine-textured, wide, sandy beach. Second is a vast, desertlike expanse of moving sand that has been swept up from the shore by the wind and subsequently deposited and formed into attractive dunes. The third and easternmost type of land form is ancient, forest-covered dunes which reach a maximum height of 450 feet above the sea. Also

included are three irregular, freshwater lakes which possess high scenic and recreation values. They vary greatly in size, ranging from 130-acre Cleawox Lake, the smallest, to Woahink Lake with slightly less than 800 acres, and Siltcoos Lake, which covers some 3,200 acres. Vegetative cover is comprised of a dense, picturesque coniferous forest with an understory of varied shrubs and a fine rhododendron display. The Sea Lion Caves site is a notable rookery for Steller sea lions, California sea lions, and bird life of outstanding interest.

PRESENT USE

Present use consists almost solely of recreation. The area includes one 522-acre State park, and there are several developed forest service campgrounds and picnic areas. A considerable number of homes and cottages exist around the lakes. The Sea Lion Caves section is managed on a private commercial basis.

ANALYSIS

The area is adjudged to be of national importance, not only for the manifold opportunities for seashore recreation but also for the inspirational worth of the resources to the American citizen. The many superlative values found here are of such high importance as to warrant permanent preservation for the Nation as a whole.

Involved is an area of approximately 33,000 acres, about 60 percent of which already is federally owned. Biggest single chunk remaining, about 3,000 acres, is part of the Lake Tahwenitch tree farm of the Crown Zellerbach Corp., and is logged-over land on which the firm is raising pulpwood.

The balance is in some 25 or more—no one seems to know just for sure how many—private ownerships, some of them summer homes, others permanent homes around the lakes in the area, and a few small farms.

When the proposal first was announced, three Oregon Members of Congress, Senators RICHARD L. NEUBERGER and WAYNE MORSE and Congressman CHARLES O. PORTER, announced they would support the Park Service proposal. Bills have been introduced in Congress for this purpose.

Hearings on Senate measures will be held by NEUBERGER in Reedsport, October 5, and Eugene, October 7. A tour of the area will be held on October 6. PORTER will conduct hearings late in October in Florence for the House committee involved.

No sooner had the proposal been publicly announced than the storm broke.

Everyone, it seemed to readers of the area's newspapers, had an immediate opinion on the idea. Some were for it, and some violently opposed the whole thing.

Opinions were not confined to the area, either. Oregon's Gov. Mark Hatfield, after an hour-long telephone conference with NEUBERGER, said he thought the idea a good one. Newspapers joined up. Tours of the area were arranged.

Attempts were made by both sides to get the Florence Chamber of Commerce to state a position. Opinion among chamber members is divided, so the chamber is standing by for the present. A new organization, the Western Lane Taxpayer's Association was formed, to fight the proposal.

Newspapers were flooded with propaganda, from both sides.

One group said the recreation area would be the saving of the Florence-Reedsport area, which has not shared to date in the industrial development of recent years along the Oregon coast.

Another said it would be the ruination of the area, that schools would go broke, retired persons would be shoved out of their homes, property would go off tax rolls, and that any administration under the National Park Service would result in permanent industrial stagnation of the area.

Where does the truth lie, with the opponents or those who favor the development? Which group is right?

Of course, in any proposal as big as this one, there is no single answer. There is no absolute truth, no single set of facts.

On the whole, though, the weight of the evidence favors the development under the plan of the Park Service, it seems to me.

[From the Bend Bulletin, Aug. 25, 1959]

FIGHT AGAINST COAST PARK AREA BEING LED BY TAXPAYER'S GROUP

(By Robert W. Chandler)

FLORENCE, Oreg.—One might think that the idea of a new national recreation area here—which would have the effect of putting Florence on the Nation's maps in a more prominent position than it now holds—would be universally popular.

'Tain't so, brother.

This is not to say the idea is universally unpopular, either. Although opponents are far more vocal than those who favor the idea, one would be mistaken if he felt everyone here and in the proposal area is against the idea.

Who is leading the well-publicized fight against the proposal of the National Park Service that a portion of the area between here and Reedsport, 23 miles to the south, be set aside as National Seashore Recreation Area?

The main opposition seems to come from the newly formed Western Lane Taxpayer's Association. The association, led from Florence, has dredged up all the help it can get, including a couple of industries and the remnants of a tribe of Indians.

HANDOUTS BY SCORE

Most vocal of the leaders are John S. Parker and Jack Hayes, who have been writing handouts by the score, sending letters to the editors of newspapers in and beyond the area and engaging in other activities one finds common to any longer organized pressure group.

They are doing a professional job, too. They are seizing upon every straw in the wind which can help put across their point of view.

What are their objections?

Well, these pieces were not intended to be mere recitals of the positions of various groups. In traveling through the area I tried to talk to persons who had no particular ax to grind, one way or the other. I didn't therefore, feel it necessary to tour the area with Mr. Parker or Mr. Hayes, but instead spent my time talking to others in the area who might not already be committed on the proposal.

One in this business has no trouble, however, finding out the position of the Western Lane Taxpayer's Association. It's ag'in the whole idea.

Prominent in the opposition are real estate interests, which have made a good thing out of lakeside properties around three lakes in the area.

There are those, too, who feel there is considerable industrial future in the area, industrial future which they fear will be limited if companies are unable to use water found in the dunes.

There are those who fear the loss of taxes by local school districts.

There are those who dislike Government encroachment in any form, here or elsewhere.

PROPOSAL OPPOSED

There are large corporations operating in the general area, Crown-Zellerbach and International Paper, both of whom have gone on record as opposing the idea.

There as those engaged in the motel business who feel the State already is making it too easy for persons to camp out along the beach in the summer, and who fear the Federal Government will make it even easier in the future.

And there are a heck of a lot of people who are against the proposal without knowing why.

This last is no real surprise, of course. Too often Americans, including but not limited to newspapermen, make up their minds, with little or no real information.

And the publicity job done by the opposition has been an excellent one, from their point of view.

But, like every professional publicity job of this sort, the Western Lane Taxpayer's Association has not attempted to present the proposal fairly or to give both sides of the picture.

This is not surprising, either. They're against the idea, and they're trying to sell their position to others.

Some of the objections are strictly matters of opinion. One can argue them all day and all night and not find an answer at the end.

Others, however, can either be refuted or proved.

OBJECTIONS NOT SPECIFIC

International Paper has not made a very specific objection. Its local general manager issued a statement last April which was a formal protest because of the general language and broad terms of the Neuberger enabling act, and the lack of time to study its consequences.

Crown-Zellerbach was more specific. The proposal would remove about one-third of the acreage from its local tree farm, and like any other large timber owner it doesn't want to lose any productive acreage.

The Crown-Zellerbach objection has largely fallen on deaf ears, though. The company does no processing here. Whatever is cut from its tree farm will go to some Crown plant in another area, anyway. Total employment of the Crown operation here is estimated at 10–12 persons, at sometime in the indefinite future.

The objection from International is much more worrying to many local people. At Gardiner, near Reedsport, International has a sawmill and plywood plant. It has been making noises about putting in a pulp plant—a big one, too—in Oregon. Reedsport people hope the plant will be located in this area, but if such a decision has been reached it isn't generally known here.

BASIS OF OBJECTIONS

International's objection, at any rate, is based upon a water supply and effluent disposal problem, since no company lands or timber are involved in the proposal.

These objections seem to be entered merely on the record, however, since effluent disposal from a Gardiner pulp operation would probably not involve the seashore area, and Park Service officials seem to be kindly disposed toward the use of industrial water from the dunes, such as is proposed by Pacific Power & Light and Menasha Wooden Ware near North Bend.

Other objections seem in large part to be due to a lack of information on the exact proposal. There is considerable misinformation, some of it due to deliberate distortions and other the natural result of stories passing from person to person.

Don't, however, count out the Western Lane Taxpayers' Association. The group is well organized, skillfully led and well financed.

Lesser groups have caused fatal illnesses to similar proposals elsewhere in the past.

[From the Bend Bulletin, Aug. 26, 1959]

PARK PROPOSAL COULD RESULT IN MUCH GOOD TO STATE COAST AREA

(By Robert W. Chandler)

FLORENCE, OREG.—If there's so much opposition to the proposal to make part of the area between here and Reedsport into a national seashore recreation area, there must

be something wrong with the idea. Is there anything good about it?

Well, unless the whole thing is handled very carefully by both the National Park Service, which would have charge of the new facility, and local people, there would be something wrong with the idea. At the same time, there are some very good things about it.

In the first place, this area of the Oregon coast—between the Umpqua and Siuslaw Rivers—has been bypassed by the big industrial boom which has been enjoyed at Coos Bay to the south and Yaquina Bay to the north.

BYPASS SEEN

And because of various geographic factors, it is highly likely that the boom will bypass this area for a number of years to come.

The area originally was built through harvests of timber and salmon. Salmon runs have decreased greatly over the years, and much timber has been cut off. There is stiffer competition for the logs which are left.

So, during recent years the coast—like many other parts of Oregon—has worked hard to improve its tourist business.

After all, a dollar is a dollar, whether it comes from a millhand or the fat man in the Bermuda shorts.

And the coast has done a good job. The care and feeding of tourists now is the second largest source of income for the area, and bids fair to beat out the lumber industry if present trends continue.

MORE CAMPGROUNDS

Others have helped out. Oregon has located about one-third of its State parks in the area between the Columbia River and the California border south of Brookings. U.S. Forest Service public campgrounds are growing in number and size.

Honeyman State Park, located just south of this town, is one of the State's finest. It will hold 1,400 campers. It's full early in the day on holidays and fills up fairly regularly all summer long.

Sea Lion Caves, located north of here and also scheduled to become a part of the national recreation area, caters to thousands of persons each year. For 65 cents, adult, and 25 cents, child, you can climb down a trail and look at the sea lions in their cave. Coming out, when you are out of breath, you can buy souvenirs—at least most visitors seem to do so.

The owners of the caves are sitting pretty in all this business. They figure that if the Federal Government doesn't buy them out, the State will. And in the meantime, presumably, the price keeps going up.

Presumably, too, if this area is to be purchased by the Federal Government and made into a national recreation area, cooler heads will prevail, and some of the heat which has been created by the Western Lane Taxpayer's Association will cool off.

WHAT TO EXPECT

What then could the area expect if such a program were started?

Well, a gradual development would ensue. The Government, according to National Park Service personnel, would take full advantage of existing facilities to handle the crowds at first. Things would begin to move faster after a 2- or 3-year planning period.

Second, homeowners in the area would have lifetime tenancy of the homes they sell to the Government. So the population change would be very gradual.

Third, homes and concessions would remain on the tax rolls. So the effect, if any, on local school districts, for example, would be slow. What else could be expected?

There is at present only one national seashore recreation area operating in the United States. Congressman CHARLES O. PORTER, of this district, recently visited it, at Cape Hatteras, N.C.

PORTER was quite impressed with the whole area.

The NPS has constructed a museum of the sea in the area, has a crew of naturalists and rangers on hand to explain various things to visitors. The State of North Carolina is building a $3 million bridge to open up a new portion of the area.

What about the tourist, that fellow who's so important down here?

Well, judging from Cape Hatteras figures and those of other NSP-administered areas, the already booming Oregon coast tourist industry would boom even more. Tourism is increasing all over the country, but the Park Service can show that areas under their control are showing considerably bigger increases than the average.

ANOTHER PROBLEM

The great dunes themselves have created yet another problem. For they are on the move, although there is some argument as to how much they are moving. Dunes control work has been carried on by the Soil Conservation Service and the State Highway Department in recent years.

Perhaps the most important factor, to this area, of the whole proposal is that it would put the Florence-Reedsport area on the national map in a big way.

The area at present has not enjoyed the tourist growth of the area to the north, or the industrial development of the area to the south. Severe competition for timber supplies in the future probably will keep any big-scale industrial development limited to companies presently operating in the area.

And the care and feeding of tourists, apparently, can continue to promote the growth of the area where nothing else can.

VISITORS ASSURED

The pressure of population, growing in this country at an increasing rate, and the fact that there's something fascinating about the moving, booming sea and its moving shore, will insure more visitors to Oregon beaches in the future.

California, the colossus to the south, has not handled its beaches as wisely as has Oregon. The inevitable result will be to push Californians northward during the summer seasons.

There are reasons, then, good reasons, for establishing such an area here.

What do the people here think about it?

Well, some of them have changed their minds since the proposal first was announced. And the opinion seems to vary depending upon the location of the person holding the opinion.

[From the Bend Bulletin, Aug. 27, 1959]

OPPOSITION TO DUNES PLAN FOUND TO CENTER IN FLORENCE AREA

(By Robert W. Chandler)

REEDPORT, OREG.—What do residents of the area think of the idea of having a national seashore recreation area established between here and Florence?

Well, if one were to inform himself solely by reading the results of a well-organized "letter to the editor" campaign, he would think everyone is against the idea.

That's not true.

Actually, most of the opposition comes from the Florence area. And it's changing there. In addition, not everyone in Florence, by any means, is against the idea.

When the National Park Service proposal first was announced in March, reaction was immediate.

Dave Holman, editor of the Florence News Advertiser, told a reporter at that time that "opinion on the proposal is fairly evenly divided."

But the other day he told this reporter that "85 percent of the people in the area are against the park idea."

Holman has joined the ranks of the opponents of the park in the meantime, and it is probable that this has colored his measurement of the opinions of others.

RAPID FALLOUT

Actually, opposition dies out fairly rapidly beginning at the Florence city limits. By the time one gets to the other end of the area, down here, the idea is fairly popular. Drive further south, to North Bend or Coos Bay, and most people favor it. The same seems true further north, around Waldport or Newport.

It would be a mistake, however, to think that even the most vocal opponents are against the whole idea.

Even opponents agree that the area west of Highway 101 through the area has its greatest value to this area as a tourist attraction. The controversy arises largely over the shorelines of the three freshwater lakes in the area, all on the east side of the highway.

Opposition from around the lakes seems to come in large part from persons holding property for eventual speculative development, from those with low value properties hoping to sell at some future time at a big profit and from some resort operators who are fearful their operations will not come up to National Park Service standards.

But the idea that everyone in the area is up in arms against the proposal is patently untrue. As a matter of fact, were it not for the fears of economic reprisal from their more vocal neighbors, a survey of public opinion in the area between the Siuslaw and Umpqua would probably show the majority favoring the recreation area development.

CONCLUSIONS DRAWN

After spending 2 or 3 days in the area, talking to the people, not their leaders, one comes to these conclusions:

1. The opposition is a small, but well organized and highly vocal, minority.

2. The opposition is centered in Florence, and dies out pretty rapidly as one travels north or south from that city.

3. Most of the balance of the opposition is based on lack of information, or misinformation deliberately fostered by the Lane County Taxpayers Association.

This is not to say that all those in favor of the idea favor it unreservedly. There is a considerable body of opinion which wants the tentative boundaries changed.

At the same time, a number of those who want the boundaries changed don't have a very good idea of just where the boundaries are.

FROM POCKETBOOKS

Most of the milder opponents will admit frankly that their opposition arises solely from their pocketbooks.

The same is true of some of those who want the development, who see in it a chance to better their own economic status some time in the future.

Take, for example, the Florence housewife who came to the door in answer to a knock.

"I don't want to see it come in here. My husband is a logger, and if they shut up all that timber he'll be out of work."

Fact: There's no merchantable timber in the area tentatively proposed, and no loggers are operating there now on any scale.

Or listen to the Reedsport businessman, over a cup of coffee.

"We've got a chance for a big development by International Paper here. If this thing is going to take all their water and timber, we won't have any development."

Fact: International Paper lands are not involved, and their water filings are on a lake not included in the tentative boundaries.

As the Reedsport housewife said, bandaging a scraped knee for her 6-year-old:

TAXES TOO HIGH

"I'm afraid it'll raise taxes, and our taxes are too high already."

Fact: Reedsport taxes are among the highest in the State, but none of the proposed recreation area is within the boundaries of any Reedsport taxing district, so could have no effect here.

There are those who are quite favorably impressed with the whole idea. Many of these are oldtimers in the area, who have gone through 30 or 40 years of false hopes of "big developments" just around the corner.

One grocer put it this way:

"I've lived here a long time. I know the property involved. I've walked and jeeped my way over every foot of it. For the most part it has very low property values, and putting it into any kind of national development would be the highest use to which the property could be put."

Summing up, one would believe that a pretty fair majority of people in this entire area favor the development, with the main opposition coming from a group in Florence. The opposition is less vocal outside the Florence area, and is only effective there because most persons seem to fear economic reprisals.

So, those who approve of the idea may be frightened into silence, and others may be just unwilling to argue publicly with their neighbors, but there are proponents. Among those who fully understand the facts, support for the park can be found in a sizable majority.

"OUR FIRST RESPONSIBILITY"—ANNUAL ADDRESS OF THE PRESIDENT OF THE AMERICAN BAR ASSOCIATION

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the annual address of the president of the American Bar Association entitled "Our First Responsibility." The address was delivered by one of the Nation's top lawyers, Ross L. Malone, at the 82d annual meeting of the association, recently held in Miami, Fla. It is an excellent speech and one which deserves the thoughtful consideration of all of us.

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

OUR FIRST RESPONSIBILITY

(The annual address of the president of the American Bar Association by Ross L. Malone before the opening assembly of the 82d annual meeting of the American Bar Association, Americana Hotel, Miami Beach, Fla., August 24, 1959)

Many years after the close of his remarkable career, a contemporary of Simeon E. Baldwin described the founder of the American Bar Association as "the man who has done more to elevate the general standard of legal education than any other person in this country, and who was the projector and progenitor of the entire system of graduate law instruction in the United States."

Whether or not the author of that statement was attributing to the former chief justice and Governor of Connecticut the accomplishments of the organization of which he was the founder, and later president, there was a sound basis for his statement.

It would have been surprising if Simeon Baldwin's great interest in legal education had not been reflected in the organization which he had conceived. It would have been even more surprising if the national organization of the legal profession had not evidenced throughout its history a major concern for the educational process by which its members are prepared to serve the public.

Whether this interest be attributed to the influence of heredity or environment, there can be no question but that legal education has been a source of continuing concern to the American Bar Association throughout the 81 years of its existence. Examination of the history of the association furnishes convincing evidence that traditionally it has been recognized as our first responsibility.

The constitution adopted by our founders at Saratoga Springs, N.Y., on August 21, 1878, stated the first object of the new association to be "to advance the science of jurisprudence." Of the seven committees originally created by the constitution, one was "on legal education and admissions to the bar."

Following completion of the organizational formalities, the first resolution offered and adopted at the first meeting of the association was:

"Resolved, That the committee on legal education and admissions to the bar be instructed to report, at the ensuing annual meeting, some plan for assimilating throughout the Union the requirements of candidates for admission to the bar, and for regulating on principles of comity, the standing throughout the Union, of gentlemen already admitted to practice in their own States."

Subsequent developments continued the priority which the founders had given to legal education. As the membership and size of the annual meetings of the association increased, the program became more crowded. Those interested in the problems of legal education felt that the general meetings of the association did not afford adequate time for their discussions. The demands for the allotment of additional time on the program led the executive committee of the association in 1893 to propose a resolution to create a section of legal education and admissions to the bar. The motion to adopt the resolution was made by Simeon E. Baldwin of Connecticut, and there resulted another "first" for legal education—the first section to be created by the association. It is worthy of note that it has since been joined by 17 additional sections which will meet during this 82d annual meeting of the association.

Since its inception, the association has sought to elevate the standards of legal education. In 1879, at a time when no State in the Union required education in a law school for admission to the bar, the committee on legal education filed its first report recommending that a law school education be made a prerequisite of the right to take the bar examination. It recommended in detail the curricula which should be pursued during the 3 years of law school which it proposed. While the association was unwilling to take such a big step so early in its life, it did approve a 3 year law course, graduation from which would entitle a student to take the bar examination, and recommended that time spent in the law school be treated as equal to law office study in qualifying to take the bar examination.

Through the years the proceedings of the annual meetings of the association evidence the interest of its members in the educational requirements for the practice of law. The names of Woodrow Wilson, Samuel Williston, John H. Wigmore, John Randolph Tucker, William Draper Lewis, James Barr Ames, Roscoe Pound, Harlan F. Stone, William H. Taft, Silas H. Strawn, Elihu Root, and others of comparable distinction which appear in the proceedings of the section, testify to the predominant position of legal education in the program of the association through the years.

At the annual meeting in 1899 a committee of the section was appointed to "take into consideration what action, if any, shall be taken to bring the reputable law schools of the country into closer relations with each other and with the section of legal education." There resulted in 1900 the organization of the Association of American Law Schools, the membership of which was composed of law schools meeting the minimum standards of the association. It met annually in conjunction with the annual meeting of the American Bar Association until 1914. In that year the association met in October—at a time when it was obviously impossible for most law teachers to attend. This resulted in a decision of the Association of American Law Schools to meet separately from the association, and since 1914 there has not been a joint meeting of this association and the Association of American Law Schools.

The most significant action of this association affecting legal education occurred in 1921. In his address as president of the American Bar Association in 1916, Elihu Root had dscussed at some length the problems of the bar in relation to legal education, premising his discussion on the proposition that if the legal profession is to discharge adequately its obligation to the public, it must terminate the production of incompetent lawyers by marginal law schools through elevating the standards of education and the requirements for admission to the bar.

Mr. Root concluded:

"The law school has taken the place of the law office, except for acquiring the mere technique of practice, and the rights of the people of the United States to have an effective administration of the law require that the standards of the best law schools shall be applied to determine the right to membership in the bar."

Elihu Root's eloquent plea for the elevation of the standards of legal education, and his interest in the subject, undoubtedly resulted in his being elected, and accepting, the chairmanship of the section of legal education and admissions to the bar in 1920. At that meeting the new chairman was authorized to appoint a seven-member committee, of which he would be chairman, "to report to the next annual meeting of the section their recommendations in respect to what, if any, action shall be taken by this section and by the American Bar Association to create conditions which will tend to strengthen the character and improve the efficiency of persons to be admitted to the practice of law."

The report filed by the committee in 1921 has been characterized as "one of the milestones in the evolution of legal education." The accompanying resolutions proposed to put the American Bar Association on record as being of the opinion that every candidate for admission to the bar should have graduated from a law school requiring 2 years of prelaw college study and 3 years of full-time study in law school, or its equivalent.

The resolutions further put the association on record as favoring bar examinations and opposing the diploma privilege, and authorized the council of the section of legal education to publish the names of schools meeting the standards so adopted, as well as the names of those which did not, and to make such publications available to "intending" law students.

The resolutions then authorized the council on legal education to call a conference on legal education, in the name of the American Bar Association, to which State and local bar associations would be invited to send delegates, which would, it was hoped, take action

to "create conditions favorable to the adoption of the principles set forth."

The proposed resolutions were debated fully and were adopted by the section, and the following day by the association. This action, which in a large measure reflected the leadership of Elihu Root, has been referred to by Dean Albert J. Harno as "the most articulate and positive action on legal education ever taken in America."

The national conference which followed convened in Washington, D.C., in February 1922. Forty-four State bar associations, over 100 local bar associations, two Canadian bar associations, and a number of universities were represented in the conference which was composed of 560 delegates. Included among the speakers at the conference were William Howard Taft, then Chief Justice of the United States, Elihu Root, George W. Wickersham, John W. Davis, William G. McAdoo, George Wharton Pepper, Silas H. Strawn, and other leaders of the profession.

Debate on the resolutions continued for 2 days. There was a thorough "airing" of the John Marshall and Abraham Lincoln arguments as opposed to the position of Mr. Root that the right of the public to be protected against ignorance and unfitness within the bar must be predominant. On final vote the substitute motions which had been offered in an effort to "water down" the proposal of the association were defeated and the original resolutions were adopted.

This was the origin of the inspection and accrediting of law schools by the American Bar Association and of the establishment of standards of legal education on the basis of which the right to accreditation would be determined.

It is doubtful if this association has ever taken action which had a more far-reaching effect upon the legal profession or its relationship with the public. Had the association never accomplished anything more than the adoption of the resolutions in 1921, implemented by the national conference in 1922 and the system of inspection and approval of law schools which has followed, the existence of the American Bar Association would have been fully justified.

As a further backdrop for the discussion of some current problems of legal education, I should mention the creation of the National Conference of Bar Examiners in 1931, the inception shortly thereafter of the program of continuing legal education under the aegis of the secton on legal education; the creation of the joint American Law Institute-American Bar Association committee on continuing Legal Education in 1947; and the increase from 2 to 3 years of the prelaw education requirement in 1950. All reflect the appreciation by the legal profession of the importance of its responsibility for the qualification of lawyers to render service to the public and our continuing determination that the bar as a whole shall measure up to commensurate standards.

One other product of the association's interest in legal education should be mentioned. It is the survey of the legal profession, which was undertaken in 1947.

In 1944 the section of legal education received from the house of delegates authority to conduct an overall study of legal education and admissions to the bar in the public interest. On pursuing the matter, the section concluded that if the study of legal education was to be really worth while, it should be a part of a much broader study of the profession as a whole. On recommendation of the house of delegates, approval was forthcoming and a comprehensive survey of the legal profession was undertaken, to be financed by a grant of $100,000 from the Carnegie Corp., and $50,000 which the association obligated itself to provide.

Only the final report of the survey remains to be completed. As foretold by the original conception of the project, legal education was the subject of special attention throughout the survey. The two major publications of the survey dealing with legal education are the excellent study and report of Dean Albert J. Harno, entitled "Legal Education in the United States," which has been of great assistance in the preparation of this address, and the volume "The Law Schools of the United States," by Lowell S. Nicholson of Boston. The latter volume, published during the last year, is a statistical study of information concerning the law schools of the United States based on answers to a comprehensive questionnaire issued by the survey.

In the light of the history of the association which I have recounted, and the predominant concern for legal education which it discloses, I would like to consider three specific problems which are pointed up by the survey of the legal profession. Each is a problem relating directly to legal education; each is a problem in the solution of which the entire profession has a vital interest. They are:

1. The relation of prelaw education to the law school.

2. The necessity for more adequate education for professional responsibility.

3. The inadequacy of the financial support for legal education.

Any examination of problems relating to legal education must be made in the light of the separate maintenance agreed on by the American Bar Association and the Association of American Law Schools in 1914. An inevitable result of this physical separation has been loss of contact between the two organizations and a tendency on the part of each to regard the other with something less than complete approval. In the same manner, as the teaching of law became established as a profession in itself, the law teacher and the practitioner have tended to drift apart. Too often the practitioner regards the educator as a lawyer who couldn't make a living in the practice. The law teacher, in return, regards the practitioner as an embodiment of all the deficiencies of the profession, who is primarily responsible for the disillusionment of the students in whom he is seeking to inculcate high professional standards.

This unfortunate situation has contributed to an attitude in the practicing profession which can be expressed as: "You educate them and we will worry about them after they have passed the bar examination." But that is too late for the worry to start if the interest of the profession as a whole is to be served.

The conditions which determine the quality of the product of the law schools are susceptible of improvement in many respects through the joint effort of the teaching and practicing branches of the profession. Each can assist the other in the solution of vexing problems that should concern the entire profession. A rapprochement between the two is much to be desired. It is an essential ingredient of any adequate solution of the problems under consideration. Perhaps the American Bar Association, after returning the hospitality of our English brothers in 1960, should invite the Association of American Law Schools to meet jointly with us in 1961 to strengthen our bonds with still another segment of the English-speaking bar.

The relationship of prelegal education to the law school is one of the most pressing problems of legal education today. It was the subject of a definitive study by Chief Justice Arthur T. Vanderbilt for the survey of the legal profession and is treated at length by Dean Harno in his report. It is not a new problem. In 1900 William Draper Lewis addressed the section of legal education on the subject "The Proper Preparation for the Study of Law," and it has been discussed ever since. A committee of the Association of American Law Schools was established to deal with the subject in 1950. In 1953 its report "Pre-Legal Education: A Statement of Policy by the Association of American Law Schools" was adopted and distributed. The established policy of the association as reflected in that statement is that under no circumstances shall any college course be required as a prerequisite for admission to law school. It does discuss the general subject matter and character of instruction which are considered desirable, but it does not translate this discussion into prelaw courses. It is directed to the faculty and not to the student level.

That this report has not provided the solution to the problem is apparent from the fact that all educators agree that students are reaching law school with inadequate preparation and many law schools have prepared individual statements on the subject for distribution to prelaw students. Everyone who has studied the situation has concluded that the means whereby prospective lawyers can be assured maximum benefit from their prelaw education is one of the greatest needs of legal education today. Neither legal educators nor practitioners are in agreement as between themselves or with each other as to how best to meet the need.

Dean Harno, reporting for the survey, points out that we say to the student that he must have 3 years of prelegal education, but exercise absolutely no control whatever as to the content of that education. Pointing his accusation equally at the American Bar Association and at the law schools, he said:

"Neither the authority that established the requirement, nor the schools, excepting in the sporadic actions of some schools, offer the student guidance in the path he should follow. Why, as a measure of educational policy, does he not have that guidance?"

At the law school of the University of Michigan in June there was held the 1959 Conference on Legal Education. The conferees, approximately 100 in number, included leaders in legal education from throughout the United States, deans of undergraduate colleges and a small number of representatives of industry and the practicing profession. The portion of the conference in which I was able to participate was interesting, stimulating, and most worthwhile.

It was generally recognized by the conferees that a pressing current problem results from the fact that the legal profession is not attracting the share of outstanding and highly gifted students that it has in times past. More than one undergraduate dean attributed that fact, in part, to the complete lack of an organized undergraduate program for students intending to enter law school. They pointed out that the student is told, in effect, "the law school will accept 3 years of anything so long as your grades are satisfactory."

The deans further said that too often the result is either 3 years of courses in which it is easy to make satisfactory grades or that the student, lacking adequate guidance from the law, becomes interested in some other career during his undergraduate days and is lost to the law.

Recognizing the fact that the profession has not yet arrived at a satisfactory means of taking maximum advantage of the period of prelegal education, the conferees at Ann Arbor, in their final statement, said:

"We recommend that the Association of American Law Schools arrange for the appointment of a working committee consisting of an equal number of law teachers and undergraduate college administrators and teachers, selected from the Association of American Colleges Committee on Pre-Professional Education and the Conference of Academic Deans. The committee should be broadly charged with exploring methods of

providing more effective use of the post high school study period as it relates to legal education."

The statement further recommends that when the committee has reported, a full-fledged conference should be called to consider prelegal education, pointing out that it would logically follow the Arden House Conference on Continuing Legal Education and the Ann Arbor Conference on Legal Education.

The proposal is an excellent one, which I hope will be carried out—with one modification. The practicing profession should have equal representation on the committee. It has a stake in the maximum utility of prelegal education and should be able to contribute to the deliberations of such a committee and to the conference which is envisaged. I hope that when the committee is created, an equal number of practicing lawyers representing the American Bar Association will be included in its membership. That the practicing profession was not included in the original proposal is further evidence of the extent to which legal education and the practicing profession have become isolated from each other and tend to consider common problems separately.

There are, however, encouraging evidences of a rapprochement. Continuing legal education provides one. As the result of the highly successful Arden House Conference on Continuing Education of the Bar, an expanded and accelerated program of post-admission legal education is developing in which the law schools and the practicing profession are working in closer cooperation than ever before. This cooperation is being implemented in many States through the creation of a State coordinating committee, as recommended by the Arden House conferees, on which the organized bar, the law schools and all other groups actively interested in continuing legal education are represented. In some States professional directors of continuing legal education are being provided through the joint effort of the law school and the State bar. Undoubtedly this relationship in postadmission education will continue to contribute to a closer relationship between the bar and the law schools which will be mutually beneficial.

The second problem which I wish to consider also is in an area in which educators have been unable to agree. It concerns legal education for professional responsibility.

The final statement of the conferees at the Arden House Conference on Continuing Education of the Bar included this statement:

"Programs for continuing legal education thus far have placed a major emphasis on professional competence and have not given to professional responsibility the attention it should have. In the future these programs must also emphasize the professional responsibilities of the lawyer."

I suggest that the same statement can be made accurately with reference to law school education as it now exists throughout the United States, and that in the future more emphasis must be given in the law schools also to education for professional responsibility. I further suggest that the present situation is sufficiently unsatisfactory to call for immediate action by the Association of American Law Schools and the American Bar Association to insure this additional emphasis.

The study of this subject made by Prof. Elliott E. Cheathem for the survey of the legal profession finds the attention given to professional responsibility in the law schools to be at best wavering and uncertain, and notes widespread confusion in the law schools as to what is expected of them and as to how the instruction can be undertaken effectively.

The report of the Committee of the Association of American Law Schools on Education for Professional Responsibility filed at the annual meeting of the association last December discloses that of 110 accredited member law schools to which this question was directed:

"Does your school offer a course directed primarily to the communication of a perception of professional ethics and responsibility?"

Only 64—less than half—answered in the affirmative and not all of their courses were compulsory.

On this basis we can only conclude that more than one-half of the students graduating from the accredited law schools of the country today have not been exposed to any course or program designed for the purpose of instilling in the student a knowledge and appreciation of the ethical standards and professional responsibility of the profession.

I can only view this as a most regrettable situation. Certainly it is a situation in which the practicing profession has a primary interest for it is only after graduating that the effect of this deficiency will be evident.

I do not want to be misunderstood. The fact that in a law school there is no assigned responsibility of a faculty member for instruction in professional responsibility does not necessarily indicate any lack of appreciation of the importance of instilling professional responsibility in the students. A great many educators have concluded that it is not possible to teach legal ethics or instill professional responsibility through a program of instruction, and that the most effective means of indoctrination is through the contact which students have with professors of high ethical standards who, from time to time, emphasize ethical considerations in connection with the consideration of substantive law questions.

Unquestionably there is great benefit incident to such contacts, but is this not an incidental benefit of attendance at an accredited law school which was one of the reasons that correspondence schools are not accredited? And if it is an incidental benefit, are we justified in relying upon the incidental to provide the essential?

If education for professional responsibility is as vital as the Arden House conferees considered it, and if the lack of uniformity and confusion among the law schools is as great as the survey report and the Association of American Law Schools committee report indicate, it would seem that the time has come for both the Association of American Law Schools and this association to take steps to insure adequate education for professional responsibility in all accredited law schools. This could be done by making such instruction a prerequisite for approval of the law school, just as we make 3 years of prelegal study a prerequisite.

I am certain that those who would oppose such a proposal will suggest that since there is no agreement as to exactly how such instruction can best be undertaken, there is no basis on which a requirement could be promulgated. But I note one requirement among our present standards of accreditation which reads as follows:

"It shall be a school which in the judgment of the council possesses reasonably adequate facilities and maintains a sound education policy."

It would seem that such a requirement in relation to education for professional responsibility should be possible which would permit wide latitude in the approach to the problem but still give impetus to the inclusion of instruction in this area in the law school curriculums. I know of no subject of instruction which exceeds—or even equals—professional responsibility in importance to the profession or to the public.

No one would attribute the current disciplinary problems of the profession to the failure of over half of our schools to include education in ethics and professional concepts in their curriculums, but it would not be surprising if it has contributed to them. This is particularly true when I consider a conversation which I had recently with the chairman of a State bar disciplinary committee. He said that his committee had just completed a hearing on a complaint against a young lawyer, out of law school only about a year, who was in trouble because he didn't know what was expected of him. The chairman was satisfied that this actually was the case. Yet, absent any attempt at instruction as to what the canons of ethics require of a lawyer, what is to prevent such cases occurring?

If it can be said that inability or failure to solve the two problems which I have mentioned reflects no credit upon the law schools, in the case of the third problem "the shoe is on the other foot." The practicing profession has cause for acute embarrassment in the financial problems of our law schools and the manner in which we have ignored them.

The study of the law schools reported by the survey of the legal profession this year discloses a distressing financial situation in the majority of our accredited law schools. It exists not only in relation to the finances of the law schools themselves, but perhaps to an even greater extent in relation to law student loan funds and scholarships.

"By their salaries shall ye know them," wrote one law school inspector for the survey of the legal profession. If that be the criterion, there are a number of our accredited law schools that are not going to be very well known.

There are two basic problems. The first is well stated in the report of the committee which surveyed the 15 law schools in California under the auspices of the State bar of California:

"The argument has been repeatedly made by other departments of the university that there is no reason why a law school professor should be paid any more than a professor of French or English or chemistry or agriculture. This argument is a wholly fallacious one, and one which the organized bar as well as the law schools must effectively combat in the public interest."

Obviously the organized bar is in a much more favorable position to meet this argument than the law faculty involved—but in too few cases have we taken up the cudgels in behalf of our brothers of the teaching profession. By the same token, in the case of the law schools of tax supported institutions, the organized bar of the State is in a far stronger position to assure adequate appropriations for the law school than is the dean, but how often has the bar come to his assistance?

The report of the California survey committee to which I have referred silhouetted the problem when it said:

"The law schools in California, in common with the law schools throughout the United States, are suffering from financial starvation and have been from the time of their organization. Vast sums of money have been made available for education and research in medicine and in various scientific fields, but practically none has been provided for the education of the bar or research into those problems of social and legal engineering with which the legal profession has a public duty to deal."

The survey report includes the following statement by the adviser to the council of the section on legal education of this association:

"Without doubt, the inadequate and low salary scales which obtain in 85 law schools have been harmful to the output of the schools. Nevertheless, the national accrediting agencies have done little about it. Each dean has been left to his own resources in dealing with the problem. The accrediting agencies should tackle the problem."

I propose that we do so—not alone through support of of the type which I have mentioned, but through other means as well. A fund of the type established by the medical and dental professions in support of their professional schools throughout the country offers a possible means of so doing.

In 1948, as a result of efforts of the American Medical Association, the large medical schools of the country and various industrial enterprises, the national fund for medical education was created to mobilize private financial support for the Nation's 82 accredited medical schools. Last year the fund received $2 million from business concerns and $1 million from a matching grant of the Ford Foundation. Out of this fund a grant of $60 per medical student was made to the medical schools of the country.

In 1950 the medical profession established an additional instrumentality, the national fund for medical education. It obtains funds almost entirely from contributions by members of the profession themselves. Its 1958 contributions exceeded $1 million from over 44,000 doctor contributors. Doctors contributing are at liberty to earmark funds for their alma maters if they desire to do so, otherwise all funds are divided equally among the accredited schools.

Approximately 1 year ago the dental profession created the fund for dental education, which is designed to obtain support for dental schools from both outside sources and contributions by members of the profession.

It is inconceivable to me that the members of the legal profession would be less interested in supporting professional education than would the members of the medical and dental professions. We should proceed without delay in the formulation and implementation of a program to provide additional financial support for the law schools of the country. The interest of the public which we serve demands that we do so. The findings of the survey of the legal profession demand that we do so. Our professional self-respect demands that we do so.

May I conclude by reminding you that it is not by chance that legal education is the first responsibility of the profession. To a greater extent than any other agency or activity of the profession, the law schools determine the caliber of the lawyers who will compose the profession and the quality of service that they will render. They are entitled to the support and assistance of the remainder of the profession at all times.

The three problems which I have mentioned today are problems of the profession as a whole. The solution of each will come through a common effort dictated by our common interest. In finding those solutions the legal profession will be recognizing once more its first responsibility.

FACING THE FACTS ON CIVIL DEFENSE

Mr. YOUNG of Ohio. Mr. President, the story of a nation's decline has always been in one way or another the story of its unwillingness to face reality. The American people should be told the truth about our muddled, befuddled civil defense program.

The taxpayers of this Nation should not be lulled into a maginot line feeling of security about civil defense at a time when millions of their tax dollars are being spent to perpetuate a boondoggling, superannuated civil defense agency.

Our people whose homes and lives are threatened should know the truth—the cold hard facts of survival in a nuclear war—and we as their elected representatives are dutybound to provide them with a sane, sound, realistic civil defense program instead of subaverage planners drawing big salaries to head up the present outfit.

After almost 10 years of civil defense planning, the Government's capability to protect the population of the United States is even more ineffective than when it began. It is time that we face the issue of survival in the thermonuclear age squarely and take realistic steps toward doing something about it.

ROCKEFELLER'S HIDEAWAY

Lately, we have been hearing a lot about basement and backyard shelter programs. The distinguished Governor of New York has proposed a compulsory program of this sort for the people of his State. From his recent statements, it appears that he would like to use his not inconsiderable influence to foist this plan on all Americans.

The Joint Committee on Atomic Energy has just issued a report based on hearings held earlier this year. It is interesting to note that in the event of an all-out nuclear attack, 50 percent of the existing dwellings in the United States would be so severely damaged or contaminated by fallout to the extent that they would not be usable for at least several months, many for years.

A shallow basement shelter would be of no use in target areas where the blast and thermal effects would virtually destroy all existing buildings and account for 75 percent of the casualties. Only 25 percent of all fatalities would result from fallout and the Rockefeller's hideaway would be of little protection except perhaps in some places remote from target areas. Even then they would be of little use. In New York State, for instance, there would be virtually no areas clear of serious radiation in a nuclear attack on primary targets.

I assert that these shallow shelters would be no more effective than lying flat on one's face or falling on one's knees in prayer. I am confident that the efficacy of prayer would be far greater.

Still, Governor Rockefeller persists in his drive to force another noble experiment—the last being prohibition—on the people of his State. I seriously doubt that they will accept it, and if it is forced upon them whether it will give them any greater degree of security in an atomic war.

In my own State of Ohio, I know of no civil defense official who, himself, has taken the trouble to build such a shelter, either in his backyard or in his basement. Yet many of them have endorsed the Rockefeller proposals and urged such a program for Ohioans. On being questioned by newspaper reporters, for one reason or another, they admitted that not one of them has erected a civil defense shelter in his own backyard or basement, although they have endorsed the program of Governor Rockefeller. Of course, we all know that in urban areas a small civil defense shelter in the basement of a home might indeed prove to be a firetrap. Evidently the civil defense officials, who recommend these shelters but do not have one themselves, are aware of this fact.

RUN, HIDE, OR BOTH?

It is a tragic joke that while these officials preach the shelter sermon which they themselves do not practice, they are at the same time issuing evacuation instructions. Are we to run or hide or do both at the same time?

I wish to differentiate between these civil defense officials and the very fine volunteer civil defense workers, who have really made sacrifices. In a time of flood in Ohio, early this year, for instance, not one paid civil defense official made any sacrifice whatever, but unfortunately two civil defense volunteers, unpaid workers, gave their lives, and others were injured in rendering first aid to injured people.

Last Monday while I was in Cleveland I heard the civil defense siren at noon. It sounds at 12:15 regularly every Monday, to the annoyance of the people of my home city, and without doing any good whatever. I venture to say that there are very, very few, if any, Clevelanders who would have any notion of what to do if these sirens were used in a nuclear attack.

In Columbus these officials released a 4½-pound, 2-inch-thick manual for evacuation in a nuclear attack. If one took the trouble to read it—and I venture that not 1 in 5,000 residents of Columbus has—he will learn that he is to hop in his car and leave by the shortest route immediately upon receiving the attack warning.

Can any reasonable person imagine all of the automobiles in Columbus, a city of half a million people, trying to leave the city at one time? Even assuming ample warning time which there of course will not be, the chaos would be unbelievable and would probably produce as many casualties as the bomb or missile itself.

Anyway, there is no reason why Columbus should be a target of any missile from the Soviet Union. There are no missile installations at Columbus. It is true that at times during the year the General Assembly of Ohio meets in Columbus, which is the capital city of my State. Many years ago I was a member of the General Assembly of Ohio. I am proud that the citizens of that State elected me.

Yet, as a devout Christian, may I say that in the event of a nuclear attack upon this country by the Soviet Union, in which any missile, accidentally or by design should strike within a reasonable radius of the city of Columbus, Ohio, while the general assembly is in session, let us have faith and confidence that should some of the legislators of my State be killed, divine providence will come to the rescue of our beloved country and of my beloved State to fill those vacant chairs. I believe He would.

Mr. President, the truth is that the theory of evacuation in this day and age is not only silly but dangerous. Soviet submarines off our coasts could send rockets with nuclear warheads 1,500 miles or more inland with accuracy and we would be lucky to have 5 minutes warning.

Intercontinental ballistic missiles fired from the Soviet Union itself would perhaps allow us 15 to 20 minutes warning

time. It is absurd to even consider the possibilities of evacuation under these circumstances.

The thermonuclear weapon with its tremendous destructive power and the missile with its great speed have now made evacuation not only impractical, but impossible.

Yet the high salaried civil defense officials sit in their lush offices busily planning for the evacuation of our cities.

It is almost impossible to believe, but it is a fact that at this late date civil defense officials are issuing plans and directives for evacuation. It is for this confused, outdated agency that American taxpayers have spent nearly $1 billion during the last 9 years.

TWENTY BILLION DOLLAR GAMBLE

Mr. President, the truth is that neither evacuation nor the makeshift shallow basement shelter has any validity in modern warfare. The hard truth is that a system of adequate shelters to minimize casualties will cost the Nation at least $20 billion. Even then there is no assurance that these shelters would not be outmoded before their completion by more advanced weapons or that they would offer any protection against an attack even more deadly than a nuclear attack—biological warfare.

It is high time that we stop kidding ourselves and the American people any longer. Either we take the calculated gamble of spending over $20 billion, or else we should rid the Nation of the present boondoggling agency which specializes in foolhardy schemes to lull the Nation into a sense of fake security.

I refer to the Office of Civil Defense Mobilization, which specializes in this pastime.

The present expenditure of millions each year is nothing more than a futile gesture to fool ourselves into thinking that something is being done about civil defense. If we really want to face the issue squarely, we should quit wasting taxpayers' money on the bureaucratic monstrosity we now have and take steps toward adopting a realistic civil defense program.

The defense of the people of the country, of the civilians of the United States, is a part of the defense of the Nation; it is a part of the defense of the United States of America. A unified armed force of the Nation should have charge of such protection.

MORE ROOM AT THE PUBLIC TROUGH

The latest proposal of the high-salaried boondogglers charged with the defense of our civilian populace is a request for $12 million more this year for matching funds to pay the salaries of State and local civil defense officials. This is an increase in the demands of the civil defense agency in order that they may add more civilian employees who will wear armbands and more civil defense workers to act as pap suckers, feeding at the public trough, and doing nothing worthwhile in return for the money they will receive from the taxpayers.

It may not save any more lives in event of attack, but it certainly will add 4,000 more jobs in city halls and county courthouses throughout the land. It will assuredly expand and encourage a lethargic bureaucracy that has already sent almost a billion dollars down the drain of political expediency.

While the Nation hears of a possible 60 million deaths in a nuclear attack, of 50 percent of the Nation's dwellings destroyed, and of other statistics too horrible to contemplate, the civil defense planners come up with a proposal to provide more jobs at the public trough. This is certainly dynamic, farseeing, original thinking.

It is my sincere hope that the House of Representatives will withstand the tremendous pressure from the thousands already on the gravy train, including former Gov. Leo Hoegh, of Iowa, who upon being defeated for reelection as Governor of Iowa was rewarded by the President with appointment to the $22,500 job as head of the Office of Civil Defense Mobilization, to the Governor of New York and the President himself, and to grant the $12 million appropriation. If such an amount is granted, then thousands of more useless employees will be added to the civil defense organization.

The Office of Civil and Defense Mobilization is not only geared to the preatomic age, but is wasteful and is forever trying to expand its bureaucratic tentacles. On all its levels it has become a haven for defeated politicians and political patronage. And that goes for my State of Ohio, as well as for the other States of the Union.

WASTE, WASTE, AND MORE WASTE

Mr. President, the American people are sick and tired of schemes to provide identification bracelets for teenagers to exchange; of stockpiled penicillin going to waste because of faulty planning; of millions of contradictory pamphlets; of high-salaried boondogglers; of screeching sirens; of highly publicized bomb-shelter honeymoons; of waste and inefficiency; and of silly, shortsighted planning. In short, Mr. President, the American people are becoming tired of the whole confused mess of civil defense, as it is now being operated in this country.

Again, I wish to pay tribute to the hundreds of thousands of patriotic Americans who volunteered their time and efforts often at great risk to themselves. These people performed valuable service, while they were directed by paid officials from behind their safe desks. Americans have responded before in times of disaster, and will do so again.

Mr. President, Americans will always respond to calls for help in times of flood, fire, or windstorm; and they do not need the doubtful leadership of the civil defense agency, as it now is operated.

Mr. President, only recently, the auditor of the State of Ohio—who happens to be a member of the Grand Old Party, of which I am not a member—has been conducting an audit of the $1½ million in surplus property donated to the civil defense agency in Ohio during the last few years. Twenty-two counties are involved. Six audits have been completed. The result is a sad commentary on the entire civil defense program. It typifies what I feel sure has been repeated in all of the States which have been receiving similar Government property.

In practically all of the six counties, a large percentage of the property could no longer be located. It included barber kits, garbage cans, outdoor lampshades, adding machines, shaving kits, and a thousand other gimcracks of absolutely no use in case of an emergency. In Ohio, the Federal Government contributed more razor sets and razor kits than were essential to Yul-Brynnerize the entire male population of my State; and most of that paraphernalia disappeared while it was in the hands of the local civil defense officials who had charge of it.

Much of what could be found was being used by local governments in their day to day operations.

Watches were found in jewelery stores. Generators, typewriters, adding machines, aluminum pitchers, and sundry other emergency items were found in the homes of the local civil defense directors, county commissioners, or other government employees. All this was shown by the auditor of the State of Ohio, Mr. James A. Rhodes. Hardly any of the property was found where it would do any good in case of a nuclear attack, unless the local civil defense director wanted to quickly add up his assets on a "borrowed" civil defense adding machine, type his last will and testament on a "borrowed" civil defense typewriter, and take his last drink from a "borrowed" civil defense pitcher.

Perhaps the whole mess on which I hope to elaborate upon further, at a later date—can be summed up by the following statement in the report on Lucas County, Ohio—and now I shall quote from the report by the auditor of the State of Ohio on the operations in Lucas County, in which is located the great city of Toledo:

> Opportunity to avail themselves of the various bargains in surplus property has served as an incentive to being in the civil defense setup, we are told.

In other words, Mr. President, according to the auditor of the State of Ohio, in his report, on Lucas County many persons and governmental units joined the civil defense setup, as it was being operated in that area, for the sole purpose of getting hold of those bargains, the equipment which was given by the Federal Government for the civil defense of that area.

LET THE MILITARY TAKE OVER

Mr. President, the civil defense we have today is a myth. The only sensible thing to do is abolish the entire present setup, let the military make plans for coping with an emergency, and get the Red Cross and similar agencies to broadcast first-aid instructions on the television and the radio. After all, the defense of the civilians of our country is a part of the defense of our country, and that is the work of the military. The military should take it over now, as the military certainly would in the event of a nuclear war.

We should initiate a vigorous and continuing campaign of education on self-

protection in a nuclear war, and we should use all the mediums of communication at our command—the television, the radio, the newspapers, the magazines, and our schools.

Civil defense is a part of our total defense. As such, it should be under the direction of those who know most about defense—our Military Establishment, our armed services.

In his message of August 25, 1959, to the Congress, the President, himself, stated that, along with our military defense and retaliatory forces, civil defense is a vital part of the Nation's total defense. Why then, I ask, has the administration never once urged the unification of our civil and military defense programs? Why continue with a separate agency, politically inspired, to handle the vital problem of the wartime defense of our populace?

Mr. President, only by such a unification can our Nation have a truly integrated defense posture, instead of the 50 different plans we have today, all headed by one big boondoggling bureaucracy in Washington.

The best minds in the Nation are agreed that it is highly essential that our Military Establishment be truly unified. They realize that there must be true unification of the Armed Forces, for the defense of our country.

In Canada, our ally to the north, this has recently been commenced by taking the civil defense entirely away from the civilians, and placing it in the hands of the military.

In Britain, the civil defense functions, as we know them in this country, are being exercised by the Home Guard, by the military of Britain.

Certainly the best minds in our country realize, and all of our people should realize, that our Nation cannot afford the luxury of being saved separately and independently by the Army, the Navy, the Air Force, and the Marines, and the Office of Civil and Defense Mobilization, with the resulting huge waste of taxpayers' money.

Mr. President, of course all thoughtful Senators—and there are 100 of us in this body—believe in unification of the Armed Forces. We want to save the money of the taxpayers of the Nation. We have gone a short distance toward real unification of our Armed Forces; but we still have a great distance to go.

I am certain that in the ensuing months we will work hard to try to bring about a real unification of our Armed Forces, so there will be an end to the duplication of efforts by the various branches, and so there will be a saving of billions of dollars every year to the taxpayers of the Nation. As a result, our Armed Forces will better serve the Nation, better defend it, and be in a better position to have immediate retaliatory power against any enemy which might attack us.

Mr. President, the defense of the civilians of our country is a part of the defense of the Nation. Likewise, Mr. President, our Nation can ill afford to separate the defense of its most valuable resource—the people of the United States—from the defense of the Nation as a whole. The people of the United States must be protected.

Our entire Defense Establishment—military and civil—must be unified.

Mr. President, I am about to conclude. May I say that in the event of a missile attack, the military would undoubtedly take over. In the Civil War, or the War Between the States, President Abraham Lincoln almost immediately suspended the writ of habeas corpus and declared martial law. The Civil War, bitter as it was, would be as nothing compared to a nuclear attack upon this Nation suddenly by missiles from abroad. Immediately upon an attack, whether planned, or accidently as a result of some trigger-happy Soviet submarine commander, for instance, our retaliatory forces would be brought to bear. We outstrip the Soviet Union on the basis of at least 3 to 1 in the power of our manned jet bombers. They immediately would go into action. Immediately, the President of the United States would declare a grave national emergency. The military would take over.

The Senator from West Virginia [Mr. BYRD], who is now presiding, and others who have served our country in the Armed Forces in time of war, know that at such a time as that civilians in arm bands would cut no figure whatsoever.

I have said this before, and I say it again. Can one imagine what a hard-boiled sergeant would say to a civilian with an arm band who tried to interfere with the movement of our Armed Forces at such a time?

So, Mr. President, the sensible thing to do is to face the facts and merge our civil defense program with the military.

Mr. President, rather than pour billions of dollars into a shaky, unsound, untried plan for passive defense, it seems to me that much more logical is the old but sound notion that the best defense is a tremendous offense. America's shelter lies in weapons. It lies in the trained men of our Armed Forces. If we can perfect our preparedness—and I know that we can—then, Mr. President, we shall never be hit first or at any time.

DIVERSION OF WATER FROM LAKE MICHIGAN, AT CHICAGO

The Senate resumed the consideration of the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes.

Mr. BUTLER. Mr. President, I move that the bill, H.R. 1, be referred to the Committee on Foreign Relations. I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

Mr. KUCHEL. 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.

THE LABOR-MANAGEMENT REFORM BILL—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, if we may have order in the Senate, the distinguished junior Senator from Massachusetts [Mr. KENNEDY], at the request of the leadership, is prepared to make a brief statement concerning the very fine results obtained, I think, in the conference which the Senator headed and on which the minority leader and other distinguished Senators served. I think this announcement will be of great interest and real satisfaction to most Members of the Senate. I hope the Senator from Massachusetts can be recognized at this time.

Mr. KENNEDY. Mr. President, I wish to make a brief informal report as to the results of our conference, with the understanding that tomorrow, after the language is put together and the staff work is concluded, we will be able to make a formal report to the Senate on the various differences between the House bill and the Senate bill.

I wish particularly to express my appreciation to the minority leader of the Senate [Mr. DIRKSEN], who, I believe, together with his colleagues the Senator from Arizona [Mr. GOLDWATER] and the Senator from Vermont [Mr. PROUTY], made it possible for us to reach an agreement, an agreement which I find satisfactory and which I wholeheartedly support.

To reach such a result on bills as difficult, on a subject as explosive, on a subject on which emotion runs so high as labor-management relations, and try to bring together bills as different as the bill which passed the Senate and that which passed the House was an extremely difficult task. As Senators know, it occupied the attention of the conferees for 2 weeks.

I speak respectfully of the bill which was passed in the other body, but it seems to me that there were serious shortcomings in the reform bill which passed the House, and the conferees on the Democratic side, the Senator from Michigan [Mr. MCNAMARA], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Oregon [Mr. MORSE], shared my view that we could not under any circumstances have voted for the Landrum-Griffin bill. While many Members of the Senate hold an opposite view, if the Landrum-Griffin bill had come to the floor of the Senate in the form in which it passed the House, in my opinion all the Senators would have regretted it finally. Also, it would have been an extremely close vote, and the bill might not have passed if we had had a chance to debate it.

I say that because I believe that the House of Representatives was not wholly aware of the provisions in the Landrum-Griffin bill. It was not the bill reported by the House committee. It was offered as a substitute on the floor, and after 2 days of debate was passed.

When we view the significant provisions of the Landrum-Griffin bill, one after another, in my opinion we must admit they go far beyond reform, and I will document that tomorrow. They go into an area which I think would limit

what we all would consider legitimate activities of men and women who bargain collectively.

Changes which were made, and, speaking from the point of view of Senator McNAMARA and Senator RANDOLPH, our views have been uniform in this matter. The changes which we believe to be particularly desirable are first, that we protected the working standards, and this was also supported by the Senator from Arizona [Mr. GOLDWATER], and others, in the garment and apparel industries, to make sure that the hard-won standards in those industries would be protected.

Secondly, the House bill prohibited the union from carrying on any kind of activity to disseminate informational material to secondary sites. They could not say that there was a strike in a primary plant.

We quite obviously are opposed to their affecting liberties in a secondary strike or affecting employees joining, but the House language prohibited not only secondary picketing, but even the handing out of handbills or even taking out an advertisement in a newspaper.

Under the language of the conference, we agreed there would not be picketing at a secondary site. What was permitted was the giving out of handbills or information through the radio, and so forth.

Thirdly, we provide protection for picketing which I believe to be essential, and whch can be discussed tomorrow. I believe that under the language on picketing in the House bill, it would be very difficult to organize workers who are unorganized.

We put a limit on no man's land.

It was the opinion of the Senate that the Federal law should prevail with respect to interstate commerce, and, in order to compromise that feature, it was agreed that the State law could prevail, but only in those areas in which the National Labor Relations Board does not now assume jurisdiction. I understand the Board assumes a good deal of jurisdiction today. I think the House language might have permitted the Board to yield and have permitted State laws to prevail over vast areas of interstate commerce. That cannot be done. We have closed no man's land.

We have protected the right of employees of a secondary employer, in the case of a primary strike, to refuse to cross a primary strike picket line. The House language was vague.

We have protected the right of the union to follow struck work, in the traditional way provided under the Taft-Hartley Act. That was in doubt under the language of the Landrum-Griffin bill.

We eliminated a section of the Landrum-Griffin bill which would have permitted damage suits against unions which might have picketed for organizational purposes. We have provided regular remedies. Damage suits were the most serious shortcoming of the Landrum-Griffin bill; and yet, as it referred to another section, I doubt if any Member of the House knew that such a provision was in the bill. The Senate conferees did not know it until yesterday afternoon at 2 o'clock.

We have provided protection in respect to membership lists. For example, under the provisions of the Landrum-Griffin bill with respect to membership lists, anyone could have copied down membership lists. Union membership lists have historically been considered a relatively private affair.

We provided that mailings must be made by the union, and that any member who is a bona fide candidate may inspect the lists, but he may not copy them.

The Landrum-Griffin provision on employer reporting was hopelessly inadequate.

I do not say that everyone will like what we now have, but I will say, having been a member of the Labor Committees of the House or Senate for 13 years, that the bill in its present form is a vast improvement over the Landrum-Griffin bill, from the point of view of reform, and also from the point of view of protecting legitimate employer-union activities.

To accomplish that result required concessions on the part of all of us. The bill as it comes from conference is not a bill which I would have supported originally, but, being faced with the task of reconciling the House and Senate versions, and feeling that any bill brought to the floor of the Senate would have produced a chaotic result, I think we have arrived at a bill which, overall, I can wholeheartedly support.

We have achieved this result because of the work of the Senator from West Virginia [Mr. RANDOLPH], the Senator from Michigan [Mr. McNAMARA], and the Senator from Oregon [Mr. MORSE], who does not agree with us. I understand why he is as disappointed as I am over some sections.

We are also greatly indebted to Members on the minority side.

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

Mr. KENNEDY. I yield.

Mr. GOLDWATER. I should like to concur in the report which my distinguished friend from Massachusetts has made. I shall speak more to the point tomorrow, but I believe that the important thing my colleagues in the Senate should realize is that that which was absent in the Senate version of the labor reform bill is now in the bill which Senators will have an opportunity to vote up or down tomorrow.

I announced my reason for casting the sole vote against the Kennedy-Ervin bill as being based upon the fact that it did not contain certain provisions suggested by the McClellan committee; namely, a provision for action in the so-called no man's land area. The present version of the bill contains such a provision.

The original bill did not adequately deal with organizational picketing, which the conference version now takes care of.

The original bill did not effectively deal with secondary boycotts, which the bill in the form in which it comes from the conference now takes care of.

I agree with the Senator from Massachusetts that this is a vastly superior bill. I believe that the bill in its present form is one for which my colleagues can vote. I think it is a bill which the American people deserve.

Naturally, I should like to see this body continue to seek legislation which will tend to curb, reduce, or equalize the almost unparalleled power which resides in the leadership of some of our unions; but that is a problem for the coming session.

I would be remiss in my duty to my conscience if I did not pay a compliment to the distinguished Senator from Massachusetts [Mr. KENNEDY]. His task has been long and very arduous and difficult. I probably know better than does any other Member of this body the terrific pressures to which he has been constantly subjected. His aim, all through the conference, has been one of arriving at a bill which would correct those things which need correcting, without doing damage to the labor movement. I am convinced that such a bill has emerged.

It has been a very unusual and thrilling experience to have served on this conference committee, dealing with a subject which is so technical, so delicate, and so vital to the people of this country, to have had the assistance of members of the opposite party from both sides of this great building, and to have had the assistance of the staff members, who added so greatly to the understanding of the conferees in this delicate field. It was an experience which I shall never forget.

I want the Senator from Massachusetts to know that, as the ranking minority member of the Committee on Labor and Public Welfare, I greatly appreciate his dedicated efforts toward obtaining a compromise which did not compromise away the rights of the people, and at the same time did not eat away at the rights and purposes of organized labor.

Mr. RANDOLPH, Mr. DIRKSEN, and Mr. GORE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield, and if so to whom?

Mr. KENNEDY. I yield first to the Senator from West Virginia, a member of the committee.

REASONABLE, NOT REPRESSIVE, COMPROMISE

Mr. RANDOLPH. Mr. President, I would not wish to indulge in a pleasantry. I feel, however, as we discuss this conference action rather briefly this evening, that I express sincere admiration for the qualities of compromise, courage, and leadership manifested by the Senator from Massachusetts [Mr. KENNEDY] the chairman of our conference.

I realized from the outset of the 12 days of study and counsel that we had a very exacting duty. My fellow conferees shared in this belief. I came to fully understand and genuinely appreciate the patience, the fairness, and the forthrightness with which the Senator from Massachusetts [Mr. KENNEDY] conducted himself in this delicate, and sometimes not so deliberative, but always challenging assignment.

Mr. President, I sense that all the conferees, on both the Democratic and Republican sides of this Chamber, would desire to echo the sentiments which I express toward the astute Senator from Massachusetts [Mr. KEN-

NEDY]. The Senator from Arizona [Mr. GOLDWATER] already has voiced similar tribute.

We must not forget that there was a procedural matter which called for admirable leadership on the part of our majority leader, Mr. JOHNSON of Texas. He rightly advocated that legislation on the subject of labor-management reform be sent to conference. It is appropriate to praise the minority leader [Mr. DIRKSEN] for having associated himself in this bipartisan effort to compose Senate and House versions. Senate and House conferees could compromise and counsel, and in numerous areas did diffuse differences.

It is a truism that there are as many sides to every question as there are parties or interests involved. And the great genius of the democratic process on Capitol Hill is that it offers a wider variety of solutions than can be encompassed by mere opposites. The final drafting of this type of legislation is embraced in the art of the possible—the art of compromise and conciliation.

Your conferees of the Senate were charged with the responsibility for a reasonable solution, one which would be corrective of abuses in this field of labor and management practices. Our solution is not a perfect result, but as one of the managers on behalf of this body, I toiled to prepare a report which would be restrictive where necessary but would not be repressive to the legions of loyal labor so vital to the strength of our country.

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

Mr. KENNEDY. I yield.

Mr. McNAMARA. I am pleased that the conference committee was able to reach a complete compromise agreement on labor-management reform legislation.

We worked extremely hard to reach this agreement. Our goal was to adopt legislation—a goal apparently shared by both Houses of Congress, the labor movement, business, and the American people as a whole. The labor movement, business, and the American people as a whole seemed to indicate that they wanted this legislation.

In reaching this goal, the Senate conferees at times retreated much further than I personally believed we should. Some provisions of the bill are still unnecessarily harsh.

Nevertheless, I feel the final product has been tremendously improved in this regard from the restrictive measure passed by the House.

The House bill has received a big injection of fairness which it did not have originally, and it was with this achievement that I was able to sign the conference report.

I would certainly feel that I was neglecting my obligation to the chairman of the conference committee, the distinguished Senator from Massachusetts [Mr. KENNEDY] if I did not add my few words to what has already been said about his fine work in the conference. He displayed great intelligence and patience at all times, and gave everyone an opportunity to be heard on all sides of all questions. I think he should be complimented by the Senate for the fine job he did in bringing forth this legislation. I am sure that what has developed as a result of the conference will be in the interest of the country as a whole.

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

Mr. KENNEDY. I yield.

Mr. GORE. The Senate was importuned by many telegrams and many letters to forego the measure which it had passed after careful deliberation by a vote of 90 to 1 and to adopt the House measure. The junior Senator from Massachusetts recommended that the Senate accede to the request of the House for a conference to compose differences between the two bills. Had I been forced to choose between the Senate bill and the House bill, I would have chosen the the Senate bill, because it was more precisely drawn. It provided stronger safeguards against corruption and racketeering than did the House bill. But the House bill was not without its merits.

The fact that the Senate, despite all the pressure to the contrary, sent its bill to a conference with the House; the fact that we have now before us an historic measure representing an improvement upon the House bill, is a manifestation of the wisdom of following the time-honored and tried parliamentary procedure.

The committee of conference has brought to us an agreement with which I do not agree in all respects. But I think the conference committee has labored long, well, fruitfully, and honorably. I wish to pay tribute to each member of the conference, and particularly to the chairman of the conference. The junior Senator from Massachusetts has been courteous and patient, not only with his fellow confrees, but with other Senators who were concerned. Often he has taken the time to explain to me and to other Senators the points of difference and the points of difficulty. I have placed faith in his leadership, as have many other Senators.

Now we are approaching the enactment of an historic measure. It represents a landmark of accomplishment in public service by the junior Senator from Massachusetts. I congratulate him and salute him upon bringing to the Senate an agreement and a bill upon a controversial and vexatious subject. It may not be perfect. As he has said, it is not entirely to his liking, as it is not to mine. But it will represent substantive legislation in a troublesome field constituting a severe national problem. If the bill goes too far in some respects, Congress will be here to correct it.

I congratulate and salute the junior Senator from Massachusetts and all the conferees.

Mr. KENNEDY. Mr. President, in closing, I wish to say that in criticizing the Landrum-Griffin bill, I do not in any way criticize Representative LANDRUM or Representative GRIFFIN. They made great efforts to have the conference succeed. Similarly, I pay tribute to Representative BARDEN, Representative THOMPSON, Representative PERKINS, Representative AYERS, and Representative KEARNS. All of them played a significant part in the success of the conference.

Also, Mr. President, I wish to compliment the distinguished majority leader of the Senate, whose judgment that this matter should be referred to a conference rather than be disposed of on the floor of the Senate, has been vindicated.

Mr. PROUTY. Mr. President, I join with my colleagues who served on the conference committee in paying tribute to the distinguished junior Senator from Massachusetts [Mr. KENNEDY] for the fair and cooperative manner in which he conducted the meetings.

We have had many long and arduous meetings and obviously compromise was necessary on the part of all concerned in order that worthwhile results could be achieved in a very complex legislative field.

I regret that more was not done to ameliorate the problems of employees in the construction industry. Because of the peculiar nature of this industry rights enjoyed by other segments of organized labor have not been available to workers in the building trades and to me this represents a definite inequity.

For this reason I proposed an amendment which has been recommended by President Eisenhower since 1954, has the full support of the Secretary of Labor and was included in the administration's labor reform bill.

I believe this amendment might have been approved by a majority of the conferees had it not been for the fact that we were informed this morning that a point of order would be raised against it in the House and that the point of order would be sustained.

In my opinion the bill approved by the conferees will do more to bring about reform in the labor movement without upsetting the balance of labor management relations at the bargaining table than either the Landrum-Griffin bill, which passed the House, or the Kennedy-Ervin bill, which passed the Senate.

All in all, the conference was both a trying and an enlightening experience. I feel that it has produced results which will work to the general good.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. Mr. President, I should have made this unanimous-consent request when I had the floor earlier. I apologize for taking the time of the Senate to do so now.

I believe most Senators have had placed on their desks the May 1959 research report of the Public Opinion Index for Industry, published by the Opinion Research Corp. The report is entitled "The Labor Law the People Want—If the Voters Were Writing the New Labor Law, Here Is What It Would Provide."

If Senators will peruse this report—and I shall place it in the RECORD—they will find that the conferees were justified in bringing to the Senate the Landrum-Griffin bill with the improvements which have been made to it, because the bill is in very close keeping with what the research shows the American people demand in a labor law.

The report contains some charts which will have to be interpolated. I ask unanimous consent that that interpolation be done, knowing full well the rule against the printing of charts. I ask unanimous consent that the material I refer to be printed at this point in my remarks.

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

[From Research Report of the Public Opinion Index for Industry, May 1959]

THE LABOR LAW THE PEOPLE WANT—IF THE VOTERS WERE WRITING THE NEW LABOR LAW, HERE IS WHAT IT WOULD PROVIDE

There is wide difference of opinion on the kind of labor legislation needed, and also on where the public stands.

Industrial leadership generally has stressed the need for new laws.

Both the U.S. Chamber of Commerce and the National Association of Manufacturers have pushed for a stronger bill of rights section and further Taft-Hartley curbs.

Top labor leaders have denounced the reform bill passed by the Senate as antilabor.

National Maritime Union's Curran described the legislation as "a buckshot law * * * designed to get unions."

John L. Lewis cited "all of these bills as an attempt made by interests adverse to the formation of labor unions and collective bargaining, people with axes to grind, people with motives sinister or otherwise."

AFL–CIO President Meany announced the federation will fight the Senate bill "in its present form" on the ground that it would "jeopardize the liberty of all trade unions."

To find out where the people stand, the index has taken a nationwide probability sampling of opinion, going into the field immediately after the Senate passed the Kennedy-Ervin bill. The public was questioned on the provisions contained in the bill, plus other relevant issues.

1. The public is generally aware that current labor legislation is designed to tighten up on union activities—and it favors this.

Note below that union member families vote as strongly in favor of tighter regulation over unions as does the public.

"What is your personal feeling—should the labor laws regulate unions more closely than they have in the past, or not as closely?"

Regulate unions more closely:	Percent
General public	65
Union member families	67
Not as closely:	
General public	6
Union member families	9
No opinion:	
General public	29
Union member families	24

This is not to say that the public has been watching the day-by-day activities in Congress on the labor bill. Only 27 percent say they have heard or read about Congress working on the new labor law. Union member families are little more aware—32 percent.

But awareness that a problem exists has been on the increase.

In the January 1959, index report, 73 percent of the public had heard or read about corruption on racketeering in labor unions as compared to 49 percent 2 years earlier.

2. Both the public and union member families would hit at graft and corruption in labor unions by placing stricter restraints on union officials.

In all, 19 possible provisions of the labor law were covered in the survey. Each person was asked, "If you were in Congress, would you be for or against laws to do the following things."

LOANS FROM THE UNION TREASURY

"A law to require unions to report any loans to union officers from the union treasury."

General public:	Percent
For	81
Against	5
No opinion	14
Union member families:	
For	85
Against	5
No opinion	10

GIFTS FROM MANAGEMENT

"A law requiring a union leader to disclose any loan or gift he may receive from representatives of management."

General public:	Percent
For	76
Against	9
No opinion	15
Union member families:	
For	78
Against	8
No opinion	14

PERSONAL FINANCIAL REPORTS

"A law to require union officials to file personal financial reports with the Secretary of Labor with copies to go to union members."

General public:	Percent
For	73
Against	8
No opinion	19
Union member families:	
For	79
Against	10
No opinion	11

CRIMINALS OUTLAWED

"A law to forbid any person convicted of crimes, including robbery, extortion, bribery, murder, or embezzlement, from holding office in a union within 5 years after he leaves prison."

General public:	Percent
For	73
Against	16
No opinion	11
Union member families:	
For	75
Against	16
No opinion	9

LOOKING AT THE BOOKS

"A law giving union members the right to look at the union's books if they suspect dishonest or inaccurate financial reporting by the union."

General public:	Percent
For	86
Against	3
No opinion	11
Union member families:	
For	86
Against	3
No opinion	11

APPEAL TO FEDERAL COURTS

"A law permitting union members to go to the Federal courts for a ruling if they suspect union officials have stolen or misappropriated union funds."

General public:	Percent
For	83
Against	3
No opinion	14
Union member families:	
For	80
Against	6
No opinion	14

These provisions hit directly at the corruption practices that have come to public attention through the McClellan hearings.

There is also a strong balance of opinion in favor of limiting trusteeship by which one union can maintain control over another. This, however, tends to be a rather unfamiliar issue for many people. Note the sizable no opinion vote.

LIMITS ON TRUSTEESHIP

"A law limiting how long a local union can be kept under trusteeship by a parent union."

General public:	Percent
For	40
Against	8
No opinion	52
Union member families:	
For	47
Against	10
No opinion	43

3. The public wants more democracy in unions and favors legal guarantees to protect the rights of the membership.

EQUAL RIGHTS IN UNION ELECTIONS

"A law assuring that all members of a union have equal rights and privileges in nominating candidates, in voting, and in speaking up at union meetings."

General public:	Percent
For	87
Against	2
No opinion	11
Union member families:	
For	89
Against	2
No opinion	9

GUARANTEED SECRET BALLOT IN UNION ELECTIONS

"A law to guarantee each union member the right to vote by secret ballot in elections of union officers."

General public:	Percent
For	84
Against	4
No opinion	12
Union member families:	
For	86
Against	5
No opinion	9

NO DUES INCREASE WITHOUT MEMBERSHIP APPROVAL

"A law prohibiting any increase in union dues without majority approval of the union membership through secret ballot."

General public:	Percent
For	78
Against	7
No opinion	15
Union member families:	
For	78
Against	11
No opinion	11

RIGHT TO CAMPAIGN FOR UNION OFFICES

"A law permitting each candidate for union office to send literature to all members of his union at his own expense."

General public:	Percent
For	62
Against	14
No opinion	24
Union member families:	
For	65
Against	15
No opinion	20

4. Provisions that deal with organizational picketing, the secondary boycott, "Hot Cargo" contracts, are regarded as somewhat technical—but still have the weight of the public and union member favor.

No opinion on five such issues ranges from 25 to 38 percent, higher than on the less complex questions.

EXTORTION PICKETING

"A law protecting employers from extortion picketing—where a picket line is set up in front of a store or plant until a union leader gets a payoff."

General public:	Percent
For	63
Against	12
No opinion	25
Union member families:	
For	61
Against	18
No opinion	21

ORGANIZATIONAL PICKETING

"A law to prohibit all picketing when employees do not show sufficient interest in joining a union."

General public:	Percent
For	52
Against	22
No opinion	26
Union member families:	
For	50
Against	26
No opinion	24

NINE-MONTH PICKETING PROHIBITION

"A law barring a union from picketing at any shop or plant where it has lost a bargaining election within the last 9 months."

General public:	Percent
For	46
Against	20
No opinion	34
Union member families:	
For	37
Against	34
No opinion	29

SECONDARY BOYCOTT

"A law to prohibit secondary boycotts where the union from one company refuses to handle the materials of another company because the workers there are on strike."

General public:	Percent
For	46
Against	22
No opinion	32
Union member families:	
For	45
Against	29
No opinion	26

HOT CARGO CONTRACTS

"A law outlawing so-called 'hot cargo' contracts under which trucking company employees have refused to transport goods to or from any company involved in a dispute with the Teamsters Union."

General public:	Percent
For	46
Against	16
No opinion	38
Union member families:	
For	46
Against	24
No opinion	30

Note that union member families as well as the public are consistently in favor of tightening the rules on union picketing and organizational practices. Only in the 9-month picketing prohibition is the balance of opinion almost evenly split.

5. Certain restrictions on employers in their dealings with union officials also receive strong approval.

At the same time that the public would force disclosure upon union officials, they want assurances that employers too will deal in the open on union matters.

COMPANY GIFTS TO UNION OFFICIALS

"A law requiring employers to report any loans or gifts to union officials."

General public:	Percent
For	77
Against	7
No opinion	16
Union member families:	
For	78
Against	7
No opinion	15

ATTEMPTS TO INFLUENCE EMPLOYEES

"A law requiring employers to report any expenditures made to influence employees on labor matters."

General public:	Percent
For	71
Against	8
No opinion	21
Union member families:	
For	72
Against	12
No opinion	16

The public is also in favor of extending jurisdiction to State agencies for small business firms involved in labor disputes.

STATE JURISDICTION

"A law allowing small business firms to obtain action in labor disputes from State agencies."

General public:	Percent
For	58
Against	10
No opinion	32
Union member families:	
For	54
Against	15
No opinion	31

Note that "no opinion" is at the one third level. This, again, indicates a relatively low level of familiarity with the issues at stake in this question.

IN SUM

In the past 15 years the Public Opinion Index has been periodically surveying the public's attitude on labor issues. Through these years the evidence shows that the public is overwhelmingly in favor of the idea of collective bargaining. It is also evident, however, that there has been a continuing fear of union power. The vote for close Government regulation of unions has averaged 60 percent over 10 surveys since 1949. The Taft-Hartley law was a legislative articulation of this basic public fear of union power.

In the last 2 years, the revelations of the McClellan committee have shocked the American people. In the latest sampling some 73 percent reported they had heard or read about corruption and racketeering in labor unions. This survey shows strong public sentiment for legislative reforms to eliminate financial corruption in union affairs, to insure more democracy and less bossism within the union structure, and to revise the rules on union organization and picketing.

The people do not desire legislation that will undermine the collective bargaining function of unions, but they do want a new set of guiding principles.

One other remarkable fact is that people are feeling the effects of inflation and have come to the conclusion that wages and prices cannot be disassociated. The series of wage-price spirals since World War II have gotten across the fact that whenever wages have gone up in basic industries, prices have inevitably followed.

Following pages show additional evidence of this in the public's attitude toward the current steel negotiations:

Congress has been working on a new labor law. Have you heard or read anything about this at all?

	Percentage base	Yes, have	No, have not
		Percent	Percent
General public	762	27	73
Men	342	34	66
Women	420	22	78
21 to 29 years of age	117	30	70
30 to 44 years	275	25	75
45 years and over	370	28	72
Professionals, proprietors	135	35	65
White-collar workers	102	25	75
Skilled workers	118	28	72
Semiskilled and unskilled	228	24	76
Farmers	78	26	74
Retired, unemployed, etc.	101	28	72
Above average income	101	39	61
Middle income	342	29	71
Below middle income	319	23	77
Republicans	189	31	69
Democrats	372	25	75
Others	201	28	72
Union member families	208	32	68
Nonmember families	554	26	74
Northeast	184	22	78
North Central	263	26	74
South	207	29	71
West	108	38	62
Farms and villages	282	27	73
Cities 2,500 to 100,000	142	23	77
Cities over 100,000	338	29	71

Is it your understanding that the new labor laws are designed to regulate unions more closely than in the past or to ease up on regulations over unions?

What is your personal feeling? Should the labor laws regulate unions more closely than they have in the past or not as closely?

	Percentage base	New labor laws designed to regulate unions more closely or ease up on regulations?			Should labor laws regulate unions more closely or not as closely?		
		Regulate more closely	Ease up on regulations	No opinion	Should regulate more closely	Not as closely	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent
General public	762	52	8	40	65	6	29
Men	342	62	8	30	75	7	18
Women	420	43	7	50	56	6	38
21 to 29 years of age	117	50	8	42	61	5	34
30 to 44 years	275	51	7	42	65	8	27
45 years and over	370	53	9	38	66	7	27
Professionals, proprietors	135	64	6	30	71	8	21
White-collar workers	102	41	11	48	61	4	35
Skilled workers	118	55	8	37	73	8	19
Semiskilled and unskilled	228	50	6	44	59	7	34
Farmers	78	51	12	37	77	4	19
Retired, unemployed, etc.	101	50	7	43	54	6	40
Above average income	101	72	2	26	77	5	18
Middle income	342	55	7	38	69	6	25
Below middle income	319	42	11	47	57	7	36
Republicans	189	53	11	36	74	6	20
Democrats	372	53	8	39	63	7	30
Others	201	48	4	48	60	7	33
Union member families	208	59	9	32	67	9	24
Nonmember	554	49	7	44	64	6	30
Northeast	184	49	7	44	57	11	32
North Central	263	56	7	37	73	7	20
South	207	44	7	49	58	2	40
West	108	68	8	24	77	4	19
Farms and villages	282	49	6	45	63	3	34
Cities 2,500 to 100,000	142	50	10	40	62	7	31
Cities over 100,000	338	55	9	36	68	9	23

If you were in Congress, would you be for or against laws to do the following things:

A law to forbid any person convicted of crimes, including robbery, extortion, bribery, murder, or embezzlement, from holding office in a union within 5 years after he leaves prison?

A law to require union officials to file personal financial reports with the Secretary of Labor with copies to go to union members?

	Percentage base	Outlaw criminals			Personal financial reports		
		For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent
General public	762	73	16	11	73	8	19
Men	342	77	15	8	79	10	11
Women	420	69	16	15	66	8	26
21 to 29 years of age	117	67	22	11	73	9	18
30 to 44 years	275	76	15	9	73	9	18
45 years and over	370	72	15	13	72	9	19
Professionals, proprietors	135	76	14	10	76	14	10
White-collar workers	102	73	17	10	68	8	24
Skilled workers	118	77	15	8	77	8	15
Semiskilled and unskilled	228	67	18	15	71	7	22
Farmers	78	85	12	3	77	10	13
Retired, unemployed, etc	101	68	16	16	67	6	27
Above average income	101	76	14	10	74	11	15
Middle income	342	75	16	9	80	9	11
Below middle income	319	69	16	15	64	8	28
Republicans	189	77	16	7	82	7	11
Democrats	372	73	17	10	69	10	21
Others	201	69	14	17	71	8	21
Union member families	208	75	16	9	79	10	11
Nonmember families	554	72	16	12	70	8	22
Northeast	184	66	18	16	69	13	18
North Central	263	76	18	6	79	7	14
South	207	70	16	14	63	10	27
West	108	82	8	10	84	5	11
Farms and villages	282	73	16	11	68	11	21
Cities 2,500 to 100,000	142	67	22	11	72	6	22
Cities over 100,000	338	75	14	11	77	8	15

If you were in Congress, would you be for or against laws to do the following things:

A law to require unions to report any loans to union officers from the union treasury?

A law requiring a union leader to disclose any loan or gift he may receive from representatives of management?

	Percentage base	Report loans			Gifts from management		
		For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent
General public	762	81	5	14	76	9	15
Men	342	87	6	7	80	10	10
Women	420	76	4	20	72	7	21
21 to 29 years	117	83	6	11	76	9	15
30 to 44 years	275	82	3	15	77	8	15
45 years and over	370	80	5	15	76	9	15
Professionals, proprietors	135	87	3	10	76	14	10
White-collar workers	102	85	1	14	81	6	13
Skilled workers	118	81	7	12	77	10	13
Semiskilled and unskilled	228	76	7	17	74	7	19
Farmers	78	88	5	7	83	7	10
Retired, unemployed, etc	101	74	5	21	69	8	23
Above average income	101	85	2	13	83	7	10
Middle income	342	86	5	9	81	9	10
Below middle income	319	75	5	20	68	9	23
Republicans	189	84	4	12	81	7	12
Democrats	372	82	6	12	76	10	14
Others	201	77	4	19	72	7	21
Union member families	208	85	5	10	78	8	14
Nonmember families	554	80	4	16	75	9	16
Northeast	184	78	6	16	74	9	17
North Central	263	86	4	10	78	11	11
South	207	75	6	19	72	8	20
West	108	88	3	9	83	6	11
Farms and villages	282	79	6	15	76	7	17
Cities 2,500 to 100,000	142	83	2	15	73	12	15
Cities over 100,000	338	83	4	13	77	9	14

If you were in Congress, would you be for or against laws to do the following things:

A law limiting how long a local union can be kept under trusteeship by a parent union?

A law permitting union members to go to the Federal courts for a ruling if they suspect union officials have stolen or misappropriated union funds?

	Percentage base	Limits on trusteeship			Access to Federal courts		
		For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent
General public	762	40	8	52	83	3	14
Men	342	45	10	45	87	4	9
Women	420	35	7	58	80	3	17
21 to 29 years of age	117	44	10	46	82	5	13
30 to 44 years	275	42	9	49	83	3	14
45 years and over	370	37	7	56	83	3	14
Professionals, proprietors	135	39	12	49	86	5	9
White-collar workers	102	37	8	55	88	1	11
Skilled workers	118	48	7	45	86	3	11
Semiskilled and unskilled	228	39	7	54	80	3	17
Farmers	78	47	9	44	88	2	10
Retired, unemployed, etc	101	30	8	62	72	7	21
Above average income	101	47	9	44	90	3	7
Middle income	342	45	9	46	84	4	12
Below middle income	319	33	6	61	79	3	18
Republicans	189	46	5	49	86	1	13
Democrats	372	38	10	52	85	4	11
Others	201	38	8	54	75	5	20
Union member families	208	47	10	43	80	6	14
Nonmember families	554	37	8	55	84	3	13
Northeast	184	39	12	49	84	2	14
North Central	263	46	6	48	89	3	8
South	207	30	9	61	77	4	19
West	108	49	6	45	79	5	16
Farms and villages	282	40	8	52	81	4	15
Cities, 2,500 to 100,000	142	36	9	55	86	3	11
Cities over 100,000	338	41	9	50	83	3	14

If you were in Congress, would you be for or against laws to do the following things:

A law assuring that all members of a union having equal rights and privileges in nominating candidates, in voting, and in speaking up at union meetings?

A law prohibiting any increase in union dues without majority approval of the union membership through secret ballot?

	Percentage base	Equal rights in elections			Dues increase after vote only				Percentage base	Equal rights in elections			Dues increase after vote only		
		For	Against	No opinion	For	Against	No opinion			For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent			Percent	Percent	Percent	Percent	Percent	Percent
General public	762	87	2	11	78	7	15	Above average income	101	92	2	6	80	7	13
Men	342	90	2	8	83	8	9	Middle income	342	90	2	8	83	6	11
Women	420	84	2	14	72	8	20	Below middle income	319	82	1	17	71	10	19
21 to 29 years of age	117	88	3	9	72	14	14	Republicans	189	89	1	10	85	3	12
30 to 44 years	275	88	1	11	77	8	15	Democrats	372	89	2	9	77	10	13
45 years and over	370	86	2	12	79	6	15	Others	201	81	2	17	72	8	20
Professionals, proprietors	135	86	3	11	78	7	15	Union member families	208	89	2	9	78	11	11
White-collar workers	102	89	0	11	82	3	15	Nonmember families	554	86	2	12	77	7	16
Skilled workers	118	92	2	6	80	8	12	Northeast	184	84	1	15	71	12	17
Semiskilled and unskilled	228	86	0	14	73	12	15	North Central	263	92	2	6	85	4	11
Farmers	78	90	4	6	90	1	9	South	207	82	3	15	71	9	20
Retired, unemployed, etc	101	79	4	17	70	7	23	West	108	90	1	9	85	7	8
								Farms and villages	282	87	3	10	73	9	18
								Cities 2,500 to 100,000	142	90	1	9	76	10	14
								Cities over 100,000	338	86	1	13	82	6	12

If you were in Congress, would you be for or against laws to do the following things:

A law giving union members the right to look at the union's books if they suspect dishonest or inaccurate financial reporting by the union?

A law to guarantee each union member the right to vote by secret ballot in elections of union officers?

	Percentage base	Look at the books			Secret ballot in union elections				Percentage base	Look at the books			Secret ballot in union elections		
		For	Against	No opinion	For	Against	No opinion			For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent			Percent	Percent	Percent	Percent	Percent	Percent
General public	762	86	3	11	84	4	12	Above average income	101	90	2	8	89	2	9
Men	342	90	4	6	88	6	6	Middle income	342	89	4	7	88	4	8
Women	420	82	3	15	80	4	16	Below middle income	319	81	3	16	78	6	16
21 to 29 years of age	117	88	3	9	85	5	10	Republicans	189	92	1	7	89	2	9
30 to 44 years	275	84	2	14	83	4	13	Democrats	372	86	4	10	83	6	11
45 years and over	370	87	4	9	84	5	11	Others	201	79	6	15	82	4	14
Professionals, proprietors	135	86	8	6	85	6	9	Union member families	208	86	3	11	86	5	9
White-collar workers	102	85	3	12	88	1	11	Nonmember families	554	86	3	11	83	5	12
Skilled workers	118	89	2	9	90	3	7	Northeast	184	84	5	11	85	3	12
Semiskilled and unskilled	228	85	3	12	82	5	13	North Central	263	92	2	6	92	3	5
Farmers	78	97	0	3	90	4	6	South	207	80	4	16	73	8	19
Retired, unemployed, etc	101	74	6	20	72	7	21	West	108	87	3	10	87	2	11
								Farms and villages	282	85	4	11	82	5	13
								Cities 2,500 to 100,000	142	90	2	8	84	3	13
								Cities over 100,000	338	85	4	11	86	4	10

If you were in Congress, would you be for or against laws to do the following things:

A law permitting each candidate for union office to send literature to all members of his union at his own expense?

A law requiring employers to report any expenditures made to influence employees on labor matters?

	Percentage base	Campaigning for union office			Report of company expenditures				Percentage base	Campaigning for union office			Report of company expenditures		
		For	Against	No opinion	For	Against	No opinion			For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent			Percent	Percent	Percent	Percent	Percent	Percent
General public	762	62	14	24	71	8	21	Above average income	101	70	10	20	79	6	15
Men	342	66	16	18	76	9	15	Middle income	342	68	15	17	77	5	18
Women	420	59	11	30	67	6	27	Below middle income	319	53	14	33	62	11	27
21 to 29 years of age	117	65	16	19	64	13	23	Republicans	189	68	12	20	73	5	22
30 to 44 years	275	61	14	25	74	6	20	Democrats	372	62	15	23	73	9	18
45 years and over	370	62	13	25	71	7	22	Others	201	56	15	29	65	9	26
Professionals, proprietors	135	67	12	21	73	9	18	Union member families	208	65	15	20	72	12	16
White-collar workers	102	61	12	27	71	3	26	Nonmember families	554	61	13	26	71	6	23
Skilled workers	118	64	19	17	79	6	15	Northeast	184	57	15	28	69	8	23
Semiskilled and unskilled	228	56	17	27	68	11	21	North Central	263	70	12	18	75	9	16
Farmers	78	84	6	10	75	5	20	South	207	54	16	30	67	6	27
Retired, unemployed, etc	101	49	12	39	60	10	30	West	108	70	10	20	74	8	18
								Farms and villages	282	67	11	22	71	6	23
								Cities 2,500 to 100,000	142	58	17	25	76	9	15
								Cities over 100,000	338	60	15	25	69	9	22

If you were in Congress, would you be for or against laws to do the following things:

A law requiring employers to report any loans or gifts to union officials?

A law protecting employers from "extortion" picketing—where a picket line is set up in front of a store or plant until a union leader gets a payoff?

	Percentage base	Report gifts to union officials			Limits on extortion picketing				Percentage base	Report gifts to union officials			Limits on extortion picketing		
		For	Against	No opinion	For	Against	No opinion			For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent			Percent	Percent	Percent	Percent	Percent	Percent
General public	762	77	7	16	63	12	25	Above average income	101	86	4	10	72	6	22
Men	342	83	6	11	68	14	18	Middle income	342	83	6	11	67	13	20
Women	420	72	7	21	59	10	31	Below middle income	319	68	9	23	56	13	31
21 to 29 years of age	117	72	8	20	66	14	20	Republicans	189	80	6	14	71	10	19
30 to 44 years	275	79	6	15	62	11	27	Democrats	372	81	7	12	63	12	25
45 years and over	370	78	7	15	64	11	25	Others	201	68	7	25	56	14	30
Professionals, proprietors	135	84	8	8	75	6	19	Union member families	208	78	7	15	61	18	21
White-collar workers	102	77	5	18	69	7	24	Nonmember families	554	77	6	17	64	9	27
Skilled workers	118	79	7	14	64	16	20	Northeast	184	73	8	19	54	16	30
Semiskilled and unskilled	228	73	9	18	55	17	28	North Central	263	81	8	11	67	12	21
Farmers	78	82	4	14	79	3	18	South	207	74	4	22	68	6	26
Retired, unemployed, etc	101	70	5	25	46	16	38	West	108	83	4	13	60	17	23
								Farms and villages	282	77	6	17	64	10	26
								Cities 2,500 to 100,000	142	84	5	11	69	11	20
								Cities over 100,000	338	75	8	17	61	13	26

If you were in Congress, would you be for or against laws to do the following things:

A law barring a union from picketing at any shop or plant where it has lost a bargaining election within the last 9 months?

A law outlawing so-called hot-cargo contracts, under which trucking company employees have refused to transport goods to or from any company involved in a dispute with the Teamsters Union?

	Percentage base	Time limits on picketing			Limits on "hot cargo" contracts				Percentage base	Time limits on picketing			Limits on "hot cargo" contracts		
		For	Against	No opinion	For	Against	No opinion			For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent			Percent	Percent	Percent	Percent	Percent	Percent
General public	762	46	20	34	46	16	38	Above average income	101	65	14	21	54	15	31
Men	342	53	24	23	53	19	28	Middle income	342	47	23	30	52	15	33
Women	420	39	18	43	40	13	47	Below middle income	319	39	20	41	38	16	46
21 to 29 years of age	117	47	24	29	50	20	30	Republicans	189	54	16	30	53	13	34
30 to 44 years	275	45	23	32	46	17	37	Democrats	372	43	24	33	44	17	39
45 years and over	370	46	18	36	45	14	41	Others	201	44	18	38	44	16	40
Professionals, proprietors	135	57	16	27	52	13	35	Union member families	208	37	34	29	46	24	30
White-collar workers	102	46	21	33	49	9	42	Nonmember families	554	49	16	35	47	12	41
Skilled workers	118	45	28	27	44	24	32	Northeast	184	46	23	31	43	17	40
Semiskilled and unskilled	228	39	25	36	40	18	42	North Central	263	50	22	28	50	20	30
Farmers	78	58	7	35	64	11	25	South	207	41	18	41	43	11	46
Retired, unemployed, etc	101	37	18	45	39	12	49	West	108	45	19	36	51	13	36
								Farms and villages	282	48	13	39	45	14	41
								Cities 2,500 to 100,000	142	45	26	29	46	14	40
								Cities over 100,000	338	44	26	30	48	18	34

If you were in Congress, would you be for or against laws to do the following things:

A law allowing small business firms to obtain action in labor disputes from State agencies?

A law to prohibit secondary boycotts where the union from one company refuses to handle the materials of another company because the workers there are on strike?

	Percentage base	State jurisdiction			Outlaw secondary boycotts				Percentage base	State jurisdiction			Outlaw secondary boycotts		
		For	Against	No opinion	For	Against	No opinion			For	Against	No opinion	For	Against	No opinion
		Percent	Percent	Percent	Percent	Percent	Percent			Percent	Percent	Percent	Percent	Percent	Percent
General public	762	58	10	32	46	22	32	Above average income	101	68	5	27	63	12	25
Men	342	64	14	22	52	27	21	Middle income	342	61	10	29	50	22	28
Women	420	53	6	41	41	17	42	Below middle income	319	52	12	36	37	24	39
21 to 29 years of age	117	57	14	29	43	32	25	Republicans	189	61	8	31	56	15	29
30 to 44 years	275	59	10	31	47	24	29	Democrats	372	60	11	29	44	25	31
45 years and over	370	58	9	33	46	18	36	Others	201	51	12	37	40	24	36
Professionals, proprietors	135	68	7	25	55	14	31	Union member families	208	54	15	31	45	29	26
White-collar workers	102	63	8	29	51	16	33	Nonmember families	554	60	8	32	47	19	34
Skilled workers	118	64	10	26	44	33	23	Northeast	184	65	7	28	39	28	33
Semiskilled and unskilled	228	49	13	38	44	23	33	North Central	263	54	14	32	54	20	26
Farmers	78	72	7	21	51	20	29	South	207	59	8	33	42	22	36
Retired, unemployed, etc	101	41	13	46	32	24	44	West	108	56	7	37	50	15	35
								Farms and villages	282	59	8	33	44	21	35
								Cities 2,500 to 100,000	142	54	15	31	47	24	29
								Cities over 100,000	338	60	10	30	47	23	30

If you were in Congress, would you be for or against laws to do the following things:
A law to prohibit all picketing when employees do not show sufficient interest in joining a union?

	Percentage base	Limits on organizational picketing				Percentage base	Limits on organizational picketing		
		For	Against	No opinion			For	Against	No opinion
		Percent	*Percent*	*Percent*			*Percent*	*Percent*	*Percent*
General public	762	52	22	26	Republicans	189	57	17	26
Men	342	56	27	17	Democrats	372	51	24	25
Women	420	49	16	35	Others	201	50	20	30
21 to 29 years of age	117	55	27	18	Union member families	208	50	26	24
30 to 44 years	275	54	20	26	Nonmember families	554	53	20	27
45 years and over	370	50	20	30	Northeast	184	42	30	28
Professionals, proprietors	135	61	18	21	North Central	263	59	20	21
White-collar workers	102	53	21	26	South	207	55	15	30
Skilled workers	118	51	24	25	West	108	48	23	29
Semiskilled and unskilled	228	49	24	27	Farms and villages	282	56	17	27
Farmers	78	64	15	21	Cities 2,500 to 100,000	142	54	23	23
Retired, unemployed, etc	101	39	22	39	Cities over 100,000	338	49	24	27
Above average income	101	61	18	21					
Middle income	342	54	22	24					
Below middle income	319	48	22	30					

Do you believe we are or are not in a period of inflation now, that is, prices going up and the dollar buying much less?

	Percentage base	Yes, in period of inflation	No, not	No opinion		Percentage base	Yes, in period of inflation	No, not	No opinion
		Percent	*Percent*	*Percent*			*Percent*	*Percent*	*Percent*
General public	762	85	9	6	Republicans	189	88	8	4
Men	342	85	10	5	Democrats	372	86	8	6
Women	420	86	7	7	Others	201	82	9	9
21 to 29 years of age	117	85	9	6	Union member families	208	83	11	6
30 to 44 years	275	84	10	6	Nonmember families	554	87	6	7
45 years and over	370	86	7	7	Northeast	184	82	12	6
Professionals, proprietors	135	87	10	3	North Central	263	86	8	6
White-collar workers	102	87	8	5	South	207	87	5	8
Skilled workers	118	86	7	7	West	108	86	8	6
Semiskilled and unskilled	228	82	10	8	Farms and villages	282	88	6	6
Farmers	78	94	2	4	Cities 2,500 to 100,000	142	89	5	6
Retired, unemployed, etc	101	83	8	9	Cities over 100,000	338	82	11	7
Above average income	101	92	4	4					
Middle income	342	88	9	3					
Below middle income	319	81	8	11					

The steel companies and the Steelworkers Union have started their bargaining this year for a new contract. Do you think the Steelworkers Union should ask for a big increase in wages, only a small increase, or settle for no increase this year?

	Percentage base	Big increase	Small increase	No increase	No opinion		Percentage base	Big increase	Small increase	No increase	No opinion
		Percent	*Percent*	*Percent*	*Percent*			*Percent*	*Percent*	*Percent*	*Percent*
General public	762	7	28	40	25	Republicans	189	3	27	50	20
						Democrats	372	7	30	35	28
Men	342	7	31	45	17	Others	201	9	27	39	25
Women	420	7	25	35	33	Union member families	208	11	40	28	21
21 to 29 years of age	117	10	32	28	30	Nonmember families	554	5	24	44	27
30 to 44 years	275	6	31	37	26	Northeast	184	9	26	36	29
45 years and over	370	6	25	45	24	North Central	263	5	29	47	19
Professionals, proprietors	135	3	26	49	22	South	207	8	26	38	28
White-collar workers	102	3	21	40	36	West	108	3	33	33	31
Skilled workers	118	6	31	35	28	Farms and villages	282	7	25	46	22
Semiskilled and unskilled	228	10	37	27	26	Cities 2,500 to 100,000	142	6	22	34	38
Farmers	78	10	17	61	12	Cities over 100,000	338	7	33	36	24
Retired, unemployed, etc	101	5	25	42	28						
Above average income	101	2	19	54	25						
Middle income	342	5	30	40	25						
Below middle income	319	10	29	35	26						

If the labor unions should win a big wage increase from the steel companies, do you think this will increase the prices of such things as autos and appliances?

	Percentage base	Yes, will increase	No, will not	No opinion		Percentage base	Yes, will increase	No, will not	No opinion
		Percent	*Percent*	*Percent*			*Percent*	*Percent*	*Percent*
General public	762	89	3	8	Below middle income	319	87	4	9
Men	342	93	4	3	Republicans	189	90	3	7
Women	420	85	3	12	Democrats	372	90	3	7
21 to 29 years of age	117	85	8	7	Others	201	85	5	10
30 to 44 years	275	89	3	8	Union member families	208	89	4	7
45 years and over	370	90	2	8	Nonmember families	554	89	3	8
Professionals, proprietors	135	91	3	6	Northeast	184	88	3	9
White-collar workers	102	90	1	9	North Central	263	90	5	5
Skilled workers	118	92	2	6	South	207	87	3	10
Semiskilled and unskilled	228	87	4	9	West	108	91	2	7
Farmers	78	94	2	4	Farms and villages	282	89	4	7
Retired, unemployed, etc	101	80	7	13	Cities 2,500 to 100,000	142	86	6	8
Above average income	101	93	1	6	Cities over 100,000	338	90	2	8
Middle income	342	89	3	8					

If the steel companies feel that union demands can be met only by raising the price of steel, do you think the steel companies should refuse the union demand even if it means a strike, or should they give in and raise prices to avoid a strike?

	Percentage base	Management should refuse	Should give in	No opinion		Percentage base	Management should refuse	Should give in	No opinion
		Percent	*Percent*	*Percent*			*Percent*	*Percent*	*Percent*
General public	762	36	25	39	Republicans	189	48	17	35
Men	342	40	28	32	Democrats	372	32	29	39
Women	420	32	23	45	Others	201	31	26	43
21 to 29 years of age	117	31	31	38	Union member families	208	30	34	36
30 to 44 years	275	31	27	42	Nonmember families	554	38	22	40
45 years and over	370	41	22	37	Northeast	184	33	28	39
Professionals, proprietors	135	54	16	30	North Central	263	39	24	37
White-collar workers	102	35	19	46	South	207	35	25	40
Skilled workers	118	35	27	38	West	108	34	22	44
Semiskilled and unskilled	228	25	33	42	Farms and villages	282	41	24	35
Farmers	78	47	20	33	Cities 2,500 to 100,000	142	36	20	44
Retired, unemployed, etc	101	29	26	45	Cities over 100,000	338	32	28	40
Above average income	101	45	15	40					
Middle income	342	38	25	37					
Below middle income	319	30	29	41					

Mr. DIRKSEN. Mr. President, at the outset, I wish to ask unanimous consent that the members of the staff of the Senate Labor Committee be permitted privileges of the floor today and tomorrow, when the conference report is under deliberation.

The PRESIDING OFFICER. The Chair would like to state that such a request has already been made, and agreed to.

Mr. DIRKSEN. Very well.

Mr. President, the conference committee as an institution has been referred to by students of political science and government as the third house. I have seen such references many times. Such a reference is included in a book which was written in connection with the Reorganization Act of 1946; and it was pointed out that the third house has amazing powers in impressing its will upon proposed legislation which has already been under consideration by both the House and the Senate; and it has vast authority even under restrictive rules, such as those which obtain in the House, in fashioning legislation, in refining expressions and terms, and in imparting meaning to them, so that the third house becomes a powerful instrumentality in our whole legislative setup.

Mr. President, that would be particularly true in connection with so abstruse a bill, which has so many complexities; and I would be less than candid if I did not confess my own inadequacy in attempting to keep up with all the complications and ramifications of this bill, which first was passed by the Senate, and for which the House now has adopted an amendment in the form of a complete substitute.

The bill got to the conference committee—the third house—because I think prudence and discretion and wise counsel prevailed on the floor of the Senate.

Mr. President, I am not insensible to the spirit and the feeling in the waning weeks of the Congress, when we wish to drive to a goal, and leave here. I know the appeal implicit in the strong urge to leave the Capitol and go to the halcyon beaches, the mountains, and the other vacation areas, when the hot winds of summer caress this town. So I can well understand the urge to leave here.

So, Mr. President, I could detect—as others could—that there was a desire among Senators to strike right at the heart of the matter, by voting on the House amendment as it came to the Senate.

I pay the majority leader a well deserved compliment for insisting—and I insisted, with him—that a better job could be done if the bill were sent to conference. After all, that procedure follows a philosophical principle which Confucius had in mind long ago when he referred to "sweet reasonableness." In fact, Mr. President, the majority leader has often referred to "reasonable men around the conference table."

Was it not Isaiah who said, "Come now, and let us reason together"?

So 14 of us sat down and reasoned together, in rather amicable and friendly spirit.

There were occasions when ire arose and words were bandied about the table. But, like true gentlemen, we saw to it that they quickly subsided; and the conference committee went to its labors.

So I am delighted, because in my considered judgment the conference report is better than the bill as passed by the Senate, and is better than the bill as passed by the House, and is the product of the best the conferees could bring back.

I pay my tribute to the distinguished chairman of the conference committee [Mr. KENNEDY]. It is no easy task at the shank of the session to be on the receiving end of the slings and arrows of fortune—whether outrageous or not. I think he showed rare patience and forbearance.

I also wish to pay a high compliment to my minority colleague, the distinguished junior Senator from Arizona [Mr. GOLDWATER], who in every section of the country is regarded as something of a specialist in this field.

I pay an equal compliment to my distinguished friend, the Senator from Vermont [Mr. PROUTY], who has done yeoman service, and who, by means of the motions he offered, showed, I think, rare judgment and a keen knowledge and concept of the subject before us.

If I have to say anything about myself, I must say that I am afraid my principal duty in the conference was to try, when it seemed that frictions might explode into flame, to make judicious use of an oilcan whenever I could. I find that, on occasion, that serves a useful purpose, too.

Mr. President, I compliment my colleagues of the conference on both sides, and particularly the chairman, the Senator from Massachusetts [Mr. KENNEDY]. He has a rare knowledge of the bill. His knowledge of it has confounded me on occasions. It has intrigued me. I salute him for the studious propensities which were implied in his mastery of a bill in so highly complicated a field.

So, Mr. President, we have brought to the Senate the best product we can on this occasion.

At this time I wish to say a word about the allusion which was made by my distinguished friend, the Senator from Vermont, in regard to a point of order, because I am afraid I had something to do with it. It was not partisan in any sense whatever. But inasmuch as I had served a long time in the House of Representatives, and had served for 16 years on conference committees, and had developed some familiarity with the rules of the House of Representatives, it occurred to me, yesterday afternoon, that language dealing with so-called situs agreements involving the construction industry and the legality or illegality of a strike which involved many contractors—including prime contractors and subcontractors—was new matter. It did not appear in the Senate version of the bill; it did not appear in the House version of the bill; and although it was germane to a House provision under the general subject of boycotts and picketing, yet is was a new substantive provision.

So while there was a hiatus in the conference, on yesterday afternoon, I said to the distinguished Representative from Georgia, PHIL LANDRUM, that I would like to go to the House and talk to the Parliamentarian. So, together with Representative LANDRUM, I went to the House, and talked to the Parliamentarian. Inasmuch as I have known Lewis Deschler intimately for a long time, I said to him, "Lew, here is the picture. I think you know the whole situation. Can you give us some suggestions as to what your notions are in regard to whether this is in order in the conference report?"

He replied, "I will give you an opinion off the top of my head; I don't want to be committed at the moment. But I would say, offhand, that, generally

speaking, under the House rules, new matter is not within the frame of the conference, and therefore it would be out of order."

I initiated that, if no one knew it before; and it was said to me in the presence of Representative LANDRUM, one of the authors of the House version of the bill.

So, Mr. President, at the proper time, in the conference, that point was made. I helped energize it up to a proper degree; and we let it go at that.

Then we came up with this problem: If we were to agree on everything except one item, would it be taken back to the Senate, for instructions; and would it go back to the House; and then would the point of order be raised, and be found good—with the result that, after all our labors, we would find that we still did not have a bill on which we could take final action?

Mr. President, I do not subscribe to the principle which is the basis of the old ditty, "The King of France with 20,000 men went up the hill, and then came down again." I did not like the idea of proceeding in that way. So I thought it would be splendid to settle that point in advance.

Therefore, this morning I concurred in the sentiment expressed by Representative BARDEN, the cochairman of the conference, when he said he felt it was his duty to make the point of order, under the House rules. Had I sat where he sat, I would have said that I felt it my duty to do so, since the matter in question was new matter.

As a result, we arrived at compromise language which was finally adopted.

Mr. President, I believe the chairman of the conference will agree with me when I say that if we have not completed the necessary action, in the sense that something still remains to be done in connection with the construction field, certainly the majority leader has given his word, and the chairman of the conference committee has given his word, and the distinguished junior Senator from Arizona [Mr. GOLDWATER] concurs, and I concur, that when we come back here in January, if there is something to be done in that field, we will do it, so that nobody will feel aggrieved or feel that he has been forgotten in the process.

Our business for the moment is to get as effective a conference report as we can. The very fact that 13 of the 14 conferees have fully concurred and that 12, I think the number is, have signed the conference report—is that the correct number, I ask the Senator from Massachusetts?

Mr. KENNEDY. Yes.

Mr. DIRKSEN. Twelve out of fourteen is a pretty good score for any conference dealing with a bill of this character.

So I wanted to make plain that this question of the point of order was actually initiated by a Republican and a Democrat. I happen to be the Republican. PHIL LANDRUM was the Democrat. We went to the House side to get an informal opinion, which was better formalized this morning, after there was an opportunity to consider it further.

So I think the practical thing to do was exactly what the conference committee did under those circumstances. I am very happy indeed we got a conference report.

I wish to say one thing more by way of conclusion. There have been made in the country at times allegations that contributions are made to senatorial campaigns and to the campaigns of Representatives, and that therefore Senators and Representatives are being carried around in somebody's pocket when we come to grips with a bill that involves management and labor and the public.

Mr. President, I think this conference report is a living exemplification of the fact that when the chips are down, the Senators and Representatives are in nobody's pocket, and that they have impressed their will in what I think is the general interest and the well-being of all of the people of the country.

We were sensible of the interests of labor. We were mindful of the interests of management. But we were almost supersensitive about the interests of all of the people of the United States; and that is what counts. I think the Senate and the House, and the Members of both parties, can be proud of the work of the conference, because it rebuts these rather careless and unrestrained allegations that sometimes we are carried around in somebody's pocket. I am proud of the work, and I am distinctly proud of the legislative body of which I have the honor to be a Member.

Mr. JOHNSON of Texas. Mr. President, I shall not detain the Senate long. I merely wish to commend the distinguished minority leader for the very fine statement he has made. I know perhaps more than any other Member of the Senate the burdens he carries. I know there has not been a day when it has not been necessary to have at least 3 or 4 conversations with him in connection with arranging the schedule of the conferees to fit in with the duties we have here in the Senate.

This is one of the Senate's finest hours.

I am very proud of my young friend from Massachusetts, who demonstrated that he could say to his colleagues, in the words of the prophet Isaiah, "Come now, and let us reason together." I am likewise proud of each majority member of the conference who participated in bringing about the results which have been obtained.

I have counseled a number of times with my friend Senator GOLDWATER, ranking minority member of the conference, and with Senator DIRKSEN, another member of the conference. Although I have not had a chance to discuss this matter with the House conferees, I think each Member on both sides of the aisle should be commended for his lack of partisanship.

The conferees have done what they consider to be best for America, and in doing what is best for America one always does what is best for his own party.

I have not detected any deep partisan division in these conferences. The prophets of gloom and doom are in for a surprise when they see the results of a conference committee that is presided over by the distinguished junior Senator from Massachusetts [Mr. KENNEDY], and upon which there served the distinguished Senator from Arizona [Mr. GOLDWATER], the distinguished minority leader [Mr. DIRKSEN], the distinguished Senator from Vermont [Mr. PROUTY], the distinguished Senator from Michigan [Mr. MCNAMARA], the distinguished Senator from West Virginia [Mr. RANDOLPH], and the distinguished Senator from Oregon [Mr. MORSE].

These Senators sat down with such distinguished members of the House as the gentleman from North Carolina [Mr. BARDEN], the gentleman from Kentucky [Mr. PERKINS], the gentleman from Georgia [Mr. LANDRUM], the gentleman from New Jersey [Mr. THOMPSON], the gentleman from Pennsylvania [Mr. KEARNS], the gentleman from Ohio [Mr. AYRES], and the gentleman from Michigan [Mr. GRIFFIN]. The conference committee threshed out the differences between the two bills in a spirit of give-and-take which ended—as it always does—in improving the legislation.

When men from different environments, with different political philosophies, with varying political views, can sit in a room and finally—at least 13 out of the 14—return with a joint recommendation, it is a great tribute to our democratic system.

Mr. President, I ask unanimous consent that when the Senate recesses this evening it convene at 9:30 o'clock tomorrow morning, so we may have a morning hour.

I announce we will not have any votes before 11 o'clock a.m., but Senators desire to make brief statements. I would like to have that order entered, if I may.

INJURY OF CLARK MOLLENHOFF

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

Mr. JOHNSON of Texas. I yield.

Mr. GOLDWATER. I intended to mention this prior to this time. At a moment when we should feel jubilation, we have occasion to feel some sadness.

One of the most valued contributors to the solution of this whole problem of graft and corruption in the labor movement has been Mr. Clark Mollenhoff, of the Des Moines newspapers. Mr. Mollenhoff, along with men like Westbrook Pegler and others, has been a pioneer in pointing out graft and corruption in the labor movement.

I am sorry to announce that Mr. Mollenhoff has suffered a broken neck. He is in the veterans' hospital at Des Moines, Iowa. I know he would appreciate hearing from Senators, who must have a high regard for his ability.

Mr. JOHNSON of Texas. I thank the Senator for that observation. Earlier today, less than an hour ago, I wrote Mr. Mollenhoff a note. I appreciate the Senator from Arizona's reminding other Senators.

Mr. President, before I take my seat I wish to pay tribute to the staff of the Select Committee on Improper Activities in the Labor or Management Field, headed by Bob Kennedy, and to the chairman of that committee, the Senator from Arkansas [Mr. MCCLELLAN]. It has

been his diligent work, his persistent efforts, which brought about the revelations that enabled the Senate to take this important action last year, and again this year.

Senator McCLELLAN and his dedicated staff have pointed the way to effective steps to protect the American people from the hoodlums and racketeers who have victimized honorable labor. He was the pioneer in this field.

I do not think any Member of either body is deserving of more credit for the results we are about to see produced than is Senator McCLELLAN.

I am grateful to Speaker of the House, Mr. RAYBURN, and to the Democratic and Republican leaders of the House, Mr. McCORMACK and Mr. HALLECK, and to the members of the House Labor Committee for their contributions in this field.

I hope the conference report can be acted upon tomorrow.

I know the morning business and other speeches will keep us busy until at least 10:30 or 11 o'clock tomorrow morning. I should not expect any votes before noon tomorrow. We do want to stay in session late tomorrow evening, midnight, if necessary, to try to get action on the conference report, because it will have to go to the other body after it is acted on here.

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

Mr. JOHNSON of Texas. I yield to the Senator from Ohio.

Mr. LAUSCHE. I am much pleased that the Senator from Texas showed his thoughtfulness in commending the Senator from Arkansas for the work which that Senator has done. I think the ultimate results which are reflected in the bill which will come before the Senate tomorrow constitute a triumph for Senator McCLELLAN in the fight he made to bring about a correction of abuses in labor-management relations.

For a moment, figuratively, he was seated off the stage behind the curtains. I am glad the Senator from Texas brought him out onto the stage. It would have been tragic tonight if he had gone unnoticed and unmentioned by the Senate.

I say to my colleague, the Senator from Arkansas [Mr. McCLELLAN], the ultimate content of the bill, in my opinion, in a substantial degree is the product of the Senator's work. I commend the Senator for it. The amendments which the Senator offered on the floor of the Senate, which were rejected, have ultimately become a part of the bill. My commendations go to the Senator from Arkansas, and my commendations go to the entire membership of the committee for the excellent work done.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

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

Mr. JOHNSON of Texas. I yield to the Senator from South Carolina.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas that when the Senate recesses tonight it recess until 9:30 tomorrow morning? The Chair hears none, and it is so ordered.

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

Mr. JOHNSON of Texas. I yield to the Senator from South Carolina.

Mr. THURMOND. I wish to compliment the majority leader for his statement about the distinguished Senator from Arkansas [Mr. McCLELLAN]. I should like to associate myself with the remarks of the distinguished Senator from Ohio concerning the Senator from Arkansas. I do not know of any man in the Congress, or throughout the United States, who has worked more zealously or who has accomplished more in the field of labor relations and in the cleaning up of corruption and helping to expose abuse than the distinguished Senator from Arkansas.

Mr. JOHNSON of Texas. May we have order in the Chamber, Mr. President?

The PRESIDING OFFICER. The Senator from South Carolina will suspend. The Senate will be in order.

The Senator from South Carolina may proceed.

Mr. THURMOND. Mr. President, I am indeed pleased that the majority leader has recognized the Senator's contribution, and I was very glad to hear the words of tribute paid by the able Senator from Ohio.

I feel, Mr. President, we are fortunate to have a man of such high character, high principles, great intellect, and tremendous courage in the Senate. The Senator from Arkansas is a great asset to the people of this Nation. I am proud to be a Member of the body of which he is a Member.

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

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I sincerely thank the distinguished majority leader and my colleagues for their complimentary references to me personally and to the Senate select committee of which it has been my privilege and honor to be the chairman during the past 2½ years.

Mr. President, I wish to say that whatever success the committee has had, whatever we have achieved, and whatever contribution we may have made to the public welfare have been due to two things.

First, the committee has been working as a team. It has not been a one-man project.

Mr. JOHNSON of Texas. Mr. President, may we have order in the rear of the Chamber, please, so that the Senator can be heard?

The PRESIDING OFFICER. The Senator from Arkansas will suspend. The Senate will be in order.

The Senator from Arkansas may proceed.

Mr. McCLELLAN. Mr. President, it has not been a one-man project. There has been, on the part of the membership of the committee, a dedicated service and a definite objective to get the truth, and to bring to this body the facts and accurate information upon which it could intelligently legislate to correct some evil conditions that have developed and that now exist in the field of labor-management relations. That is the first point, Mr. President.

Secondly, and of no less importance, is the fact that we were able to assemble, I think, one of the most able staffs of young men and young women, to assist us in this work, that has ever been assembled, possibly, to assist any investigating committee of this body. To them, under the leadership of Mr. Robert Kennedy as chief counsel, goes great credit for their dedication, for their long hours of work, and for their fearlessness and their courage. It takes courage to "beard" some of these "characters" in their "den," to look them in the face and interrogate them with respect to some of their activities and conduct, which we have exposed, and which have reflected the conditions that moved the Congress to take the action it has.

So, whatever may be said about the chairman must be said for all members of the committee. Whatever is said, Mr. President, for the members of the committee must also be said for the excellent staff, each one of whom, to the full limit of his or her individual capacity, has made a worthwhile contribution to the result we have before us this evening. I sincerely hope and I honestly believe that organized labor, management, and the public at large have been served, and will be served, by our labors and the laws that the Congress shall enact as a result thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2424) to amend the Communications Act of 1934 in order to provide that the equal-time provisions with respect to candidates for public office shall not apply to news and other similar programs.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2524) relating to the power of the States to impose net income taxes on income derived from interstate commerce and establishing a Commission on State Taxation of Interstate Commerce and Interstate and Intergovernmental Taxation Problems.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8374) to amend Public Law 85–880, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 539. An act for the relief of Mrs. Joyce Lee Freeman;

S. 669. An act to authorize the Secretary of Agriculture to convey certain lands to the Bethel Baptist Church of Henderson, Tenn.;

S. 696. An act for the relief of Mrs. Annie Voisin Whitley;

S. 1071. An act for the relief of Nettie Korn and Manfred Korn;

S. 1298. An act for the relief of Concetta Meglio Meglio;

S. 1392. An act for the relief of Isabel M. Menz;

S. 1557. An act for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim;

S. 1650. An act for the relief of Edmund A. Hannay;

S. 1667. An act for the relief of the widow of Col. Claud C. Smith;

S. 1792. An act for the relief of Lilia Alvarez Szabo;

S. 1915. An act for the relief of Chung Ching Wei;

S. 1921. An act to exempt from taxation certain property of the United Spanish War Veterans, Inc., in the District of Columbia;

S. 1958. An act to amend section 12 of the act of March 5, 1915, to clarify types of arrestment prohibited with respect to wages of U.S. seamen;

S. 2021. An act for the relief of Irene Milios;

S. 2027. An act for the relief of William James Harkins and Thomas Lloyd Harkins;

S. 2050. An act for the relief of Leokadia Jomboski;

S. 2081. An act for the relief of Yadwiga Boczar;

S. 2102. An act for the relief of Irene Wladyslawa Burda; and

S. 2238. An act for the relief of Kenzo Hachtmann, a minor.

DIVERSION OF WATER FROM LAKE MICHIGAN, AT CHICAGO

The Senate resumed the consideration of the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I am informed that the yeas and nays have been ordered on the motion of the Senator from Maryland [Mr. BUTLER] to refer H.R. 1 to the Committee on Foreign Relations. I am informed by the author of the motion that Senators are ready for the call of the roll. If the yeas and nays have been ordered, we can get a vote on that now.

The PRESIDING OFFICER. The yeas and nays have been ordered.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland to refer the bill to the Committee on Foreign Relations.

Mr. JAVITS. Mr. President, at a time when the eyes of the whole world are upon us in our foreign relations; when the President of the United States is flying from one world capital to another in his fight for the preservation of peace and security; when we are in Berlin and elsewhere relying upon the scrupulous maintenance of our treaty obligations and those of others; we cannot ourselves ignore these obligations in any area—especially where the interests involved are those of Canada, one of our closest allies. But this is the issue involved in H.R. 1, now before the Senate.

The motion to rerefer this bill to the Committee on Foreign Relations again brings before the Senate a matter on which we voted on March 18, 1959, at which time this bill was referred to the Committee on Public Works with the clear understanding that it was within the power of the Senate, should it so decide, that the bill could be sent to the Foreign Relations Committee subsequently.

We should not take such action without considering the effect on our foreign relations, not merely with Canada, but with every other nation with whom we have obligations based upon treaty or past common interest and which would be watching carefully how we honor these obligations. In the field of water rights alone, we have a number of other agreements, such as those with Mexico regarding the Rio Grande and Rio Colorado, with Canada as to a number of the border lakes, the Columbia and St. Lawrence Rivers and Niagara Falls, and with the Republic of Panama involving the water required for the Panama Canal. We also have many other areas of joint interest with Canada at this very moment in which negotiations are under way and which will be affected by the approach we take in this matter. These include areas of international trade, finance and defense policy, and such specific matters as tolls on the Welland Canal, Columbia River development and St. Lawrence Seaway power.

The aspect of this legislation involving the interest of Canada is the one to which the least study has been devoted in past committee consideration, and the note of the Canadian Government of February 20, 1959, clearly puts this issue before us. In a reply to a State Department request for its views, the Government of Canada indicated that—

> Any authorization for an additional diversion would be incompatible with the arrangements for the St. Lawrence Seaway and power development, and with the Niagara Treaty of 1950, and would be prejudicial to navigation and power development which these mutual arrangements were designed to improve and facilitate.
>
> The point has been made repeatedly by Canada that every withdrawal of water from the basin means less depth available for shipping in harbors and in channels. Additional withdrawals would have adverse effects on the hydroelectric generation potential on both sides of the border at Niagara Falls and in the international section of the St. Lawrence River, as well as in the Province of Quebec, and would inflict hardship on communities and industries on both sides of the border.
>
> The Government of Canada, therefore, protests against the implementation of proposals contained in H.R. 1.

Even stronger notes were sent by Canada on April 9, 1959, and just last week, on August 21, 1959. The April note stated:

> Every diversion of water from the Great Lakes watershed at Chicago inevitably decreased the volume of water remaining in the basin for all purposes. The Government of Canada is opposed to any action which will have the effect of reducing the volume of water in the Great Lakes Basin. Careful inquiry has failed to reveal any sources of water in Canada which could be added to the present supplies of the basin to compensate for further withdrawals in the United States of America. The Government of Canada considers that many agreements and understandings between the United States of America and Canada would be broken if unilateral action were taken to divert additional water from the Great Lakes watershed at Chicago. * * *
>
> Because of the importance attached by the United States of America and Canada to the honoring of international undertakings in letter and in spirit, the Government of Canada views with serious concern any possible impairment of agreements and undertakings relating to the Great Lakes Basin. Furthermore, the alarms created by repeated proposals for diversion which inevitably disturb the people and industry of Canada are a source of profound irritation to the relations between our two countries which we can ill afford.
>
> I am instructed therefore to express the hope of the Government of Canada that the United States of America will view this matter with equal concern and will be able to give satisfactory assurances that unilateral action will not be taken which would imperil the present regime of the waters in the Great Lakes Basin and the status of the agreements and understandings to which I have referred.

The latest note, delivered only last week, indicated that Canada had taken note of the pending legislative developments and stated:

> In the view of my Government any additional diversion of water out of the Great Lakes watershed would be inconsistent with existing agreements and arrangements which together constitute an agreed regime with respect to these waters. The proposed unilateral derogation from the existing regime therefore occasions serious concern in Canada.

The question which we now have before us is whether this legislation is to be rereferred to the Committee on Foreign Relations, where these problems can receive direct consideration in the light of our foreign policy problems with Canada and other countries. I believe that a referral to the Foreign Relations Committee will serve the best interests of the Senate and of the entire Nation.

A look at the specific jurisdiction of the Committee on Foreign Relations in rule XXV shows that it is charged with consideration of matters dealing with "relations of the United States with foreign nations generally," with "treaties," and with the "establishment of boundary lines between the United States and foreign nations." What could be a better description of the issues involved in this bill?

No matter what the interpretations of the various treaties by the many renowned international lawyers who have been quoted here may be, the action we are discussing certainly involved the prime jurisdiction of the Foreign Relations Committee—our relations with other nations, within or outside treaty provisions.

Let us be clear about one thing. This is not an ordinary situation involving

navigation, water power, pollution control or rivers and harbors. We cannot treat it as if it were. It is a matter which can throw a serious monkey wrench into our relations, at least with a nation like Canada whose friendship is signified by an open border thousands of miles long.

Mr. President, I ask unanimous consent to have printed in the RECORD a resolution of the 10th conference of the Inter-American Bar Association; and an extract from the address by Mr. John G. Laylin, Esq., of Washington, D.C., on the "Principles of International River Law" before the Inter-American Bar Association at Buenos Aires, November 1957.

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

TENTH CONFERENCE OF THE INTER-AMERICAN BAR ASSOCIATION, BUENOS AIRES, NOVEMBER 19, 1957—RESOLUTION ADOPTED BY UNANIMOUS VOTE BY THE FIRST COMMITTEE OF THE TENTH CONFERENCE, AND APPROVED WITHOUT DISSENT BY THE EXECUTIVE COUNCIL AND THE PLENARY SESSION OF THE INTER-AMERICAN BAR ASSOCIATION

The 10th conference of the Inter-American Bar Association resolves:

I. That the following general principles, which form part of existing international law, are applicable to every water-course or system of rivers or lakes (nonmaritime waters) which may traverse or divide the territory of two or more States; such a system will be referred to hereinafter as a "system of international waters":

1. Every State having under its jurisdiction a part of a system of international waters, has the right to make use of the waters thereof insofar as such use does not affect adversely the equal right of States having under their jurisdicton other parts of the system.

2. States having under their jurisdiction a part of a system of international waters are under a duty, in the application of the principle of equality of rights, to recognize the right of the other States having jurisdiction over a part of the system to share the benefits of the system, taking as the basis the right of each State to the maintenance of the status of its existing beneficial uses and to enjoy, according to the relative needs of the respective States, the benefits of future developments. In cases where agreement cannot be reached the States should submit their differences to an international court or an arbitral commission.

3. States having under their jurisdiction part of a system of international waters are under a duty to refrain from making changes in the existing regime that might affect adversely the advantageous use by one or more other States having a part of the system under their jurisdiction except in accordance with: (i) an agreement with the State or States affected or (ii) a decision of an international court or arbitral commission.

4. The foregoing principles do not alter the norm of international law that if the territory over which flow the waters of an international system is of such a nature as to provide a particular benefit, that benefit may be enjoyed exclusively by the State having jurisdiction over that territory, it being understood that such enjoyment will be in conformity with principle 3.

II. That a permanent committee of the Inter-American Bar Association be established to examine further the general juridical principles in this field, which commission should correspond with other international associations and organizations (U.N., OAS, etc.) devoting their attention to the study of the principles of law governing the uses of international rivers.

III. That this permanent committee study and prepare for the 11th conference of the Inter-American Bar Association a report dealing, among other matters that it considers of interest, with the following:

1. The question of the rights, if any, of nonriparian States which may have interests dependent upon a system of international waters.

2. The question of indemnification and of preventing unlawful acts in the use of waters of international systems that might cause irreparable damage or might even lead to a situation likely to endanger the peace or constitute a threat to the peace.

3. The question of sharing costs in the operation, maintenance, and development of a system of international waters.

4. The questions of pollution and flood control.

5. The question of the priorities as between different uses of the waters of a system of international waters and the relation of these priorities to the specific characteristics of the system.

6. The question of the differences in legal treatment of the right of dominion over as distinguished from the right to the use of a system of international waters.

7. The possibility of systematizing the practical rules put into effect by the States to achieve the most advantageous use of systems of interstate or international waters.

8. The difference, if any, arising in the application of general principles of international law as between international boundary water systems and successive water systems.

9. The possibility of creating general and/or regional commissions and tribunals in order to facilitate the most advantageous use of the waters and the solution of conflicts relating to the regime of systems of international waters.

IV. That the committee be requested to collect, classify, and analyze the precedents from every part of the world evidencing practices accepted as law governing the use of international waters.

V. That States with an interest in an international water system ought to participate, as soon as possible, in the collection and exchange of physical and economic data essential for the planning and realization of the rational use of the waters.

EXTRACT FROM ADDRESS BY JOHN G. LAYLIN, ESQ., OF WASHINGTON, D.C., BEFORE THE INTER-AMERICAN BAR ASSOCIATION AT BUENOS AIRES, NOVEMBER 1957

Professor Sauser-Hall considers the use in international matters, by analogy, of decisions of tribunals in Federal States. (L'Utilisation Industrielle des Fleuves Internationaux, 83 Recueil des Cours 471 [Hague Academy, 1953, II]). He says:

"The conflicts of interest which the utilization of water courses can stir up between the member States of a confederation of States, or of a Federal State present the strongest analogy to those which occur on the international plane between sovereign States; * * *" (Id. at 471–472, trans. ours. See Id. at 516–517.)

Further, under article 38 of the Statute of the I.C.J., there is no reason to deny the opinions of municipal judges at least the status of "teachings" of qualified publicists.

In a long and unbroken line of decisions the Supreme Court condemns the principle of absolute sovereign rights and upholds the principle of equitable apportionment. The contention that a State is entitled to do as it wishes with the waters of a interstate river physically within its boundaries was asserted by Colorado in two of the earlier cases on this subject, *Kansas* v. *Colorado*, 185 U.S. 125 (1902), 206 U.S. 46 (1907), and *Wyoming* v. *Colorado*, 259 U.S. 419 (1922), and was rejected by the U.S. Supreme Court. In the latter case the Court said (Id. at 466):

"The contention of Colorado that she as a State rightfully may divert and use, as she may choose, the waters flowing within her boundaries in this interstate stream, regardless of any prejudice that this may work to others having rights in the stream below her boundary, can not be maintained. The river throughout its course in both States is but a single stream wherein each State has an interest which should be respected by the other. A like contention was set up by Colorado in her answer in *Kansas* v. *Colorado* and was adjudged untenable. Further consideration satisfies us that the ruling was right. It has support in other cases, of which *Rickey Land & Cattle Co.* v. *Miller & Lux*, 218 U.S. 258; *Bean* v. *Morris*, 221 U.S. 485; *Missouri* v. *Illinois*, 180 U.S. 208, and 200 U.S. 496; and *Georgia* v. *Tennessee Copper Co.*, 206 U.S. 230, are examples."

The Supreme Court has consistently adhered to this position, whether the domestic law of the States concerned was the common law of riparian rights, the law of appropriation, or some variant of these. Among the principal cases are *Missouri* v. *Illinois*, 180 U.S. 208 (1901), 200 U.S. 496 (1906); *North Dakota* v. *Minnesota*, 263 U.S. 365 (1923); *Wisconsin* v. *Illinois*, 278 U.S. 367 (1929); *Connecticut* v. *Massachusetts*, 282 U.S. 660 (1931); *New Jersey* v. *New York*, 283 U.S. 336 (1931); *Colorado* v. *Kansas*, 320 U.S. 383 (1943); and *Nebraska* v. *Wyoming*, 325 U.S. 589 (1945).

The doctrine of absolute rights was also rejected by the Swiss Federal Tribunal in *Aargau* v. *Zurich* (Smith, at 39, 104), and by the German Staatsgerichtschof in *Wuerttemberg and Prussia* v. *Baden* (Id. at 55, 117). The Italian Court of Cassation, in *Société Energie Electrique du Littoral Mediterranéen* v. *Compagnia Imprese Elettriche Liguri* (1939), Annual Digest of Public International Law Cases [Lauterpacht] 1938–1940 (No. 47), said:

"International law recognizes the right on the part of every riparian State to enjoy as a participant of a kind of partnership created by the river, all the advantages deriving from it for the purpose of securing the welfare and the economic and civil progress of the nation. * * * However, although a State, in the exercise of its right of sovereignty, may subject public rivers to whatever regime it deems best, it cannot disregard the international duty, derived from that principle, not to impede or to destroy, as a result of this regime, the opportunity of the other States to avail themselves of the flow of water for their own national needs."

APPENDIX A

REVIEW OF GOVERNMENTAL THEORIES AND PRACTICES OF THE UNITED STATES, CHILE, AUSTRIA, AND INDIA

UNITED STATES

U.S. Attorney General Harmon in 1895 rendered an opinion, apropos a dispute with Mexico about the waters of the Rio Grande, that "the rules, principles, and precedents of international law impose no liability or obligation upon the United States" (21 Opinions of the Attorney General 267 (1895)). This opinion was rendered some years before the first decision of the U.S. Supreme Court on the subject; the Supreme Court has utterly disowned such a theory.

For half a century this country continued, in diplomatic negotiations both with Mexico and with Great Britain (for Canada), to assert from time to time a right to do as it wished with the waters within its territory. But its treaties with these two nations, (Smith, at 168, 170) made in 1906 and 1909 respectively, while formally reserving a right to assert this doctrine, incorporated concessions quite inconsistent with it.

The United States agreed to deliver to Mexico stated quantities of water, and undertook the whole cost of the works necessary to assure such deliveries. The treaty with Great Britain provided in some detail for the regulation of the border lakes, for the division of supplies of certain rivers, and in other cases for giving to individual riparians in the downstream nation the rights provided by domestic law of the upstream nation. This treaty was so framed as to exclude from its terms the controversial diversion of water from Lake Michigan by the Chicago Drainage District, and to that extent may be said to have preserved Attorney General Harmon's position. While the controversy about this diversion persisted for many years, it has by now become largely moot because the U.S. Supreme Court, at suit of other riparian states, has imposed on the drainage district limitations which go far toward meeting such limitations as derive from international law. *Wisconsin* v. *Illinois*, 278 U.S. 367 (1929), 281 U.S. 179 (1930), 89 U.S. 395 (1933). Smith (at 52) suggests, however, that compensation for past damage is called for.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that we may have a vote on the motion of the Senator from Maryland in 20 minutes; and that 10 minutes of the time be controlled by the Senator from Illinois [Mr. DOUGLAS] and 10 minutes of the time be controlled by the Senator from Wisconsin [Mr. WILEY].

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

Mr. KUCHEL. Mr. President, reserving the right to object, do I correctly understand the Senator to say it is the intention to keep the Senate in session?

Mr. JOHNSON of Texas. Until we vote.

Mr. KUCHEL. Until after we vote?

Mr. JOHNSON of Texas. Surely. We are trying to get a vote. I thought Senators were ready for a vote.

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

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Louisiana.

Mr. McNAMARA. Mr. President, I was on my feet reserving the right to object——

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the action just taken be vitiated. I did not hear the Senator from Michigan.

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

Mr. McNAMARA. Mr. President, I think we ought to have a moment to consider the proposal. We have not been consulted. We have been talking about this matter for some days. I do not like snap action.

Mr. JOHNSON of Texas. I thought the Senator from Wisconsin was speaking for the group in opposition to the measure. The Senator has been asking for a vote. The minority leader was very anxious, also. I consulted both the proponents and the opponents of the bill. I did not consult each individual. If the Senator wants to extend the time, I would be glad to do it to suit his convenience. I thought the Senator from Wisconsin felt we ought to vote without any discussion.

Mr. McNAMARA. I thought so, too. For that I was ready. This surprised me. We are doing something other than voting.

Mr. JOHNSON of Texas. We are providing for equal time. Does the Senator want more time than what we have allowed?

Mr. McNAMARA. I wanted to vote now. I was prepared to vote now.

Mr. JOHNSON of Texas. We cannot do that, because the Senator from Illinois wants 10 minutes. We can give the other side 10 minutes, to reply to the Senator from Illinois. Does the Senator want to change that?

Mr. McNAMARA. I will accept the explanation.

Mr. JOHNSON of Texas. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas that there be 20 minutes allotted for consideration of the motion of the Senator from Maryland; with 10 minutes for each side? The Chair hears none, and it is so ordered.

CONVEYANCE OF CERTAIN REAL PROPERTY TO SOPHRONIA SMILEY DELANEY AND HER SONS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons, which was, on page 1, line 7, strike out "$2,500" and insert "$5,000."

Mr. ELLENDER. Mr. President, I have consulted with the majority leader and the minority leader as to this matter.

I move that the Senate concur in the House amendment.

The motion was agreed to.

DIVERSION OF WATER FROM LAKE MICHIGAN, AT CHICAGO

The Senate resumed the consideration of the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland [Mr. BUTLER], to refer H.R. 1 to the Senate Committee on Foreign Relations. On this question the yeas and nays have been ordered.

The Chair wishes to state that the unanimous consent agreement is in effect. Ten minutes are allotted to each side.

Mr. FULBRIGHT. Mr. President, will the Senator yield me 2 minutes?

Mr. DOUGLAS. I will yield 2 minutes, with the understanding that the time does not come out of my time. [Laughter.]

Mr. FULBRIGHT. The Senator is very generous.

Mr. DOUGLAS. Mr. President, I wish to speak very briefly on the motion to refer the pending bill to the Foreign Relations Committee without any date being attached as to the time the committee should report.

This is, of course, a motion to kill the bill, and if it is adopted it will be as a result of the long discussion which the opponents of the bill have waged and the threat of further discussion if this motion is defeated. We are legislating, therefore, with a pistol held at our heads, and I do not believe in acceding to threats, either open or covert.

It should be noticed, Mr. President, that this measure clearly falls within the jurisdiction of the Public Works Committee, because on page 40 of the Rules of the Senate the jurisdiction of the Public Works Committee is stated to cover "oil and other pollution of navigable waters."

The bill has been four times referred to the Public Works Committee and four times reported by the Public Works Committee. Now, because Canada has raised certain objections, it is proposed by the Senator from Maryland to take it away from the Public Works Committee and refer it to the Foreign Relations Committee.

If we start adopting this precedent we will disorganize the internal management of the affairs of the Senate. For example, very frequently foreign countries object to our tariff provisions and to quotas which we impose on goods from foreign countries. Shall we therefore take the jurisdiction of tariff matters away from the Finance Committee and give it to the Foreign Relations Committee? We will have to do so if this precedent is adopted.

Mr. FULBRIGHT. Will the Senator yield?

Mr. DOUGLAS. I have only 10 minutes, and I would prefer to conduct my argument, and then the Senator, if he is opposed, can argue on his own time.

Mr. FULBRIGHT. I am not opposed. I want to propose a question.

Mr. DOUGLAS. Since I have only 10 minutes I would prefer, if I may to conduct my discussion in as orderly a way as possible.

Mr. FULBRIGHT. I mean, I am not in opposition to the Senator. It is all right if he does not want to yield.

Mr. DOUGLAS. A poverty-stricken person cannot be as generous as a millionaire, and since I have only 10 minutes, I hope the Senator will not think I am discourteous if I prefer to proceed in my own way, and to husband such little time as I have.

Foreign countries also object very frequently to our immigration policies. Does this mean that immigration bills shall be taken from the Judiciary Committee and given to Foreign Relations?

I submit, therefore, that from a procedural standpoint we are making a great mistake if we send this bill to Foreign Relations.

Mr. President, I know it is said that we should do this in behalf of good relations with Canada, and it is charged from time to time that in some fashion, never quite stated, that this bill violates the treaty of 1909 and the treaty of 1950. I have studied both of these treaties very carefully and it is apparent that this is not true.

The treaty of 1909 refers specifically as international waters to those lakes in which the international boundary line runs, and a casual inspection of the maps here behind us show that those lakes are Superior, Huron, Erie, and Ontario. The international boundary lines do run through those lakes, but the international boundary line does not run through Lake Michigan. Lake Michigan lies 37 miles east of the beginning of the boundary line.

The exclusion of Lake Michigan was deliberate from the 1909 treaty. Secretary of State Elihu Root in his testimony before the Foreign Relations Committee specifically stated that Lake Michigan was excluded.

So far as the 1950 treaty is concerned, that provided for the equal allocation of water flowing out from Lake Erie, but it did not prescribe any level in Lake Erie, nor did it prescribe any specific rate of flow in the Niagara River itself. It merely said that such water as was available was to be shared equally between Canada and the United States. So on a legal basis we are violating nothing whatsoever in passing this bill.

I know an appeal is being made that we should be generous to Canada. I want to be generous to Canada. I have opposed some tariffs and some quota systems which this administration has put into effect because I thought they treated Canada unfairly and unjustly, but we need to remember this, that we have already been extremely generous to Canada so far as the waters of the Great Lakes system are concerned.

In the original 1910 agreement Canada was given 36,000 cubic feet per second, the United States only 20,000. This was because Chicago at that time was given by the Secretary of War 10,000 cubic feet per second. In other words, Chicago's claim of 10,000 cubic feet, which had been perfectly legal and had been granted by the Secretary of War, was specifically recognized. Canada, therefore, was given a larger share of the residue than the United States received because of this very fact.

As time went on Chicago did not utilize its full 10,000 cubic feet per second. It cut down some of this amount voluntarily. Part of it was reduced by rulings of the Secretary of War and the Supreme Court, and each time that the share of Chicago was reduced we loyally obeyed. But, and this is the interesting point, Canada's share was not reduced. The United States did not claim for itself the amount which Canada did not use.

Canada in other words received all the share of waterpower which Chicago did not use. Furthermore we have been generous in giving to Canada without charge waterpower at Niagara which American private plants could not use. If we add up the total, of these gifts, we reach this startling fact: the commercial value of the waterpower to which Chicago and the United States were origially entitled, but which we did not use, and which has been turned over, therefore, to Canada, is in the neighborhood of $320 million. We have done this for Canada very gladly, because of our desire to be a good neighbor.

Now, Canada for internal political reasons which in the interests of international amity I shall not enlarge upon, comes in and objects to this bill because for 1 year only there is to be an added experimental diversion of 1,000 cubic feet per second. As a matter of fact, this would lower the level of the Lakes Michigan and Huron by only one-quarter of an inch, and would lower the level of Lakes Erie and Ontario by between one-eighth and one-sixteenth of an inch. This is what the opponents of this bill are talking about in very piteous language when they debate upon the great evils done to Canada. The loss is in fact infinitesimal.

There is one further factor which should be noted. If Chicago is given the right to take a thousand cubic feet a second out of Lake Michigan, this will be a loss of only 235 cubic feet a second at Niagara. We have worked out the economic loss very accurately. It does not exceed $36,000 a year. In other words, Canada and her sponsors in this body have been making a mountain out of a mole hill. As the Senator from Oklahoma [Mr. KERR] observed in his opening speech, the opponents have been hiding behind the skirts of our "Sister of the Snows" to the north of us.

The city of Chicago and the communities to the south of our city want to have this test made, to consider all aspects of the very difficult problem of dealing with the sewage of the great metropolitan community.

The city of Chicago has probably the best sewage disposal system in the world. It is able, by the most advanced processes, satisfactorily to dispose of 90 percent of this material. There is however an irreducible residual of about 10 percent. But since the city is handling the equivalent of 8½ million units, this means that the waste of 850,000 people is discharged into the Chicago River. We want to handle this problem as effectively as possible. We believe that a test of 1 year is necessary to do it in order to determine whether this is the best way to bring the needed additional oxygen into the water, for oxygen is the great purifier.

I therefore ask that this motion be defeated.

Mr. WILEY. Mr. President, I yield 3 minutes to the Senator from Oregon [Mr. NEUBERGER].

Mr. NEUBERGER. Mr. President, I dislike very much to disagree with my friend from Illinois, whom I regard as one of the great Members of the U.S. Senate. However, the fact remains that whether Canada was wise or unwise in opposing this diversion, the Canadian Government has opposed the proposed diversion.

I speak as a Senator from the Pacific Northwest who has taken a predominant interest in trying to prevent the diversion of the upper Columbia River. In 1955, I was assigned by the Senate Committee on Interior and Insular Affairs to make a survey in British Columbia and elsewhere in Canada of the position of the Canadian Government and Canadian opinion on this issue.

The Canadian Parliament has authorized a study of diversion of the upper Columbia. It has appropriated $250,000 for this purpose. A diversion has been proposed which would take out of the upper Columbia River a quantity of water equal to the entire flow of the Colorado River at Glens Ferry. If this were to occur, some of the greatest power projects ever built on the face of the earth would have a ceiling placed on their production, and they might be left stranded with respect to future production. I refer to Grand Coulee, Bonneville, Chief Joseph, and other projects.

We in the Pacific Northwest do not see how we can antagonize Canada with respect to Lake Michigan, in connection with a diversion which Canada disapproves, without risking diversion of the upper Columbia River, which would be so disastrous and perilous to our future development.

The Senator from Illinois is correct when he says that Lake Michigan is 37 miles from Canada. But we in Oregon have waters 300 miles from Canada; yet they would be affected by the diversion of the Columbia.

Lake Michigan is a part of an international waterway, the Great Lakes-St. Lawrence system. Whether or not a particular body of water touches Canada or touches an international border has nothing to do with the fact that it is a part of the flow which stems from international waters.

Our beloved colleague from Illinois referred to Canada as "Our Lady of the Snows." I think that was Kipling's term.

Our Lady of the Snows and its government have protested the proposed Lake Michigan diversion. I am not competent to say whether or not Canada should protest the diversion, but the fact is that Canada has protested it.

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

Mr. NEUBERGER. May I have an additional minute?

Mr. WILEY. I yield 1 minute additional to the Senator from Oregon.

Mr. NEUBERGER. We share with Canada the greatest single waterway for power production on the North American Continent, namely, the Columbia River; and I daresay that we cannot risk antagonizing Canada on Lake Michigan, without endangering the great power potential of the Columbia River, which is vital to our Pacific Northwest States.

I regret to have to take a position against this diversion, because I know how desperately Chicago needs the water. In 1958 I voted for the diversion, because the position of Canada was ambiguous, but I said that if Canada opposed the diversion, I did not see how a Senator from the Pacific Northwest could go along with it and seriously represent the great projects on the Columbia River. Our very survival is dependent on the good will of the Canadian Government.

Mr. WILEY. Mr. President, I yield 2 minutes to the junior Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, three times almost identical bills have passed the House. Twice such a bill has passed

the Senate. The provisions of the present bill have been considerably reduced.

The bill calls for only a year's diversion. The subject has been thoroughly ventilated in the Public Works Committee. I doubt whether I have ever seen such penetrating interrogation of a witness as that conducted by the distinguished Senator from Oklahoma [Mr. KERR]. The whole case was made there. Nothing particularly new has been added in the discussion here.

We talk on one side about loss of power and reduction in lake levels, and loss of commerce, but on the other side is the overwhelming effect of the health of millions of people. Other areas may be indifferent to health. I say, in all kindliness, that I noticed that in the State of my distinguished friend from Wisconsin the health authorities had to close several public bathing beaches because the waters have been contaminated. I am advised that as far north as Green Bay the people must go 20 miles for their drinking water, because of the contamination of the lake.

The people in the sanitary district and in Chicago, and Illinois, have laid out $400 million for treatment plants. They have never contaminated the lake water at any time.

We come here in good grace, and with perfectly clean hands, to ask for a resolution of the issue which is before us. Therefore there is no point in sending the bill to the Foreign Relations Committee. It passed the Senate twice before. It passed the House three times before. Let us have done with it now. Let us finally resolve the issue. Let us vote upon passage of the bill. I trust it will be favorably considered.

I hope, therefore, that the pending motion to send the bill to still another committee of the Senate will be defeated.

Mr. WILEY. Mr. President, I yield myself 2 minutes.

Senators have before them the report of the debates in the Canadian Parliament. They tell the story of the international picture. Let Senators kick Canada in the teeth if they so desire.

The Senator from Illinois made a diversionary remark. He spoke about the so-called condition in Milwaukee. The evidence shows plenty about the failure in Illinois to do the job after the court, on a number of occasions, had told them to clean their own house. Now they want to kick Canada in the teeth.

Senators may read the manuscript which has been placed on their desks. It has been in the offices of Senators for weeks, and now it is on their desks.

Mr. President, I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. Mr. President, the statement has been made that the bill authorizes the diversion of only 1,000 second-feet of water from Lake Michigan into the Illinois Waterway. The bill, authorizes the diversion of an average of 2,500 second-feet the year round. To be certain, I read from the bill:

> With respect to the regulation of flows along the Illinois River, particularly at Pekin, Illinois, the diversion authorized by this Act in accordance with this section will be regulated with the objective of maintaining a uniform flow at Pekin of eight thousand cubic feet per second.

The bill does not authorize simply the diversion of 1,000 feet a second. There is no limit to the diversion. It may be any amount up to 8,000 feet a second during the dry season.

Mr. WILEY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has 2 minutes remaining.

Mr. WILEY. I yield 2 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, concerning the comments by the Senator from Illinois [Mr. DOUGLAS] about the effect of the bill being referred to the Committee on Foreign Relations, I see no reason why that should mean the end of the bill or the killing of the bill. The committee is not accustomed to burying bills. I assure the Senator from Illinois that the bill will receive serious consideration. I really think that following some negotiations with the Canadian Government, a reasonable procedure for the extraction of a reasonable amount of water for Chicago can be adopted.

What the Canadian Government objects to is not the extraction of some of the water. They object to its extraction without any agreement or any procedures which might restrict the abuse of such a practice in the future.

I see no reason to assume that because the bill may be referred to the Committee on Foreign Relations, that will be the end of the bill. I believe the committee will enlist the assistance of the State Department, that negotiations will take place with Canada, and that some reasonable procedure by which a reasonable amount of water can be used by the city of Chicago will be arrived at.

I myself think that Chicago should have consideration in this respect, but I am impressed by the argument that the procedure should not be unilateral; and also that if it is possible to take 1,000 cubic feet, it is possible to take 100,000 cubic feet, without any right on the part of Canada to interject her interests into the matter.

I think the interests of Canada arising out of the Seaway and the power development have changed the situation to such a degree that Canada has a legitimate interest in being consulted about this proposal.

I assure the Senator from Illinois that it is not my intention, as chairman of the committee, and I do not think it is the intention of any other member of the committee, to bury the bill. I am not insisting on its referral to the committee, but I think it would be good practice to do so.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the motion of the Senator from Maryland [Mr. BUTLER] to refer H.R. 1 to the Committee on Foreign Relations. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY (when his name was called). On this vote I have a live pair with the distinguished Senator from Indiana [Mr. CAPEHART]. If he were present, 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 Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Hawaii [Mr. LONG], are absent on official business.

I also announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that the Senator from Idaho [Mr. CHURCH] and the Senator from Delaware [Mr. FREAR] are absent on official business attending the Interparliamentary meeting in Warsaw, Poland.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CHURCH], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Hawaii [Mr. LONG], and the Senator from Wyoming [Mr. [O'MAHONEY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland, and, if present and voting, would vote "yea."

The Senator from Iowa [Mr. MARTIN] is absent on official business and, if present and voting, would vote "yea."

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

The Senator from Indiana [Mr. CAPEHART] is detained on official business and his pair has been previously announced.

The result was announced—yeas 54, nays 34, as follows:

YEAS—54

Aiken	Ervin	Mundt
Anderson	Fulbright	Muskie
Beall	Goldwater	Neuberger
Bennett	Green	Prouty
Bible	Hart	Proxmire
Bridges	Hennings	Robertson
Bush	Hickenlooper	Russell
Butler	Humphrey	Saltonstall
Byrd, Va.	Javits	Scott
Cannon	Jordan	Smathers
Carlson	Keating	Smith
Case, N.J.	Kuchel	Sparkman
Clark	Langer	Stennis
Curtis	Lausche	Talmadge
Cooper	McClellan	Thurmond
Cotton	McNamara	Wiley
Dworshak	Magnuson	Williams, Del.
Eastland	Morton	Young, Ohio

NAYS—34

Allott	Hartke	Mansfield
Bartlett	Hill	Morse
Byrd, W. Va.	Holland	Moss
Carroll	Hruska	Murray
Dirksen	Jackson	Pastore
Dodd	Johnson, Tex.	Randolph
Douglas	Johnston, S.C.	Schoeppel
Ellender	Kefauver	Symington
Engle	Kerr	Williams, N.J.
Fong	Long, La.	Yarborough
Gore	McCarthy	
Gruening	McGee	

NOT VOTING—12

Capehart	Frear	Martin
Case, S. Dak.	Hayden	Monroney
Chavez	Kennedy	O'Mahoney
Church	Long, Hawaii	Young, N. Dak.

So the motion to refer H.R. 1 to the Committee on Foreign Relations was agreed to.

Mr. AIKEN. Mr. President, I move that the vote by which the motion to refer was agreed to be reconsidered.

Mr. WILEY. Mr. President, I move to lay on the table the motion to reconsider.

Mr. PROXMIRE. Mr. President, I move to lay on the table the motion to reconsider.

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.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce that we do not expect to have any more votes taken this evening.

I shall ask the Senate to remain in session as long as may be necessary to acmodate any Senators who may desire to make statements for the RECORD. But we do not plan to have any more votes taken this evening.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I am about to ask consent that the Senate proceed to the consideration of the bill to extend Public Law 480; and I shall seek an agreement in that connection. But that bill will not be debated unless and until the conference report on the labor bill is debated.

Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of Calendar No. 518, Senate bill 1748.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1748) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the consideration of Senate bill 1748, 30 minutes be available on each amendment, to be equally divided; and 2 hours be available on the bill, to be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HUMPHREY. Mr. President, does the proposed agreement include the committee amendments? There are certain committee amendments to the bill.

Mr. MORSE. Mr. President, reserving the right to object, will the majority leader restate his request?

Mr. JOHNSON of Texas. I ask unanimous consent that 30 minutes be allowed on any amendment, motion, or appeal, except a motion to lay on the table—as is customary in our consent agreements—and 2 hours be allowed on the bill, to be equally divided.

I have consulted with the chairman of the committee, the Senator from Louisiana [Mr. ELLENDER]; with the ranking minority member of the committee, the Senator from Vermont [Mr. AIKEN], and with the Senator from Minnesota [Mr. HUMPHREY] who found that this amount of time would be agreeable to them. So far as I was informed, no other Senator desires to offer amendments; and they felt this arrangement would be adequate.

We do not plan to have the bill debated, under the proposed limitation, until the Senate has disposed of the conference report on the labor bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object—although I have no objection—I must state that I have just now been advised that the Senator from New Hampshire asked to be notified, so he could be on the floor when such an agreement was proposed, I understand that he will soon arrive.

Mr. JOHNSON of Texas. Then I withhold the request, Mr. President.

Mr. JOHNSON of Texas subsequently said: Mr. President, will the Senator from Arkansas yield to me, so that the question on a unanimous-consent request can be put, while the Senator from New Hampshire is present? We held up action temporarily on the question.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Texas? The Chair hears none, and the unanimous-consent agreement is entered.

Mr. JOHNSON of Texas. Mr. President, it is understood that the usual terms of the agreement will be printed in the RECORD, and I ask that it may appear in the RECORD.

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

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the consideration of S. 1748, a bill to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to thirty minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to two hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal. (September 2, 1959.)

RACIAL PROBLEMS IN LARGE CITIES WHICH HAVE FORCED INTEGRATION

Mr. JOHNSTON of South Carolina. Mr. President, for several months now I have been bringing to the attention of the Members of the Senate the racial problems in New York and other large cities where forced integration has brought about a terrifying wave of rioting, crime, juvenile delinquency, and mounting hatreds and prejudices.

One of the reasons why I have been doing this is that some of the local press do not report these chronic ailments that accompany forced integration. In particular, I refer to the Washington Post, which has failed on many occasions to report locally the disturbing conditions that exist in cities where integration has been forced upon people.

The Governor of New York yesterday announced he was calling an emergency meeting of leaders of his State, and was also calling on Federal Bureau of Investigation Director J. Edgar Hoover for help and consultation in an effort to cope with widespread crime, rioting, and the other evils that have befallen New York City as a result of forced integration.

Mr. President, I could not find the item in the Washington Post this morning, and I had prepared remarks to criticize the Post for not carrying this article. However, late this afternoon, after an advance press release containing my prepared remarks had been distributed, a representative of the Washington Post called my office to advise me that reference to Governor Rockefeller's announcement was contained in a story in the Post on page B–8. I looked up this article and, sure enough, buried in a story entitled "New York Police Hunt Teenage 'Dracula,'" was reference to Governor Rockefeller's alarm over the situation in New York. However, this article contained no reference to the emergency meeting of government, religious, social, and other leaders called by Governor Rockefeller, and reported in large headlines in other papers across the country.

While the Governor of New York in his announcement was reluctant to admit that the crime, corruption, rioting, and other violence besetting New York City was a racial problem, the fact that he is calling in one of the heads of the National Association for the Advancement of Colored People for advice on how to handle the crisis in New York is prima facie evidence that the problems of New York are of a racial nature. Leaders of the NAACP are experts in finding ways to force integration upon people, and know little about juvenile delinquency problems.

If it were a pure juvenile delinquency and crime problem in New York, I should think a consultation with FBI Director J. Edgar Hoover, the Nation's top expert on juvenile delinquency and crime, would be sufficient consultation. The bringing in of the NAACP leadership by the Governor of New York should be sufficient evidence to the Nation that New York's problems result from integration as much as anything. Similarly, I would think that the troubles that have beset the Governor of New York should be a lesson to other proponents of integration across this land that they would do well to halt and look back before

engaging in promoting more civil rights legislation and integration.

It is ironical indeed that the Nation's largest city, which houses the Nation's most vehement spokesmen for integration, has found it necessary to request Federal assistance to cope with its local crime problems; usually these spokesmen for integration and civil rights legislation are pointing their fingers at the South and calling on Federal officials to send the FBI and Federal forces into the South to force upon the South the very integration which is now the root of their own problems.

As the editor of the New York Daily News of September 1, 1959, said, "a lot of eager-beaver Members of Congress might do a lot worse than to listen to him," meaning the distinguished Senator HIRAM L. FONG, of Hawaii, who recently advised that Congress should be careful about rushing civil rights legislation onto the books.

Mr. President, I can think of no more tragic step that the Congress of the United States could take than for it, in this year of 1959, to pass civil rights legislation that would foster forced integration upon unwilling people across this land; while places like the city of New York have reached such a crisis in handling their own racial problems, living under their own civil rights laws, that they have found it necessary to call in Federal assistance to cope with the breakdown of law and order. We would do well, at the very least, to lay aside consideration of any civil rights legislation which would stir up this boiling pot of hatred and prejudice.

We need to let each community work out its own problems, in its own way. As the distinguished Senator from Hawaii, a State that has the most impressive mixture of races of any State in the Union, has said, "It is difficult to legislate a mode of life. I think this is an emotional problem that will be cured by time."

Mr. President, Hawaii grew up as an integrated Territory. The integration started as a natural phenomenon, and as a result today there is little trouble in that State, if any at all, where whites, Negroes, Hawaiians, Chinese, Japanese, and descendents of crossings of those races live together peacefully. In that State integration was a mode of life.

In large sections of our country, particularly in the South and in South Carolina, segregation is a mode of life. The "do-gooders" have attempted to make integration a mode of life in New York, an area where segregation has been the mode of life. We know the results today. The Governor of New York knows the results, and he has called for this drastic action to cope with the problems in that city. There could be no more obvious example to proponents of civil rights legislation to force integration upon unwilling people that they should not go forward with their program any more.

Mr. President, I ask that the editorial from the New York Daily News of September 1, 1959, entitled "Senator FONG on Civil Rights," be printed in the body of the RECORD, together with my remarks.

Mr. President, I also send to the desk an article from this morning's New York Times entitled "Governor calls emergency talks on youth crime," and ask that this article be printed in the body of the RECORD.

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

[From the New York Daily News, Sept. 1, 1959]

SENATOR FONG ON CIVIL RIGHTS

Senator HIRAM L. FONG, Republican, of Hawaii, says Congress should be careful about rushing civil rights legislation onto the books. Segregation, he says, is a tough problem, and "it is difficult to legislate a mode of life. I think this is an emotional problem that will be cured by time."

Coming from Hawaii, with its impressive mixture of races that get along together extremely well, Senator FONG should know what he's talking about—and a lot of eager-beaver Members of Congress might do a lot worse than to listen to him.

[From the New York Times, Sept. 2, 1959]

GOVERNOR CALLS EMERGENCY TALKS ON YOUTH CRIME—PARLEYS WILL BE HELD HERE WITH STATE AND CITY AIDS, CIVIC LEADERS, AND MAYOR—POLICE ACTION BACKED—WAGNER SAYS SITUATION IS BEYOND SOCIAL AGENCIES—EXTRA PATROLS ON DUTY

(By Peter Kihss)

Governor Rockefeller yesterday summoned two emergency meetings to intensify efforts against the city's rising juvenile violence. One of the meetings will be for State officials and the other will include Mayor Wagner and community leaders.

Meanwhile, the mayor declared that organized gang murders, such as those that took two lives in a West Side playground early Sunday, had become a problem for the police rather than social agencies.

He endorsed measures by Police Commissioner Stephen P. Kennedy that shifted nearly 1,400 policemen from other duties to patrol trouble areas. The augmented patrols began their tours last night.

AGENDA TO BE SET

Later, the Governor announced that he had telephoned Mayor Wagner and arranged for a preliminary conference with him tomorrow for Friday after the mayor holds a scheduled meeting with city officials on the same problem.

The Governor and the mayor will discuss an agenda for the second of the two meetings Governor Rockefeller has set up. Richard L. Amper, the Governor's press secretary, said Mr. Rockefeller had reported that Mayor Wagner had been very cooperative and approved of all this.

Mr. Rockefeller's first emergency meeting will be with a dozen State executives and legislative leaders tomorrow at 10:30 a.m. at his office, 22 West 55th Street. They will help prepare a list of topics for the second, still broader, conference with city and civic leaders scheduled for next Tuesday.

MAYOR'S PARLEY DUE

On Monday, Mayor Wagner had called a conference of city officials on the youth crime situation. This will be held tomorrow at city hall at 2 p.m.

To next Tuesday's sessions, at 10:30 a.m. at his office, Governor Rockefeller sent invitations by telegram to the mayor, Commissioner Kennedy, J. Edgar Hoover, Director of the Federal Bureau of Investigation, and 17 other leaders.

Governor Rockefeller said yesterday morning during a ceremony installing new members of the State Harness Racing Commission and the Waterfront Commission that he was "deeply concerned both as the Governor and as a parent."

"We have to mobilize more effectively forces of private and State and local agencies," he said. "We have to constantly devise new ways to bring about a challenge to these young folks and to provide an outlet for their energies and give them a sense of belonging."

He said he was alarmed "in terms of human suffering and of these young people getting off on a wrong foot in life."

Then the Governor held a 2-hour meeting in his office here with State Attorney General Louis J. Lefkowitz, Robert MacCrate, the Governor's counsel; William J. Ronan, secretary to the Governor, and Mr. Amper.

The Governor then announced the two conferences with this statement:

"The recent occurrences of juvenile violence in the streets, and fear anxiety and heartbreak they have evoked are tragic to all of us. And they call for action by all of us—officials of government, parents and private organizations concerned with the welfare of our community.

"The problem of juvenile delinquency has no easy remedy. There is no quick or overnight solution. It is compounded of neglect by parents, broken homes, poor living conditions, unhealthy background, economic deprivation, mental disturbance and lack of religious training.

"There is no single approach to a solution. The attack must come at all levels—by parents, churches and synagogues, boys' clubs and other youth groups, settlement houses, the schools, social agencies, law enforcement agencies and the courts."

STATE AIDS INVITED

Among those invited to tomorrow's meeting with the Governor are Attorney General Lefkowitz; Raymond W. Houston, State Commissioner of Social Welfare; Paul D. McGinnis, State Commissioner of Correction; Dr. Paul Hoch, Commissioner of Mental Hygiene; Dr. James E. Allen, Jr., Commissioner of Education, and Russell G. Oswald, chairman of the State Parole Board.

The others are Mark A. McCloskey, chairman of the State Youth Commission; Elmer A. Carter, chairman of the State Commission against Discrimination; Senators Walter J. Mahoney and Joseph Zaretzki, majority and minority leaders of the upper house; Speaker Joseph F. Carlino, and Anthony Travia, Assembly minority leader.

For Tuesday's conference, telegrams of invitation went to the Mayor, Commissioner Kennedy, Mr. Hoover, and the following:

Cardinal Spellman, Roman Catholic Archbishop of New York; Rev. Dan Potter, executive secretary of the Protestant Council of New York; Rev. David Glovensky of the New York Board of Rabbis; Harry Van Arsdale, president of the Central Trades and Labor Council; Lester Granger, executive director of the Urban League; Thurgood Marshall, counsel for the National Association for the Advancement of Colored People; Joseph Monserrat, director of the Puerto Rican Labor Department office here.

Carl Loeb, president of the Community Council of Greater New York; Beatrice Quimby, executive director of the Federation of Protestant Welfare Agencies; Herschel Alt of the Jewish Board of Guardians; Rev. Robert E. Gallagher of Catholic Charities; J. Richardson Dilworth, president of the Community Service Society.

Mr. Lefkowitz, Mrs. Caroline Simon, State Secretary of State; A. Van W. Hancock, chairman of the New York State Commission on the White House Conference on Children and Youth; Chief City Magistrate John M. Murtagh, and Presiding Justices Bernard Botein and Gerald Nolan of the Appellate Division here.

DEFINITION OF "FILIBUSTER"

Mr. JOHNSTON of South Carolina. Mr. President, I wish to bring to the attention of the Senate an editorial entitled "Snitching Great Lakes Water" appearing in the Washington Post this morning. The Washington Post editorial writer states in the editorial "a filibuster is a time-wasting device to prevent action by the Senate after all the arguments are in." My remarks at this time are not devoted to either side in the Great Lakes water diversion controversy but are directed to the Washington Post and its definition of a filibuster and its past record of charges concerning the use of the filibuster.

In this instance, the Washington Post has come to the defense of those undertaking lengthy discussion to explain their positions on the Great Lakes water diversion bill. The Washington Post says these Senators are not filibustering as has been charged and calls the situation the Senate now finds itself in "a vigorous discussion on a vital issue." As in the past, had this been a debate on civil rights legislation and any southerner or group of southerners were holding the floor to discuss at length a civil rights matter, the Washington Post would have by now printed a lengthy editorial blistering the southerners for filibustering.

I want the Washington Post to understand that when we southerners take the floor to discuss at length a vital issue that we are not filibustering but we are using the same legislative tools that are being used in the Great Lakes water diversion bill debate. I also wish to emphasize that we southerners have never felt that we have ever wasted time in our debating on civil rights legislation and since this is the definition of filibustering to the Washington Post, then I hope it will be as generous in its description of future civil rights debates as it has been on the Great Lakes water diversion debate.

I ask unanimous consent that the editorial be printed in the RECORD following my remarks.

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

SNITCHING GREAT LAKES WATER

Opponents of the Great Lakes water diversion bill are under charges of filibustering, but up to this point the debate seems to illustrate the basic difference between a filibuster and vigorous discussion on a vital issue. A filibuster is a time-wasting device to prevent action by the Senate after all the arguments are in. Though many arguments have been repeated in the debate on the water diversion bill, the net effect has been to alert the country and the Senate to the dangers of a measure that has been too little understood. What now appears to be a very large minority opposing the bill may become a majority.

The arguments for not rushing into a venture of this sort are very persuasive. Senator MCNAMARA pointed out that four cases involving water diversion from Lake Michigan are now before the Supreme Court and that a special master appointed by the Court will soon begin taking testimony on every facet of this problem. It is well to remember that Chicago's existing right of diversion stems from the Court's decree of 1930. Even if legislation should seem ultimately desirable, Congress could legislate to far better advantage after the Court has further spelled out the legal issues.

Another strong argument for not passing the bill now is that the Senate Foreign Relations Committee has had no opportunity to study it. On Monday the Senate refused by a narrow margin to send the bill to Foreign Relations, but Canada's objections to the bill remain strong. It would be inexcusable to pass the bill without a full analysis of these objections and the impact that such action would have upon relations between the United States and Canada.

Sponsors of the bill try to justify riding roughshod over Canada's wishes regarding these international waters by saying that officials in Ottawa have shifted their position in the last year. Spokesmen for Canada deny this emphatically, but even if it were true we do not see that it would have any substantial bearing on the issue now before the Senate. There is no question whatever about Canada's present resentment over the effort to take water without her consent from the Great Lakes-St. Lawrence system jointly owned by the two countries, and it is current attitudes and policies that have to be reckoned with.

There are strong indications, moreover, that in any event approval of the bill by the Senate would be only a gesture. President Eisenhower would doubtless veto this measure as he has done in the case of two similar bills—in part because it would divert Canadian-United States water without any negotiations on the subject with Canada. It is said that some Senators are being urged to vote for the bill as a means of conciliating the sponsors because the President will prevent it from becoming effective. Surely the opposite reasoning ought prevail in a responsible legislative body. Since a veto seems inevitable, why would any Senator wish to antagonize our good neighbor to the north by a futile gesture that will serve no other purpose?

CRIME IN WASHINGTON, D.C.

Mr. JOHNSTON of South Carolina. Mr. President, there appeared in the Washington Post this morning an article entitled "Crime Here Is Assailed by Senator." This article dealt with my insertion in the RECORD yesterday of a Newsweek magazine article concerning crime in Washington and New York.

In this article the Washington Post said:

In citing the article's summary of several possible reasons for the increase in Washington street crime, JOHNSTON omitted Newsweek's reference to congressional failure to provide voteless Washington with sufficient policemen and an adequately manned juvenile court bench.

Mr. President, I wish to assure the Washington Post and Members of the Senate that I have always been in favor of providing the Nation's Capital with an adequate police force, but I do not believe that we can solve the problems of large cities such as Washington and New York with an endless stream of policemen. I do not mean that Washington does not need more policemen; that is for the Senate District Committee and other officials dealing with the District government's problems to determine. However, I do wish to emphasize we cannot solve the problems which create crime, racial hatred, prejudices, and other evils caused by forced integration.

In this connection, I wish to bring to the attention of the Members of the Senate that yesterday New York City's Police Commissioner Kennedy said he recognized the fact—and I quote him directly—that "strong law enforcement is only a very small part of the total picture, although a very important one," in attacking crime. He told the New York Times, in a news conference at New York police headquarters:

If you put a blue blanket (meaning a blanket of blue-clothed policemen) over a festering slum, you're not curing the underlying ill. It's a stopgap measure designed to permit all individuals, agencies and organizations to operate in a civilized community.

Mr. President, the underlying causes of the current troubles in New York, Washington, and elsewhere do not solely come from a lack of policemen, but go back to the practices in those communities which have created the conditions under which racial differences have been emphasized through forced integration.

I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

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

CRIME HERE IS ASSAILED BY SENATOR

Senator OLIN D. JOHNSTON, Democrat, of South Carolina, cited a national magazine article about crime in Washington and New York during an anti-integration speech in the Senate yesterday.

He based his remarks on two articles in the current Newsweek which reported the fatal gang warfare on New York's lower East Side and the experience of Representative CHARLES C. DIGGS, JR., Democrat, of Michigan, who witnessed a street assault here last month.

In citing the article's summary of several possible reasons for the increase in Washington street crime, JOHNSTON omitted Newsweek's reference to congressional failure to provide voteless Washington with sufficient policemen and an adequately manned juvenile court bench.

JOHNSTON said he hoped "every Member of the Senate will read these two articles and ponder the grave question raised by these statistics and these descriptions of conditions in America's largest city and in America's National Capital, two places where forced integration has been experimented with more than any other places in the United States."

The South Carolinian cited the articles in a plea against enactment of "more civil rights legislation that will force integration upon other areas in the Nation where it is not wanted."

STUDENT EXCHANGE PROGRAMS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that an excellent editorial from the Thursday, August 27, 1959, issue of the Tyler Courier-Times, of Tyler, Tex., commenting on the value of the student exchange programs be printed in the body of the CONGRESSIONAL RECORD at this point.

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

BLESS YOU, EXCHANGE STUDENTS

One of the world's great hopes for peace and true progress on the human scene worldwide lies in the student exchange program between the United States of America and the various other countries of the globe.

Statistics are not at hand, but it is known that there are many thousands of foreign young men and young women in the United States today, looking forward enthusiastically to the opening of the new terms of schools, colleges, and universities.

Tyler and other east Texas educational centers have a goodly number of these students. They merge well. They help give new and greater meaning to the concept of the United States as the "melting pot" of civilizations.

And great good is accruing from the fact that thousands of young Americans are studying overseas. They are over there receiving, but they are also giving. They give a good and true picture of their homeland. They serve as fine examples of the human quality that is in the United States, despite its shortcomings.

The gains are reciprocal. We are coming into a greater respect for the other nations represented by the students coming into our midst. There is, perhaps imperceptibly to a large extent, a blending of great cultures. Differences in world opinions and concepts are being reconciled through this exchange of some of the world's finest young people—the hope of tomorrow if indeed not of today.

They're here from China, India, Germany, Turkey, Iran, and other areas of the Old World and from various countries of the Western Hemisphere.

Their numbers can be expected to increase as the years roll by. This should be. The worthy effect will continue to be a better buildup of friendship and understanding among the peoples of the world. With that achievement will come a greater measure of national and world progress materially, culturally, morally, spiritually.

Let us be sincerely grateful for these young students and their great potentials.

Mr. FULBRIGHT. Mr. President, when one reads an editorial like this, one is almost persuaded that at last we Americans are coming of age, that at long last we have grown up and may, from here on, act like responsible, mature adults.

But just as this happy glow of satisfaction began to spread across my brow, my eye was attracted by two other articles in the paper. The first announced that, because of a lack of money, denied to it by the House of Representatives, the Foreign Service Institute of the Department of State is not expanding its services, as planned, to take care of the minimum requirements of language training.

I ask unanimous consent to have that article printed in the RECORD at this point.

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

[From the Washington Post and Times Herald, Sept. 1, 1959]

EXPANSION OF FOREIGN LANGUAGE SCHOOL OFF

(By John Lawson)

Plans to expand the State Department's school of foreign languages have been shelved for lack of money.

The school, which is part of the Foreign Service Institute, had planned to add teachers and facilities for the teaching of an additional 70 Foreign Servce officers at its offices in Arlington Towers.

But because Congress failed to appropriate sufficient funds, the school will operate in 1960 about the same as it did in 1959.

Howard E. Sollenberger, dean of the school, said he had planned to expand operations "to bring the language training program closer to the target of 500 students a year in the basic world languages."

The school, he said, taught 380 students in 1959 French, Italian, German, Spanish, and Portuguese. In addition, he said, 50 students were taught in so-called esoteric languages.

Sollenberger said the school had hoped to teach an additional 70 students in the world languages and 20 to 30 students in esoteric languages.

The school's oversea operation, consisting of language classes at 170 foreign posts, would also have been expanded from its 1959 enrollment of 1,700 to about 2,000, he said.

Sollenberger said 7 additional tutors would have been hired in the Arlington school as well as about 70 part-time tutors for the foreign schools.

The school had requested $3.2 million for its fiscal 1960 operations. After Congress cut back the State Department's requests, however, the Department allotted the school $2.8 million.

Mr. FULBRIGHT. The second story that attracted attention was accompanied by a picture of a luxurious Cadillac interior with deep folds of fur on the floor. The story under the picture read as follows:

For those aching feet. Comes now a minklined floor for custom-built autos which some of our more well-to-do citizens like to indulge in when they're not out shopping for 90-foot yachts. Custom car fancier Jay Bullen, of Tucson, Ariz., looks over the top-grade, silver-blue pelts, 150 in all, covering the floor of this Cadillac.

It is quite logical, therefore, that we simply cannot support a language institution for our representatives abroad and at the same time let our people have minklined floors for their Cadillacs.

AMENDMENT OF SECTION 207 OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, AS AMENDED, RELATIVE TO RETURN OF CERTAIN ALIEN PROPERTY INTERESTS

Mr. MORSE. Mr. President, I send to the desk a bill which proposes that section 207 of the International Claims Settlement Act of 1949 be amended.

I ask that the bill be appropriately referred, and I ask that the bill be printed at this point in the RECORD as a part of my remarks, as I now make a brief explanation of the bill.

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

The bill (S. 2634) to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 207 of the International Claims Settlement Act of 1949, as amended, is amended as follows:

(a) At the end of subsection (b) add the following new sentence: "Notwithstanding any other provision of this Act or any provision of the Trading With the Enemy Act, as amended, any person—

"(a) who was formerly a national of Bulgaria, Hungary, or Rumania; and

"(b) who, as a consequence of any law, decree, or regulation of the nation of which he was a national discriminating against political, racial, or religious groups, at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated enjoyed full rights of citizenship under the law of such nation, shall be eligible hereunder to receive the return of his interest in property which was vested under section 202 hereof or under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania if 25 per centum of more of the outstanding capital stock of such corporation was owned at the date of vesting by such persons and nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan, or if such corporation was subjected after December 7, 1941, under the laws of its country, to special wartime measures directed against it because of the enemy or alleged enemy character of some or all of its stockholders; and no certificate by the Department of State as provided under subsection (c) hereof shall be required for such persons."

(b) At the end of said section the following new subsection:

"(e) Interests in property vested under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania shall be subject to the provisions of this section: *Provided,* That notice of claim for the return of any such interest has been timely filed under the provisions of section 33 of that Act. In the event such property or interest is no longer held by the officer or agency designated to make such returns, any property held by said officer or agency as owned by Bulgaria, Hungary, or Rumania or any national thereof may be used for the purpose of making returns under this subsection."

Mr. MORSE. Mr. President, this bill in its present form represents the product of the thoughts of the staff of the Foreign Relations Committee of the Senate and the executive departments of the wording of an amendment to eliminate certain inequities in the restoration of property rights to allied nationals and persecutees of the Nazis. Congress provided for return of the interests of these persons in property seized during World War II, in accordance with the position taken by this Government as expressed in the Brussels Agreement, signed September 5, 1947, which reads.

For the protection of the interests in the enterprises of nonenemy nationals, referred to in article 21 of this annex, the property to which this part applies shall, subject to the provisions of articles 23 and 24 of this annex, be released to the extent of those interests and pursuant to arrangements to be made between the parties concerned, if nonenemy nationals of parties directly or indirectly:

(i) own and, on September 1, 1939, owned 25 percent or more of the shares in the enterprise; or

(ii) control and, on September 1, 1930, controlled the enterprise.

Assistant Secretary of State McFall stated the principle involved in this agreement in a letter dated August 14, 1950, placed in the CONGRESSIONAL RECORD, volume 96, part 17, page A5822, saying as follows with respect to the protection of nonenemy interests:

This is based on the principle which has been urged by this Government throughout the world that nonenemy interests in

so-called enemy property are not properly subject to seizure as reparations.

Congress in the Trading With the Enemy Act provided for the return of directly owned interests of nonenemies and persecutees in property seized during World War II, and in the International Claims Settlement Act of 1949 provided for the return of the proportionate stock interests of nonenemy nationals in corporations organized under the laws of Bulgaria, Hungary, and Rumania. However, the granting of relief to persecutees, and the application of the relief provisions to property owned by nationals of nonenemy countries in the form of stock interests in corporations organized in Bulgaria, Hungary, and Rumania whose property in the United States was not only blocked during the war and vested later, but was actually vested in the course of World War II, was inadvertently omitted.

The State Department favors the elimination of this inequity, and has suggested certain language which has been incorporated in the bill I am introducing today. Hearings have been held by the Senate Foreign Relations Committee on the subject, and no objection to the enactment of legislation to correct this omission has been received by the committee.

The first provision of the amendment would make former nationals of Bulgaria, Hungary, and Rumania who were persecuted by those governments during World War II eligible to claim their proportionate shares in properties of corporations organized under the laws of those countries if at least 25 percent of the stock in such corporation was owned by nonenemies and persecutees, or if the corporation was treated as enemy.

The second provision would make Bulgarian, Hungarian, and Rumanian property vested during World War II subject to the same principle as that vested thereafter and only blocked during the war, if timely claim had been filed, and in the event such property has been transferred out of the account in which it was carried on the books of the Attorney General, he would be authorized to use any other funds and properties vested and held by him under the act this bill amends for the purpose of satisfying the claims payable under the amendment for the return of property.

Since the Committee on Foreign Relations has received reports of the executive agencies and heard testimony on the subject matter of this bill, I hope the Senate can act on it without delay.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that none of the time used this evening be applied to the time under the unanimous-consent agreement, to which the Senate has already agreed.

Mr. JAVITS. Mr. President, reserving the right to object, does the Senator refer to the extension of the Agricultural Trade Development and Assistance Act of 1954, which is the pending business?

Mr. MANSFIELD. Yes.

Mr. JAVITS. I have no objection.

Mr. MANSFIELD. We did not expect to have it placed before the Senate this evening. Because of that and the amount of talk, I make the request.

Mr. JAVITS. I have no objection.

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

EMERGENT AFRICA: CHALLENGE AND RESPONSE

Mr. HUMPHREY. Mr. President, about 3 weeks ago the foreign ministers of nine independent States met in Monrovia, Liberia to discuss their common problems and aspirations. This significant but little publicized conference is a symbol of a new and dynamic Africa with which we must reckon in our consideration of world affairs.

A decade ago there were only three genuinely independent States in Africa: Liberia, Ethiopia, and the Union of South Africa. Today there are 10. And in 1960 four additional nations are scheduled for independence. No one can foretell what will happen by 1970.

A mighty drama is taking place in Africa. The great expectations for freedom and human dignity that swept across North America almost two centuries ago are now sweeping across the vast continent of Africa.

The people of Africa from Algiers to Capetown are yearning to breathe free. They are crying out for freedom—freedom from their colonial past, freedom from poverty and illiteracy, and freedom from racial discrimination.

If Cecil Rhodes of Great Britain is a symbol of 19th century colonial Africa, Kwame Nkrumah of Ghana and Tom Mboya of Kenya are symbols of the emergent Africa of the mid-20th century. Rhodes was a high-minded imperialist. Nkrumah and Mboya are high minded and responsible nationalists. Rhodes once said we must think in terms of continents. I am sure that Dr. Nkrumah and Mr. Mboya believe this admonition is even more relevant to the present era in Africa than it was to the colonial era. As Senators know, Nkrumah is Prime Minister of Ghana and Mboya is a member of the Legislative Council of Kenya as well as chairman of the All-African People's Conference. Incidentally, neither African leader has illusions about the menace of communism. What I have said about these two outstanding African leaders could be said of many others.

If the American people are true to their heritage, they will heed the cry for freedom and reach out in understanding to their fellow human beings in Africa who are asking only for a chance to walk erect and to enjoy the rights we in this blessed land take for granted.

WHAT AFRICANS WANT

There are two overwhelming aspirations which motivate the peoples of Africa. They want political self-respect and self-government. And they want the fruits of economic development. If they had to choose between the two they would choose self-respect and independence over economic gain.

The peoples of emergent Africa want to stand on their own political feet. They want to sever all colonial ties that imply political subordination to an alien power. This does not mean they are against all European connections, but only those ties which involve a master-servant relationship. The ties of partnership are welcome.

The peoples of emergent Africa know that genuine self-respect and political freedom are difficult to achieve without a higher living standard. Therefore, they want friendly assistance in helping to root out the ancient enemies of hunger, disease, and ignorance.

Most of all the people of Africa want understanding. Economic aid without understanding debases him who gives and him who takes. Aid extended with an understanding heart blesses him who gives and him who takes.

The American people cannot afford to be amused or frightened, unimpressed, or overawed by the fast-moving drama in Africa. The U.S. Government must take Africa seriously. The free world must understand the aspirations of emergent Africa and respond to these aspirations for freedom and dignity with a combination of speed and patience, imagination, and steadfastness. And a bit of generosity and humility would help too.

Considering our American experience, the peoples of emergent Africa have a right to look to us for understanding and help at this crucial hour in their struggle for a place in the sun. We cannot afford to betray their confidence in us and in our high ideals.

Mr. President, today I propose to speak of the challenge of Africa as that challenge confronts the United States. After a brief survey of the present situation, I will conclude with some recommendations for strengthening American policy toward Africa.

AFRICA: UNITY AND DIVERSITY

Since the end of World War II Africa has been "rediscovered" by Hollywood, big game hunters and best-selling novelists. It has been rediscovered in vague general terms, in sensational terms. But it has not been sufficiently understood in significant political, social and economic terms. It is barely known in human terms.

I propose to look at Africa in the larger context of world politics, where it is becoming a dynamic force which can be ignored only to our peril. If we do not see it in this larger context in Washington, we can be sure it is being considered in precisely these terms in Moscow and Peiping.

In my discussion about Africa I will speak of the continent as a whole. This approach has its dangers, because there are obviously great differences between the Arab and Moslem North and the vast area south of the Sahara. But I maintain that there is a deeper unity underlying the diversity.

The deeper unity is symbolized not only by the sinews of modern communication, but more significantly by meetings such as the recent one at Monrovia where common goals and heartaches were discussed. It is not insignificant that the

Algerian dilemma was the main item on the agenda of the Monrovia meeting of foreign ministers. In fact, the nine independent states represented there urged France to withdraw her troops from Algeria, to end hostilities, and to enter into negotiations with the Provisional Government of Algeria.

THE RICHNESS OF AFRICAN HISTORY AND CULTURE

If we are to understand Africa, we must understand her in historical depth. The fact that the present is very important does not mean that the past is unimportant.

A common historical memory is a basic ingredient in nationhood. A proud past contributes to national self-respect. It is right and proper that the peoples are looking back even as they are moving forward. Their march toward freedom takes on its full meaning only when seen against the backdrop of history which preceded the colonial era. Nationalist leaders of today take justifiable pride in the great kingdoms and empires of an earlier era.

We all know that Western civilization had its beginning in Egypt and Sumer at least one thousand years before a comparable culture arose on the islands of the Aegean Sea and two thousand years before one was formed on the European mainland. It is still an open question whether the Queen of Sheba reigned in Ethiopia or in the southwestern extremity of the Arabian peninsula, but it is clear that a civilization of some consequence existed on both sides of the entrance to the Red Sea almost a thousand years before Christ.

Here are some other facts we are inclined to forget. About 600 years B. C., Carthaginians traveled from what is now Tunis to explore the West African coast. Ethiopia received Christianity before England did. And St. Augustine was a native North African.

While such facts are fairly well known, startling data developed by research and discoveries in the prehistorical period are little known or ignored. It is a fact, for instance, that the early peoples of eastern Africa possessed stone tools some hundred thousand years before inhabitants of Europe are recorded as having had them. Indeed, many anthropologists consider that findings in the southern part of the continent strongly suggest that Africa, rather than India or the Far East, was the first home of mankind.

The absence of documentary materials for the period prior to European exploration and settlement admittedly has left a gap which new interest and new methods of historical research in Africa have only begun to close. Archaeological discoveries, much greater use of Arabic sources, and increasing evidence of the unusual reliability of African oral traditions have combined to lift at least a corner of the veil of our ignorance about Africa in medieval and modern times. We are learning more and more about the great Negro and Arab empires—of Mali, Songhai, and Ghana—that covered much of west Africa in that period. We know that caravan routes, as well as territorial struggles, linked the north Africans with Negro peoples south of the Sahara throughout the Middle Ages. During much of that time the southern Mediterranean shore was transmitting the highest of cultural achievement. Knowing that even today northern Nigeria retains its ties with the Sudan to the east, it comes as less of a surprise to find a Fulani tribesman possessing the chain mail of a crusader knight.

There remains much more that we do not yet know—including the origin of the great ruins at Zimbabwe in Rhodesia. But enough has been revealed to permit one of our foremost scholars to state:

> The stereotype of African societies as static entities has little validity * * * the modern dynamic of Africa, so widely regarded as the result of contact with Europe, is in reality the continuation, in intensfied form, of something that has marked the flow of African experience from very early times. * * * We are learning that Africa was an integral part of the Old World, that it was culturally a donor as well as a recipient; in short, that it played a full role in the drama of the development of human civilization in general.

These are some of the reasons why African Negro leaders are gaining a new pride and confidence from their antecedents. A new appreciation of their past gives added strength to their just demands for equality of treatment among other peoples, and the vehement rejection of any doctrine that the color of a man's skin makes him inherently inferior or superior.

At the same time, these factors in large measure are responsible for the new interest in Africa shown by many of our 16 million Americans of African ancestry, who for years deprecated or ignored their supposed savage origins.

Let us move on to a consideration of what has been happening throughout the African continent.

THE INDEPENDENT STATES OF NORTH AFRICA

First of all, with the obvious exception of Algeria, every North African country bordering the Mediterranean has gained its independence since World War II. These four are Libya, Tunisia, Morocco, and Egypt, whose nominal independence became real with the overthrow of the monarchy and the withdrawal of British influence.

The case of Libya, given its freedom by the United Nations in 1950, has been of the utmost significance. Here a new nation was formed by the artificial melding of three distinct areas and some other desert lands into a state, based upon the boundaries of earlier Italian colonization, rather than upon prior existence as a nation. Furthermore, Libya in 1950 was possibly the poorest and most barren independent nation on earth; a distinction now to be relinquished following discoveries of oil.

Small wonder then that people throughout Africa asked if their own territories were not ready for independence if Libya was. By the way, the Kingdom of Libya, with quite a few million dollars of aid annually—predominantly from the United Kingdom at first, but now largely from the United States—has held together and made considerable progress toward internal consolidation.

A TOTAL OF 10 INDEPENDENT STATES

The addition of the Sudan, Ghana, and Guinea to the ranks of independent states makes a total number of 10. The other seven are the four north African countries plus Ethiopia, the Union of South Africa, and Liberia.

Along the way the former Italian colony of Eritrea has virtually lost its identity through federation with Ethiopia. Also, a popular plebiscite in British Togoland, held under United Nations supervision, joined that area to Ghana in 1957. Thus, in effect, the European colonial powers have withdrawn from no less than nine African areas since World War II.

FOUR NEW STATES SCHEDULED FOR 1960

The trend toward national independence is gathering momentum. In 1960, four more countries will be granted independence, and yet another territory is likely to merge with one of those four. First and foremost of those is the Federation of Nigeria. Nigeria's 35 million people give it the largest population of any African country, and great power potential if its three self-governing regions devote the utmost effort toward supporting and improving their federal institutions.

The neighboring French Cameroons will also become an independent republic, and the little strip of British Cameroons territory between it and Nigeria will probably elect to join one of the two larger states. The tiny autonomous Republic of Togo on Ghana's eastern border, and the territory of Somalia—formerly Italian Somaliland—in the eastern Horn of Africa complete the list for 1960.

Three factors are noteworthy in connection with these four independent states to be. First, all these areas but Nigeria are now United Nations Trust Territories. Their achievement of independence will leave the U.N. with direct responsibility for only two remaining trust territories; Tanganyika, in British east Africa, and Ruanda-Urundi, adjoining and administered in conjunction with the Belgian Congo.

Second, despite the best efforts of all concerned, Somalia because of poverty and Togo because of size, are perhaps less "ready" for independence than a number of territories still under colonial control. Some people maintain that U.N. standards and actions are too liberal. I would rather take that risk than the risk of ultraconservative policies which impose unrealistic standards for independence.

Third, all these candidates for independence in 1960 possess a common problem arising from a conflict between the more politically active peoples of the coast and the traditional and tribal authorities of the interior. In Nigeria and the French Cameroons in particular this conflict is compounded by the religious elements in those differences. It is this common problem that Prime Minister Nkrumah of Ghana has felt it necessary to attack so vigorously.

THE FRENCH COMMUNITY

The most dramatic policy shift by a colonial power in recent times was the

creation last year of the French Community, further proof—if any were needed—of President de Gaulle's broad vision. While Guinea voted for full independence the 13 other tropical African territories of France—including Madagascar—have chosen to become autonomous republics—that is, fully self-governing on a local basis—within the French community.

It is likely that the territories of the former French Equatorial Africa will be content with their present status for some time to come, especially since they so greatly need the French financial aid which would likely be forfeited by a choice of independence. Satisfaction with the current situation is much less likely to endure in the republics of former French West Africa, some of which already are being attracted by ideas for a consolidation of the emerging independent West African states. Indeed, one West African leader has just called for a transformation of the Community into a "French Commonwealth."

THE BELGIAN CONGO

Another dramatic event has been the recent reversal of Belgium's policy, resulting in the promise of eventual independence for the Belgian Congo. Progress is readying neighboring Ruanda-Urundi for independence is likely to be speeded up by this development.

BRITISH AFRICA

In British Africa, both Sierra Leone and Tanganyika are now making steady progress toward self-government, and Uganda will be granted independence whenever an unquestioned majority of its inhabitants clearly demand it. Two points are worth noting here. First, in Tanganyika, where a liberal British policy has resulted in national elections and much improved relations between the African nationalists and the colonial administrators, the encouraging situation contains a valuable lesson for neighboring Kenya.

Second, the highly complex and confused situation in Uganda shows that colonial policy is not always the most significant barrier to the achievement of independence by an African territory. Indeed, where a colonial power withdraws too gracefully or suddenly from an area which has no history as a nation, it may rule out its use as a target of hostility which helps to promote national solidarity.

THE DARKER SIDE OF THE PICTURE

Most of what I have described presents a fairly encouraging picture. The situations in Kenya and the Federation of Rhodesia and Nyasaland are a good deal less promising, although not entirely without hopeful elements. The general British policy of relaxing colonial controls as quickly and steadily as possible has run up against the white settler problem in both Kenya and the Federation.

In Kenya a few thousand estate owners in the so-called "white highlands," who admittedly have worked hard and suffered much to hold their properties, have greatly inhibited the growth of African political representation and responsibility. London has agreed to review Kenya's constitution which fixes the proportion of Africans in government, but demands for greater political independence continue to outpace British concessions by a wide margin and tend to nullify the concessions.

Strict controls are still maintained against the formation or extension of African political movements in Kenya. All experience in recent years shows that if moderate and responsible nationalists, like Tom Mboya, do not receive recognition and cooperation, they must either become more immoderate themselves or give way to extremist successors. It is most unfortunate that reasonable and talented African leaders in Kenya, such as Mboya and Kiano, are given little or no help to retain their prestige among their followers.

Kenya's weak economy also presents a serious problem. Its solution conceivably might be federation with Uganda and Tanganyika, but this seems out of the question until African predominance is established in all three territories. It is clear that a promise of independence, accompanied by a definite timetable, is the only realistic alternative to further unrest and disorder in Kenya.

The Federation of Rhodesia and Nyasaland looks at the question of independence in quite a different light. Southern Rhodesia, the dominant member of the Federation and with two-thirds of its white citizens, hopes to achieve complete independence within the Commonwealth at a constitutional conference next year. Most Africans in the Rhodesias fear that loss of protection from the United Kingdom would mean the end of their relative political and economic advances within the Federation. The grouping of the Rhodesias and Nyasaland in 1953 was intended to provide economic benefits for the latter—which it has done—and to solve the race problem through a policy of racial partnership—which it has unfortunately failed to do. It is much too soon to say that the experiment, and thus the Federation, has failed. It is also too early to make a full assessment of the origin and the significance of the Nyasaland riots earlier this year, even though it has become clear that the local official reaction was unjustifiably severe. It is possible, however, to state that strong British policies and greater degree of Rhodesian cooperation will be needed to hold the Federation together and give it a real chance of eventual success.

PORTUGUESE TERRITORIES

The African scene becomes a great deal more gloomy as we turn to the Portuguese territories, primarily Angola and Mozambique. Portugal has prevented any close examination of the consequences of its colonial policies by declaring its African territories integral parts, or provinces, of the colonial government, thereby sidestepping the responsibility of reporting on its colonies to the U.N. There is no question, however, about the actual status of the natives, who are exposed to repressive measures as severe as any employed in Africa today. The few thousands of Africans who have risen in status have done so by completely losing touch with their people by becoming assimilated Portuguese.

The Portuguese, in company with the Spanish and the Arabs, are happily free of racial prejudice. They have a long history of intermarriage with subject peoples, but they practice an acute form of cultural segregation. Although the Portuguese territories have been largely sealed off from external liberalizing influences, they inevitably will soon be feeling the impact of African nationalist fervor on their borders.

THE UNION OF SOUTH AFRICA

One cannot look at the Union of South Africa without a sense of impending tragedy. There is no possibility that the 3 million whites would leave their land, and economic considerations make it extremely unlikely that there will ever be more of a separation of the races than is currently envisaged in the partial degree of apartheid now being enforced. In this situation, there appears little prospect of anything but increased mutual hostility between the races. One can only hope that there will be no explosion before the futility of present policies is made evident and the leaven of other African influences can reach South Africa. This is a sad irony because the Union has achieved a higher educational and technical level than any other African state.

A clear-cut case can be made against the Union's policy toward the territory of South-West Africa. The Union of South Africa was given a League of Nations mandate over the area after it was captured from Germany during the First World War. Unlike every other country with mandate responsibilities, the Union refused to acknowledge the U.N. Trusteeship Council as the inheritor of the League's obligations. The Union remains adamant on this score, and governs South-West Africa much as it does its own territories. It can be positively stated that vehement international protests are entirely justified; there is no question of intervening in a country's domestic affairs, and the situation is an affront to the dignity and conscience of the world community.

THE DILEMMA OF ALGERIA

The problem of Algeria is a most complex and heartrending one. Almost 5 years of bloody guerrilla war have drained the strength of both sides, reduced already low Algerian living standards to the starvation point and produced well over 100,000 refugees. These refugees in Morocco and Tunisia are a heavy burden on these newly independent people who are waging an uphill fight to achieve economic progress.

The war has also encouraged extreme Arab nationalist tendencies, and has promoted even stronger anticolonial sentiments in much of Africa as a whole. Extremist minorities up to now have succeeded in blocking long-overdue progress toward a solution in the best interests not only of France and Algeria, but also of the entire free world. Yet all the evidence increasingly indicates that the great majority of both the French and the Algerian peoples are thoroughly fed up with the conflict and would accept a compromise settlement,

if one is permitted to emerge. Now that events seem to be building up to a climax which will involve all Nations, whether they wish it or not, there is an urgent need for the genuine friends of those caught in this bloody and senseless struggle to make a determined effort to help bring it to a close. I shall have more to say about Algeria later on in these remarks.

THE NATURE OF AFRICAN NATIONALISM

African nationalism today, as we have noted before, is symbolized by Prime Minister Nkrumah of Ghana and Tom Mboya of Kenya. There are two central elements in the kind of nationalism these statesmen represent. First is the clear call for political freedom and self-determination. Second is the equally clear insistence that Africans throughout the continent must work together to achieve their common aspirations. This second element is sometimes identified by the term "pan-Africanism."

It is important to note that nationalism and self-determination are not the same thing. The term nationalism can be rightly employed only where the movement for self-government has a national basis. Yet it is obvious that there are some so-called nationalists who represent no nation—that is, they represent no people with a common historical memory, with a common heritage, with a common culture. These nationalists are really spokesmen for pan-Africanism. They want a free Africa and are not so concerned about the precise political subdivisions within the continent. These leaders maintain that the African personality cannot emerge and flower until foreign rule is withdrawn from the entire continent.

The several Accra Conferences, which have brought together leaders of independent African states as well as representatives from political groups in many of the African territories, have played a key role in spreading nationalist and pan-African doctrines and enthusiasm throughout Africa. Even an old established independent country like Ethiopia has been affected by the new spirit of freedom running like an electric current through Africa.

By studying the careers and pronouncements of men like Nkrumah and Mboya we can get an authentic clue to the aspirations and possible future course of African nationalism. These men are moderate and responsible, moderate in the political means they employ and advocate, and responsible in their judgments of the international situation. They know what communism is and what communism wants. They know what the United States stands for. They know there is a great struggle between two alternative ways of organizing human society. In short, they know the political facts of life and deserve our sympathetic understanding, encouragement, and support.

But it would be a great mistake for us to assume that the newly independent African states will adopt anything but a neutral position in the struggle between the Communist world and the Western coalition. The African nations south of the Sahara will doubtless follow a course very much like that of Nehru's India. I see no reason why our Government should be disturbed if these nations coming into freedom choose to adopt a policy of nonalinement in the present struggle. Their commitment is to freedom and independence.

It would also be a great mistake if we would expect the new African states to adopt our version of democracy, which happens to be the most complex and difficult system of government in history. The existing independent African countries include a wide variety of governmental systems: absolute monarchy, oligarchic republic, military dictatorship, constitutional monarchy, authoritarian republic, and so on. Undeniably there are certain democratic elements in African societies, but they will be reflected in ways peculiar to Africa. Indeed, it is most likely that entirely new political systems will evolve as African leaders not only seek out and adopt the best and most suitable of their traditions and values, but also adapt their rule to the difficult problems to be faced.

NEED FOR ECONOMIC DEVELOPMENT

Now I wish to turn to the urgent need for economic development in Africa, a need recognized by all nationalist leaders. This need is so obvious that it requires little elaboration. But perhaps a few figures will help to drive the point home. Three-quarters of Africa's 220 million people—the highest proportion in any continent—are engaged in subsistence agriculture. Yet most of Africa's soil is not fertile. Its agricultural productivity is the lowest of all the continents, when measured by person or by acre. The raw materials picture is considerably brighter, but—as evidenced by the fall of prices in 1957—Africa cannot achieve economic growth without sustained world demand for its primary products.

Furthermore, it should be remembered that significant mineral production takes place only in certain areas, most of which are under colonial or South African control. The plight of a country like Somalia, with virtually no competitive export commodities, would be little short of desperate without external aid.

The need for economic development is also vital to the newly independent countries on political grounds. As the economies of the African territories have shifted to a money basis, the people have come increasingly into contact with the material goods produced by modern industrial societies, and naturally they want some of the fruits of our technical age. The nationalist movements are regarded by the African peoples, with encouragement from their leaders, as the best means of gaining such benefits. If higher living standards do not follow independence, the political leaders who embrace free political institutions will find it difficult to retain power.

TRADE AND INVESTMENT

In terms of economic factors, the future relationship of Africa with Western Europe is very significant. It is extremely important to both continents that close and mutually profitable trade ties be maintained. Western European imports from, and exports to, Africa amount to some $4 billion annually each way. In spite of Africa's relative poverty, it is a better market for Europe than is the United States.

Moreover, the colonial powers until recently have been investing almost $600 million annually in their African territories, with France making the largest contribution. In addition, the Common Market countries in 1957 created a joint 5-year development fund of $581 million for the African territories as a part of the Eurafrica concept. This has not been pure gain because the expected level of regular investment has fallen as the fund has come into effect. Nevertheless, these figures illustrate the size of the gap that would result if European investment were stopped or seriously curtailed. There is no question but that the Soviet bloc would be quite ready to step into that gap, and probably in a dramatic way.

DANGERS OF COMMUNIST PENETRATION

Soviet interest in Africa clearly has been increasing and at a fast rate. Africa's current economic weakness and racial conflicts provide ample opportunities for Communist penetration. Yet there appears to be little likelihood that any African country will adopt communism in the foreseeable future. On the other hand, it seems probable that the influence of the U.S.S.R. as a great power will carry increasing weight with the independent African states. Soviet bloc penetration is being intensified through diplomatic measures, trade missions, economic credits and educational grants. Moreover, the U.S.S.R. gains a substantial propaganda advantage from its free-wheeling blasts at racial discrimination or prejudice wherever it exists in Africa, or where it is directed against Negroes in Western nations like the United States. These are serious developments, but I consider it unlikely that the U.S.S.R. will gain a dominant influence over any African country in the future so long as we do not default on our responsibilities and opportunities.

There are many observers who believe it more likely that Communist China would serve as an example to the emergent African states. Here again, if the United States continues its efforts to ensure the success of India's economic experiment, we need not fear Communist China's powers of attraction. It is a fact that Nehru and his great country currently have far more prestige and influence in Africa than any other Asian state.

Against this background, Mr. President, I would like to say a few words about U.S. policy toward the African Continent.

AMERICA'S INVOLVEMENT IN AFRICA

Now let us face the crucial question for the United States—what are our interests in Africa? In answering this question I prefer to use the term involvement rather than interest because the word interest often has a one-sided connotation. The simple fact is that we are already deeply involved in Africa. We are morally involved. We are economically involved. And we are politically involved.

We cannot escape this involvement with the peoples of Africa even if we would. The real problem has to do not with the fact of our involvement, but with the quality of our involvement. We can be involved responsibly or irresponsibly. If we are involved responsibly, the legitimate interests of both the United States and of Africa will be well served. If we are involved irresponsibly, the interests of both will suffer.

We Americans are inescapably involved with the present aspirations and future achievements of Africa in four closely interrelated ways. Let me consider each in turn.

First. We are morally and politically involved with Africa because we share the same aspirations for freedom and the good life. Our whole history makes us partisans of those African leaders who are seeking greater freedom for their people, freedom from external domination, freedom from grinding poverty. For many years we have expressed our humanitarian concern by sending large numbers of missionaries, educators, doctors and representatives of charitable foundations to Africa to help the Africans to help themselves to a fuller life. Now we must supplement this concern with moral support for political freedom and economic development.

Second. We are racially involved with Africa because Africa is second only to Europe as the source of America's population. Sixteen million of our citizens have African ancestors. More important than this historical fact, however, is the ugly fact of racial discrimination in the United States and in certain areas of Africa. Our whole approach to Africa is deeply affected by how America treats her Negro citizens. All Africa, and all Asia for that matter, follow our efforts to root out racial discrimination and segregation. To them Little Rock is a symbol of racial arrogance, just as the Supreme Court decision of 1956 is a symbol of our sense of justice. Most Africans believe that our sense of justice will eventually overcome our prejudice, but they sometimes become impatient with the pace of progress toward genuine equality of opportunity for all our people regardless of race, color, or creed.

In this area of racial discrimination the classic distinction between domestic policy and foreign policy has been rendered obsolete. We have made important strides toward greater equality in the past two decades. We must continue in this direction if we want to merit the faith and the hope that has been placed in us.

Third. We are economically involved with Africa. We often try to forget that our first contact with Africa was economic—the purchase of slaves to work for us. Our humanitarian concern for Africa in the past century is in part an attempt to assuage this lingering burden of guilt.

More important today is the fact that we are a highly developed and wealthy Nation and we have an obligation to relate our wealth to the poverty of the underdeveloped areas in ways that benefit both. This means increased trade and investment, as well as direct grants and loans under circumstances which merit that approach. Our economic relations with Africa will not be a one-sided affair because we need many of the raw materials she can supply. And she needs the capital goods and technical know-how we can provide.

Fourth. We are politically involved with Africa. All aspects of our involvement are both political and moral. They are political because they cannot be divorced from the great struggle in which the world is involved. They are moral because it makes a great deal of difference which side prevails in that struggle. This does not mean that the object of our policy toward African states is to line up allies for our side. It means rather that we should seek to help the emergent states to develop viable and responsible governments which can serve the needs of their people and withstand external pressures to subvert them.

We hope that a genuinely free nation will never out of spite sell itself into a new imperialism which is far more destructive of human values than the old imperialism.

Some African states, notably in North Africa, are directly involved in the strategic defense system of the western coalition. In dealing with these states we should be sensitive to their domestic needs and should never fall into the habit of taking them for granted or of using them for our purposes against their will.

Against this backdrop of our involvement in Africa, Mr. President, I would like to conclude my remarks with a number of suggestions for strengthening our policy toward Africa.

NEW POLICIES FOR A NEW ERA

At the outset I want to commend the administration for giving increasing attention to Africa. We have been moving in the right direction, but I submit that we have not been moving fast enough to keep up with the pace of events. We do not have a real sense of urgency. We have not yet fully grasped the significance of Africa in the unfolding drama of world politics. We may be in danger of approaching Africa with too little and too late. When I say "too little" I am not talking primarily in material and quantitative terms, but rather in moral and political terms.

Let me suggest several priorities in our approach to Africa, guidelines to a positive, and I believe imaginative, policy, worthy of our great heritage and adequate to the challenge we confront. I will indicate these priorities in the present tense imperative.

First. The United States should approach Africa with a deep understanding of the present aspirations and past achievements of the African peoples. We should approach the countries of Africa as friends and partners in a common quest for human dignity, not a patronizing, but in a spirit of neighborliness. We should not be ashamed of our ideals and humanitarian tradition. Nor should we be embarrassed if humanitarian and security objectives sometimes coincide in our national policy.

Second. The United States should develop a unified and coordinated long-range policy toward Africa as a whole. We should recognize the fundamental unity of Africa which underlies its rich diversity. The peoples of Africa are united by their common quest for freedom. The peoples of Africa are united in their common quest against poverty, disease, and illiteracy. Our strategy should be bold enough to encompass the continent and sensitive enough to honor the great diversity in cultural, social, economic, and political life within it.

Third. The United States should look upon Africa as a fresh opportunity to develop a comprehensive and positive diplomatic approach. In addition to sending traditional diplomatic officers to newly independent states, we should immediately send teams of qualified specialists in the fields of agriculture, labor, education, medicine, economics, public administration and the like, to supplement the classical diplomatic representation. These persons representing the breadth of our relations with emergent Africa should also reflect the cultural and racial diversity of our own population.

In this era of total struggle and total diplomacy, food, medicine and books, along with economic aid and technical assistance, are indispensable foreign policy instruments. In some cases these less traditional instruments may be decisive.

Fourth. The United States should increase substantially its cultural and educational exchange activities with Africa. Cultural exchange is an important road to mutual understanding and we should encourage it. Of all the aspects of a well rounded exchange program, education is the most vital for Africa at this crucial period. A higher level of literacy and technical education is a prerequisite to economic development, which in turn is a precondition to higher living standards.

Our Government is performing a great many worthwhile tasks in the educational field through its State Department programs, including those of ICA and the International Educational Exchange Service. But we have not done enough. Restricted budgets and lack of flexibility have prevented many Africans from receiving the help we should be extending.

Until very recently the number of Africans who came to America for study numbered only in the hundreds. During the last academic year, 1958–59, however, a total of 1,154 students from African countries south of the Sahara were enrolled in American universities and colleges. This compares favorably with only 114 African students in America just 10 years ago.

Last year more than a hundred students each from Ethiopia, Ghana, Liberia, Nigeria, and the Union of South Africa studied in the United States. Thirteen countries sent less than ten students. I do not know how many African students are studying in the Soviet Union, but from what I saw at the Moscow airport last winter, I would be surprised if it were not significantly larger than the number who are here.

The volume of our student exchange program should be increased tenfold.

The benefits from such a program would be mutual. Let me cite an example of the educational requirements of a newly independent state. President Sekou Toure of Guinea recently told Claude Barnett of the Associated Negro Press that his country would like to send several hundred students to the United States right now, and would be glad to receive 500 American students in Guinea if it were possible.

Few people realize the enormous efforts and sacrifices the Africans themselves are making to deal with their educational problem. Forty percent of Nigeria's eastern regional government budget, for example, is devoted to education, and yet the people are required to pay school fees in addition. Frankly, I wish we had something of the same spirit toward education in America.

Fifth. The United States should accelerate and strengthen its technical assistance program in Africa. A sound technical aid program contributes to short-range welfare goals as well as to long-range development objectives.

Our assistance to Africa under the mutual security program has been gradually rising. It will amount to roughly $110 million for the coming fiscal year; almost $21 million is slated for technical cooperation, and the much larger portion will provide special assistance for development projects. Through this program schools have been established to provide badly needed agricultural and vocational skills. Better use of scarce water supplies is being demonstrated; and health measures to eradicate debilitating diseases are being instituted.

A stepped-up program of such aid in the areas of agriculture, water resources, health, education, vocational training and public administration will give a real boost to newly independent states seeking to meet the welfare requirements of their people and at the same time will help to broaden the base for solid capital development. The time has come to recapture the original fervor of President Truman's "bold new program" which was widely hailed in underdeveloped areas when it was first announced a decade ago.

Sixth. The United States should help to encourage economic development in Africa by increasing the flow of trade and investment capital. The trading possibilities with African countries should be thoroughly explored. Since in the United States trade is a free enterprise, the Government can only indirectly affect its flow. This perhaps puts us at an immediate disadvantage with the Soviet Union where trade is carried on under a state monopoly and is frankly regarded as an instrument of international politics. Nevertheless, there are some things the Government can do to encourage international commerce.

In the field of capital investment our Government can and has taken considerable initiative. We have a policy of actively assisting private investors to find favorable investment opportunities in Africa. Further, the Development Loan Fund has approved loans totaling about $29 million to five African countries, and the Export-Import Bank is doing even more.

When we count United Nations assistance programs and the activities of the World Bank, both of which involve United States participation, the requirement of the independent African states for developing aid and investment capital are being met only in the most minimal way. We are extending assistance only on a "keeping the head above the water" basis.

In this connection I am delighted with the recent news that the administration is definitely going to propose the establishment of a new International Development Association to be created precisely for the purpose of providing long-term, low-interest loans to underdeveloped countries. This new agency would be able to make loans on terms which existing lending agencies of the free world cannot match. I note that the Government proposes an initial capitalization of $1 billion for a 5-year period, with our share being $320 million. I am happy to say in passing that the author of the International Development Association idea is a Member of this body, the Senator from Oklahoma [Mr. MONRONEY], and that I have supported the idea ever since it was proposed in 1958. I am sure that Africa will benefit from the new agency.

The creation of such an international agency does not mean that we should stop giving serious consideration to the establishment of a regional development organization for Africa. We probably need both agencies. An African Development Organization could be constituted directly under the aegis of the United Nations, perhaps in conjunction with the recently created U.N. Economic Commission for Africa. The important thing would be to have as members the United States and other industrialized countries with surplus investment capital.

Such a regional organization might well include the full membership of the OEEC and perhaps Japan. As I see it, the organization would not be confined to providing economic assistance, but would survey requirements and assist in drawing up sound plans and development projects. This is not a new proposal, but it might as well be for all the attention that the administration has given it.

Such a marshaling of free world resources through a regional or an international agency would fulfill Africa's needs and our responsibilities in a way not possible on an ad hoc and unilateral basis. These multilateral efforts would benefit both the independent African states and the territories still under colonial control, and participation would be sufficiently broad and varied to obviate African fears of colonial domination.

Seventh. The United States should review its policy toward political developments in Africa. Our cultural and economic approach to Africa has been going in the right direction. This is all to the good. But our efforts thus far have not been adequate to the challenge we confront.

Of our political and diplomatic approach, not even this much can be said. Our voting record at the United Nations on African problems seems to be stalled on dead center. When we are confronted with a decision on the Portuguese territories, the Union of South Africa, or South-West Africa, we seem to forget our traditional principles of freedom and human dignity.

A frozen position is neither good morals nor good politics. Our delayed and ambiguous response to Guinea's request for aid early this year, for example, made it easier for that country to accept the generous assistance offered by the Communist bloc.

Such unimaginative and conservative responses to the challenges of emergent Africa suggest the conclusion that the vigorous railsplitters of the 1850's have become the stolid fence-sitters of the 1950's.

Mr. President, I have reserved the most controversial problem until the very end—the Algerian dilemma. All the drama, pathos and tragedy of world politics are dynamically present in this vexing problem for which there is no easy answer.

THE ALGERIAN DILEMMA

The problem of Algeria is a dramatic example of the dilemma we face in Africa. Because of our admiration and affection for the French people and because of France's vital importance in the Western alliance, we have failed to give adequate political and diplomatic expression to the instinctive sympathy of the American people for the aspirations of the Algerians for freedom and self-government.

This sympathy for Algerian aspirations has risen to the point where it is becoming politically impossible for us to remain on the fence much longer. Even if the newspapers in this country had not made it completely clear that Americans are not content to remain neutral on the side of the French in this Algerian situation, articulate voices among our constituents would have convinced us that our paralytic policy cannot and must not be maintained. At the same time, the developing trend toward another critical vote on Algeria at the U.N. is confronting us with a decision which surely cannot be one in favor of an untenable status quo.

The war in Algeria must be ended. The continuing blood bath resulting from the terrorism and counter-terrorism of guerrilla warfare can only lead to barbarism and the betrayal of all the best and most civilized instincts of those involved. Further devastation and other wasting of resources can only vastly increase the sums needed for Algerian human and material development and slow down further economic progress in France.

But it is not enough to recite the hard facts. What can the United States do to promote a settlement?

First, we need to clarify U.S. policy so that it plainly reflects the historical principles and majority sentiments of our people. Neither France nor the Algerian nationalists should be encouraged to remain in doubt about our

policy, for such doubts could promote intransigence, and thus prolong the terrible conflict.

The prime ingredients of our national attitude toward the Algerian conflict are friendship for France on the one hand and the desire to see Algerians given their freedom on the other. And do not believe for a minute that these feelings are mutually exclusive.

It is important to note in passing that the words "freedom" and "independence" are not necessarily synonymous. The distinction between these two words is illustrated in our fine and cherished relationship with Puerto Rico. The Puerto Ricans have freely chosen their present Commonwealth status, which is just short of independence from the United States and equally distant from integration with this country through statehood. The overwhelming majority of Puerto Ricans support the present arrangement, but that same majority could have independence for the asking at any time. A comparable approach to the Algerian problem would certainly be consistent with our friendship for France.

President de Gaulle has tried to give just such a free vote to the Algerian people. The fact is, however, that no one will be satisfied with results of such a vote while the people are exposed to the pressures of an all-pervading atmosphere of terrorism and warfare.

I believe our policy must favor freedom of expression for the Algerian people. This cannot be achieved while the conflict continues. And the war will not be ended if the friends of France and Algeria support the most extreme positions advanced by either side. Almost certainly, it can only cease through agreement between the contestants, and such an agreement surely must be reached through negotiations.

We have quite rightly favored mediation efforts by Tunisia and Morocco, but, for a variety of reasons, these have not as yet borne fruit. The time has perhaps arrived for us to invite France to avail itself of the good offices of the United States if there is anything that this country can do to hasten the end of the Algerian conflict.

I have said "perhaps arrived" because I believe that President de Gaulle, the authentic voice of France, can without interference bring about a resolution of the problem if he succeeds in gaining the cooperation of moderate Algerian nationalists, and I do not exclude Mr. Ferhat Abbas from that category. The creation of the French Community is clear evidence that President de Gaulle has the political brilliance, flexibility, and wisdom to find the answer to the need for a new but close French-Algerian relationship. The burning question, to my mind, is one of time.

Finally, I believe that President Eisenhower, in his talks with President de Gaulle, can do much to promote an Algerian settlement by frankly representing the true feelings of the American people, and by setting the problem in the context of inclusive French-American relations.

I digress from these prepared remarks to say that one of the reasons why I made my statement tonight is because the President of the United States is now in Paris. He will be and is now visiting and talking with the great French leader, President de Gaulle. I am confident that these two leaders of western democracies can by working together do much to resolve the very serious situation in Algeria, a situation which presses hard upon the American conscience, and which is a political problem indeed, even in this country, in terms of our votes in the United Nations and our overall foreign policy.

It is not my desire in any way to cause difficulty or embarrassment to these two leaders of western democratic nations. It is my desire to express the hope that encouragement will be given to President de Gaulle to forward his program of freedom and autonomy for Algeria, and that the President of France may be assured of the deep and abiding interest of the American people, through our President, in a just and equitable solution of this crucial and heartbreaking problem involving the violence and warfare in Algeria, which has already existed all too long.

The alliance between our countries is too old and valuable to be diminished by any reluctance to face facts when we so clearly need each other's help as we confront major problems vital to the strength and well-being of the entire free world.

Mr. President, I want to say as emphatically as I can, that this Nation cannot afford to sit on the fence any longer. Our Government must respond to the challenges of emergent Africa with speed, imagination, and sensitivity. We must have a new sense of urgency.

But neither the Congress nor the administration can do what needs to be done without the support of the American people. And the people will not support a new initiative toward Africa until they are better, much better informed, than they are now. Solid public understanding is the foundation for sound public policy.

The time has come for the mass mediums of communication throughout the length and breadth of this land to proclaim the true Africa story. Not the story of big game safaris and strange tribal customs, but the story of an Africa reaching out for freedom and self-respect.

Our reporters and commentators should portray an Africa at the very center of the world struggle between democracy and communism. Africa is crucial in this struggle precisely because she is neutral and politically unalined.

Our schools and colleges should give Africa the attention she deserves by virtue of her role in the present world drama. The Soviet Union is and has been giving Africa a great deal of attention in her educational system and political indoctrination program. Mr. Khrushchev knows that Africa, like India, is in a pivotal position in the coming decades and he is leaving little to chance.

Today it is not too late, but tomorrow it may be. We are the natural allies of the forces of freedom in Africa. If we let them down the cause of genuine freedom in Africa may fail. If the cause of freedom in Africa fails the cause of freedom in the world may fail. The stakes are high. The challenge is great. Will our response be adequate to the challenge? I hope and pray that it will be.

Mr. President, I yield the floor.

MANDATORY CONTROLS ON RESIDUAL OIL IMPORTS

Mr. BYRD of West Virginia. Mr. President, yesterday was the 5-month anniversary of mandatory controls on residual oil imports. Because this program touched off vehement protests on the part of spokesmen for areas into which large volumes of foreign residual oil have been flowing, I feel that it would be in the interest of all concerned—including those executive department authorities responsible for the administration of the program—to review its genealogy and to study the results of this short period of its life.

The mandatory control order is an offspring of a study made by the President's Committee on Energy Supplies and Resources Policy in 1954. But the need for the creation of a defense against enervation of America's domestic fuels industries was actually germinated by avaricious importers more than a decade ago.

The first significant evidence of the foreign invasion of east coast industrial fuel markets dates back to 1946, when some 44 million barrels of residual oil flowed onto our shores. Thereafter great gushers of alien fuel began entering the country. These market seizures took place in a period when American industry was converting to peacetime status and when all available resources were enlisted to hurry recovery in lands devastated by the most destructive war machines and explosives that the world had ever known.

The bituminous coal industry produced 534 million tons of coal in 1946, increasing this output to an alltime high of 631 million tons in 1947. Residual oil imports first moved cautiously, then struck hard in 1949, soaring to 75 million barrels—or 18 million tons of coal in energy equivalent. Meanwhile demand for bituminous coal was beginning to subside. In the next 2 years, output declined by 193 million tons to a level of 438 million tons. It was during this period that the real danger of residual oil imports to the Nation's economy and security became apparent. As a resident of the Nation's foremost coal producing region, I was in a position to observe personally the impact of a foreign product on American industry and American labor. I was a member of the West Virginia State Legislature, which of course was helpless to take effective action because this problem—according to the wise instructions of the Founding Fathers of this country, as stated in the Constitution—had to be resolved by the Congress of the United States.

Many shipments of coal from the northern and southern fields of West Virginia into New York and New England were abruptly halted. Coal produced by American miners was no long-

er wanted because international entrepreneurs offered energy at cheaper rates. Mines began to halt operations, and whistles that call men to work suddenly became silent. Railroaders whose jobs depend upon coal traffic swelled the list of unemployed in West Virginia. Businesses allied with the coal and railroad industries found themselves without orders, and the slump hit hard throughout local mining and railroad communities.

Hardship conditions were felt in many sections of West Virginia in 1949. There was no doubt as to one important factor responsible for the recession. Imported residual oil. West Virginia and other coal-producing States in the Appalachians were victims of an irrational foreign trade program. We assumed that this condition was only temporary, that it would be rectified once the Federal Government realized the harmful effects of excessive oil imports.

Mr. RANDOLPH. Mr. President, will my colleague from West Virginia yield to me?

Mr. BYRD of West Virginia. I am delighted to yield to my colleague from West Virginia.

Mr. RANDOLPH. I compliment my colleague for the manner in which he has presided over this Chamber for most of the day, I believe.

Mr. BYRD of West Virginia. For 7 hours and 15 minutes.

Mr. RANDOLPH. While he was engaged in that activity I was in the old Supreme Court chamber, where we had certain matters under consideration.

I think it is important to point out that there are those—perhaps certain Members of this body—who already have indicated that prices of oil products have increased in this country since the restriction on foreign imports began. To the contrary, the price of petroleum has decreased, rather than increased, since import controls were established in 1957. At that time the average price of crude oil was $3.16 a barrel. Only yesterday, I was advised that the price per barrel was down to $3.04. Furthermore, the average price of the four principal petroleum products at the time import controls were established was $4.22 a barrel, while today the average price of such products is $3.82. These figures certainly refute any claim that controls have induced higher prices for crude oil and petroleum items in general.

Mr. BYRD of West Virginia. For the record, both the House and Senate were alerted to the perils of the prevailing trade policy. Hearings by committees of these legislative bodies produced unimpeachable evidence of inequitable usurpation of coal's markets by foreign oil. Witnesses from various areas of the country appeared voluntarily in Washington in support of legislation to place a quota limitation on residual oil imports. The list of witnesses included not only coal operators and miners, but also representatives of railroads and railroad unions, independent oil producers and refineries, and a variety of other spokesmen for American industry and labor.

From time to time, I have had reason to refer to the reports and recommendations of the subcommittees which conducted those hearings 9 years ago. Chairman of the Senate group was the late Matthew M. Neely. The passing of years has not in any way refuted the conclusions of that subcommittee; it is only to be regretted that ultimate action on the part of the U.S. Government was so long in coming.

One of the witnesses before the Neely subcommittee 9 years ago was Mr. R. M. Davis, of Morgantown, to whom many colleagues paid a rich and deserved tribute last month.

If figures and tables were updated, the 1950 testimony of Mr. Davis could be presented today without fear of contradiction. None of the troubles which he enumerated as directly attributable to an unrealistic oil import policy has disappeared with the passing of years. Rather, each of the problems has been intensified.

Mr. Davis presented statistics to give the Senators a comprehensive picture of the economic losses sustained by coal companies, coal miners, and entire communities subjected to the impact of too much foreign oil. He showed how the interest of the coal operators, the miners, related businesses, Government, and the railroads are interwoven in difficulties that come in with ships carrying fuel to take over American markets. I feel that the following paragraph from the Davis testimony is so pertinent to the matter that it needs repeating today:

> It should be pointed out also that the public school system, including the colleges and the State university, is vitally affected by employment in the coal mines. The number of pupils capable of going to school will be directly affected by the prosperity or lack of it among the miners. The ability of the State and local governments to support the school system depends in part upon the taxes which are collected from mine property and from the miners in the form of the consumers' sales and other taxes. Also the religious and civic life in every community in the State is closely tied up with the prosperity of the people. The financial contribution of the miner and his family to the church and to other local institutions is directly affected by the competitive position of coal with foreign fuel oil.

These unfortunate consequences of an open door policy on oil imports are even more pronounced today than they were 108 months and 1,298 million barrels ago.

Yes, Mr. President, in the 9 years that have elapsed since those hearings, importing companies shipped 1,298 million barrels of residual oil from foreign refineries to U.S. docks. In energy value, these imports were equivalent to more than 310 million tons of bituminous coal—or greater than the total output of West Virginia's mines for any 2 years of that period. Under the circumstances, the White House could not possibly have neglected to include residual oil in the mandatory controls that went into effect last April 1. On reviewing these data, one can only wonder why similar action was not taken long ago.

Certainly the Neely subcommittee was convinced without a doubt that Government action was needed to prevent the wholesale destruction of the domestic oil and coal markets by an ever-increasing sea of imports. This paragraph from the subcommittee's conclusions indicates an attitude on the part of oil importers that prevailed from the start and, in effect, eventually forced the White House to adopt the mandatory controls:

> If there were not a history of continued procrastination by the importers, the committee might be impressed far more than it is by the possibilities for success of a voluntary import-limitation program, subject to such Government supervision as would be necessary to protect the public interest and to insure the faithful accomplishment of the objective.

The subcommittee unanimously recommended that Congress act to hold down oil imports. Emphasizing the State Department's disinclination to provide protection for domestic producers against foreign competition, the subcommittee explained:

> It is perhaps inevitable and certainly understandable that those preoccupied with urgent problems of global concern should be somewhat insensitive to protests of domestic economic dislocation. Fortunately, such lack of vision is not characteristic of legislative representatives entrusted by the Constitution with responsibility for the welfare of the people of the United States.

The late Senator Robert A. Taft, a member of the subcommittee, added these views in a supplemental statement:

> The importation of residual oil is a direct damage to the coal industry. It is produced abroad as a byproduct. Apparently the demand in Europe and elsewhere throughout the world for this byproduct is not sufficient to use up all of the residual oil resulting from foreign processing. Being a byproduct, it is very difficult to determine the cost, and those who produce it are tempted to sell it for any price obtainable in order to get rid of it. This imposes a great handicap on the coal industry and is responsible for the closing of many mines.

When I became a Member of the House of Representatives in 1953, I pledged myself to utilize every resource at hand to persuade Congress and the White House of the need for correcting a situation in which American labor was being shunted aside in order that international oil shippers might retain free access to our fuel markets. In the intervening years, I took the floor of the House on a number of occasions during each session of Congress to warn also of the inherent danger in a policy that does not safeguard a vital American industry against the ravages of uncontrolled foreign competition.

Although I was not then and am not now of the opinion that anything short of a quota limitation set by Congress will ever satisfactorily solve the oil import problem, I felt that recommendations of the Presidential Advisory Committee on February 26, 1955, constituted a substantial gain in the crusade toward a satisfactory adjustment of import levels. That report, after emphasizing the need for an expanding domestic oil industry, stated that other energy industries—particularly coal—must also maintain a level of operation which, in the words of the Committee, "will make possible rapid expansion in output

should that become necessary." The report then followed with this recommendation:

> The Committee believes that if the imports of crude and residual oils should exceed significantly the respective proportions that these imports of oils bore to the production of domestic crude oil in 1954, the domestic fuels situation could be so impaired as to endanger the orderly industrial growth which assures the military and civilian supplies and reserves that are necessary to the national defense. There would be an inadequate incentive for exploration and the discovery of new sources of supply.
>
> In view of the foregoing, the Committee concludes that in the interest of national defense imports should be kept in the balance recommended above. It is highly desirable that this be done by voluntary, individual action of those who are importing or those who become importers of crude or residual oil. The Committee believes that every effort should be made and will be made to avoid the necessity of governmental intervention.
>
> The Committee recommends, however, that if in the future the imports of crude oil and residual fuel oils exceed significantly the respective proportions that such imported oils bore to domestic production of crude oil in 1954, appropriate action should be taken.
>
> The Committee recommends further that the desirable proportionate relationships between imports and domestic production be reviewed from time to time in the light of industrial expansion and changing economic and national defense requirements.
>
> In arriving at these conclusions and recommendations, the Committee has taken into consideration the importance to the economies of friendly countries of their oil exports to the United States as well as the importance to the United States of the accessibility of foreign oil supplies both in peace and war.

To provide implementation for the recommendations of the Presidential Committee, the Senate attached the so-called national defense amendment to the bill extending the Reciprocal Trade Agreements Act. This provision was considered an ironclad assurance that oil shippers would voluntarily respect the recommended import levels. In actual practice, however, the volunteer program was no more effective in staying the tides of imported oil than if floodwalls were constructed of only the paper on which this instrumentality of the Senate and the executive department was written. In 1956 residual oil imports went to almost 163 million barrels, and a year later a new record high of 173 million barrels was reached. It was now obvious that the volunteer oil import program had failed.

Domestic oil and coal waited from some action that would at last carry out the intent of Congress and the White House directive. As I have stated previously, the cutbacks recorded in the Presidential advisory study were not as drastic as we had hoped. We recognized that even precise enforcement would not regain for coal the markets that had been overrun by international oil, nor would thousands of unemployed miners be given an opportunity to return to work under this mandate. Having suffered through months and years of economic distress attributable to an irrational foreign trade policy, our coal people accepted the voluntary control program only as a guarantee against further encroachment by alien oil.

To be sure, arrogant international oil companies ignored the limits set by the Presidential committee and endorsed by Congress. Finally the White House—on March 10, 1959—placed mandatory controls on imported crude and products, including residual oil. This accomplishment did not come easy. My colleague from West Virginia [Mr. RANDOLPH] and I, accompanied by our State's House delegation, visited many Cabinet offices, during the early part of this year, for the purpose of impressing upon officials the very urgent need to include residual oil in the mandatory controls program. The President's announcement was therefore particularly welcome to us; our enthusiasm was somewhat dimmed, however, by criticism of the program—particularly from New England spokesmen. It is my intense conviction that whatever steps have been and will be taken to safeguard the coal industry against the eroding forces of excessive imports will react to the very definite advantage of New England and other regions in close proximity to the Atlantic seaboard. For this reason, I direct my remarks here today to those statements of dismay at the official action to check the tidal waves of foreign oil that have been sweeping into America's east coast markets.

After the import controls on residual went into effect, there was a chorus of protest which made it appear that disaster was imminent. The criticism, as I recall, was primarily to the effect that prices would rise, and there would be scarcities of residual.

What has happened? The controls went into effect on April 1. Today, the price of residual oil is where it was when the quotas were imposed. Keep in mind that imports were cut back to 1957 levels when a veritable floodtide of residual came into the country, the equivalent of more than 40 million tons of coal. Coal got very little out of the residual order, only that its displacement would not be accelerated. This assurance presupposes that the order will continue in effect and will be effectively enforced.

The catastrophe did not happen. Instead, residual prices are near the lowest levels in history. They even declined for a time after the order went into effect April 1. There is more than enough oil to go around. It continues to be in surplus.

Furthermore, it should be understood that reliance upon foreign sources of supply is uncertain and dangerous in these perilous times. I would like to emphasize, as I have done many times previously, that coal's price stability and abundance are the best assurances which New England and other areas of the country have that they can buy fuel at reasonable prices. Let me point out the tremendous surge in residual oil prices after the Suez crisis as an indication that New England can by no means be certain that residual will continue to be cheap in price or, if a crisis comes, available at any price.

The effectiveness of the mandatory oil import program is of vital interest to all America. One need not be a military or logistics expert to recognize the peril of placing reliance upon a source of energy that must be transported over open sea lanes. I ask the indulgence of the Senate as I recall events of the past that emphasize the danger of neglecting America's domestic fuel industries.

The story of coal's contributions to America's defense efforts actually began to unfold almost 2 centuries ago when this unique fuel was extracted from a mine in Henrico County, Va., sent down the Pamonkey River, and moved to a Chesapeake Bay port for overland transportation to munitions manufactories in Lancaster and Philadelphia.

With the passing of time, coal's role in the development of military equipment and weapons became more and more important. In the dark days of World War I, Lloyd George offered this testimony:

> In peace and in war, King Coal is the paramount lord of industry. It enters into every article of consumption and utility.

Winston Churchill's notable quotations include this observation made on October 31, 1942:

> War is made with steel and steel is made from coal. * * * Coal is the foundation and, to a very large extent, the measure of our whole war effort.

Because a ton of coal goes into the production of every ton of steel, this fuel has a vital role in the manufacture of ships, tanks, aircraft, bombs, rifles, and missiles. Coal is used to make smokeless powder, TNT, and a host of chemicals.

In an emergency, when great volumes of oil must be diverted from civilian use, coal is always expected to fill the gap. Residents of New England particularly should remember how coal came to the rescue in the early days of World War II. Who can forget the photographs of tanker sinkings within eyesight and camera range of Virginia Beach, Miami Beach, and other coastal cities? Germany had only 60 submarines at the beginning of World War II, yet she was able to sever water traffic between our own ports on the Gulf of Mexico and the Atlantic seaboard.

Newspapers of February 8, 1942, featured a dispatch from Washington warning oil consumers that shortages could be expected to become progressively serious in the days ahead. Many buildings were forced to close during the cold winter days that followed, but the worst was yet to come. On May 27 the Government warned New England not to expect oil for homes or factories, advising conversion to coal without delay wherever possible. In the months that followed, Petroleum Coordinator Harold L. Ickes time and again advised that an even more serious situation was certain to develop during the winter months of 1942–43 unless arrangements were made to burn coal. On January 4, 1953, a hospital for children at Rockaway, N.Y., was ordered closed because of the fuel oil shortage. Other casualties in January and February included the shutdown of eight Rhode Island textile mills,

the closing of schools, and hardship in a variety of manufacturing plants and office buildings.

New Englanders would also be well-advised to recall this opening paragraph of page 1 of the Boston Post for March 26, 1943:

> Claims from Washington that the public health would not suffer as a result of the fuel oil shortage during the past winter were ridiculed last night by health experts in Boston and surrounding cities and towns.

I remind the Congress that Russia now has a fleet of approximately 400 submarines—many of them long-range—that would be put into action in the event of a war outbreak. To depend upon shipments from the far-off Middle East and from the refineries of South America in the face of a submarine pack of this size would be sheer folly.

But let us, for the moment, return to this question of foreign goods and low prices. There is no contesting the fact that residual oil can be shipped into the markets of this country at prices that undersell coal. This was the stratagem that enabled importers to seize such a large part of coal's traditional markets for 10 years and more. The accepted laws of economics have continually been disregarded in setting the sales price of foreign residual oil. In 1948 the charge at the port of entry was $2.97 a barrel. This figure mysteriously dropped to $1.89 the following year, and from that time it has zigzagged up and down to the complete confusion of rule-of-thumb calculations and in defiance of the most carefully devised economic theories. In 1956 the price was $2.76. Business slumped generally in 1957, but somehow the importers were able to command $3.10 per barrel for their foreign product. Last year the figure was $2.57 and—lo and behold—despite the vociferous admonitions that followed the White House mandate to control residual oil imports, there was an unaccountable price decline with imported residual oil being offered for sale at dockside in New York at a mere $2 per barrel.

No, Mr. President, it does not appear that any shifting of the import levels need have a direct effect on prices of imported residual oil. But let us assume that those who predicted a price rise following the White House announcement on March 10 of this year had been correct and that consumers in New England had been required to pay a little more for fuel supplies. In the first place, I do not believe that home owners enjoyed any reduction in the cost of electricity when imported residual oil underwent one of its periodic flip-flops. Nor have I noted a similar decline in prices of finished goods in New England industrial plants that took advantage of the lower prices offered by oil shippers.

Traditionally, members of the New England delegation actively protest trade policies that place their own industries at a disadvantage with foreign sellers in American marketplaces. The CONGRESSIONAL RECORD offers adequate evidence of such protestations through the years. This attitude on the part of office holders representing New England is to be admired. When competition from Europe or Asia creates unemployment in Boston, Bridgeport, Portland, or Nashua, it is incumbent upon elected representatives of those areas to exhaust every effort in an attempt to eliminate the injustices that tolerate such conditions.

I am happy to be associated with those of my colleagues who insist upon protection of domestic industry from commodities manufactured in countries where standards of living are low and where labor earns only a small percentage of its counterparts in this country. And I respectfully solicit your understanding of similar economic problems that have been persisting in West Virginia for entirely too long.

Robert Frost wrote:

> Anything I can say about New Hampshire will serve almost as well about Vermont,
> Excepting that they differ in their mountains.
> The Vermont mountains stretch extending straight;
> New Hampshire mountains curl up in a coil.

There may be more identifiable differences between the mountains of West Virginia and those of Vermont and New Hampshire, but there is nothing about the topography of our State that would alter the basic economic principles that prevail in every part of America. If too many hats and too many bicycles produced abroad are shipped into the markets of this country, somebody in New England is going to hurt. If tuna fish caught in foreign waters enter the United States in excessive amounts, there are families in California who may find themselves unable to feed their children with anything but the surplus tuna taken into their own boats. Open the doors to foreign producers of cotton and other agricultural products and there will be a business depression in the South. Bring in more Argentine beef and American cattlemen and packers will suffer. Invite more foreign dairy products and farmers in Minnesota, Wisconsin, and Michigan will find it mighty difficult to make a living.

We do not deny that these foreign commodities can be made available at dollar savings to the American consumer. But it is a transaction responsible for bringing unemployment to many Americans. Does anyone believe that it is fair for West Virginia's principal industry to be exposed to the battering of a mounting sea of foreign oil while the bread-and-butter industries of New England—or the Northwest, the Middle West, the Southwest, or the Deep South—enjoy a serene haven of tariff and quota protection?

Do I hear the argument that oil markets must be kept scot free of import impediments in order to promote good will among exporting countries? Even the more credulous among us should disregard these timeworn polemics. Realists should never be swayed by this type of political and diplomatic strategy when the jobs and livelihoods of the people they represent are at stake.

How Venezuelan sensitivity would react to controls on imports is an issue that has been raised since Senator Neely proposed a quota limitation back in the days of the since-deposed Mr. Jimenez. The President's mandatory order finally went into effect 5 months ago, and Venezuela appears to have survived the ordeal.

As for Venezuela, her citizenry certainly should not question a philosophy that would provide a modicum of protection for the American worker against the pernicious economic disease that threatens any industrial civilization which does not take the precaution to examine carefully all imports and reject those in excess. Several years ago, the U.S. Department of Commerce, Office of International Trade, reported that Venezuela imposes "very high duties on products similar to those domestically produced." The analysis continued:

> Before World War II import duties accounted for about 40 percent of all national revenue. Since the war they have declined in relative importance and currently account for only about 20 percent. This proportionate decline was due in part to the growth in protectionism—although the importation of duty-free goods continued, the importation of dutiable goods has tended to be further impeded.
>
> In addition to import duties, Venezuela imposes numerous other types of trade controls. On the import side, they include import licensing requirements, import quotas, regulations requiring the purchase of specified amounts of local products for each unit imported, import prohibitions, and quarantine laws.

Venezuela's attitude, in which domestic industry is safeguarded against ruinous import competition, is not unique in South America or in most other parts of the world, even though this family plan appears to be foreign to State Department officials who have taken unto themselves the power to liberalize America's trade policies. The State Department is guilty of promulgating the program that subordinates the welfare of industry and labor in the United States to the producing forces of other nations, yet Congress cannot escape culpability for the needless, irresponsible, and unwise surrender of this constitutionally derived authority. Protection of American industry was for many decades considered as sacred and necessary as immigration laws.

Since 1934, when Congress delegated to the President wide authority in the regulation of duties on imported goods, the average rates on dutiable goods have tended sharply downward. In contrast, few other nations have reciprocated. Most foreign countries cling to tariff rates much higher than those prevailing here, and in addition resort to such restrictive measures as import licenses and exchange controls that may be utilized to whatever extent is necessary for the protection of their own industries against foreign competition, including competition of the products of American labor.

Because the productive capacity of leading industrial nations in Europe and Asia was largely laid waste during World War II, a preponderance of America's mass production industries found little difficulty in obtaining market outlets

during the first postwar decade. Indeed, the demand persisted at such a high level that a more liberalized trade program was widely acclaimed by those enjoying the profits of overseas selling as the answer to international economic problems. Those of us in West Virginia—where coal, pottery, ceramics, and assorted manufacturing industries were adversely affected by import competition—pleaded for a more perspective appraisal. New England also recognized the danger of speeding crazily down the road to more liberalized trade policies without proper braking equipment in the form of sensible tariff and quota laws. The South recognized the danger once Japan's textile plants were rehabilitated. Now, at long last, more and more regions are beginning to feel the need for a more cautious approach to the widening avenues of international trade.

Inasmuch as the list of victims of irrational trade policies is being enlarged, I am confident that the Senate and House will be more receptive to reviewing objectively the entire trade agreements program in the very near future—perhaps at the second session of this Congress. Meanwhile Congress must at least encourage the executive department to continue to take steps to protect domestic industries that are components of the defense structure. I remind my colleagues that the President's mandatory oil import control program was based exclusively on security considerations. Under these circumstances, it would appear extremely shortsighted for any American to demand lifting of these restrictions even if he disregarded completely the destitution that comes to coal and railroad communities with unregulated shipments of residual oil imports.

Little wonder that the President, advised of what was happening to the coal industry through admission of as much residual oil as international shippers chose to dump on our fuel markets, resorted to the mandatory control program.

In 1958 the U.S. bituminous coal industry produced slightly more than 400 million tons. Members of a task force that developed statistical information for the Cabinet Committee on Energy Resources in 1954 came to the conclusion that the national security requires the bituminous coal industry to maintain an annual production level of at least 500 million tons if there is to be sufficient capacity for raising output to meet emergency demands.

It is recognized that many mines have closed since foreign residual oil began its lethal sweep into the Atlantic seaboard. I wonder if everyone is aware of what happens to a coal mine when it is closed for any length of time. Unless pumps are kept in constant operation, under ordinary conditions most mines will fill up with water. Then erosion begins to take place. When a flooded mine is to be reopened, the first step is to send in pumps to undertake the dewatering process. With the most modern pumping equipment, many weeks may be required to complete the job. Even then, the mine is far from being ready to go back into operation. Impounded water creates bad roof conditions; when ventilation is restored as the water is pumped out, air that comes in contact with the roof causes much of it to disintegrate. The bad roof must be taken down and bad timbering must be replaced. Only after these operations are completed and the roof has been made safe is it possible to begin such necessary work as repairing or reinstalling track, and rewiring. Finally, at long last, the actual mining equipment is brought in. In all, a full year may be required to begin taking the coal out of a mine that has been closed for any length of time.

The railroad industry, of course, suffers a collateral loss in carrying capacity. The junior Senator from Florida [Mr. SMATHERS] has frequently brought to public attention the prevailing economic difficulties of many American railroads. His most recent contribution was published in This Week magazine on July 26. He is justifiably concerned with the very serious problems that confront this vital transportation network. Railroads are not economically capable of maintaining rolling stock in operating condition when traffic is down. If coal had filled one half of the orders served by foreign residual oil in east coast markets in 1958, the tonnage to be moved would fill more than 400,000 railroad hoppers. The implications are obvious. The railroads would gain important revenues, more operating and maintenance crews would be required, and thousands of additional hoppers would be kept in serviceable condition. Currently, too many coal-carrying cars are rusting away on sidings. In an emergency, a car shortage would be inevitable.

The mandatory controls program has helped to alleviate the deficit of coal cars. To lift restrictions on residual oil imports would constitute a further security threat from the standpoint of the railroad industry as well as in relation to the coal industry.

Mr. President, the general public needs to be apprised of the security requirements which necessitated the imposition of mandatory controls on residual oil. I feel that periodic reviews of the program, its results, and its ramifications will serve the interests of the entire Nation. My remarks on this subject are intended to provide Congress with a running account of the results of the mandatory control program, and to emphasize the need for rigid enforcement and continuation of the control program. I have presented the history of imported residual oil prices which bob curiously in their own capricious manner, independent of business factors which normally determine market value. Ample supplies of this fuel are still available, and will continue to be unless international oil shippers find it to their advantage to shut off valves at their cornucopian sources. Although the free world is consuming approximately 16 million barrels of oil a day, another 5 million barrels could be produced every 24 hours at negligible expense.

The only legitimate reason for a residual oil shortage on the Atlantic seaboard in the foreseeable future would be an unexpected political development in Venezuela, whose capital city was shaken by 9 hours of rioting last month. Past experiences in South America and the Middle East have lent emphasis to the theory that foreign sources of fuel supply should never be permitted to supplant domestic production.

When all these factors are carefully studied, there should be no more attacks on the mandatory control program. Instead, this program should receive the welcome endorsement of areas in which international oil shippers have found convenient customers of a fuel whose supply will remain in serious doubt during eras of unsteady world peace and intranational strife. I am also hopeful that, in the future, a more sympathetic understanding of coal regions' economic difficulties will be in evidence among our people throughout the country. I think that the position of the coal industry with respect to oil imports is akin to that of the woolen industry when Mayor John B. Hynes, of Boston warned—and his statement was printed in the CONGRESSIONAL RECORD of April 28, 1954—that import competition would result in less employment and smaller payrolls at home, and that it would have, in his own words, "an adverse effect upon the whole New England community."

Residual oil imports have had an adverse effect upon the whole community of West Virginia and other coal-producing States. The mandatory control program has arrested the impact, and I respectfully appeal to all Senators to stand firm in insisting that the specified levels continue to be respected as a precaution against further economic debilitation and in defense of the security of our country.

AUTHORIZATION TO FILE CONFERENCE REPORT ON S. 1555 DURING RECESS OF SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the conference report on the labor bill (S. 1555) may be filed during the recess of the Senate tonight.

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

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORTS OF COMMITTEES

The following additional reports of committees were submitted:

By Mr. HUMPHREY, from the Committee on Government Operations, without amendment:

S. 1431. A bill to provide for the establishment of a Commission on Metropolitan Problems (Rept. No. 881).

AMENDMENT OF FOREIGN SERVICE ACT OF 1946, AS AMENDED—REPORT OF A COMMITTEE

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report an original bill to amend the Foreign Service Act of 1946, as amended, and for other purposes, and I submit a report (No. 880) thereon. I ask that the report be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Arkansas; and the bill will be placed on the calendar.

The bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, reported by Mr. FULBRIGHT, from the Committee on Foreign Relations, was read twice by its title, and placed on the calendar.

ADDITIONAL BILLS

The following bills were reported, or introduced, and, by unanimous consent, referred or placed on the calendar, as indicated:

By Mr. FULBRIGHT:

S. 2633. A bill to amend the Foreign Service Act of 1946, as amended, and for other purposes; placed on the calendar.

(See the remarks of Mr. FULBRIGHT when he reported the above bill from the Committee on Foreign Relations, which appear under the heading "Reports of Committees.")

By Mr. MORSE:

S. 2634. A bill to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests; to the Committee on Foreign Relations.

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

PROPOSED AMENDMENTS TO CONSTITUTION, RELATING TO FILLING OF TEMPORARY VACANCIES IN HOUSE OF REPRESENTATVIES—AMENDMENTS

Mr. HOLLAND submitted amendments, intended to be proposed by him, to the joint resolution (S.J. Res. 39) to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives, which were ordered to lie on the table and be printed.

WITHHOLDING STATE INCOME TAXES FROM FEDERAL EMPLOYEES—ADDITIONAL COSPONSORS OF AMENDMENTS

Under authority of the order of the Senate of September 1, 1959, the names of Senators LONG of Hawaii, BENNETT, KEATING, CAPEHART, MOSS, BARTLETT, GRUENING, CHURCH, THURMOND, MANSFIELD, and NEUBERGER were added as additional cosponsors of the amendments intended to be proposed by the Senator from Massachusetts [Mr. SALTONSTALL] to the bill (S. 2282) to amend the act of July 17, 1952, submitted by Mr. SALTONSTALL (for himself and other Senators), on September 1, 1959.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 2, 1959, he presented to the President of the United States the following enrolled bills:

S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers;

S. 417. An act to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota;

S. 551. An act to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams;

S. 994. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws;

S. 1221. An act to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands;

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site;

S. 1453. An act to authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa to the city of Keosauqua;

S. 1521. An act to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938;

S. 1645. An act to amend section 4161 of title 18, United States Code, relating to computation of good time allowances for prisoners;

S. 1647. An act to amend section 4083, title 18, United States Code, relating to penitentiary imprisonment;

S. 1947. An act relating to the authority of the Customs Court to appoint employees, and for other purposes;

S. 2013. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds;

S. 2029. An act to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes;

S. 2118. An act to amend section 4488 of the Revised Statutes, as amended, to authorize the Secretary of the Department in which the Coast Guard is operating to prescribe regulations governing lifesaving equipment, firefighting equipment, muster lists, ground tackle, hawsers, and bilge systems aboard vessels, and for other purposes;

S. 2334. An act to transfer from the Department of Commerce to the Department of Labor certain functions in respect of insurance benefits and disability payments to seamen for World War II service-connected injuries, death, or disability, and for other purposes;

S. 2339. An act to amend the law relating to the distribution of the funds of the Creek Tribe;

S. 2421. An act to amend the Klamath Termination Act; and

S. 2435. An act to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no other business to come before the Senate—and I gather that there is none on the minority side——

Mr. JAVITS. No.

Mr. HUMPHREY. I move that the Senate stand in recess, under the order previously entered, until 9:30 a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 54 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, September 3, 1959, at 9:30 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 2 (legislative day of August 31), 1959:

UNITED NATIONS

Representatives of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959:

Henry Cabot Lodge, of Massachusetts.

JAMES G. FULTON, U.S. Representative from the State of Pennsylvania.

CLEMENT J. ZABLOCKI, U.S. Representative from the State of Wisconsin.

Walter S. Robertson, of Virginia.

George Meany, of Maryland.

Alternate representatives of the United States of America to the 14th session of the General Assembly of the United Nations, to serve no longer than December 31, 1959:

Charles W. Anderson, Jr., of Kentucky.

Virgil M. Hancher, of Iowa.

Erle Cocke, Jr., of Georgia.

Mrs. Oswald B. Lord, of New York.

Harold Riegelman, of New York.

THE INTERNATIONAL ATOMIC ENERGY AGENCY

Representatives of the United States of America to the third session of the General Conference of the International Atomic Energy Agency:

John A. McCone, of California.

Alternate representative of the United States of America to the third session of the General Conference of the International Atomic Energy Agency:

Paul F. Foster, of Maryland.

DIPLOMATIC AND FOREIGN SERVICE

Harry F. Stimpson, Jr., of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

U.S. DISTRICT JUDGES

J. Smith Henley, of Arkansas, to be U.S. district judge for the eastern and western districts of Arkansas.

Gordon E. Young, of Arkansas, to be U.S. district judge for the eastern district of Arkansas.

Carl A. Weinman, of Ohio, to be U.S. district judge for the southern district of Ohio.

JUDGE OF THE DISTRICT COURT

Walter A. Gordon, of California, to be judge of the district court for the Virgin Islands for a term of 8 years.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 2, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Hebrews 12: 2: *Looking unto Jesus, the author and finisher of our faith.*

Most merciful and gracious God, we thank Thee for the blessings which Thou art bestowing upon us so generously and abundantly for our need and comfort.

Show us how we may cope successfully with every perplexing problem and resist victoriously the manifold trials and temptations which assail us.

May we petition Thee more earnestly for a clearer discernment of Thy holy will and for the inspiration of Thy presence as we discharge the duties of each new day.

Grant that our life may be an influence for good unto all with whom we come into contact and may we never overlook an opportunity to speak a kind word and extend a helping hand.

Hear us in the name of our blessed Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 213) entitled "An act to provide additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2906) entitled "An act to extend the period for filing claims for credit or refund of overpayments of income taxes arising as a result of renegotiation of Government contracts."

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. 1958) entitled "An act to amend title 46, United States Code, section 601, to clarify types of arrestment prohibited with respect to wages of U.S. seamen."

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 154]

Andrews	Doyle	Poage
Anfuso	Ford	Powell
Barden	Griffin	Riehlman
Baumhart	Hall	St. George
Blitch	Jones, Mo.	Scherer
Bolton	Landrum	Sikes
Canfield	Lesinski	Van Pelt
Cooley	McDonough	Westland
Denton	Machrowicz	Teague, Calif.
Derwinski	Mason	Winstead
Diggs	Minshall	
Dollinger	O'Brien, N.Y.	

The SPEAKER. On this rollcall 400 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

PUBLIC WORKS APPROPRIATION BILL, 1960

The SPEAKER. The unfinished business is the further consideration of the veto of the President of the United States on the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Mr. CANNON. Mr. Speaker, this question has been thoroughly debated repeatedly in both Houses. It has been widely discussed in the press, especially in the last few days.

I also inserted in the RECORD for Monday a complete analysis of the effect of the veto, the question raised by the veto is a matter of general knowledge.

Therefore, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House on reconsideration, pass the bill H.R. 7509, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The question was taken; and there were—yeas 274, nays 138, answered "present" 1, not voting 22, as follows:

[Roll No. 155]

YEAS—274

Abernethy	Bolling	Celler
Addonizio	Bonner	Chelf
Albert	Bowles	Clark
Alexander	Boykin	Coad
Alford	Boyle	Coffin
Anderson, Mont.	Brademas	Cohelan
	Breeding	Colmer
Ashley	Brewster	Cook
Ashmore	Brock	Daddario
Aspinall	Brooks, La.	Daniels
Bailey	Brooks, Tex.	Davis, Ga.
Baker	Brown, Ga.	Davis, Tenn.
Barden	Brown, Mo.	Dawson
Baring	Buckley	Delaney
Barr	Burdick	Dent
Barrett	Burke, Ky.	Denton
Bass, Tenn.	Burke, Mass.	Diggs
Beckworth	Burleson	Dingell
Bennett, Fla.	Byrne, Pa.	Dollinger
Blatnik	Cannon	Donohue
Blitch	Carnahan	Dorn, S.C.
Boggs	Carter	Dowdy
Boland	Casey	Downing
Doyle	Kelly	Quigley
Dulski	Keogh	Rabaut
Durham	Kilday	Rains
Edmondson	Kilgore	Randall
Elliott	King, Calif.	Reuss
Everett	King, Utah	Rhodes, Pa.
Evins	Kirwan	Riley
Fallon	Kitchin	Rivers, Alaska
Farbstein	Kluczynski	Rivers, S.C.
Fascell	Kowalski	Roberts
Feighan	Landrum	Rodino
Fisher	Lane	Rogers, Colo.
Flood	Lankford	Rogers, Fla.
Flynn	Lennon	Rogers, Mass.
Fogarty	Levering	Rogers, Tex.
Foley	Libonati	Rooney
Forand	Loser	Roosevelt
Forrester	McCormack	Rostenkowski
Fountain	McDowell	Roush
Frazier	McFall	Rutherford
Friedel	McGinley	Santangelo
Gallagher	McGovern	Saund
Garmatz	McMillan	Scott
Gary	McSween	Selden
Gathings	Macdonald	Shelley
Gavin	Mack, Ill.	Sheppard
George	Madden	Shipley
Giaimo	Magnuson	Siler
Granahan	Mahon	Simpson, Ill.
Grant	Matthews	Sisk
Green, Oreg.	Merrow	Slack
Green, Pa.	Metcalf	Smith, Iowa
Griffiths	Meyer	Smith, Miss.
Hagen	Miller, Clem	Spence
Haley	Miller, George P.	Staggers
Hardy		Steed
Hargis	Mills	Stratton
Harmon	Mitchell	Stubblefield
Harris	Moeller	Sullivan
Harrison	Monagan	Teague, Tex.
Hays	Montoya	Teller
Healey	Moorhead	Thomas
Hébert	Morgan	Thompson, La.
Hechler	Morris, N. Mex.	Thompson, N.J.
Hemphill	Morris, Okla.	Thompson, Tex.
Hogan	Morrison	Thomson, Wyo.
Holifield	Moss	Thornberry
Holland	Moulder	Toll
Holtzman	Multer	Trimble
Horan	Murphy	Udall
Huddleston	Natcher	Ullman
Hull	Nix	Vanik
Ikard	Norrell	Vinson
Inouye	O'Brien, Ill.	Walter
Irwin	O'Hara, Ill.	Wampler
Jarman	O'Hara, Mich.	Watts
Jennings	O'Neill	Weaver
Jensen	Oliver	Whitener
Johnson, Calif.	Passman	Whitten
Johnson, Colo.	Patman	Wier
Johnson, Md.	Perkins	Williams
Johnson, Wis.	Pfost	Willis
Jones, Ala.	Philbin	Winstead
Karsten	Pilcher	Wolf
Karth	Porter	Wright
Kasem	Preston	Yates
Kastenmeier	Price	Young
Kearns	Prokop	Zablocki
Kee	Pucinski	Zelenko

NAYS—138

Abbitt	Chiperfield	Hoffman, Ill.
Adair	Church	Hoffman, Mich.
Alger	Collier	Holt
Allen	Conte	Hosmer
Andersen, Minn.	Corbett	Jackson
	Cramer	Johansen
Arends	Cunningham	Jonas
Auchincloss	Curtin	Judd
Avery	Curtis, Mass.	Keith
Ayres	Curtis, Mo.	Kilburn
Baldwin	Dague	Knox
Barry	Derounian	Lafore
Bass, N.H.	Devine	Laird
Bates	Dixon	Langen
Becker	Dooley	Latta
Belcher	Dorn, N.Y.	Lindsay
Bennett, Mich.	Dwyer	Lipscomb
Bentley	Fenton	McCulloch
Berry	Fino	McIntire
Betts	Flynt	Mack, Wash.
Bosch	Frelinghuysen	Mailliard
Bow	Fulton	Marshall
Bray	Glenn	Martin
Broomfield	Goodell	May
Brown, Ohio	Griffin	Meader
Broyhill	Gross	Michel
Budge	Gubser	Miller, N.Y.
Bush	Halleck	Milliken
Byrnes, Wis.	Halpern	Minshall
Cahill	Henderson	Moore
Cederberg	Hess	Mumma
Chamberlain	Hiestand	Murray
Chenoweth	Hoeven	Nelsen

Norblad	Robison	Tollefson
O'Konski	Saylor	Tuck
Osmers	Schenck	Utt
Ostertag	Scherer	Van Zandt
Pelly	Schwengel	Wainwright
Pillion	Short	Wallhauser
Pirnie	Simpson, Pa.	Weis
Poff	Smith, Calif.	Wharton
Quie	Smith, Kans.	Widnall
Ray	Smith, Va.	Wilson
Reece, Tenn.	Springer	Withrow
Rees, Kans.	Taber	Younger
Rhodes, Ariz.	Taylor	
Riehlman	Teague, Calif.	

ANSWERED "PRESENT"—1

Herlong

NOT VOTING—22

Andrews	Gray	Poage
Anfuso	Hall	Powell
Baumhart	Jones, Mo.	St. George
Bolton	Lesinski	Sikes
Canfield	McDonough	Van Pelt
Cooley	Machrowicz	Westland
Derwinski	Mason	
Ford	O'Brien, N.Y.	

The Clerk announced the following pairs:

On this vote:

Mr. Machrowicz and Mr. O'Brien of New York for, with Mr. Herlong against.

Mr. Jones of Missouri and Mr. Poage for, with Mr. Ford against.

Mr. Sikes and Mr. Anfuso for, with Mr. Derwinski against.

Mr. Cooley and Mr. Lesinski for, with Mr. Van Pelt against.

Mr. Hall and Mr. Powell for, with Mr. Westland against.

Mr. Baumhart and Mr. Gray for, with Mrs. Bolton against.

Until further notice:

Mr. Andrews with Mr. Mason.

Mr. HERLONG. Mr. Speaker, I have a live pair with the gentleman from Michigan [Mr. MACHROWICZ] and the gentleman from New York [Mr. O'BRIEN] who if present would have voted "yea." I voted "nay." I therefore withdraw my vote and vote "present."

Mr. HARRISON changed his vote from "nay" to "yea."

Messrs. CHENOWETH, FENTON, and CURTIN changed their votes from "yea" to "nay."

Mr. CANNON. Mr. Speaker, I ask for a recapitulation of the vote.

Mr. HALLECK. Mr. Speaker, may we not have the vote announced first?

The SPEAKER. The Chair holds that there can be a recapitulation before or after the vote. Therefore, we will have a recapitulation.

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. Upon request, will not the Speaker announce the vote?

The SPEAKER. The Chair has discretion in this matter.

Mr. WALTER. Mr. Speaker, regular order.

The SPEAKER. The regular order is, the Clerk will call the names of those voting in the affirmative.

Mr. HALLECK. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. Under the rules of the House, in view of the fact that the vote has not been announced, may anyone vote even though he was not here when the roll was called?

The SPEAKER. Will the gentleman repeat his inquiry?

Mr. HALLECK. Mr. Speaker, what I am trying to ascertain is simply this: In view of the fact that the Speaker has elected not to announce the vote, does that mean, as this recapitulation progresses, if any Member who was not here presents himself now in the Chamber, will he be permitted to vote?

The SPEAKER. If he qualifies; that is, he was in the hall listening and did not hear his name called. Otherwise, he could not.

Mr. HALLECK. Mr. Speaker, I renew my request for an announcement of the vote.

The SPEAKER. The Chair has already ordered a recapitulation. The Clerk will call the names of those voting in the affirmative.

The Clerk called the names of those voting "yea."

The SPEAKER. Are there any corrections in the names of those voting in the affirmative?

Mr. BOW. Mr. Speaker, may I inquire if my name was read in the affirmative? I understood it to be, and if it was, it is incorrect.

The SPEAKER. The gentleman is recorded as voting in the negative, not the affirmative.

Mr. WHITENER. Mr. Speaker, how am I recorded?

The SPEAKER. It is not a question of how the gentleman is recorded. It is a question of whether the gentleman was present, listening, and was recorded wrongly.

Mr. ALEXANDER. Mr. Speaker, I did not hear my name and should be recorded "yea."

The SPEAKER. All these things can be taken care of after we complete the recapitulation.

Are there any corrections to be made in the names of those called as voting in the affirmative? [After a pause.] The Chair hears none.

The Clerk will call the names of those voting in the negative.

The Clerk called the names of the Members voting in the negative.

The SPEAKER. Are there any corrections in the names of those who voted "nay"? [After a pause.] The Chair hears none.

On this vote the "yeas" are 274, the "nays" are 138, 1 present. Two-thirds having failed to vote in the affirmative, the bill is not passed.

So (two-thirds not having voted in favor thereof) the veto of the President was sustained and the bill was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The message and the bill are referred to the Committee on Appropriations.

The Clerk will notify the Senate of the action of the House.

Mr. CANNON. Mr. Speaker, I move that the bill be referred to the Committee on Appropriations.

The SPEAKER. The Chair has referred it to the committee.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to extend their remarks in the RECORD on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE PRESIDENT'S VETO OF THE PUBLIC WORKS APPROPRIATION BILL

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. WAMPLER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WAMPLER. Mr. Speaker, the President's veto of the public works appropriation bill for fiscal 1960 is not only patently unwise, it makes a mockery of the administration's shrill demands for fiscal responsibility as being in the best interests of the country. Surely a measure which provides, in large part, for the planning and construction of such highly desirable domestic contributions to the state of this Nation's natural resources as flood control projects, improvements of our harbors and rivers and resources reclamation should not be the subject of whimsical Presidential veto. Should it, as has been the case with the public works money bill for 1960, I cannot understand how reasonable men can honestly term as being in the best interests of the country an administration turndown of legislation designed to aid, on a humanitarian basis, American flood victims and to recapture losses in our natural resources.

In my own State of Indiana, there has been an almost unbelievable rate of waste, loss of life, and devastation resulting from incessant flooding of the Wabash River. Floodwaters from the creeks and rivers of the upper Wabash River in the northern section of the State pour down into the lower reaches of the Wabash, in the Sixth District, not once, but several times a year. Life and property losses over the years have been staggering. More than $64 million worth of agricultural production and property has been washed out of the potentially productive Wabash Valley since 1913; in February 1959, alone, more than $10 million in damage was caused by the rampaging Wabash River.

I fail to see how any Member of this body who has any concern for the welfare of the people of our districts, States, and this Nation, as I am sure we all do, can fail to vote to override the President's veto of this absolutely vital legislation; particularly any Member of Congress from the consistently flood-stricken State of Indiana.

The President's veto message makes numerous references to "unbudgeted

projects," "overspending," the necessity for sound fiscal policies, and states the President's belief that the "American people look to the Government to see that their tax money is spent only on necessary projects and according to a priority as to urgency that does not weaken our financial structure nor add to the tremendous debt burden that posterity will have to pay."

Mr. Speaker, the President's stated concern for the debt burden which will have to be carried by posterity can only be construed as meaningless verbiage when one considers that the fiscal 1960 money bill for public works contains only $30 million more than requested by the Administration, an infinitesimal quantity when compared with the overall multibillion dollar 1960 budget; and when one considers the President's demands for hundreds of millions of dollars to finance, in many instances, similar public works construction in countries other than the United States; and when one considers that, to date, the Congress has pared down the President's 1960 budget requests by almost $400 million.

I say, let us override this veto and allow some of the taxpayers' money to be spent for the good of the taxpayer.

Mr. BLATNIK. Mr. Speaker, on August 26, 1959, the President vetoed the public works appropriation bill for the fiscal year 1960 which contained funds to carry on the civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority. As chairman of the Subcommittee on Rivers and Harbors of the Committee on Public Works, I, of course, am vitally interested in the flood control, navigation, and beach erosion projects, funds for which are in the appropriation bill because of the fact that these projects were originally authorized by the Committee on Public Works.

I believe that the veto of the entire program is a grave error on the part of the President and is a shining example of his indifference to water resource development.

It will be recalled that in 1956 and again in 1958 he vetoed the omnibus river and harbor and flood control bill, title I of which was the work of the subcommittee of which I am chairman, and title II of which is the work of the Subcommittee on Flood Control of which the distinguished gentleman from Tennessee, the Honorable CLIFFORD DAVIS, is chairman. I have had long and sad experience therefore with the President's attitude toward water resource development. This attitude even extends to problems of water pollution, and on this subject the President, in his budget message, reduced the amount contemplated by Congress for appropriation and expressed his desire to eliminate the Federal grant system entirely at a future date.

Returning to the most recent veto, I would like to invite attention to the fact that the total appropriation of $1,206 million is only $50 million in excess of the President's budget. This addition is the amount agreed to in conference after the other body had added a total of approximately $80 million. I feel that the House is to be commended for having reached a compromise which is only 4 percent in excess of the budgeted figure. This is an amount which is well within the margin of error in the cost estimates themselves.

The President gives as his principal reason for the veto the fact that the ultimate cost of these projects will be more than $800 million. He fails to point out, however, that by the time these unbudgeted projects reach their peak of construction, many of those now underway will be completed. The impression is left that some future budget will be increased by $800 million which is, of course, ridiculous since this amount would be spread over many years.

I would also like to point out that the President does not criticize the merits of the 67 projects. In fact he states that the unbudgeted projects in the bill will, at the proper time, make an important contribution to the economic development of the areas in which they are to be built and to the Nation as a whole. The Appropriations Committees gave long and careful consideration to the testimony presented and selected only those economically justified, worthwhile projects which, in its opinion, should go ahead at this time. These projects are only a small fraction of the backlog of projects in the field of flood control, navigation, and reclamation.

I urge every Member of this body, whether he has a project in the bill or not, to vote to override the veto for the good of the country as a whole.

Mr. KING of Utah. Mr. Speaker, it was most regrettable that the President saw fit to veto the public works appropriation bill. It will be noted that he did not question the merit of the 67 projects which had been added to the ones which he had originally recommended. On the contrary, he based his veto essentially on the grounds that the timing was bad.

Some opponents of reclamation, in their news releases, have suggested that there were phony or pork-barrel projects mixed into the public works bill, and that it was therefore necessary to first weed them out. I, personally, challenge the truth of this proposition. I have placed myself in touch with the officials of the Bureau of Reclamation of the Department of the Interior, and with the Army Corps of Engineers. I have been assured by those who did the planning on these projects that all 67 of them have a favorable cost-benefit ratio, and that from an engineering and economic point of view, they are meritorious.

Why, then, was the bill vetoed? The reason given is that it was for budgetary considerations. In other words, this is the year for no new starts. Regardless of the need, there shall be no new starts. We cannot afford them.

This shortsighted policy was first conceived at a time when it was thought that the 86th Congress might embark on a wild and uncontrolled orgy of extravagance. The actual record, however, shows how wrong this hypothesis turned out to be. Yet the misconceived policy of no new starts still lingers on. The evidence is strong that we shall end this session with an impressive surplus. No person interested in balancing the budget can honestly say that the $30 million which the public works appropriation bill adds to our budget for fiscal 1960 will throw it out of balance.

The administration has therefore shown an inflexibility and unwillingness to adapt its program to ever-changing realities.

When a private utility company launches a plan to spend many hundreds of millions of dollars of equity funds and borrowed funds for capital expansion to meet the needs of a growing community, we give it the accolade of praise and public approval. We call it a bold and imaginative step forward. We call it good business, and a sound investment in the future, because every dollar spent will bring back rich and ample returns.

But when the United States of America makes a capital investment in its future in the form of dams and reservoirs, flood-control projects, and irrigation works, those who philosophically oppose such measures cry out: We cannot afford them.

Mr. Speaker, if we cannot afford an investment in the sound and economical utilization of our natural resources to create more business and more wealth and more productive capacity, to take care of our exploding population which, within the lifetime of many of you in this room will reach 250 million and more, then what under heaven can we afford?

This money is not in the nature of a gift. It is a loan. It will be repaid, with interest. It is secured, and that security consists in our mountains, our rivers, our fertile prairies, and our almost-unlimited productive capacity. This security is as good as America is good.

In 1915 the U.S. Government undertook to construct in the State of Utah what is known as the Strawberry Reservoir project. As was to be expected, it was resisted by those to whom its immediate cost seemed more important than its ultimate benefits.

Let us look at the record of this humble little project, which cost $3⅓ million.

Forty-four years later we find that it has paid back 80 percent of its initial cost, with interest. In addition, it has made possible the growing of $78½ million worth of crops, which represents 22 times the value of the original investment. Power, municipal water, and recreation associated with the project bring in one-half million dollars per year. Personal incomes directly attributable to this project amount to $18 million per year. Twelve thousand people live on land made livable by this little project, and Federal taxes paid into the Federal Government from income made possible by this project amount to some $4½ million a year, which is more than a million dollars a year in excess of its entire cost. All of this, as a result of a mere $3⅓ million investment—and this is just the beginning.

Mr. Speaker, the Strawberry Reservoir, in 1915, was a new start. I am

thankful that that did not deter wise men from seeing its value to the future of this Nation.

In closing, I cannot resist the temptation, half in whimsey, but half in seriousness, to inquire whether President Eisenhower is prepared to ask Premier Khrushchev wheher he, too, is willing to adopt a no-new-starts policy in Russia, so that our country will not be too embarrassed by the difference in the speed at which the two nations are increasing their productivity. Obviously Russia will not slacken its pace, regardless of how well Khrushchev is treated by the State Department, and every year's delay in our own reclamation program will give us that much more cause for regret.

I support the public works appropriation bill of 1959 because it is an investment in the future and the prosperity of America.

Mr. JENSEN. Mr. Speaker, relative to the vote on the President's veto of the public works appropriation bill today, I could not find it in my heart to vote to sustain this veto, and I frankly admit that it afforded me no pleasure.

The bill which the President vetoed provides for less than one-sixtieth of the total budget request for fiscal year 1960, all for urgent flood control projects in almost every State of the Union, irrigation, reclamation, hydroelectric projects and related facilities, deepening of harbors, and so forth.

It is noteworthy that the bill which the President vetoed provided for funds less than 1½ percent above the amount which the President requested, and that when the conference bill was before the House on August 14, only one voice was heard against the bill.

Furthermore, every penny in the bill will be spent right here within the shores of the United States of America.

Mr. ROBISON. Mr. Speaker, last week, President Eisenhower vetoed the $1.2 billion public works appropriation bill. He gave, as his chief reason for the veto, the fact that funds were included in the bill for 67 new starts which would ultimately cost $800 million.

Thus, it seems clear that the President's objections are centered on the long-range effect the bill would have, financially speaking, rather than on its immediate unbudgeted impact which has been estimated at only $50 million.

I think it important for all of us to be aware of the nature of the problems we will face, as a Nation, as our population explodes from 171 million today to 195 million in 1965, 248 million in 1980, and a projected 370 million by the year 2010. Foremost among those problems is certain to be that of providing an adequate supply of water for both domestic and industrial purposes.

Interrelated to the certain expanding demand for water, will also be the need for flood control, power, navigation, outdoor recreational facilities, and other such projects as are included in the vetoed bill. Any failure in meeting those demands and needs on schedule would surely result in serious disruptions in our economic growth.

We must not, however, in responding to the urgency of this problem at the Federal level, ignore the necessity for what the President, in his veto message, has called the "orderly development of America's water resources within the Nation's fiscal ability." The key phrase is: "within the Nation's fiscal ability."

Now, of course, as our population grows so will the receipts by the Federal Treasury, and so will such other generally accepted yardsticks of national capabilities as, for instance, the gross national product. Obviously, we can hope to do more in another decade than we could in the next several years.

Who, then, is going to judge the size of the effort America can make now in this field—the President, or the Congress? Some news sources are referring to the vetoed bill as a "pork barrel" bill. This is inaccurate. Traditionally, perhaps, public works bills—authorizations and appropriations—have been "pork barrel" measures, in the sense that there would be included therein projects which were either economically unjustified or engineeringly unsound. I do not understand that to be the case here.

Nevertheless, it can be assumed that, as in any congressional measure of this sort, political considerations, personal influence, geographical "logrolling" and the like, all played a part in the fashioning of the vetoed omnibus bill. Particularly, this assumption would seem to apply to the so-called new starts. I do not say this critically, and I hope it can be regarded as an objective statement of what we should all be willing to recognize as a legislative failing.

We in Congress are normally apt to look at this sort of subject through glasses that are tinted and somewhat distorted, without our even realizing it, by our awareness of the needs of our particular districts. On the other hand, the President who, with the Vice President, is the only Federal official elected by all the people, can and must make his determinations here on the basis of what he sees through the national glasses. President Eisenhower above all others, since he is not eligible for reelection, can safely be considered free of all political bias in deciding, as he has done, that the budget-approved projects included in the vetoed bill—which total an all-time high of $1.1 billion, which is three-quarters again as much as the Federal expenditure level along these lines in 1955—is all that America can work on now without going beyond her fiscal ability. He warns, in addition, that just to carry on the projects now under way will ultimately cost $6 billion, and that to attempt now to commence work on other projects may weaken our financial structure and add to the tremendous debt burden our children already carry.

I recognize that the President may be wrong. This is an economic decision. Not even all economists are in agreement as to our national future and capabilities, but, rather than to add to the $1,564 share of the national debt which each of my two small sons now bear, in this instance I cast my lot on the side of the President.

I do so with full awareness of the fact that, if the veto is sustained, I may be helping to cause a delay in the funding of the $1.7 million needed to complete the Endicott-Vestal, N.Y., floodwall project now going on in my district, and the funding of the $40,000 floodwall planning work for Nichols, N.Y., also in my district. But I believe the people of my district will approve the acceptance of such a risk in the national interest.

Finally, if the veto is sustained, as I hope it will be, I am confident that the Congress can and will immediately pass another appropriation bill so that work in progress on the budgeted items around the country can proceed without jeopardy. The Congress should not adjourn until it has so acted.

It should also be pointed out that this situation dramatizes to the fullest extent the need for a constitutional amendment giving the President the power of "item veto" as has been recommended by Presidents of both political parties since Ulysses S. Grant. Early this year I introduced House Joint Resolution 282 which would have that effect, and I deplore the fact that the majority party has not seen fit to permit consideration of this measure.

Mr. BURDICK. Mr. Speaker, it seems incredible that just one vote put a roadblock in front of water resource development today.

The public works bill embraced programs to improve and increase domestic and municipal water supply, provide for pollution abatement, insure water for industrial uses and provide for irrigation and reclamation.

As a result of sustaining the veto of that bill, new starts in areas where development has been long overdue will not be undertaken and some existing projects may be endangered.

The citizens of North Dakota are vitally interested in water development. All segments of the State are united solidly behind a plan to divert water from the Missouri River, insure the water supply for many of the towns and cities in the area, and provide for irrigation in areas where rainfall is not dependable. This plan is known as the Garrison diversion unit—a brochure of this proposed project has been mailed to every Member of Congress.

While the people of my State support the Garrison diversion unit, they also are interested in water development throughout the country. Many groups in North Dakota have been formed to advance and encourage water resource development. These people cooperate with groups in other States to discuss their problems and share ideas in this important field.

The North Dakota American Legion, the North Dakota Bankers Association, the North Dakota Farmers Union, the North Dakota Farm Bureau, the North Dakota Water Users Association, the Garrison Diversion Conservancy District, and many others have taken a genuine interest in water resource development.

Prior to the vote on the public works veto today, I received requests that I vote to override the veto from public-spirited citizens in all walks of life. Telegrams were received from the following: L. C. Mueller, Oakes, N. Dak., president of the North Dakota Water Users Association; Oscar N. Berg, Minot,

N. Dak., executive secretary of the North Dakota Water Users Association; H. W. Lyons, Jamestown, N. Dak., businessman; W. M. Harrington, Minot, N. Dak., mayor; A. R. Weinhandl, Minot, N. Dak., banker; Henry J. Steinberger, Donnybrook, N. Dak., farmer; and A. J. Christopher, Pembina, N. Dak., director of North Dakota Water Users Association.

I was also advised by Mr. Herschel Lashkowitz, mayor of the city of Fargo, N. Dak., that the Fargo city commission had adopted a resolution requesting the Congress to override the veto.

Additional requests to override came from the following Rural Electric Cooperative Associations: Nodak Rural Electric Cooperative, Inc.; Burke-Divide Electric Cooperative; Williams Electric Cooperative, Inc.; Mor Gran Sou Electric Cooperative, Inc.; Sheyenne Valley Electric Cooperative; Mountrail Electric Cooperative, Inc.

Mr. Speaker, despite the stunning defeat administered today to water development throughout the Nation, I believe the people of North Dakota stand squarely behind these programs both in their State and in other States.

Mr. KARTH. Mr. Speaker, yesterday I voted to override the President's veto of the public works appropriation bill for 1960—H.R. 7509—because I was truly appalled at the flippancy with which the President disposed of this major appropriation bill. Because the Congress in its judgment dared to differ by about 2½ percent from the Bureau of the Budget's dictate on projects which help the development of the Nation's water resources, the President was persuaded for the 144th time to disapprove a bill passed by both Houses.

Mr. Speaker, I am disappointed and saddened that this House did not reaffirm its passage of H.R. 7509 by overriding the President's ill-advised veto and asserting the power and the prestige of the National Legislature as an equal and coordinate branch of our Federal Government. I am alarmed that Congress by its failure to stand up to the Executive is more and more relegating itself into a subordinate position.

The President has flouted the judgment of sound, conservative members of the Public Works Appropriation Subcommittees in the House and the Senate who, after mature consideration decided that 67 additional projects totaling about $51.5 million are needed in the Nation's overall water resources program.

To provide for these new works the President's budget requests were trimmed over $20 million and an extra $30 million was added. I agree with the judgment of my able and distinguished colleagues, our venerable CLARENCE CANNON, of LOUIS C. RABAUT, MICHAEL KIRWAN, and BEN JENSEN, just to name a few members of the House Subcommittee on Public Works Appropriations that as a dynamic, growing country we cannot afford to stand dead still while our water resources deteriorate or are dissipated.

Frankly, Mr. Speaker, I am worried what the future of St. Paul and South St. Paul, Minn., holds in view of the successful but ruthless and shortsighted administration policy of no new construction starts. This year money is budgeted for the advance planning of a badly needed flood control project of the Mississippi River which runs through St. Paul and South St. Paul. If flood control improvements had been in existence 10 years ago, the affected area would have been spared flood damage of $2,788,000 in 1951 and $4,650,000 in 1952—the sum of which exceeds even the present estimated cost of the project. Some of the important commercial developments involved in this 5,400-acre area include steel fabrication, paint, fertilizer, meat processing, and box manufacturing plants; petroleum, coal, and grain storage facilities; river terminals, steam generating plants; railroad repair shops; stockyards; and an airfield. In addition there are sewage treatment plants for the Twin City area, main lines of nine major railway systems and a complex of Federal and State highways.

But important as this area has been to the commercial and industrial life of the Gateway to the Northwest, its greatest development awaits the flood control improvements which will make it possible to begin a vast and exciting urban renewal program to stimulate the economic growth of our district. I, for one, therefore resent any implication that such a project is useless, or "pork barrel."

Before the planning stage is completed, the people affected by the St. Paul-South St. Paul flood control project will expect the administration to abandon altogether the policy of economic mummification that has too long dangerously hampered the development of the Nation's resources, human and natural, when we alone stand as a bulwark for the free world.

Mr. HARGIS. Mr. Speaker, the only proposed new start on a water resources project in southeast Kansas—a $400,000 allocation for Elk City Dam on the Elk River—got the ax when the public works appropriations bill went to conference. So it cannot be said that I had any ax of my own to grind when I cast what turned out to be a futile vote yesterday in favor of overriding the President's shortsighted, dictatorial, and totally unjustified veto of this bill.

I am unable to muster much sorrow for the few backsliding Democrats who failed to rally to this noblest of causes. But my heart goes out, in deep and sincere sympathy, to the poor Republican Members who fought long and hard to get badly needed water projects in their own districts into this year's bill—and then were compelled, by party pressure and the implacable Eisenhower will, to smash their own handiwork and betray the people they represent.

If this can be construed as another victory for the administration, it is a hollow victory indeed—and a victory won at the expense of legitimate progress in a vital area of the national welfare.

I have always believed that Congressmen who came from areas of water shortage or flooding were the best judges of the needs of that area, and when any such Congressman proved his case to the Public Works Committee, and who had the Engineers' survey accepting his request and showing its need, and the Public Works Committee then refers the project as essential to the Appropriations Committee, and the Appropriations Committee then approves such appropriations; this I had always thought was good evidence that our country's needs were proven. But it seems that one who has probably never seen the area, and knows nothing of the hardship and needs of the people, must be the final judge. The President stopped this progress merely because he says eventual total cost of 67 projects would have been $800 million over an indeterminate period of years, and yet in the next breath he will ask many times this sum for other countries, each year.

It was also my personal conviction that assuring a continuing program of improved domestic water resources was far more important than pouring unlimited funds into our lavish, wasteful, hopelessly mismanaged foreign aid program. This idea of mine remains unchanged, and is shared by a good many of my constituents. I eagerly await the day when it takes hold on so widespread a scale that something will have to be done about it—and I do not believe that day is far off.

Meanwhile, we are faced, presumably, with the necessity of accepting a veto-proof, progress-proof, and extensively watered-down water resources program for fiscal 1960.

There are a great many people in this country who have endured, as have my fellow citizens in southeast Kansas, water shortages that can only be met by Federal reservoir construction, and sudden water surpluses in the form of devestating floods that can only be stopped by federally constructed reservoirs—either too much or too little, but never any equitable balance.

These people are fed to the teeth with delays. The Republican-controlled press is finding it increasingly difficult to sell them on the idea that Ike and the Budget Bureau can do no wrong—and that an idle, undeveloped damsite—authorized for construction that may even get started within their lifetime, if they live to ripe old ages—is a damsite better than no damsite at all. But the papers keep plugging away, and I am sure their tone and attitude will undergo no radical change. Fortunately, their readers are bright enough to see through the thick fog of propaganda—and fed up enough to do something about it, comes next November.

Anyway, the chambers of commerce who flood congressional offices with pleas that the administration's big economy drive be supported at all costs, are now getting their wish. These are the same organizations, of course, who annually send delegations to Washington to plead for an immediate start on water projects affecting the future of their area. I am anxious to see how they reconcile one plea with the other, on the basis of this latest veto..

I can only hope that in the event the other Kansas new starts, on Council Grove and Wilson Reservoirs, get bypassed this year—which seems highly likely at the moment—I will not receive

the usual batch of indignant letters, telegrams, and telephone calls asking, "Where were you when all this was going on?"

My answer will be that I was right there on the House floor, doing my best to see that this country gets the water projects it so desperately needs—budgeted or not.

COMMITTEE ON RULES

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

DISTRICT DAY

The SPEAKER. This is District Day. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN].

INDECENT PUBLICATIONS AND GAMBLING IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 6123) to amend the law relating to indecent publications and gambling in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 872 of the Act entitled "An Act to establish a code of law for the District of Columbia" approved March 3, 1901 (D.C. Code, sec. 22–2001), is amended (1) by inserting "(a)" immediately before "Whoever", and (2) by adding at the end thereof the following new subsections:

"(b) Whoever, in the District of Columbia, shall engage in the business of editing, publishing or disseminating any newspaper, pamphlet, magazine, or any printed paper devoted mainly to the publication of scandals, whoring, lechery, assignations, intrigues between men and women, and immoral conduct of persons, or shall knowingly have in his possession for sale or shall keep for sale or distribute or in any way assist in the sale, or shall give away such newspaper, pamphlet, magazine, or printed matter, or whoever shall engage in the showing and exhibition of lewd and lascivious motion pictures, or of lewd and lascivious pictures, or of indecent objects or pictures, or indecent, lewd, or lascivious recordings of any type, shall be fined not more than $500, or imprisoned not more than one year, or both.

"(c) All moneys, vehicles, furnishings, fixtures, equipment, stock (including without limitation, furniture and fixtures, adaptable to other uses, and equipment and stock for printing, filming, exhibiting, recording, transporting, safekeeping or communication) or other things of value used or to be used in violating subsection (a) or (b) hereof shall be subject to seizure by any officer or member of the Metropolitan Police force or the United States Park Police, or the United States marshal, or any deputy marshal for the District of Columbia and shall, upon seizure, be proceeded against by libel action brought in the municipal court for the District of Columbia in the name of the District of Columbia by the Corporation Counsel or any of his assistants and shall, unless good cause be shown to the contrary, be forfeited to the District of Columbia and shall be made available for the use of any agency of the Government of the District of Columbia or otherwise disposed of as the Commissioners of the District of Columbia may, by order or regulation, provide, except that all such property of a lewd, obscene, lascivious or indecent nature shall, upon order of the court, be destroyed, and any lien thereon shall be deemed not to be a bona fide lien: *Provided,* That if there be bona fide liens against any other property so forfeited then such property shall be disposed of by public auction. Bona fide liens against the property so forfeited shall, on good cause shown by the lienor, be transferred from the property to the proceeds of the sale of the property. The proceeds of the sale of such property shall be available for the payment of such liens and for all expenses incident to such sale, and the remainder of the proceeds shall be deposited in the Treasury of the United States to the credit of the District of Columbia.

"(d) Any house, building, vessel, garage, shed, booth, shelter, enclosure, room, lot, or other premises to which the public commonly resort or congregate for business or pleasure, where publications, pictures, films, recordings, and other things and devices forbidden by this section are kept, possessed, sold, exhibited, manufactured, bartered, or given away, or to which persons resort for the purpose of observing same, is hereby declared to be a common nuisance and may be enjoined as hereinafter provided. Any person who knowingly maintains or assists in maintaining such a place is guilty of maintaining a nuisance.

"(e) Evidence that any of said prohibited acts are frequently committed in any of such places shall be prima facie proof that the proprietor or person having custody or control knowingly permitted the same, and evidence that persons have been convicted of committing any said act in any of such places is admissible to show knowledge on the part of the defendants that this section is being violated in the house or premises. The original papers and judgments, or certified copies thereof in such cases of conviction may be used in evidence in the suit for injunction, and oral evidence is admissible to show that the offense for which said parties were convicted was committed in said house or premises. Evidence of general reputation of said houses or premises shall also be admissible to prove the existence of said nuisance.

"(f) An action to enjoin any nuisance defined in this section may be brought in the name of the District of Columbia by the Corporation Counsel of the District of Columbia or any of his assistants in the municipal court for the District of Columbia against any person conducting or maintaining such nuisance or knowingly permitting such nuisance to be conducted or maintained. The rules of the municipal court for the District of Columbia relating to the granting of an injunction or restraining order shall be applicable with respect to actions brought under this subsection, except that the District as complaining party shall not be required to furnish bond or security. It shall not be necessary for the court to find the building, ground, premises, or place was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the complaint are true, the court shall enter an order restraining the defendant from keeping, possessing, selling, exhibiting, manufacturing, bartering, or giving away publications, pictures, films, recordings, or other things and devices forbidden by this section. When an injunction, either temporary or permanent, has been granted, it shall be binding on the defendant throughout the District of Columbia. Upon final judgment of the court order ordering such nuisance to be abated, the court may order that the defendant, or anyone claiming under him, shall not occupy or use, for a period of one year thereafter, the building, ground, premises, or place upon which the nuisance existed, but the court may, in its discretion, permit the defendant to occupy or use the said building, ground, premises, or place, if the defendant shall give bond with sufficient security to be approved by the court, in the penal and liquidated sum of not less than $1,000 nor more than $5,000, payable to the District of Columbia, and conditioned that the acts prohibited by this section shall not be done or permitted to be done in or upon the buildings, grounds, premises, or place. On violation of such bond the whole sum may be recovered as a penalty in the name of and for the District of Columbia and shall be deposited in the Treasury of the United States to the credit of the District of Columbia.

"(g) In the case of the violation of any injunction, temporary or permanent, rendered pursuant to the provisions of this section, proceedings for punishment for contempt may be commenced by the Corporation Counsel, or any of his assistants, by filing with the court in the same case in which the injunction was issued a petition under oath setting out the alleged offense constituting the violation and serving a copy of said petition upon the defendant requiring him to appear and answer the same within ten days from the service thereof. The trial shall be promptly held and may be upon affidavits or either party may demand the production and oral examination of the witnesses. Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not more than $1,000, or by imprisonment for not more than twelve months, or by both such fine and imprisonment."

SEC. 2. Subsection (c) of section 866 of the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 22–1505, 1951 edition), is amended to read as follows:

"(c) All moneys, vehicles, furnishings, fixtures, equipment, stock (including, without limitation, furnishings and fixtures adaptable to nongambling uses, and equipment and stock for printing, recording, computing, transporting, safekeeping, or communication), or other things of value used or to be used—

"(1) in carrying on or conducting any lottery, or the game or device commonly known as a policy lottery or policy, contrary to the provisions of section 863 of this Act;

"(2) in setting up or keeping any gaming table, bank, or device contrary to the provisions of section 865 of this Act; or

"(3) in maintaining any gambling premises,

shall be subject to seizure by any member of the Metropolitan Police force, or the United States Park Police, or the United States marshal, or any deputy marshal, for the District of Columbia, and any property seized shall be proceeded against in the Municipal Court for the District of Columbia by libel action brought in the name of the District of Columbia by the Corporation Counsel or any of his assistants, and shall, unless good cause be shown to the contrary, be forfeited to the District of Columbia and shall be made available for the use of any agency of the government of the District of Columbia, or otherwise disposed of as the Commissioners of

the District of Columbia may, by order or by regulation provide: *Provided*, That if there be bona fide liens against the property so forfeited, then such property shall be disposed of by public auction. Bona fide liens against property so forfeited shall, on good cause shown by the lienor, be transferred from the property to the proceeds of the sale of the property. Forfeit moneys and other proceeds realized from the enforcement of this section shall be deposited in the Treasury of the United States to the credit of the District of Columbia."

SEC. 3. This Act shall not be considered as affecting the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), and the performance of any function vested by said plan in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners shall continue to be subject to delegation by said Board of Commissioners in accordance with section 3 of such plan. Any function vested by this Act in any agency established pursuant to such plan shall be deemed to be vested in said Board of Commissioners and shall be subject to delegation in accordance with said plan.

With the following committee amendment:

On page 2, line 1, strike the word "intriques" and insert in lieu thereof "intrigues".

The committee amendment was agreed to.

Mr. McMILLAN. Mr. Speaker, the purpose of the first section of this bill is to authorize the forfeiture of property which is used or which is to be used in connection with a violation of law relating to indecent publications (31 Stat. 1332; sec. 22–2201, D.C. Code, 1951 ed.). This section also provides that any "house, building, vessel, garage, shed, or other premises to which the public commonly resort or congregate for business or pleasure" which is used for the purposes of violating the law relating to indecent publications is declared to be a common nuisance and its use may be enjoined. In the case of a violation of any such injunction, proceedings for punishment for contempt may be commenced by the Corporation Counsel by filing a petition with the court in the same case in which the injunction was issued. Any person found guilty shall be punished by a fine of not more than $1,000, or by imprisonment for not more than 12 months, or both.

Section 2 authorizes the Corporation Counsel or any of his assistants to bring libel action against property seized under the gambling laws of the District of Columbia—section 866 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 2, 1901, as amended; section 22–1505, District of Columbia Code, 1951 edition. This amendment is necessitated by the fact that there are two libel cases now pending in the U.S. district court in which the Corporation Counsel sought to proceed in the name of the District of Columbia against certain property seized under the Gambling Act. The court ruled that the statute as now written does not permit the Corporation Counsel to file such a suit, even though under existing law the property is required to be forfeited to the District of Columbia. These two cases have been held by the court "pending further appropriate action."

Section 3 of this bill assures that the intent of Reorganization Plan No. 5 of 1952 will be made applicable to the proposed amendment of existing law.

The U.S. attorney for the District of Columbia concurs in the suggested amendments.

This legislation also has the approval of the Board of Commissioners of the District of Columbia.

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.

ASSOCIATION FOR CHILDHOOD EDUCATION INTERNATIONAL IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 685) to exempt from all taxation certain property of the Association for Childhood Education International in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. AVERY. Mr. Speaker, reserving the right to object, this bill was on the Private Calendar yesterday and by mutual agreement between the gentleman from South Carolina and myself, I asked that it be passed over and be brought up today. I reserve the right to object merely to propound a question of the gentleman from South Carolina in reference to this organization, the Association for Childhood Education International in the District of Columbia. Is that a long-established organization here in the District of Columbia, or is it one that has sort of come in relatively lately?

Mr. McMILLAN. It has been here over 70 years.

Mr. AVERY. The gentleman feels it rightfully falls into this category of tax-exempt institutions?

Mr. McMILLAN. Yes. The facts have been investigated thoroughly for some years, and it has been found that it really deserves to be exempted.

Mr. AVERY. I thank the gentleman from South Carolina for this information on the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the real property situated in square 1908 in the city of Washington, District of Columbia, described as lots 11, 801, 806, and 807, owned by the Association for Childhood Education International, a District of Columbia corporation, and all personal property located thereon, is hereby exempt from all taxation so long as the same is owned, occupied, and used by the Association for Childhood Education International for its educational and other corporate purposes and is not used for commercial or income producing purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1089; D.C. Code, secs. 47–801b, 47–801c, and 47–801d).

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to exempt from taxation lots 11, 801, 806, and 807, situated in square 1908 in the city of Washington, D.C., owned by the Association for Childhood Education International, a District of Columbia corporation, and all personal property located thereon, so long as the same is owned, occupied, and used by the aforementioned association for its educational and other corporate purposes and is not used for commercial or income-producing purposes, subject to the provisions of sections 2, 3, and 5 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1089; D.C. Code, secs. 47–801b, 47–801c, and 47–801e).

The purposes and objectives of the association, as set forth in its certificate of incorporation, are as follows: To work for the education and well-being of children; to promote desirable conditions, programs, and practices in the schools—nursery through elementary; to raise the standards of preparation and to encourage continued professional growth of teachers and leaders in this field; to bring into active cooperation all groups concerned with children in the school, the home, and the community; to inform the public of the needs of children and how the school program must be adjusted to fit these needs; to achieve this purpose, Association for Childhood Education International shall be guided by a dynamic philosophy of education which is flexible and responsive to human needs in a changing society.

The association is a District of Columbia charitable nonprofit educational corporation and is supported by dues from its members and income from the sale of its publications. The present assessed value of the land and improvements thereon is $24,262, and at the current tax rate of $2.30 per hundred, the tax loss to the District of Columbia would be $558.02 annually.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACTIONS IN THE DISTRICT OF COLUMBIA ON BEHALF OF MINORS

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 2035) authorizing persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and requiring persons receiving money or property in settlement of such actions or in satisfaction of a judgment in any such action to be appointed as guardian of the estate of such minor, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901 (31 Stat. 1189, ch. 854), as amended, is amended by inserting immediately after section 153 the following new section:

"SEC. 153A. (1) Any person entitled to maintain or defend an action in behalf of a minor child, including actions relating to real estate, shall be competent to settle or compromise any action so brought and, upon settlement or compromise thereof or upon satisfaction of any judgment obtained therein, shall be competent to give a full acquittance and release of all liability in connection with such action, but no such settlement or compromise shall be valid unless the same shall be approved by a judge of the court in which such action is pending.

"(2) Before any person shall receive any money or other property on behalf of a minor in settlement or compromise of any action brought on behalf of or against such minor or in satisfaction of any judgment in any such action, where (after deduction of fees, costs and all other expenses incident to the matter) the net value of said money and property due the minor exceeds $3,000, such person shall be duly appointed by a court of competent jurisdiction as guardian of the estate of such minor to receive such money or property, and shall have qualified as such."

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to authorize persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and to require persons receiving money or property in settlement of such actions or in satisfaction of a judgment in any such action to be appointed as guardian of the estate of such minor.

It was brought to the attention of the committee at a hearing that minors are frequently involved in lawsuits with respect to which compromises or settlements are effected. However, there is no provision of law which requires court approval of any such compromise or settlement as a means of insuring that it is in the best interests of the minor. Neither is there any provision of law which authorizes persons representing minors in the settlement or compromise of a lawsuit to give a complete release to the other party litigant in such action, when there is final disposition of the case.

Paragraph No. (1) of the proposed section 153A to be inserted in the act of March 3, 1901, as amended—31 Stat. 1189—authorizes persons representing minors in the maintenance or defense of actions to settle or compromise any such action and to give a complete release in connection therewith. The subsection further provides that no such settlement or compromise shall be valid unless approved by a judge of the court in which such action is pending.

It is also possible under existing law that when a minor involved in a lawsuit is to receive money or property in settlement or compromise thereof, the money or other property is received for him by persons not accountable to the court for the safekeeping of the same. There is no provision of law which requires a court-appointed guardian to receive and account for such money or other property. The appointment of a guardian is permissive with the court. The committee was informed that it sometimes happens that money or other property paid to a person on behalf of a minor has been dissipated, rather than used for the benefit of the minor.

Paragraph No. (2) of the proposed section 153A, would require the appointment and qualification of a guardian to receive any or all money or other property paid a minor in settlement or compromise of any action brought on behalf of or against such minor or in satisfaction of any judgment in any such action, where the net value of such money or other property is in excess of $3,000. This language will correct a situation which might be to the possible detriment of a minor.

This bill has the approval of the Bar Association of the District of Columbia, the Board of Commissioners of the District of Columbia, and the Register of Wills of the U.S. District Court, whose office has general supervision over the estates of fiduciaries including guardians.

The enactment of this bill would not involve any expense to the Government of the District of Columbia.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUDICATION OF PROPERTY RIGHTS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 1372) to extend the jurisdiction of the Domestic Relations Branch in the Municipal Court for the District of Columbia to cover the adjudication of property rights in certain actions arising in the District of Columbia, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105 of the Act entitled "An Act to establish a Domestic Relations Branch in the Municipal Court for the District of Columbia, and for other purposes", approved April 11, 1956 (70 Stat. 111), is amended by inserting immediately after "actions for annulments of marriage;" the following: "determinations and adjudications of property rights, both real and personal, in any action hereinabove referred to in this section, irrespective of any jurisdictional limitation imposed on the Municipal Court for the District of Columbia;".

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to clarify and define the authority of the domestic relations branch in the municipal court to adjudicate the interests of husband and wife in personal and real property in the District of Columbia, in all actions coming before the domestic relations branch, other than proceedings in adoption.

The jurisdiction of this branch is set forth in section 105 of the act entitled "An act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes," approved April 11, 1956, as follows:

Jurisdiction of domestic relations branch: The domestic relations branch and each judge sitting therein shall have exclusive jurisdiction over all actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental to such actions for alimony, pendente lite and permanent, and for support and custody of minor children; applications for revocation of divorce from bed and board; civil actions to enforce support of minor children; civil actions to enforce support of wife; actions seeking custody of minor children; actions to declare marriages void; actions to declare marriages valid; actions for annulments of marriage; and proceedings in adoption.

Since some members of the court have expressed concern as to whether the domestic relations branch in the municipal court has jurisdiction in these matters relating to the adjudication of property rights, your committee feels that it is desirable to resolve this doubt by specifically conferring jurisdiction upon the court.

This legislation has the approval of the Board of Commissioners, District of Columbia.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE MINERAL LEASING ACT

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, as amended.

The clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 448), as amended (30 U.S.C., sec. 184), is further amended by the insertion, immediately after the sixteenth sentence, of the following: "The right of cancellation or forfeiture for violation of the provisions of this Act shall not apply so as to affect adversely the title or interest of a bona fide purchaser in any lease, option for a lease, or interest in a lease acquired in conformity with the acreage limitations of this Act from any other person, association or corporation whose holdings, or the holdings of a predecessor in title, including the original lessee of the United States, may have been canceled or forfeited, or may be subject to cancellation or forfeiture for any such violation. Any person, association or corporation who is a party to any proceedings with respect to a violation of any provision of this Act, shall have the right to be dismissed as such a party upon showing that the person, association or corporation acquired the interest involving him as such a bona fide purchaser without violating any provisions of this Act. If during any such proceedings with respect to a violation of any provisions of this Act, a party to those proceedings files with the Secretary of the Interior a waiver of his rights under the lease to drill or to assign his interests thereunder or if such rights are suspended by order of the Secretary pending a decision in such proceedings, he shall, if he is found in such

proceedings not in violation of such provisions, have the right to have his interest extended for a period of time equal to the period between the filing of the waiver or the order of suspension by the Secretary and the final decision, without the payment of rental."

SEC. 2. The right granted by the second sentence of the amendment contained within section 1 of this Act shall apply with respect to any proceeding initiated either prior to or after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. I demand a second, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, S. 2181 is a noncontroversial bill, involving no additional cost to the Government. In fact, some savings should result.

The measure is urgently needed for the relief of a substantial number of bona fide purchasers of interests in Federal oil and gas leases involved in pending administrative proceedings.

The measure accomplishes this purpose by adding three provisions to the Mineral Leasing Act.

The first provision is that the right of the Department of the Interior to cancel leases, interests in leases, and options on account of a violation of any provision of the act shall not be exercised in such a way as to affect adversely the interest of any bona fide purchaser who is not himself in violation of the act.

The second provision is that bona fide purchasers shall have a right to be dismissed from pending or future proceedings which are based only upon a violation by a predecessor in interest.

The third provision is that leases of innocent parties shall be extended where drilling or lease assignment rights of the party are or have been administratively suspended by the Secretary of the Interior before a decision is reached in a pending or future proceeding, or where such rights are voluntarily waived by the party during the proceeding. The length of the extended period would correspond with the period that elapsed while drilling or assignment rights were suspended during the proceeding.

The need for this legislation arose out of three contest actions initiated this year by the Bureau of Land Management. These actions, if decided favorably to the Government, would cancel a total of 491 oil and gas leases embracing more than 284,000 acres in Wyoming and Montana. Some 254 individuals or firms are involved.

Orders have already been issued under the authority of the Secretary of the Interior administratively suspending drilling and assignment rights under the leases involved in the three pending contests. Under the bill, rental payments will be required on these leases during the pendency of the contests. If the contestees holding the leases are innocent, their leases would be eligible for the extended period as provided in the bill, and during the extended period no rental payments would be required. Royalty obligations, of course, would accrue at all times.

The contests have caused uncertainty on the part of the oil and gas industry. Counsel for major companies and independent operators have testified that there is hesitancy to make the necessary investments for development because of the danger that in the chain of title of a lease one of its prior holders may have been in violation of the act and that the lease might be subject to cancellation for this reason.

Development activity has been curtailed. Revenues to the States and to the reclamation fund are threatened with harm if the situation continues.

Mr. Speaker, S. 2181, as reported, consists of a Department of the Interior draft with clarifying amendments. The measure will reactivate development of the oil and gas resources of the public lands and will protect the equities of innocent operators and investors.

Mr. Speaker, the committee amendments to S. 2181 are clarifying in nature. It should be clearly understood that the amendments do not change the purpose or effect of the bill as it passed the other body.

The committee amendment on page 2, lines 2 and 3, makes it clear that the term "predecessor in title" includes the original lessee.

The amendments on page 2, lines 4–5, 14–15, and 21 merely strikes out unnecessary language.

The amendments on page 2, lines 8–9, and on page 3, separate a transitory provision from provisions having permanent effect. These particular amendments are not intended to have and do not have effect on the substance of the bill, and it is especially to be understood that the sentence on page 2, lines 12–25, will apply to the contest proceedings now pending in the Bureau of Land Management.

Mr. Speaker, the committee amendments which have been suggested by the committee handling the bill are clarifying amendments.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that the objections of the Department to this bill have been met by way of amendment?

Mr. ASPINALL. The gentleman is correct. This is only a small part of the original bill. This is to take care of this one matter that needs to be taken care of at the present time and we will come back with other legislation.

Mr. GROSS. But the objections as set out in the report have been substantially met?

Mr. ASPINALL. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, the legislation under consideration is the minimum required to meet an emergency situation which threatens to retard, or even stop, the production of oil and gas on the public lands, to the great detriment of the Nation, the States and local communities, and particularly to those thousands of people who depend upon this activity for their jobs and livelihood.

I sincerely thank all of those who have recognized this situation and have made possible the consideration of this legislation under suspension of the rules. For another reason, consideration under suspension of the rules is the appropriate method to follow. I am convinced that if every Member understands this legislation, it will meet with unanimous approval.

Congress can take justifiable pride in the way that the Mineral Leasing Act of February 25, 1920, has operated to accomplish its purpose. The stated purpose of the act is "an act to promote the development of coal, phosphate, oil, oil shale, gas, and sodium on the public domain." Under the act, this has been accomplished to a remarkable extent, to the benefit of the Nation's economy and security. It has produced millions of dollars in Federal and State revenues. In a much simplified form, the way the act operates as far as oil and gas is concerned is this:

A person interested in the testing and development of certain public lands, which are not within a known producing area, files an application for a lease in the office of the Bureau of Land Management within the district in which the lands are located, at the same time tendering the payment of the required rentals. The application is examined, and if the Bureau of Land Management determines that the person is qualified, a lease is issued, signed by the proper officer for the Government and by the lessee. The lease may be assigned from time to time. Each assignment must be approved by the Government.

There is a limitation provided in the law as to the number of acres which any one person, association or corporation may have under lease in any one State. This is 46,080 acres. An additional 200,000 acres may be held by option in the State. In his application, the applicant must state that he is within the limitations, and in approving it, it must appear to the Secretary of the Interior that he is in compliance. It is with respect to this feature that the problem arises.

Let me say here and now, and once and for all, that the parties who are in violation would be wrongdoers, and no one has suggested that they should be given any consideration, and there is nothing in this legislation which would in any way operate in favor of the violator or wrongdoer. However, the Department of the Interior has recently, in three proceedings, two of which were initiated in Wyoming and one in Montana, undertaken by administrative action to cancel oil and gas leases, without regard for the fact that these leases have been assigned to an innocent purchaser for value or a bona fide purchaser, who has never been in violation of the acreage limitations or a party to a violation in any manner, and is in all other respects qualified to hold the lease. This is done on the theory that someone in the chain of title held more acreage than that allowed by

law. I understand that other such actions are being considered.

I am sure that you can readily see how unfair the results of this action would be, and the effect of it on the business activity. Unless this legislation is enacted, the language of the Act and the actions of the Department under the Act may operate in direct opposition to the stated purpose, until it becomes an Act to stop the production of oil and gas on the public domain.

To accomplish the consistently expressed objective of Congress of providing for development of this natural resource requires the expenditures of substantial sums of money for exploration, drilling and development. No one can be expected to expend these funds unless they are protected from confiscation through no fault or wrongdoing of their own.

You would not think of building your house on a lot that might eventually, through no fault of your own, revert back to the Government. As a practical matter, just as when you are ready to build on your lot or when you acquire the lot, you seek a title opinion of a lawyer, before a lease is acquired or developed, a title opinion is required. With the position taken by the Department, there is no way of determining whether or not the title is good, so as to justify the expenditure of funds for purchase or development.

Frank M. Gallivan, an attorney at law in Cheyenne, Wyo., whose practice has been confined almost solely to oil and gas title problems, and principally as concerns Federal oil and gas leases, and who is a recognized authority in this field, testified before the House Interior Committee as follows:

> In most instances, the parties named as defendants in the alleged frauds were either predecessors in title, who had been original lessees, and had in years past retained an overriding royalty, or they were subsequent innocent purchasers for value.
>
> At the time of most of the purchases, there was no recorded evidence that the principal contestees involved in the contests had or claimed an interest in the leases, nor did any other available Government records reveal that any of the parties involved in the leasehold titles might have been in violation of the law.

The devastating effect of the filing of these cases does not come about from the lands involved in the cases themselves. It is the effect that the theory advanced has had upon other transactions which are essential to continued oil and gas activity on the public domain. As a result of the filing of these actions, in some cases of which I am advised, transfer of leases and actual development programs have already been stopped because the examining attorney has indicated that he would have to make an exception to the title and state that in his opinion, it was a good title only if in fact each and every person, association or corporation in the chain of title was within the acreage limitation.

There is no way of determining this. It has become almost universal practice among lawyers to make such exceptions. Banks and other lenders are naturally more cautious than purchasers. The effect on financing, which is so essential to oil and gas expansion, will be disastrous. It will affect a major portion of the 135,000 leases covering over 111 million acres of public lands. Something must be done in this session of Congress, before the next drilling season begins, if this is to be avoided.

I personally believe that the Secretary does not have the authority under the present act to cancel or forfeit a lease under these circumstances by administrative proceedings. I further believe that a court would refuse to cancel the lease, or at least the interest in the lease of an innocent person, but it would take years to finally litigate these questions. In at least one instance, an action has been commenced by one of the parties to enjoin the Secretary from proceeding to cancel by administrative action. Even if an injunction is issued, though, as I think it will be, the Department could then proceed to bring an action in court to cancel the lease, and it would be necessary to fully litigate that question. In the meantime, no one can purchase by assignment any Federal oil and gas lease.

The impact upon the economy of the area involved, the loss of employment, the loss to the Nation as a whole, and the disruption of the development of the public lands and the country's natural resources, contrary to the policy of the Congress, would be more than just significant. I think that Wyoming is a fairly typical public land State. Over 70 percent of the minerals are in the control of the Federal Government directly. This affects a much greater acreage. Development often requires a large block of acreage. Development even on the private lands within that block would be stopped if this cloud remains on the title to the Federal lands. The same would be true in other States.

To correct this situation, S. 2181 was introduced in the other body by the senior Senator from Wyoming, and H.R. 7787, an almost identical bill, was introduced in the House by myself. The gentleman from Alaska [Mr. RIVERS], joined in sponsoring the legislation and introduced H.R. 8036.

These bills would have provided for rather extensive amendments to the Mineral Leasing Act of 1920. With reference to the situation I have described, the principal effects would have been, first, to remove the distinction between acreage held by lease and acreage held by option; second, to protect the innocent purchaser; third, to toll the running of the term of the lease under challenge; and fourth, where a lease was challenged for fraud, to give to the accused his traditional rights in a court of law, and to provide additional penalties if he was found guilty of fraud.

All of these things are essential to the full solution of the problem. Extensive hearings were held. Outstanding witnesses from all phases of the oil and gas industry were heard, as well as the Department. So far as I know, everyone agreed that these things were necessary and proper.

Removal of the distinction between holdings under lease and holdings under option is particularly important, because in various types of transactions, it is impossible to determine whether the acreage should be charged as leased acreage or acreage under option.

I am confident that no Member of Congress wants to put any citizen in this position of acting without being able to determine whether he is doing right or wrong. Unfortunately, some of these remedial actions, however, were, in the minds of some, so inseparably associated with other proposed changes in the act that it became apparent that the questions involved could not be resolved at this stage of the present session of the 86th Congress.

As a result, the bill presented to you for approval contains only protection for the innocent purchaser and provision for extension of the term of his lease for a period of time equal to that for which his rights to drill or assign the lease were suspended while his innocence was being determined.

I would like to emphasize that this will not completely solve the situation. To accomplish this, prompt action should be taken in the next session. At my request, H.R. 7787 and H.R. 8036 have not been reported by the House Interior Committee. My reason for requesting this is that full hearings have been held on these bills, and by retaining them in committee, prompt action will be facilitated.

As a minimum, though, the legislation before you must be passed. The only effect of it is to provide that the cancellation or forfeiture for violation of the provisions of the act shall not affect adversely the title or interest of a bona fide purchaser who acquired his interest in conformity with the acreage limitations of the act and is otherwise qualified; that the innocent purchaser will have the right to have his lease extended without payment of additional rentals for a period of time equal to that which he lost while his innocence was being determined; and to provide that a party in any proceedings now pending or later filed with respect to a violation of any provision of the Mineral Leasing Act shall have the right to be dismissed as such a party upon showing that he acquired the interest as a bona fide purchaser without violating any provisions of the act.

If this is done, activity can go forward for the next drilling season. If not, irreparable harm will be done to the national interest, to the areas involved, and to those who depend upon this activity for their jobs and livelihood.

Full hearings have been held by the House Interior and Insular Committee and before the corresponding committee of the other body. Outstanding citizens from every phase of the industry appeared as witnesses. The Department of Interior has fully considered the legislation. It has reported favorably. Its witnesses were heard. The legislation was reported by the committee unanimously. The facts are established. All have agreed.

I am confident that every Member of this House wants to protect the innocent. That is all this bill would do. I urge its favorable consideration.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, S. 2181, as amended?

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.

LOWER RIO GRANDE REHABILITATION PROJECT, TEXAS, LA FERIA DIVISION

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4279) to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, La Feria division, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388 and Acts amendatory thereof or supplementary thereto, including the last sentence of Section 1 of the Act of October 7, 1949 (63 Stat. 724), but subject to exceptions herein contained) is authorized to undertake the rehabilitation and betterment of the works of the La Feria Water Control and Improvement District, Cameron County numbered 3, Texas, and to operate and maintain the same. Such undertaking which shall be known as the La Feria division of the lower Rio Grande rehabilitation project, shall not be commenced until a repayment contract has been entered into by said district under the Federal reclamation laws, subject to exceptions herein contained, which contract shall provide for payment of the capital cost of the La Feria division over a basic period of not more than thirty-five years, and shall, in addition, in lieu of the excess-land provisions of the Federal reclamation laws, require the payment of interest on that pro rata share of the capital cost, which is attributable to furnishing benefits in each particular year to land held in private ownership by any one owner in excess of one hundred and sixty irrigable acres, said interest to be at a rate determined by the Secretary of the Treasury by estimating the average annual yield to maturity, on the basis of daily closing market bid quotations or prices during the month of May preceding the fiscal year in which the repayment contract is entered into, on all outstanding marketable obligations of the United States having a maturity date of fifteen or more years from the first day of such month of May, and by adjusting such estimated average annual yield to the nearest one-eighth of 1 per centum.

SEC. 2. Title to all lands and works of the division, to the extent an interest has been vested in the United States, shall pass to the La Feria Water Control and Improvement District, Cameron County numbered 3 or its designee or designees upon payment to the United States of all obligations arising under this Act or incurred in connection with this division of the project.

SEC. 3. There is hereby authorized to be appropriated for the work to be undertaken pursuant to the first section of this Act, the sum of $6,000,000 (January 1959 costs), plus such amount, if any, as may be required by reason of changes in costs of work of the types involved as shown by engineering indices.

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. ROGERS of Texas. Mr. Speaker, H.R. 4279 would authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the La Feria division of the lower Rio Grande rehabilitation project, Texas. The plan of rehabilitation is designed to permit more economical operation and maintenance of the irrigation district's irrigation works, provide more efficient water deliveries, reduce distribution system losses, and reduce flooding in some areas.

The legislation authorizes the appropriation of $6 million for the project. Following the usual procedure, the actual appropriation of funds would be made later in the annual Public Works Appropriation Acts.

The La Feria division consists of the existing irrigation and drainage works of the La Feria Water Control and Improvement District, Cameron County, No. 3. The district is 1 of 37 water control and improvement districts in the lower Rio Grande Valley. The diversion and distribution works have been in continuous operation for over 40 years. The district's system is capable of serving 27,000 acres of irrigable land but it is in urgent need of modernization and improvements for efficient and economical operation. About 2 acre-feet of water out of every 3 diverted into the distribution system are lost through seepage or other waste. It is estimated that the rehabilitation of the works will permit the saving of some 15,000 acre-feet of water annually. With the constantly increasing use of Rio Grande water for irrigation, this rehabilitation is necessary to assure the La Feria division of a continued adequate supply of water.

Mr. Speaker, I would like to emphasize two points with respect to the economic aspects of the La Feria project. The cost, estimated at $6 million, will be fully repaid in a period of 35 years, with interest on that very small part which is attributable to furnishing benefits to ownerships in excess of 160 acres. The district has already agreed to these repayment arrangements. The other point I want to emphasize is the fact that the benefits from this development would be about 5 times the costs and, from an economic standpoint, this is one of the best projects our committee has considered.

This project does not bring into production any new land or change the existing crop pattern to any extent. It merely provides for more efficient operation of the works serving the existing lands. Fruits and vegetables, and some cotton, are the principle crops grown in the La Feria district. The average size farm is approximately 80 acres and out of 1,868 farms, only 11 exceed 160 acres and the largest single farm is 361 acres.

The Department of the Interior has submitted a project feasibility report to the Congress and a report on this legislation to the committee, both of which recommend the authorization and construction of the La Feria division. Both reports have been reviewed and cleared by the Bureau of the Budget. Although there is some local opposition to the rehabilitation work because of the cost to be assessed against the water users, the district has approved the project and the proposed repayment contract by a favorable vote at an election called for that purpose.

The La Feria division is an excellent project and urgently needed and I hope that H.R. 4279 will be passed.

Mr. Speaker, the entire $6 million involved in this project will be repaid. It is a very worthy project and one that is needed to have the water that otherwise is going to waste.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from California.

Mr. ROOSEVELT. I should like to ask the gentleman a question concerning the types of crops which will be grown in this rehabilitation area. It is my understanding that most of the area will produce fruits and vegetables and only a small percentage of it will produce cotton.

Mr. ROGERS of Texas. That is right. This is the winter garden area of Texas. It is in the Rio Grande Valley area and most of it is truck gardening. These farmers who are involved are all small farmers; these are all small tracts, I believe around 80 acres. They are farms of that kind on which people live and from which they make their living. The water that is presently being used is lost, two-thirds of it that comes through the canal is lost. When you lose 66⅔ percent of the water, it is a serious situation so far as the economy is concerned. In my opinion it will not increase the production of any surplus crops. I think the record before the committee will show that.

Mr. ROOSEVELT. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, this is one of the finest examples of a reclamation project that has been brought before the House Committee on Interior and Insular Affairs since I have been a member. This is a type of project, which, in my opinion, the Reclamation Act was originally passed to take care of. These are small home farms producing what are known as row crops producing food for consumption and not for the Commodity Credit Corporation. I certainly feel the House is taking the proper action today in this suspension of the rules. I urge the suspension of the rules and the passage of this bill.

The SPEAKER pro tempore (Mr. WALTER). The question is, Will the House suspend the rules and pass the bill, H.R. 4279, with amendments?

The question was taken; and the Speaker pro tempore announced in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. CLEM MILLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the ab-

sent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 281, nays 114, not voting 39, as follows:

[Roll No. 156]

YEAS—281

Abbitt	Frelinghuysen	Morris, N. Mex.
Abernethy	Friedel	Morris, Okla.
Adair	Garmatz	Moss
Albert	Gary	Moulder
Alexander	Gathings	Multer
Alford	Gavin	Murphy
Alger	George	Murray
Andersen, Minn.	Glenn	Natcher
	Goodell	Nelsen
Anderson, Mont.	Granahan	Nix
	Grant	Norblad
Ashmore	Gray	Norrell
Aspinall	Green, Pa.	O'Brien, Ill.
Avery	Griffiths	O'Hara, Ill.
Ayres	Gubser	O'Neill
Baldwin	Haley	Oliver
Baring	Halleck	Passman
Barrett	Hardy	Patman
Barry	Hargis	Pelly
Bass, N.H.	Harmon	Perkins
Bass, Tenn.	Harris	Pfost
Beckworth	Harrison	Philbin
Belcher	Hays	Preston
Bennett, Fla.	Healey	Price
Bennett, Mich.	Hemphill	Prokop
Bentley	Henderson	Quigley
Berry	Herlong	Rabaut
Blitch	Hoffman, Ill.	Rains
Boggs	Holland	Randall
Boland	Horan	Rees, Kans.
Bolling	Hosmer	Rhodes, Ariz.
Bowles	Huddleston	Rhodes, Pa.
Boyle	Hull	Riehlman
Bray	Ikard	Riley
Brewster	Inouye	Rivers, Alaska
Brock	Irwin	Roberts
Brooks, La.	Jarman	Rogers, Colo.
Brooks, Tex.	Jennings	Rogers, Fla.
Broomfield	Jensen	Rogers, Mass.
Brown, Ga.	Johnson, Calif.	Rogers, Tex.
Brown, Mo.	Johnson, Colo.	Rooney
Broyhill	Johnson, Md.	Rostenkowski
Buckley	Johnson, Wis.	Roush
Burdick	Jones, Ala.	Rutherford
Burke, Ky.	Karsten	Saund
Burke, Mass.	Kee	Saylor
Burleson	Keith	Schenck
Byrne, Pa.	Kelly	Schwengel
Cannon	Keogh	Scott
Carnahan	Kilday	Selden
Carter	Kilgore	Shelley
Casey	King, Calif.	Sheppard
Celler	King, Utah	Shipley
Chelf	Kirwan	Short
Chenoweth	Kitchin	Simpson, Ill.
Chiperfield	Kluczynski	Simpson, Pa.
Clark	Knox	Sisk
Coffin	Lafore	Smith, Kans.
Colmer	Landrum	Smith, Miss.
Conte	Lane	Smith, Va.
Corbett	Langen	Spence
Cramer	Lankford	Springer
Cunningham	Lennon	Steed
Curtin	Levering	Stratton
Curtis, Mass.	Libonati	Stubblefield
Curtis, Mo.	Lipscomb	Sullivan
Davis, Ga.	Loser	Teague, Calif.
Dawson	McCormack	Teague, Tex.
Delaney	McFall	Teller
Denton	McGinley	Thomas
Donohue	McGovern	Thompson, La.
Dooley	McIntire	Thompson, Tex.
Dorn, S.C.	McMillan	Thomson, Wyo.
Dowdy	McSween	Thornberry
Downing	Macdonald	Toll
Doyle	Mack, Ill.	Tollefson
Durham	Mahon	Trimble
Edmondson	Mailliard	Tuck
Elliott	Marshall	Udall
Everett	Matthews	Ullman
Evins	May	Van Zandt
Fallon	Meader	Vinson
Fascell	Merrow	Walter
Feighan	Metcalf	Wampler
Fisher	Michel	Watts
Flood	Miller, George P.	Weaver
Flynt		Weis
Fogarty	Mills	Whitener
Foley	Mitchell	Whitten
Forand	Moeller	Widnall
Forrester	Montoya	Wier
Fountain	Morgan	Williams
Frazier	Moorhead	Willis
Winstead	Wolf	Young
Withrow	Wright	Younger

NAYS—114

Addonizio	Farbstein	Miller, Clem
Allen	Fenton	Miller, N.Y.
Arends	Fino	Milliken
Ashley	Flynn	Monagan
Auchincloss	Fulton	Moore
Barr	Gallagher	Mumma
Bates	Giaimo	O'Hara, Mich.
Becker	Green, Oreg.	O'Konski
Betts	Griffin	Osmers
Blatnik	Gross	Ostertag
Bosch	Hagen	Pillion
Bow	Halpern	Pirnie
Brademas	Hechler	Poff
Brown, Ohio	Hess	Porter
Budge	Hiestand	Pucinski
Bush	Hoeven	Quie
Byrnes, Wis.	Hoffman, Mich.	Ray
Cahill	Hogan	Reuss
Cederberg	Holt	Robison
Chamberlain	Holtzman	Rodino
Church	Johansen	Roosevelt
Coad	Jonas	Santangelo
Cohelan	Judd	Scherer
Collier	Karth	Siler
Cook	Kasem	Slack
Daddario	Kastenmeier	Smith, Calif.
Dague	Kearns	Smith, Iowa
Daniels	Kilburn	Staggers
Davis, Tenn.	Kowalski	Taber
Dent	Laird	Taylor
Derounian	Latta	Thompson, N.J.
Devine	Lindsay	Vanik
Diggs	McCulloch	Wainwright
Dingell	Mack, Wash.	Wallhauser
Dixon	Madden	Wharton
Dorn, N.Y.	Martin	Yates
Dulski	Mason	Zablocki
Dwyer	Meyer	Zelenko

NOT VOTING—39

Andrews	Dollinger	Morrison
Anfuso	Ford	O'Brien, N.Y.
Bailey	Hall	Pilcher
Baker	Hébert	Poage
Barden	Holifield	Powell
Baumhart	Jackson	Reece, Tenn.
Bolton	Jones, Mo.	Rivers, S.C.
Bonner	Lesinski	St. George
Boykin	McDonough	Sikes
Breeding	McDowell	Utt
Canfield	Machrowicz	Van Pelt
Cooley	Magnuson	Westland
Derwinski	Minshall	Wilson

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Morrison for, with Mr. Carter against.

Mr. Anfuso and Mr. Lesinski for, with Mr. Ford against.

Mr. Holifield and Mr. O'Brien of New York for, with Mr. Van Pelt against.

Until further notice:

Mr. Rivers of South Carolina with Mrs. Bolton.

Mr. Sikes with Mr. Baumhart.

Mr. Machrowicz with Mrs. St. George.

Mr. Powell with Mr. Westland.

Mr. Hall with Mr. Reece of Tennessee.

Mr. Dollinger with Mr. Jackson.

Mr. Cooley with Mr. Derwinski.

Mr. Breeding with Mr. Baker.

Mr. Bailey with Mr. Wilson.

Mr. McDowell with Mr. Utt.

Mr. Andrews with Mr. Minshall.

Mr. Pilcher with Mr. McDonough.

Mr. Magnuson with Mr. Canfield.

Mr. ADDONIZIO, Mr. COOK, Mr. PORTER, Mr. BOSCH, Mr. RAY, and Mr. CHAMBERLAIN changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

ENACTING THE PROVISIONS OF REORGANIZATION PLAN NO. 1 OF 1959 WITH CERTAIN PROVISIONS

Mr. SMITH of Iowa. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7681) to enact the provisions of Reorganization Plan No. 1 of 1959 with certain amendments, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as otherwise provided in section 2 hereof, the following functions are hereby transferred to the Secretary of Agriculture:

(a) The functions of the Secretary of the Interior under the Act of March 20, 1922, 42 Stat. 465, as amended (16 U.S.C. 485, 486), with respect to exchanges of non-Federal lands for national forest lands or timber.

(b) The functions of the Secretary of the Interior under the Act of February 2, 1922 (42 Stat. 362), with respect to exchanges of lands in private ownership within or within six miles of the Deschutes National Forest for national forest lands, or for timber from any national forest, in the State of Oregon.

(c) The functions of the Secretary of the Interior under the Act of June 7, 1924 (43 Stat. 643), except section 2 thereof, with respect to exchanges of privately owned lands for national forest timber in New Mexico.

(d) The functions of the Secretary of the Interior under the Act of January 12, 1925 (43 Stat. 739), except section 2 thereof, with respect to exchanges of privately owned lands for national forest timber in New Mexico.

(e) The functions of the Secretary of the Interior under the Act of April 21, 1926 (44 Stat. 303), except section 2 thereof, with respect to exchanges of privately owned lands for national forest lands or timber in New Mexico and Arizona.

(f) The functions of the Secretary of the Interior under section 2 of the Act of May 26, 1926 (44 Stat. 655; 16 U.S.C. 38), with respect to exchanges of lands held in private or State ownership for national forest lands or timber in Montana.

(g) The functions of the Secretary of the Interior under the Act of June 15, 1926 (44 Stat. 746), with respect to exchanges of State lands for national forest lands in New Mexico.

(h) The functions of the Secretary of the Interior under the Act of December 7, 1942 (56 Stat. 1042), with respect to exchange transactions in which lands under the jurisdiction of the Secretary of Agriculture are exchanged for State lands in Minnesota which are to be under the jurisdiction of the Secretary of Agriculture after their acquisition by the United States.

(i) The function of the Secretary of the Interior (originally vested in the Commissioner of the General Land Office) under section 6 of the Act of April 28, 1930 (46 Stat. 257; 43 U.S.C. 872), with respect to execution of quitclaim deeds for lands conveyed to the United States in connection with exchange transactions involving lands under the jurisdiction of the Secretary of Agriculture.

(j) The functions of the Secretary of the Interior under section 2(b) of the Joint Resolution of August 8, 1947 (61 State. 921), with respect to appraisals and sales of certain lands within the Tongass National Forest.

(k) The functions of the Secretary of the Interior under section 10 of the Act of March 1, 1911 (36 Stat. 962; 16 U.S.C. 519), with respect to sales of small tracts of acquired

national forest lands found chiefly valuable for agriculture.

(l) The functions of the Secretary of the Interior under section 402 of Reorganization Plan Numbered 3 of 1946 (60 Stat. 1099), section 3 of the Act of September 1, 1949 (63 Stat. 683; 30 U.S.C. 192c), the Act of June 30, 1950 (64 Stat. 311; 16 U.S.C. 508b), section 3 of the Act of June 28, 1952 (66 Stat. 285), or otherwise, with respect to the use and disposal from lands under the jurisdiction of the Secretary of Agriculture of those mineral materials which the Secretary of Agriculture is authorized to dispose of from other lands under his jurisdiction under the Act of July 31, 1947 (61 Stat. 681), as amended by the Act of July 23, 1955 (69 Stat. 367; 30 U.S.C. 601 and the following).

SEC. 2(a). In no case covered by subsections (a), (b), (e), (g), and (h) of section 1 hereof shall the exchange provide for the patenting of land by the United States without a reservation of minerals (1) unless the Secretary of Agriculture has obtained the advice of the Secretary of the Interior that the land is nonmineral in character, or (2) unless the Secretary of the Interior approves of the valuation and disposition of the minerals in the lands to be patented. A sale of land covered by subsection (j) of section 1 hereof shall be made by the Secretary of Agriculture without a reservation of minerals only after consultation with, and the approval of, the Secretary of the Interior as to the valuation and disposition of the minerals. No lands of the United States shall be exchanged in any case covered by subsection (f) of section 1 hereof unless the Secretary of Agriculture has obtained the advice of the Secretary of the Interior that such lands are nonmineral in character.

(b) Nothing in this Act shall be construed to authorize the Secretary of Agriculture to determine or adjudicate the validity or invalidity of any mining claim or part thereof.

(c) Nothing in subsection (l) of section 1 hereof shall be construed to authorize the Secretary of Agriculture to dispose of coal, phosphate, sodium, potassium, oil, oil shale, gas, or sulfur, or to dispose of any minerals which would be subject to disposal under the mining laws if said laws were applicable to the lands in which the minerals are situated.

(d) Upon approval by the Secretary of Agriculture pursuant to the provisions of this Act of any exchange or sale, respectively, of national forest lands under the provisions of law referred to in subsections (a), (b), (e), (f), (g), and (j) of section 1, hereof, the Secretary of the Interior, upon the recommendation of the Secretary of Agriculture, shall issue the patent therefor.

(e) All conveyances under the Act referred to in subsection (h) of section 1 hereof of national forest lands reserved from the public domain shall, upon recommendation of the Secretary of Agriculture, be made by the Secretary of the Interior.

The SPEAKER pro tempore (Mr. WALTER). Is a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, H.R. 7681 would enact the basic provisions of Reorganization Plan No. 1 of 1959, with certain amendments which the Committee on Government Operations believes are needed to protect the public interest. The committee held hearings on the plan and found it subject to several serious objections. The committee also recognized that the plan would eliminate some duplication and overlapping of functions and be in the public interest if certain objectionable features were eliminated. However, under the Reorganization Act of 1949, as amended—title 5, United States Code, section 133z—no provision is made whereby either the Congress or either House can amend the plan as such, without separate legislation. Accordingly, the committee recommended the adoption of House Resolution 295 to disapprove the plan—see House Report No. 586, 86th Congress—and the House adopted the resolution on July 7, 1959. The committee also recommended adoption of the bill H.R. 7681, as amended, which would enact the beneficial features of the plan, together with some amendments to the plan which the committee believes are in the public interest.

The principal effects of Reorganization Plan No. 1 of 1959, as transmitted by the President, would have been as follows:

First. It would have transferred to the Secretary of Agriculture all the functions of the Secretary of the Interior in making exchanges of public national forest lands for private lands and in making sales of such lands, except the purely ministerial function of issuing patents or conveyances for such land. H.R. 7681 retains some of these functions in the Secretary of the Interior; namely, those relating to retention or disposition of minerals in the lands to be patented.

Second. The plan would have transferred to the Secretary of Agriculture all the functions of the Secretary of the Interior in selling certain mineral materials on acquired national forest lands. H.R. 7681 contains provisions to insure that the Secretary of Agriculture shall not use the materials act to dispose of minerals which are subject to the mineral leasing acts and the mining law.

Third. The plan would have specifically authorized the Secretary of Agriculture to redelegate the functions transferred to him by the plan to any officer or employee of the Agriculture Department pursuant to section 4(a)—and without complying with the provisions of 4(b)—of Reorganization Plan No. 2 of 1953 (67 Stat. 633). This provision is not contained in H.R. 7681.

The committee believes H.R. 7681 will enact the positive and beneficial features of the plan. In addition, the bill makes several amendments to the plan. These amendments would, first, insure that the Secretary of the Interior would continue to have responsibility and functions with respect to minerals in the lands which are exchanged or sold; second, insure that the Secretary of Agriculture would not assume the function of determining or adjudicating the validity of mining claims which conflict with forest exchange or sale applications; third, insure that the Secretary of Agriculture would not, under the Materials Act, dispose of minerals subject to the mineral leasing or mining laws; and fourth, omit a reference in the President's plan which would have permitted a broad and unlimited delegation of authority without any obligation to provide advance public notice and opportunity for the public to express views or take action on the proposed delegation.

The enactment of the bill will eliminate duplication of work on such matters as checking legal titles, processing papers through the Land Office, publication of notices of pending exchanges, cross-checking between the departments on the status of cases being processed, and in other respects. The bill will also remove inconveniences to the public which have resulted from the fact that persons wishing to make exchanges or to purchase certain lands or certain common mineral materials on forest lands must deal with two offices—one in the Agriculture Department and one in the Interior Department. Under the bill all dealings by the public on the subjects covered would, in general, be solely with the Forest Service of the Department of Agriculture. Any cross-checking that may be required can be accomplished by the Forest Service at the same time it is processing other phases of the transaction and thus all delays now found in the relationship of the two departments can be avoided.

H.R. 7681 was reported by the Committee on Government Operations on July 3, 1959. At that time Reorganization Plan No. 1 of 1959 had not yet been disapproved. Consequently, and naturally, at that time the executive departments and the Bureau of the Budget expressed opposition to the bill and support of the plan.

Following the disapproval of the plan, the chairman of the committee ascertained that the executive agencies then desired the enactment of most of the provisions of H.R. 7681. Disagreement existed only with respect to section 2(a) of the bill. As reported by the committee, section 2(a) would require the Secretary of the Interior to participate in and approve determinations involving, first, whether lands are mineral or nonmineral in character; second, whether or not minerals shall be reserved to the United States; and third, the value of mineral rights in land; and, as amended by the committee, the bill further would require that any regulations made concerning the matters covered by section 2(a) must be approved by the Secretary of the Interior and the Secretary of Agriculture.

The agencies believed that as reported section 2(a) might complicate the handling of forest exchanges. Consequently, a revised section 2(a) has been worked out which is acceptable to the Department of Agriculture, the Department of the Interior, and the Bureau of the Budget. Under the revision which has been agreed upon, forest lands could be patented by the Secretary of Agriculture without a reservation of minerals in exchange for private lands under subsections (a), (b), (e), (g), and (h) of section 1 only if he had been advised by the Secretary of the Interior that the land to be patented is nonmineral in character or if he has the approval of the Secretary of the Interior as to the valuation and disposition of the minerals in the lands to be patented. Lands would be exchanged under subsection (f) of section 1 only if the Secretary of Agriculture had been advised by the Sec-

retary of the Interior that the lands to be conveyed by the United States were nonmineral in character. No reference is made in the revised section 2(a) to exchanges under subsections (c) and (d) of section 1 since both of those subsections are concerned solely with exchange of national forest timber for privately owned lands. In addition, the revised section 2(a) provides that sales of certain lands within the Tongass National Forest in Alaska, under subsection (j) of section 1, may be made by the Secretary of Agriculture without a reservation of minerals only after having consulted with the Secretary of the Interior and having obtained his approval as to the valuation and disposition of the minerals.

As I have stated, the two departments and the Budget Bureau have agreed to the revised amendment.

I am informed that the eminent chairman of the Committee on Interior and Insular Affairs, who strongly urged the disapproval of the reorganization plan as it was originally presented by the President, also concurs in the amendment which I shall propose.

The revised section 2(a) will assure (a) that determinations as to the mineral character of the land to be exchanged will be the responsibility of the Secretary of the Interior, and (b) that the Secretary of Agriculture will not dispose of minerals in forest exchanges and sales without the concurrence of the Secretary of the Interior. This takes care of the two major objections to the plan.

Mr. Speaker, I believe H.R. 7681 will achieve efficiency and economy in our Government, remove some of the overlapping and duplication in connection with exchanges and sales of public national forest lands, and disposal of common mineral materials in such lands, remove certain inconveniences to the public, and help give us protection against the disposal of Government-owned minerals for less than value. I urge the adoption of the bill.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Iowa [Mr. SMITH], the author of this bill, has explained, this measure, H.R. 7681, was originally introduced by him on June 11, 1959, and reported to the House on July 6, 1959, for the purpose of doing approximately the same thing as was provided in the Reorganization Plan No. 1, submitted by the President of the United States. At the time Reorganization Plan No. 1 was before the House, considerable controversy arose over the reporting of the bill, H.R. 7681, without, what the minority believed, were proper hearings. As a result, a minority report was filed at that time with the bill which, of course, no longer pertains to this measure inasmuch as it has been amended and changed, or will be by the adoption of this amendment. This amendment was worked out, as the gentleman from Iowa has so ably explained by the majority and minority members of the subcommittee of which I was the ranking member.

I am taking charge of the time on the bill on this side of the House today at the request of the ranking member of the full committee, the gentleman from Michigan [Mr. HOFFMAN].

This amendment was worked out to the satisfaction of the members of the subcommittee and of the full committee, and also to the satisfaction of the Bureau of the Budget, the Department of Agriculture, and the Department of the Interior. So we have agreed completely, fully and unanimously on the approval of this bill with the amendment as has been reported by the gentleman from Iowa. So, therefore, I hope there will be full support for the measure as amended.

Mr. Speaker, I have no further requests for time.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Iowa 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 motion to reconsider was laid on the table.

ADMIT VESSEL "JOHN F. DREWS" TO AMERICAN REGISTRY

Mr. GEORGE P. MILLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3792) to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), the vessel now known as the "John F. Drews" (F–X–Tioga; WYT–74 (Calumet (USCG)), documented under United States registry with official number 252202, built in 1894 in Buffalo, New York, presently under Canadian registry by permission of transfer order numbered MA–4583, and owned on the date of this Act by Merritt-Chapman and Scott Corporation of New York, shall be admitted to American registry and shall be entitled to engage in the coastwise trade and to transport passengers and merchandise between points in the United States, including districts, Territories, and possessions thereof embraced within the coastwise laws, for so long as such vessel is from the date of enactment of this Act continuously owned by Merritt-Chapman and Scott Corporation of New York.

The SPEAKER pro tempore. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California will be recognized for 20 minutes and the gentleman from Washington for 20 minutes.

Mr. GEORGE P. MILLER. Mr. Speaker, I yield myself such time as I may need.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. GEORGE P. MILLER. Mr. Speaker, the purpose of this bill is to authorize the readmission of the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York.

The *John F. Drews* is the former U.S. Coast Guard tug, *Calumet,* built of steel construction in 1894 at Buffalo, N.Y. The vessel is 124 gross tons, 900 horsepower, and is 90.7 feet in length.

A little more than a year ago this vessel was transferred to Canadian registry with the approval of the Federal Maritime Administration, for the specific purpose of being used in conjunction with dredging and marine construction operations in the St. Lawrence Seaway and power development project, in which the U.S. Government is a participant.

Under present law, vessels which formerly had coastwise privileges by virtue of having been built in or documented under the laws of the United States cannot reacquire such privileges after having been placed under foreign registry—section 27, Merchant Marine Act, 1920, as amended; 46 U.S.C. 883. Thus, this bill is necessary to permit the vessel, *John F. Drews,* to reacquire rights to engage in the coastwise trade of the United States which it had had for some 64 years since the time of her construction in 1894.

The committee felt that in this case there were meritorious circumstances which justify making an exception to the general law.

Mr. SHELLEY. Mr. Speaker, will the gentleman yield?

Mr. GEORGE P. MILLER. I yield.

Mr. SHELLEY. It is to be understood that the passage of this bill—I do not object to the bill—will not be allowed to be taken as a precedent for other people who have vessels under foreign flags to rush in and get them under American registry?

Mr. GEORGE P. MILLER. The committee has written its recommendation into the report that this is a meritorious case that justifies the exemption. This committee has no intention of opening the door to the registration of foreign-registered vessels. This was an American-built vessel. It was needed for a short time for use in connection with the St. Lawrence Seaway. The committee felt it was justified in presenting this bill. This bill is not to be taken as setting a precedent.

Mr. SHELLEY. I noted the stipulation in the report but I think it should be emphasized in the debate on the floor. I thank the gentleman.

Mr. TOLLEFSON. Mr. Speaker, as has already been pointed out, there is no opposition to the measure, at least, to my knowledge. This situation is a rather exceptional one. The committee so considered it and took the position that this should not set a precedent. Because of the necessity for the use of the vessel in Canadian waters it had to comply with Canadian registry. Now that work on the seaway is finished it is desired that the vessel be transferred back under the American flag. The committee feels it is a meritorious proposal and recommends that the bill be approved.

Mr. GEORGE P. MILLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

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.

CONTINUING RESEARCH ON THE BIOLOGY FLUCTUATIONS, STATUS, AND STATISTICS OF MIGRATORY MARINE SPECIES OF GAME FISH

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5004) authorizing and directing the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby directed to undertake a comprehensive continuing study of the migratory marine fish of interest to recreational fishermen of the United States, including species inhabiting the offshore waters of the United States and species which migrate through or spend a part of their lives in the inshore waters of the United States. The study shall include, but not be limited to, research on migrations, identity of stocks, growth rates, mortality rates, variations in survival, environmental influences, both natural and artificial, including pollution, and effects of fishing on the species, for the purpose of developing wise conservation policies and constructive management activities.

SEC. 2. For the purpose of carrying out the provisions of this Act, the Secretary of the Interior is authorized (1) to acquire lands, construct laboratory or other buildings, purchase boats, acquire such other equipment and apparatus, and to employ such officers and employees as he deems necessary; (2) to cooperate or contract with State and other institutions and agencies upon such terms and conditions as he determines to be appropriate; and (3) to make public the results of such research conducted pursuant to the first section of this Act.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act: *Provided,* That no more than $2,700,000 be appropriated for this purpose in any one fiscal year.

The SPEAKER pro tempore (Mr. WALTER). Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

Mr. LENNON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5004 is, in the considered judgment of many people, an essential piece of natural resources legislation. It directs the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

The Department of the Interior, in its report on this legislation, states that it already has broad authority in the Fish and Wildlife Act of 1956 to permit undertaking the research activities covered in H.R. 5004. But, not 1 cent has been budgeted for this important work, and the Department states that nothing is planned. We can then only conclude that the authority in the act of 1956 is in fact inadequate or has been completely ignored. Apparently, now, a more direct and enforcible statement of authority and congressional intent is required.

They do agree with the objectives of this proposal, and I call your attention to the language found in paragraphs 2 and 3 of the letter from the Assistant Secretary of the Interior which is part of the committee report.

We have impressive research and management programs for waterfowl and other game. We have equally impressive programs for the important fresh-water sport fisheries. According to the Department of Interior, we have in excess of 100 Federal fish hatcheries throughout the country constructed at a cost in excess of $60 million. It is interesting to note the construction costs of Federal fish hatcheries during the past 3 years and the amounts appropriated for fiscal year 1960. In fiscal year 1957, $1,601,000; in fiscal year 1958, $2,330,000; in fiscal year 1959, $2,630,350. The appropriation for fiscal year 1960 is $1,500,650.

In addition, the U.S. Corps of Engineers has over a period of years transferred to the Bureau of Sport Fisheries an average of $1,500,000 annually for the construction of inland fish hatcheries.

We have appropriated for fiscal year 1960 for research and administrative overhead to improve the Federal inland fish hatcheries products the sum of $6 million. But, there has not been 1 cent in any of these Federal programs over the years for research on important marine sport fisheries.

The U.S. Fish and Wildlife Service undertook a survey for the year 1955 pertaining to the sports fisheries that year. It revealed that 58.6 million man-days were supported by the marine sport fisheries that year. This was in contrast to our waterfowl program, which showed 19.6 million hunting days for that year, for which the Congress appropriated $4 million of Federal funds last year. This survey showed that in 1955 the millions of Americans who utilized coastal marine sport fishing resources spent $488,999,000 for the goods and services required for fishing on coastal marine waters.

Projected over the intervening years and based on an estimated increase in the numbers of anglers amounting to a conservative 3½ percent annually, salt water sport fishermen generated an estimated $540 million of business activity in 1958. It is significant to note that this amount is equivalent to more than one-half the total retail business generated by the entire U.S. commercial fishing industry.

Marine sports fishing is a vital factor in every coastal area's economy. In my own State the salt water fishermen spend in excess of $35 million annually for goods and services. The figure is considerably larger in some of the New England coastal States, New York and New Jersey. The same can be said of the State of Florida, the Gulf States, including Texas, and, of course, the Pacific Coastal States. Much of our expanding small boatbuilding industry receives its principal stimulus from the demand for craft to service sport fishermen. Many of our commercial fishermen are finding their work increasingly unprofitable and are looking to charter boating as a means of supporting their families.

The survey I have already mentioned indicated that the average daily catch of salt water fish was about 4½ pounds per angler per day. The 1958 harvest of edible fish caught by the salt water angler approximated 290 million pounds. This is more than 12 percent of the total quantity of edible fish taken in the entire U.S. commercial catch. Obviously, sport salt water fish make an important contribution of nutritious food at the American table, as well as provide vast opportunities for needed recreation and, of course, afford sizable stimulus to business and industry.

Approximately 80 million people, almost half of the population of our country, live in coastal States on the Atlantic, Pacific, or Gulf States.

The Committee on Merchant Marine and Fisheries believe that it is in the public interest that this bill be passed. It would make the intent of Congress crystal clear with respect to its desire for continuing research in this important field.

The bill sets a limit on the amount that may be appropriated in any year for this program. This is one-half of 1 percent of the amount of retail business generated by salt water sport fishing in 1958. This figure is $540 million. One-half of 1 percent would be $2,700,000 annually. By comparison, the sum of $21,438,000 was requested for fiscal 1960 to benefit the commercial fishing industry.

I repeat, this is an essential piece of natural resources legislation, and I urge

the Members of the House to support the bill.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I want to commend this legislation to the favorable consideration of the House at this time. I have in mind my own case, and also a case of the gentleman from Florida [Mr. CRAMER], both of us having introduced legislation to authorize research laboratories on salt water; however, it seems to me that if a general authority were given to the Department to do that it would not then throw into the legislative branch the selection of sites for these necessary laboratories, but instead would authorize and direct the Department itself to select sites on a fair and proper basis. Therefore, the gentleman has done a great service in introducing this legislation, and I support him and commend him for his very great interest in this whole subject of salt-water fisheries and marine life studies.

Mr. LENNON. I thank the gentleman from Washington. I know that he is familiar with the letter that was sent to the chairman of the full committee by Mr. Ross Leffler, Assistant Secretary of the Interior, and the last two paragraphs of that letter in which he sets forth the very strong feeling that they are in agreement with the principles and objectives we are seeking in this legislation.

Mr. TOLLEFSON. Mr. Speaker, the gentleman from North Carolina [Mr. LENNON] as well as the gentleman from Washington [Mr. PELLY] have stated the case well, and I believe the matter needs no further clarification. I urge the House to approve the bill.

Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. WALTER). 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.

EFFECT OF INSECTICIDES UPON FISH AND WILDLIFE

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5813) to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of August 1, 1958 providing for continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources and for other purposes is amended to read as follows:

"SEC. 2. The sum of $2,565,000 per annum is hereby authorized to be appropriated to carry out the objectives of this Act."

The SPEAKER pro tempore. Is a second demanded?

Mr. TOLLEFSON. I demand a second, Mr. Speaker.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, this bill will authorize expansion of the research presently underway to protect our fish and wildlife resources from the lethal effects of the various chemicals under development and in use for the control of agricultural pests. Almost daily, new compounds are being utilized in the constant war against the many organisms that seek to destroy our food supply. Unfortunately, however effective they may be for the purposes for which they are developed, there is no doubt that they have become increasingly deadly to our fish and wildlife resources.

Substances used in the campaign against the fire ant have proven extremely destructive to wildlife in the treated areas and even very small quantities of some newly developed sprays have destroyed whole fish populations when their residues have been washed into lakes and streams. The aim of the bill is to step up research to discover means to protect our wildlife, either through development of new formulas which confine their effects to the pests sought to be controlled, or by different methods of application to minimize the loss of fish and wildlife.

Last year the Congress authorized the expenditure of $280,000 per year for this purpose. The committee recommended this amount to permit a start on this most necessary work to be made, with full knowledge that the time would come when more money would be needed. The preliminary work so far undertaken indicates that the need for protection of our wildlife is far greater than suspected and that vastly increased effort is called for, lest we lose whole species by our delay.

I know that the authorization contained in this bill is far less than has been spent on a single pest control campaign and I believe that it is necessary to prevent extinction of some of our most desirable wildlife species.

Mr. TOLLEFSON. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as the report on this bill indicates, the last Congress passed a similar bill which authorized an expenditure of $280,000 annually to do the kind of work authorized by this bill. Experience under that last bill indicates that that amount of money authorized was not sufficient and, in effect, all that this bill does is to increase the authorization. The testimony indicated rather clearly, the committee thought, the need for increasing the authorization because of the work done in the use of insecticides by the Department of Agriculture. There is clear need for an increase in the authorization, and I trust the House will approve this bill.

Mr. Speaker, I have no further requests for time.

Mr. DINGELL. Mr. Speaker, I yield such time as he may desire, to the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Speaker, Public Law 85–582, enacted on August 1, 1958, directed the Secretary of the Interior to begin continuing studies of the effects of insecticides, herbicides and fungicides upon fish and wildlife.

Passage of the bill was preceded by hearings before the Fisheries and Wildlife Subcommittee of the House Committee on Merchant Marine and Fisheries and the Merchant Marine and Fisheries Subcommittee of the Senate Committee on Interstate and Foreign Commerce on my H.R. 783 and S. 2447 by the senior Senator from Washington, Senator MAGNUSON.

Testimony before those subcommittees documented the urgent need to determine the amounts, percentages or mixtures of these chemicals that can be used effectively in the necessary spraying of crop, range, wet, and timber land while minimizing the loss of fish, wildlife, poultry and farm animals.

Investigations made under the act of August 1, 1958, have, in the words of the departmental report of the Secretary of the Interior, shown the need for "a continuing research effort of much greater magnitude than is currently authorized." So this bill would increase the amount authorized for these needed investigations to $2,565,000. This is the amount actually needed to enable the Secretary of the Interior to study various aspects of the pesticides problem to assure that the future use of chemical controls shall not inflict irreparable damage on this Nation's fish and game resources and farm animals.

The authorization contained in this bill represents less than 1 percent of the wholesale value of the chemical sprays produced commercially in this country in 1956. Surely, this is a modest investment in the protection of fish and wildlife resources which, in 1955, generated nearly $3 billion in sales of goods and services to the Nation's more than 30 million hunters and fishermen.

The use of sprays for agricultural, forestry, and other purposes has grown phenomenally since 1940. That year, chemical controls had a wholesale value of $40 million. Their 1956 wholesale value was $290 million. This figure is expected to pass the $1 billion mark by 1975.

One-sixth of all the croplands and millions of acres of forests, rangelands, and marshlands—most of them important fish and wildlife habitat—are treated with pesticides each year. Some of these areas are sprayed several times. At least 3 billion pounds of these chemicals were sprayed over more than 70 million acres of our crop and timberland to kill insects, weeds, and plant diseases last year. Each year, more acres are being sprayed more efficiently and with deadlier poisons as development of new controls, with almost unlimited funds,

races ahead of research. Today, more than 200 basic pesticides and more than 6,000 brand-named products are on the market.

Of course, there is economic justification for such a control program. The Department of Ariculture estimates that insects alone cause losses exceeding $4 billion a year. Everyone appreciates the need for minimizing the pest damage to forests and farmland. But this control program also involves a multibillion dollar recreation and commercial fishery industry of interest to at least 40 million Americans. According to a recent survey, America has some 30 million sportsmen. They spend approximately $3 billion and 567 million man-days hunting and fishing each year. Caring for tourists is a major industry in many States—among them Montana, where the tourist business is our third-largest industry.

Sportsmen, conservationists, foresters and farmers have a common interest in minimizing damage to crops and to wildlife.

We all know of plant or wildlife loss from chemical controls—such as the death of fish in Montana trout streams in areas sprayed by DDT; the virtual wiping out of quail and rabbit populations in two areas treated with heptachlor in the South. Considerable damage to valuable fish and wildlife resources has occurred unnecessarily because chemicals were applied without sufficient knowledge of accepted procedures or without full regard to the consequences.

Actually we know very little of even the direct effects of many control agents on plants, animals, soils and soil organisms. We know even less about the indirect, accumulative, long-time effects of these controls upon plants, wildlife—and man.

Experts tell us the toxicity of these chemicals depends on many things—among them the species, formulation, dosage, period of feeding or exposure, mode of entry into the body and various environmental and other conditions.

Some of these poisons persist in the soil for periods of 3 to 5 years or longer. Certain food chain organisms, such as earthworms, living in treated soil or waters, tend to concentrate the poison in their body tissue. Hence, birds, like the quail, woodcock and robin, as well as aquatic creatures—fish, crabs, shrimp and oysters—are affected when they feed upon contaminated organisms.

Studies made to date show that DDT may kill fish and other aquatic life when applied at dosage rates in excess of one-quarter pound per acre; 2 pounds per acre will kill birds; 5 pounds will cause heavy mortality among mammals. Other insecticides such as heptachlor, dieldrin, aldrin and endrin, have acute toxicity ranges of 15 to 200 times that of DDT.

Pheasants, quail, and other species exposed to sublethal amounts of some pesticides in food, suffer delayed chronic effects in the form of reduced reproductive capacity and survival of young. Persistent high levels of DDT have been found in the bodies of fish months after temporary concentrations in the stream environment had dissipated. Bird numbers in several areas treated with heptachlor for imported fire ant control, have been found to be reduced 75 to 85 percent. Populations of quail, wild turkey and rabbits were decimated in some of the areas. In other parts of the country, particularly the Midwest, local populations of robins and other songbirds have been depleted as a result of measures carried out for mosquito and Dutch elm disease control.

Aerial spraying of salt water marshes, particularly in the East, and of land areas adjacent to inshore water reaches important fish-producing water by drainage. Thus there is need to determine the effects of pesticides on inshore aquatic life—fish, shrimp, and shellfish—which live in these waters as adults, and on these species for which the marshes and estuaries are essential nursery grounds. Menhaden, shad, striped bass, croakers, and weakfish live in these areas during their early stages. Shrimp, crabs, oysters, and clams, which support major commercial fisheries, spend part or all of their lives in inshore environment.

There are four major objectives of the research program which would be made possible by enactment of this bill. They are to:

Determine the acute and chronic toxicities of some 200 basic pesticidal chemicals on the market, plus the many which are in various stages of development;

Conduct chemical analyses of plant and animal tissue to determine the presence of pesticide residues, to develop diagnostic procedures for determining suspected poisonings, and to measure the degree and duration of toxic conditions in fish and wildlife habitats;

Carry out field appraisals of immediate and long-range effects of pest control operations upon fish and wildlife populations;

Facilitate the compilation and dissemination of findings from research studies so that chemists, entomologists, and others may apply such knowledge in the development of new pest control materials, formulations, and techniques of application to minimize hazards to desirable forms of animal life.

This research would give us the information needed so desperately if we are to protect our valuable wildlife resources while at the same time minimizing pest damage to our forests and farmland.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill, H.R. 5813?

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.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. DINGELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 157]

Andrews	Harris	Poage
Anfuso	Hébert	Powell
Auchincloss	Jackson	Rains
Barden	Jones, Mo.	St. George
Baumhart	Kearns	Shelley
Bolton	Kluczynski	Sheppard
Bonner	Landrum	Sikes
Canfield	Lesinski	Simpson, Pa.
Carter	McDonough	Smith, Va.
Cooley	McDowell	Spence
Davis, Tenn.	McMillan	Steed
Dawson	Machrowicz	Taylor
Derwinski	Madden	Thompson, La.
Fallon	Magnuson	Thomson, Wyo.
Ford	Meader	Van Pelt
Frazier	Michel	Weaver
Giaimo	Minshall	Westland
Hall	O'Brien, N.Y.	Withrow
Halleck	Pilcher	Wright

The SPEAKER pro tempore (Mr. FORAND). On this rollcall 378 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DIRECTING SECRETARY OF THE INTERIOR TO UNDERTAKE CONTINUING STUDIES OF THE EFFECTS OF INSECTICIDES AND SO FORTH

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from further consideration of the bill (S. 1575) to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of August 1, 1958, providing for continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources and for other purposes is amended to read as follows:

"SEC. 2. There is hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act."

Mr. DINGELL. Mr. Speaker, I offer an amendment to strike out all after the enacting clause in the bill S. 1575 and to insert the language of the bill H.R. 5813, which has just passed the House.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: Strike out all after the enacting clause and insert the following: That section 2 of the Act of August 1, 1958, providing for continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural re-

sources and for other purposes is amended to read as follows:

" 'SEC. 2. The sum of $2,565,000 per annum is hereby authorized to be appropriated to carry out the objectives of this Act.' "

The amendment was agreed to.

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

A similar House bill (H.R. 5813) was laid on the table.

A motion to reconsider was laid on the table.

STATE TAXATION OF INCOME FROM INTERSTATE COMMERCE

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (S. 2524) relating to the power of the States to impose net income taxes on income derived from interstate commerce and establishing a Commission on State Taxation of Interstate Commerce and Interstate and Inter-governmental Taxation Problems, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

NO COMMITTEE CONSIDERATION

Mr. PATMAN. Mr. Speaker, reserving the right to object, this bill is a very far-reaching one, and I cannot understand why we should pass a bill that goes as far as this goes without giving it thorough consideration in committee. We should be absolutely sure that we are proposing the right kind of a law to deal with the situation confronting us. The only way I know to be absolutely certain that a proposal is right and should be adopted is to have full and complete hearings before the committee having jurisdiction. It is possible that such a hearing would show that this proposal is satisfactory. On the other hand, it is possible a hearing will disclose that it would be a mistake to pass this particular bill. My point is we do not have sufficient information to pass on this proposal for permanent legislation.

It is my understanding that the Committee on the Judiciary has not given consideration to this bill. I have a very high regard and great respect for the chairman of that great committee, the gentleman from New York [Mr. CELLER] and for the members of that committee, and what I shall say, I hope, is not construed in any way as a reflection on the committee.

But, Mr. Speaker, this bill involves a question of taxes. Now, last week when the question came up by the gentleman from Pennnsylvania [Mr. WALTER] presenting it here on the floor—and I reserved the right to object on the question of sending it to conference—it was then brought out that the bill was just a temporary bill; that it was not permanent legislation at all. And, I did not object to it because it was just temporary, and the fact that it had no hearings or not sufficient hearings—I did not have any objection to that, but it went ahead to conference. Now, when it goes to conference an entirely different bill is brought out; a Senate bill is brought out relating to taxes.

Now, if I understand anything about parliamentary procedure and the Constitution, questions affecting revenue, taxes, should originate in the House of Representatives and in the Committee on Ways and Means. This bill did not originate in the Committee on Ways and Means of the House of Representatives. It originated in the other body, and having originated there and we agreeing to a conference and then agreeing to the Senate bill, it occurs to me that there is a serious question about its being in order. But, I am not raising that question. I am raising the question on the merits.

Mr. Speaker, I think this bill could be of great harm to the local independent hometown merchants. Like it is now, the hometown merchants are paying all the taxes to help sustain the local communities, and under the Supreme Court decisions hereafter the people who are doing an interstate business, and from the outside who come into the territory of this local merchant and take part of his business and part of his profits and make money on it will also have to pay a fair share of those profits to the local taxing authority. In other words, the hometown merchant will have the burden taken off of him to that extent. But, if this bill passes, the hometown merchant will have to continue to pay all the burden and the outside concern that rushes in and gets business away from the local merchant will pay no tax whatsoever on the profits of such business; just leave it to the hometown merchant to carry all the burdens.

Now, those questions should be looked into. I know that we should have uniform laws. I realize that there is almost consternation in at least a part of the business world by reason of these decisions of the Supreme Court and the action of the Supreme Court, and I realize there should be a uniformity of laws in the 50 States of the United States, but we cannot have uniform laws regarding taxes worked out by a committee that does not have jurisdiction over taxes. There is only one committee that has jurisdiction over taxes, and that is the Committee on Ways and Means, and without any disrespect to the distinguished gentleman from New York and the fine members of his committee composed of both political parties, I suggest that this bill should be taken up anew by the Committee on Ways and Means and efforts made to harmonize the different laws of the different States and have a bill that will be uniform throughout the States. I realize the opposition is at a great disadvantage in opposing this bill, under the circumstances, but I feel strongly about it and believe a mistake will be made if we pass it without proper and adequate committee consideration.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. GROSS. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order has been demanded.

Is there objection to the request of the the gentleman from New York [Mr. CELLER] that the statement of the managers on the part of the House be read in lieu of the report?

Mr. PATMAN. Well, I reserved the right to object.

The SPEAKER. The regular order has been demanded.

Mr. PATMAN. Well, I will be compelled to object, Mr. Speaker, if the regular order is demanded.

The SPEAKER. Then, the Clerk will read the conference report.

Mr. PATMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PATMAN. If I do not object to the reading, that does not foreclose me from objecting to the consideration of the conference report?

The SPEAKER. This is a privileged matter. No objection lies.

Mr. PATMAN. No objection lies on this? The Speaker is talking about the reading?

The SPEAKER. The Chair is talking about the conference report, which is a privileged matter.

Mr. PATMAN. And one objection would not lie to it?

The SPEAKER. No objection would.

Mr. PATMAN. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PATMAN. Will we have a chance to debate it?

The SPEAKER. If the gentleman from New York yields time.

Mr. PATMAN. Mr. Speaker, may I ask the gentleman from New York whether he will yield me time to discuss this matter.

Mr. CELLER. I shall be very glad to yield to the gentleman in due course. But I want to say that his fears are utterly ungrounded.

The regular order was demanded.

The SPEAKER. The regular order has been demanded and the regular order is the reading of the conference report.

Mr. PATMAN. Mr. Speaker, I withdraw my reservation of objection to the reading of the statement of the managers on the part of the House.

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1103)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2524) relating to the power of the States to impose net income taxes on income derived from interstate commerce and establishing a Commission on State Taxation of Interstate Commerce and Interstate and Intergovernmental Taxation Problems, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be

inserted by the House amendment insert the following:

"TITLE I—IMPOSITION OF MINIMUM STANDARD

"SEC. 101. (a) No State, or political subdivision thereof, shall have power to impose, for any taxable year ending after the date of the enactment of this Act, a net income tax on the income derived within such State by any person from interstate commerce if the only business activities within such State by or on behalf of such person during such taxable year are either, or both, of the following:

"(1) the solicitation of orders by such person, or his representative, in such State for sales of tangible personal property, which orders are sent outside the State for approval or rejection, and, if approved, are filled by shipment or delivery from a point outside the State; and

"(2) the solicitation of orders by such person, or his representative, in such State in the name of or for the benefit of a prospective customer of such person, if orders by such customer to such person to enable such customer to fill orders resulting from such solicitation are orders described in paragraph (1).

"(b) The provisions of subsection (a) shall not apply to the imposition of a net income tax by any State, or political subdivision thereof, with respect to—

"(1) any corporation which is incorporated under the laws of such State; or

"(2) any individual who, under the laws of such State, if domiciled in, or a resident of, such State.

"(c) For purposes of subsection (a), a person shall not be considered to have engaged in business activities within a State during any taxable year merely by reason of sales in such State, or the solicitation of orders for sales in such State, of tangible personal property on behalf of such person by one or more independent contractors, or by reason of the maintenance of an office in such State by one or more independent contractors whose activities on behalf of such person in such State consist solely of making sales, or soliciting orders for sales, of tangible personal property.

"(d) For purposes of this section—

"(1) the term 'independent contractor' means a commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property for more than one principal and who holds himself out as such in the regular course of his business activities; and

"(2) the term 'representative' does not include an independent contractor.

"SEC. 102. (a) No State, or political subdivision thereof, shall have power to assess, after the date of the enactment of this Act, any net income tax which was imposed by such State or political subdivision, as the case may be, for any taxable year ending on or before such date, on the income derived within such State by any person from interstate commerce, if the imposition of such tax for a taxable year ending after such date is prohibited by section 101.

"(b) The provisions of subsection (a) shall not be construed—

"(1) to invalidate the collection, on or before the date of the enactment of this Act, of any net income tax imposed for a taxable year ending on or before such date, or

"(2) to prohibit the collection, after the date of the enactment of this Act, of any net income tax which was assessed on or before such date for a taxable year ending on or before such date.

"SEC. 103. For purposes of this title, the term 'net income tax' means any tax imposed on, or measured by, net income.

"SEC. 104. If any provision of this title or the application of such provision to any person or circumstance is held invalid, the remainder of this title or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

"TITLE II—STUDY AND REPORT BY CONGRESSIONAL COMMITTEES

"SEC. 201. The Committee on the Judiciary of the House of Representatives and the Committee on Finance of the U.S. Senate, acting separately or jointly, or both, or any duly authorized subcommittees thereof, shall make full and complete studies of all matters pertaining to the taxation by the States of income derived within the States from the conduct of business activities which are exclusively in furtherance of interstate commerce or which are a part of interstate commerce, for the purpose of recommending to the Congress proposed legislation providing uniform standards to be observed by the States in imposing income taxes on income so derived.

"SEC. 202. The Committees shall report to their respective Houses the results of such studies together with their proposals for legislation on or before July 1, 1962."

And the House agree to the same.

Amend the title so as to read: "An act relating to the power of the States to impose net income taxes on income derived from interstate commerce, and authorizing studies by congressional committees of matters pertaining thereto."

EMANUEL CELLER,
FRANCIS E. WALTER,
E. E. WILLIS,
WILLIAM M. MCCULLOCH,
WILLIAM E. MILLER,
Managers on the Part of the House.

HARRY F. BYRD,
ROBT. S. KERR,
J. ALLEN FREAR, Jr.,
(By R. S. K.)
JOHN J. WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the Senate bill (S. 2524) relating to the power of the States to impose net income taxes on income derived from interstate commerce and establishing a Commission on State Taxation of Interstate Commerce and Interstate and Intergovernmental Taxation Problems, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Both the House and Senate bills contain a minimum activities approach to the problem of State taxation of income from interstate commerce. It was the purpose of both Houses to specifically exempt from State taxation, income derived from interstate commerce where the only business activity within the State by the out-of-State company was solicitation. The bills, however, differ in the language used to accomplish this objective. The House conferees believe it is more appropriate to accept the language of title I of the Senate bill.

Unlike the House bill, the Senate bill contains no time limitation on the effectiveness of the immunity granted in the bill. The Senate bill also contains a more specific treatment of dealings through an independent contractor, by providing specifically that an out-of-State business shall not be considered to be conducting business activities within the State by reason of solicitation of orders or sales in that State by an independent contractor in its behalf. The conferees have inserted a clarifying amendment to this provision of the Senate bill, to assure that the maintenance of an office by such an independent contractor within the State shall not subject the out-of-State business to income taxation.

The Senate bill is limited to sales of and solicitation of orders for sales of tangible personal property. The House bill is not so limited.

The House bill contains no provision barring the assessment of taxes for years prior to the period of immunity specified in the bill, even though income derived from the same kind of activity could not be taxed during the period specified in the bill. Under the Senate bill, no State or political subdivision thereof may assess, after enactment of the bill, taxes for previous years which would be barred under the standard established in the bill.

Both the House and the Senate, recognizing the complexity of the issues involved, provided for a study of the entire problem with a view toward the enactment of appropriate legislation by the Congress. However, the Senate bill provided for an independent commission while the House bill provided that the study was to be made by Congress. The conferees concluded that the matter should remain with congressional committees. Consequently, the conferees recommend that the Committee of the Judiciary of the House of Representatives and the Committee on Finance of the Senate shall undertake a study of State taxation of income derived from interstate commerce and shall report to the Congress the results of this study together with proposals for legislation by July 1, 1962. It is contemplated, of course, that the committees will consult with the States in this respect.

EMANUEL CELLER,
FRANCIS E. WALTER,
E. E. WILLIS,
WILLIAM M. MCCULLOCH,
WILLIAM E. MILLER,
Managers on the Part of the House.

Mr. CELLER. Mr. Speaker, briefly, I want to state that this bill simply provides that the taxing State shall not be privileged to tax income from the solicitation of orders going to an out-of-State business.

It also provides for a study to be made by the Committee on Finance of the Senate and the Committee on the Judiciary of the House, jointly or separately. Those committees, jointly or separately, shall offer proposals for legislation by July 1, 1962.

The need for this legislation, briefly, stems from certain decisions of the Supreme Court which generated a fear that the mere solicitation of orders or sales in a taxing State by an out-of-State corporation would subject that out-of-State corporation to income taxes in the taxing State.

All this bill does is to say, on transactions of that sort, there shall be no State income taxes. If there is a warehouse or a stock of goods maintained by the out-of-State corporation in the taxing State, or the out-of-State corporation maintains an office in the taxing State, then there shall be taxation on the net income earned in the taxing State.

There were differences between the House bill and the Senate bill. The House bill had some exemptions which were broader than the Senate bill, but the House conferees accepted the narrower provisions of the Senate bill, namely, that the only exemption shall be the solicitation of orders.

It was also agreed that the Senate would yield to the House on the type of inquiry that was to be had.

The Senate bill provided for some sort of Hoover Commission to go into the ramifications and complexities of this subject of interstate taxation. Finally, after argument, they accepted our proposal that the study should be made by the committees, as I have indicated. I cannot overemphasize the need for this study, for this area is one which is entirely deserving of the phrase which Mr. Churchill coined in another context. The problem of State taxation as it affects interstate commerce has, indeed, become "a riddle wrapped in an enigma inside a mystery."

That is all there is to this bill; and I do hope, Mr. Speaker, that the House will agree to the conference report.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Mr. Speaker, I think the reason for the need of this legislation is important. As you will recall, the Supreme Court of the United States handed down a decision which seemed to indicate a power to tax interstate commerce, which power did not exist, does not exist, and nobody has ever contended that that power did exist.

Subsequently two applications for writs of certiorari were denied by the Supreme Court in cases where the only activity was solicitation. The failure to grant certiorari in these cases caused concern on all sides, particularly in the small business area. There are people who are not in a position to maintain the large staffs that corporations doing business all over the United States generally employ. There came from these people a plea to the Congress to do something about this uncertain situation.

I might say to my distinguished friend from Texas that nobody is disposed to indicate what kind of taxes may or may not be levied. That is something that is not considered in this legislation. All we do is endeavor to convince the small business people in America that the law, as they thought it was prior to the denials of certiorari in the Brown Forman and International Shoe cases, is still the law.

Mr. MILLER of New York. Mr. Speaker, will the gentleman from New York [Mr. CELLER] yield to me?

Mr. CELLER. I yield to the gentleman.

Mr. MILLER of New York. Mr. Speaker, I think the House should clearly understand it is most imperative not only that this legislation be enacted, but that it be enacted now. Contrary to the remarks of the gentleman from Texas, this legislation is not broad in its effect. It is very narrow, indeed. It covers only the single and simple area where a corporation does nothing more within a State than solicit orders. If that is all the corporation does within the taxing State, simply soliciting orders, then under this bill they are exempt from multiple taxation. This is important to small business. Large corporations can afford the attorneys and the accountants necessary to keep books for the payment of some 34 different State taxes computed on 34 different State taxing provisions. But, small business engaged in interstate commerce who do nothing more, perhaps than solicit orders either by a salesman within a State or even just through the mail, have always thought that they would not be subject to multiple State taxation. That was always understood to be the law. It was always understood to be the law by the States themselves. They have never attempted to impose a State income tax on simply the soliciting of orders by a salesman within a State. Never has any State done that up to this time. But, because of the dictum in these Supreme Court decisions, there is some question now as to, perhaps, whether or not a State may from now on start such taxation.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of New York. Not at this moment—not until I finish my statement.

Mr. Speaker, as a consequence, it has placed small business in such a quandary as to make it almost impossible for them to know how to proceed. All this bill does is to restate what has always been presumed to be the law in connection with these operations in interstate commerce. In addition to that, all it does is to keep for the Congress itself, since there has already been an investigation in this field by the Senate Finance Committee, by the Senate Committee on Small Business, and since there has already been constituted a House Committee, a special subcommittee for the purpose of dealing with this proposition, it was only felt we should keep the further investigation and development of this proposition, because there are many facets which need investigation and study, including the respective rights of the States, including certain questions regarding warehousemen and interstate carriers, offices within a State and a hundred other things. But we simply have provided that investigation will be conducted and the results will be reported to the Congress not later than July 1, 1962.

As far as the other part of the bill is concerned, the affirmative legislation relates only to the narrow issue of soliciting orders and if it is not passed in this session, small business will be in such a chaotic condition that it will probably cause a tremendous diminishing of our business in interstate commerce.

Mr. CELLER. The question of interstate taxation is so complex and so replete with difficulties and mysteries, if I may use that term, that it would be well only to set up a minimal standard. That is all this bill does.

Mr. MILLER of New York. That is all it does.

Mr. CELLER. It sets up a minimal standard.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of New York. I do not have control of the time.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Texas.

Mr. PATMAN. Will you give me 15 minutes?

Mr. CELLER. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain germane material.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. How much time does the gentleman from New York [Mr. CELLER] yield to the gentleman from Texas [Mr. PATMAN]?

Mr. CELLER. Mr. Speaker, I yield 10 minutes to the gentleman if he needs it.

The SPEAKER. The gentleman from Texas is recognized for 10 minutes.

SMALL BUSINESS IS NOT ASKING FOR THIS PARTICULAR BILL

Mr. PATMAN. Mr. Speaker, the small business people are not asking for this particular law. Any argument that it helps the little man or the small man is not a valid argument. The small people have not been asking for this at all. But, I will tell you who has been asking for it, and they are well represented in Washington, D.C. Anything that happens in the Supreme Court or in Congress affecting their interest, they know whom to go to see and they can see them quickly. They know what to do. This bill will be a great advantage to interstate chains. It will be a great advantage to catalog houses. It will be of great advantage to people like that, but it will be a great harm and a disadvantage to the hometown merchants. Under the Supreme Court decision the local merchants paying all the local taxes to keep up the community will be relieved of part of those taxes where a law imposes taxes upon the outside concern only for the profits made in that community or in that area.

Remember, if you pass this bill, you will tell the hometown merchants that they must continue to assume all this burden, and the people on the outside of the State doing business in that community in competition with the local merchants will not have to pay any part of the taxes, although that person has taken part of the local merchant's business and the Supreme Court said he should pay a part of the profits to the local community just like the hometown merchant pays. But if you pass this bill the hometown merchant will have to continue to pay it all.

I do not know what should be done about this problem. I know something should be done but not done quickly. The Judiciary Committee has set up a special subcommittee to look into this very question. They are already organized. They have not put one witness on the stand, they have not had any testimony; and this proposal will be permanent law. Read it for yourself. This is permanent law, it is not just until 1961, it is forever.

This question of reporting by July 1, 1962, refers only to any additional proposals that might be desired; it does not refer to this permanent law. Can it be

said that it is any compliment to the great House of Representatives, 437, Members, that we would take up a bill like this that means so much, and pass it as permanent law without even a committee hearing?

The hearings in the Senate—I looked them over; they are not satisfactory.

This is a far-reaching question, I tell you, and should not be settled by shooting from the hip or just guessing what should be done. There are so many objectionable features associated with the passage of this bill that I am convinced that it would be a mistake for Congress to vote for its enactment at this time.

Let me emphasize the nature of this measure. It affects millions of dollars of revenue being collected by the individual States; it affects the revenues of the Federal Government; it overrules existing law; it will have a definite impact upon the industries and commerce of the entire Nation. It will invalidate State laws.

VERY IMPORTANT BILL

I noticed that in the other body the distinguished chairman of the Finance Committee advised his colleagues that the bill was one of the most important pieces of legislation which that body will consider this year. That was the distinguished senior Senator from Virginia, Senator BYRD. He tells you how important it is, but we are asked to pass it even without a subcommittee hearing, without any consideration of any kind whatsoever.

It seems to me, we are facing something anomalous here for despite the recognized importance of the measure under consideration, it develops that no hearings have been held by any committee of the House of Representatives on the bill. I say that today the House is not prepared to act on this measure because of inadequate information concerning its need and the consequences that may follow its enactment.

When the matter was first considered by the House about a week ago, we understood that we were voting upon temporary legislation—legislation that would expire in January of 1961. That situation has now been changed, for that which we are now being asked to approve is permanent legislation. Surely it is not unreasonable to ask that hearings be held upon a measure of this character before we are asked to vote its adoption.

This proposed legislation deals with taxes and income derived from interstate commerce. You cannot escape the fact that it has to do with the raising of revenue which fact was recognized in the other body because it was there considered by the Finance Committee. This measure, however, was first considered and voted upon in the other body and it was not until several days thereafter that the House of Representatives acted on this problem. S. 2524 did not originate in the House and has not been considered by the Ways and Means Committee. Is that in violation of the Constitution of the United States?

Is that in violation of the rules of this House?

It seems to me that in this field the first thing that Congress should attempt to bring about is the uniformity in the application of tax laws affecting interstate commerce, but this bill does not deal with this aspect of the problem. We are considering legislation affecting the power of the States to impose taxes on interstate corporations and if the Congress could enact legislation encouraging each of the States to apply this power uniformly, the principal need of those companies operating extensively in interstate commerce would be met. So I hope we can have more hearings on this bill in order that something can be done to remove any unnecessary burden which interstate companies are now experiencing in paying their income taxes to the States.

This matter is important to all businessmen in the United States—not merely those who represent large firms engaged in selling and shipping merchandise throughout the country. The small hometown merchants are in direct competition with many who are engaged in selling and shipping merchandise in interstate commerce. We should make sure that the hometown merchants in such situations do not have imposed upon them by the government of the State of their residence a tax which the same government is prevented from placing upon a direct competitor by act of the Congress of the United States. At the present time the tax burdens of the small locally owned merchants are shared with their interstate competitors. This measure would enable the interstate companies to avoid paying their share of such taxes. The bill, therefore, is detrimental and prejudicial to locally owned small business concerns.

Recently, the House Small Business Committee received a large amount of testimony and other evidence how these large nationwide firms are taking advantage of tax privileges and other "gimmicks" to destroy small businessmen who are doing business in only one locality in a State. We should take care to avoid adding to the burdens of small businessmen in that respect. For that and other obvious reasons, this tax bill, S. 2524, should receive the utmost and careful consideration by all Members of Congress. In doing that, we need the help and advice of our tax experts who are members of the Ways and Means Committee.

Without doubt, the two Supreme Court decisions evoked concern and unrest among those companies doing business in all 50 States of the Union because they feared that they would now be plagued with the burden of complying with income tax laws of 50 different States, many of which would require special records and differing methods of calculation, and so forth. I understand that there are 35 States at the present time that have corporate income tax laws and that 3 States, Idaho, Utah, and Tennessee, have amended their laws so as to be able to take advantage of the recent Supreme Court decisions. The passage of this bill will invalidate State laws in conflict with it.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. PATMAN. Mr. Speaker, I believe the interstate companies are entitled to legislation removing those onerous burdens that would stem from differing State tax laws and I believe that it is this problem which the Congress should first attempt to solve. Hearings must be held in order to accomplish this objective and it should be done as soon as possible. But the legislation before the House today merely provides that certain large companies doing business in many different States, may avoid sharing the tax burden presently borne by their locally owned, small business competitors, and I must oppose the bill because it makes it more difficult for the small locally owned merchant to compete against his large interstate competitor.

Mr. Speaker, may I ask the Members to seriously consider this matter. It is far reaching. What is proposed here is permanent legislation that has never been considered by a committee. The only way I know to reach it is to vote down this conference report and force the committee to have hearings on this proposal and bring in a bill after going to the Rules Committee to get a rule. This is not the right way to legislate on important matters like this that mean so much to the hometown merchants. We should not pass a law that could possibly discriminate against them.

A vote against this conference report is a vote for full and complete hearings before the proper committee of the House of Representatives.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I expect to vote for the conference report on the bill relating to the power of the States to impose net income taxes on income derived from interstate commerce and to urge the Members of the House to support the report. If you will look at page 17770, you will see that the conference committee report was unanimously approved by the number of members thereof. I wish to associate myself with the statement of the chairman of the Committee on the Judiciary, my colleague, the gentleman from Pennsylvania [Mr. WALTER], of that committee, and my colleague, of that committee, the gentleman from New York [Mr. MILLER].

I do not agree with the statement of my distinguished colleague, the gentleman from Texas [Mr. PATMAN], who is chairman of the Committee on Small Business, upon which I serve, when he says that this bill will be detrimental and prejudicial to small town local businessmen. There is nothing in this bill which will result in any injury to small town local businessmen. It is my studied judgment that this conference committee report when it becomes law, in effect will, in substance, restate that which we all thought was the law up until this time.

Furthermore, Mr. Speaker, I am of the opinion that the Congress of the United States would have been fully

justified in writing much broader prohibitions in this field. I would have been pleased had section 3 of the original Senate bill, drafted by the distinguished chairman of the Committee on Finance of the other body, been a part of this report. But, in view of the urgency of this matter, and in view of the thousands of communications that have come from small business all over America regarding the uncertainty that will result or is resulting from the Supreme Court decisions, it is particularly important that the Congress act before we adjourn.

This matter has been under study, if not by hearings in the Committee on the Judiciary, by many individual members of the committee and of the House. The distinguished chairman of the Committee on Ways and Means of the House suggested that this matter be referred to the Committee on the Judiciary. The distinguished chairman of the Committee on Interstate and Foreign Commerce of the House has urged that this matter be submitted to the Judiciary Committee of the House, and so has the ranking minority member of each of those committees so consented.

The conference report provides for a study by the Committee on Finance of the other body, and the Committee on the Judiciary of the House, either acting jointly or severally, or as subcommittees thereof, and to report on or before July 1, 1962. With all those provisions in the conference report, I want to say to the Members of the House that they can safely vote for the report and give not only small business—and I am particularly interested in small business—but big business, as well, the certainty that they need in their operations in interstate commerce.

Mr. CELLER. Mr. Speaker, I believe the gentleman from Texas [Mr. PATMAN], for whom I have great respect, has indicated fears which are more imaginary than real. This should not be a final bill. In other words, it is temporary in its nature because of the accompanying provision for a study. The study that we set up will reveal the ramifications and the complexities of State taxation of interstate commerce. The study will try to develop uniform State taxation formulas. Certainly, I say to the gentleman from Texas, one does not need extensive hearings to set up a bill that would provide primarily for a study.

I can assure the gentleman from Texas that I am just as solicitous of small business as he is, and I can say that this is not hurtful to small business.

We have had many, many communications from small business all over the country which clearly indicate to the contrary, that they want this legislation. And if that is the case, I cannot conceive how it would injure small business. We shall have hearings, and the gentleman from Texas will have ample opportunity to present his views before these committees that have been set up.

Mr. BROWN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. Mr. Speaker, I received a number of letters from small business people who want this bill passed. Some of them will have to go out of business unless this bill is passed. In my hometown I have some 75 to 100 firms engaged in the granite business, and practically all of them will have to go out of business unless this bill is passed.

Mr. MILLER of New York. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. MILLER of New York. Mr. Speaker, I think the gentleman from Tennessee points up very pointedly and very forcefully the great necessity for the immediate passage of this legislation. What the gentleman from Tennessee has admitted in effect is that never before that Supreme Court decision had the State of Tennessee levied any tax upon a corporation whose sole activity was that of soliciting orders within the State—never before. If they had, they would not need this new statute. So, because of this new Supreme Court decision many States now say, "Ah, now, apparently according to this decision for the first time in the history of our country, we can impose these artificial barriers, tariff barriers in each of the 48 States, to interstate commerce."

The answer to the question is legally that regardless whether this bill is passed or whether it is not, the Tennessee statute in my judgment would be declared unconstitutional by the Supreme Court of the United States as being an undue burden on interstate commerce. I do not think there is any question about that. But if each State could pass such a statute as they did in Tennessee, there is not a single businessman in all America who would know what he was doing, what taxes he owed, or to what State, or how much, or on what formula, or on what theory.

The purpose of this legislation is to make uniform, and to make a part of the statutory law, that which has always been considered to be the law, namely, that the mere solicitation of orders within a State by a corporation does not subject that corporation to a multiplicity of State taxation, namely, 48.

The gentleman from Texas [Mr. PATMAN] said that small business was not interested in this legislation, that they did not want it.

Mr. PATMAN. Mr. Speaker, I did not say that.

Mr. MILLER of New York. What did the gentleman say?

Mr. PATMAN. Small business was not asking for this bill.

Mr. MILLER of New York. All right, small business was not asking for this bill. I am surprised that the gentleman from Texas, being the chairman of the Select Committee on Small Business, has not been made aware of the fact that small business all over this country are pleading for this legislation, unless it is because small businessmen all over America have finally come to the conclusion that they cannot get any help from him because they certainly have written to every member of the special committee set up to study this question. We have received literally thousands of communications from small business asking for this tax relief. The gentleman from Texas was talking about tax revenues that the States would lose and that small businessmen within the State would have to absorb, if this were passed. I say to the Members of the House, no State ever received one dime of revenue from interstate business which is now made exempt under this law. It only clarifies and puts in statute form what has always been presumed to be the law both by officers of the Federal Government and by the respective States. This is not going to help the chain stores. Every chain store or every chain that has a store in any State will be subject to taxation by that State. This is simply a soliciting of orders bill, and is in the interest of small business and in the interest of eliminating confusion, it should be passed and passed immediately by this Congress.

Mr. CELLER. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, I am very interested in this legislation for reasons exactly opposite those, apparently, of the gentleman from Texas [Mr. PATMAN]. This legislation is necessary because of recent unfortunate decisions by the Supreme Court, which for the first time held that States were entitled to impose taxes upon business strictly and exclusively within interstate commerce notwithstanding that theretofore the Supreme Court had steadfastly held there must be some jurisdictional basis, as that term is generally understood by lawyers, to support taxation. When we go back to the case of Miller Brothers against Maryland where sales or use taxes were involved, the Supreme Court in 1954 held that Maryland could not impose such a tax where there was no jurisdictional basis such as a warehouse or some facility within the State of Maryland of this Delaware merchant.

The gentleman from Texas [Mr. PATMAN] says he has no complaint from small business people. His experience in this matter differs from mine. I was one of the first to introduce a bill to correct these unfortunate decisions in the Stockham Valve case and in the Northwestern States Cement case—the Minnesota and Georgia cases.

In my particular district six of the seven counties border on other States, the State of South Carolina on the south and Tennessee on the north. Small business people in my district in the six counties carry on dry cleaning operations, independent wholesale grocery businesses, independent drug wholesaling, textile machinery parts, machine shops and other small concerns. They cross the State lines back and forth without any hesitancy whatsoever.

Mr. PATMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. WHITENER. Not at the moment.

Mr. Speaker, they are faced with the problem now of keeping numerous records. Many of them are small operations with the owner and, perhaps, his wife or his daughter trying to keep the multiplicity of records required of them.

There has been created an additional burden unless some legislative relief is given to them.

Let me say this about the conference report which we have before us. There are some features of this legislation that I do not feel meet the entire problem. This is, however, merely a temporary or stopgap measure, and we must do something now, I think, in the interest of the small businesses. Let me further say this. The big business people have not contacted me. It is the little business people who are concerned.

As far as my friend, the gentleman from Texas [Mr. PATMAN], talking about the giant chainstores, they have been paying taxes upon the allocable part of their income derived from operations within the various States—the 35 States, which have income taxes, because there is an incontrovertible jurisdictional basis for such taxation. This act will not change that at all. I say this is needed legislation. If I were drawing the bill, I would draw it, as I did, and the one which was introduced by me earlier.

I yield to the gentleman from California.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I wonder if our distinguished colleague, the gentleman from North Carolina, can clarify this point for me. It is my understanding that the U.S. Supreme Court nearly 40 years ago in *United States Glue Co.* v. *Oak Creek* case (247 U.S. 321) held a State may impose a fairly apportioned net income tax on a foreign corporation whose business operations within the State are wholly of an interstate character.

Mr. WHITENER. I will say to the gentleman that no less an authority than Mr. Justice Frankfurter, and I would commend his dissenting opinion in the Stockham Valve case to the gentleman, says that this is not correct. There is a law review article in the Seventh Tulane Tax Institute Report that I have on my desk supporting the proposition that this was the first departure from the old rule that transactions exclusively within interstate commerce are not subject to State taxation unless there is a jurisdictional base. I might further point out to my friend that the case to which he refers involved a gross receipts tax. It is distinguishable from the Stockham and Northwestern cases.

Mr. COHELAN. I thank the gentleman.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. COFFIN].

Mr. COFFIN. Mr. Speaker, I want to address myself to the bill under consideration from the point of view of the small businessman in whom so many of us on both sides of the aisle are interested.

When I practiced law back in Maine I represented a number of small firms, such as those manufacturing shoes, employing anywhere from 30 to 50 or 75 people. They can sell their product and make a profit only by going beyond the borders of the State, and when they make a good product they go into as many States as possible. They cannot afford elaborate sales organizations. They usually are represented by agents with several other principals. Without this legislation, such firms are in the position of keeping such records and incurring such burdens that it is extremely doubtful that many of them could continue to engage in this type of activity.

It seems to me, as the gentleman from New York has said, that this legislation is necessary as a stopgap. Refinements can be considered as this study continues, but without it many small firms, many small businessmen, not only in my State but all over the country, will be severely prejudiced, and I suspect a number of them will be driven out of business.

Mr. Speaker, I urge very emphatically that we undertake this minimum legislation. I think we owe it to many kinds of small business in all parts of this Nation. Not to pass this bill is to contemplate and acquiesce in a Balkanization of this country that this body is placed here to guard against. That is one of our primary functions.

Mr. Speaker, I urge that this conference report be adopted.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, joining the committee that is offering this legislation and urging approval of this legislation, may I say that at least 15 or 20 industries in my State, West Virginia—and I am thinking about the glass industry in particular—do business in 48 States of the continental United States. They are pleading for the passage of some kind of legislation that will offset the decision of the Supreme Court and break up this plan of the States assessing taxes on their activities in various States. I cannot think of any industry hurt as badly as the glass industry. We have been hurt severely by the competition of imports, likewise with the pottery industry and various other industries in my State.

I urge support of this legislation.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I rise in support of the conference report as a Member who filed a similar piece of legislation.

Mr. Speaker, if this bill is not passed we will only open up the Pandora's box of uncertainty and chaos for businesses throughout the 50 States of the Union.

In regard to the statement of the gentleman from Texas that small business is against this bill, I have here in my hand letters from over a hundred small business concerns in Massachusetts which have written to me requesting that I do everything possible to see that this bill is passed.

For example, I read the following letter from the Valley Paper Co., of Holyoke, Mass., dated August 4, and addressed to me:

> Please refer to Senate Joint Resolution 113, S. 2213, and S. 2281 dealing with State taxation of income derived solely from interstate transactions.
>
> We desire to register our strong support of this proposed legislation and therefore urge your cooperation accordingly—which we believe to be in accordance with the views of thousands of business organizations, both large and small.

Mr. Speaker, I want to ask a question of the chairman of the committee: First of all, does he feel that the States have jurisdiction to tax out-of-State corporations? And, assuming that they did have jurisdiction, what determines the proportion of the corporation's income subject to tax by the State?

Mr. CELLER. That is one of the questions that the study we are setting up will concentrate on. It is a very difficult question to decide. That is why we want this bill, so the Congress will have the results of the deliberations of Members of Congress with the Senate on this vexatious subject.

Mr. PATMAN. I am sure the gentleman did not intend to leave the impression that this is a study bill by a committee?

Mr. CELLER. Not at all.

Mr. PATMAN. I would like to ask the gentleman if it is not a fact it has two titles and that the first title will be permanent law?

Mr. CELLER. As far as solicitation is concerned it is permanent, but only in the sense that if this study comes to the House and the result of this study shows that the laws should be changed with reference to solicitation, the recommendation will be made and the Congress will have the opportunity to change it. That is all there is to it. I still maintain that this is stopgap legislation. Beyond that we do not go.

Mr. PATMAN. But title I is permanent law?

Mr. CELLER. It is not permanent in the sense that the gentleman says it is. It is permanent in the sense I gave it to the gentleman. Changes will be recommended, if at all, by the study committee.

Mr. PATMAN. And new hearings will have to be held.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Representing a district bordering on the State of Minnesota, which taxes interstate commerce, I strongly support this bill.

This legislation is the minimum action that should be taken here and now by Congress if a situation of confusion and chaos is to be averted as between all the States of this Union. I want to commend the conference committee, and I have no doubt that the distinguished chairman of the House Judiciary Committee, Mr. CELLER, together with the members of his committee, will begin a study of this important problem at the earliest possible date to the end that reasonable and permanent legislation may be enacted.

I thank the gentleman from New York for yielding to me for this brief statement.

Mr. MONAGAN. Mr. Speaker, I am happy to support S. 2524. By limiting taxation on mere solicitation of interstate business, this bill gives greater cer-

tainty to the law on State taxation of such business. This is a great improvement.

By setting up a commission to study this whole problem, as provided in this legislation, we will take a great step forward because we will insure a careful overall examination, and we will guarantee a well-considered recommendation for a further law to eliminate in detail any unfair tax restrictions on business between the States.

Mr. BOLAND. Mr. Speaker, I rise in support of the conference report on S. 2524, prohibiting States from imposing net income taxes on income derived from interstate commerce and recommending that the House Judiciary Committee and the Senate Finance Committee undertake a study of State taxation of income derived from interstate commerce, and make a report of the studies and recommendation for legislation to Congress by July 1, 1962.

This is stopgap legislation resulting from the Supreme Court decision in the Stockham Valves case. Some charges have been made that this legislation will hurt small business. The many letters I have received from business firms in my congressional district would indicate that these businesses would be hurt if this legislation is not enacted. If there are any inequities in the stopgap legislation before us, they will be corrected during the study to be made by the House Judiciary Committee and Senate Finance Committee and new recommendations will come back to Congress in less than 2 years.

Mr. Speaker, businessmen have been in a quandary regarding this matter since the Supreme Court decision was rendered. This type of business resulting from solicitation in a State with the orders to be filled by shipment from a point outside a State has not been subject to taxation by States in the past. I know that there has been pressure exerted by State comptrollers and State taxing authorities to kill this legislation, but we are not taking anything from the States. The States have never taxed the net income from this type of business.

Mr. Speaker, I ask permission to include two of the many letters I have received from businessmen indicating the feeling of the business community on the Supreme Court decision and the need of this legislation which I hope will pass the House this afternoon.

GARDNER-BROOKS, INC.,
Springfield, Mass., July 16, 1959.

The Honorable EDWARD P. BOLAND,
House of Representatives,
Washington, D.C.

MY DEAR MR. BOLAND: We at Gardner-Brooks, Inc., and most informed folks with whom I have discussed the matter feel very confident that some Federal legislation is urgently needed to prohibit any State from taxing businesses engaged in interstate commerce except when such firms have a permanent place of business within that State's borders.

We believe that the unrestricted flow of interstate commerce has been a major factor in making our country strong.

A multiplicity of State income taxes with varying formulas levied by every State in which goods are sold or to which goods are shipped, with the myriad of problems, obstacles, and costs incident thereto, could pyramid the costs of doing interstate business and the cost of living to the public.

We believe that the effect of such a taxation problem could have even more adverse effects on domestic business growth than were individual States permitted by the Constitution to levy tariffs on interstate shipments.

We believe that current active congressional interest in this newly arisen problem will be most constructive.

Sincerely yours,

J. LORING BROOKS,
President.

UNITED ELASTIC CORP.,
Easthampton, Mass., May 8, 1959.

The Honorable EDWARD P. BOLAND,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BOLAND: The United Elastic Corp., a Massachusetts corporation with plants located in Massachusetts, Connecticut, and Virginia, doing an interstate business of $25 million annually, urges immediate Federal legislative action to clarify the recent Supreme Court decision upholding tax of corporations in interstate commerce.

In our opinion the Supreme Court by its decision did not uphold the intent nor the letter of the first article of the Constitution of the United States which limits the powers of the States to tax or impose duties on articles exported from any State.

We feel that the Supreme Court by its decision opens the floodgate for individual States to impose taxes on income that has been previously taxed. In addition the decision forces on all corporations and individuals doing interstate business the additional burden of keeping books and records, making returns, applying numerous formulas for the allocation of income in compliance with the varied laws of the 49 States. All this imposes a tremendous burden on corporations doing interstate commerce business.

We, therefore, urge immediate Federal legislative action for the purpose of clarifying the recent Supreme Court decision regarding State taxation of interstate commerce.

Respectfully yours,

H. W. CONANT,
President.

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. PATMAN), there were—ayes 130, noes 28.

Mr. PATMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

Mr. HALLECK. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. A quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 359, nays 31, not voting 45, as follows:

[Roll No. 158]

YEAS—359

Abbitt	Allen	Auchincloss
Abernethy	Andersen, Minn.	Avery
Adair	Arends	Bailey
Addonizio	Ashley	Baker
Alexander	Ashmore	Baldwin
Alford	Aspinall	Barr
Alger	Bass, N.H.	Barry
Bass, Tenn.	Garmatz	Miller, N.Y.
Bates	Gary	Milliken
Becker	Gathings	Mills
Beckworth	Gavin	Mitchell
Bennett, Mich.	George	Moeller
Bentley	Giaimo	Monagan
Berry	Glenn	Moore
Betts	Goodell	Moorhead
Blatnik	Grant	Morgan
Blitch	Gray	Morris, Okla.
Boggs	Green, Oreg.	Morrison
Boland	Griffiths	Moss
Bolling	Gross	Moulder
Bosch	Gubser	Multer
Bow	Haley	Mumma
Bowles	Halleck	Murphy
Boykin	Halpern	Murray
Boyle	Hardy	Natcher
Brademas	Hargis	Nelsen
Bray	Harris	Norblad
Breeding	Harrison	Norrell
Brewster	Hays	O'Brien, Ill.
Brock	Healey	O'Hara, Ill.
Brooks, La.	Hébert	O'Hara, Mich.
Brooks, Tex.	Hechler	O'Konski
Broomfield	Hemphill	O'Neill
Brown, Ga.	Henderson	Oliver
Brown, Mo.	Herlong	Osmers
Brown, Ohio	Hess	Ostertag
Broyhill	Hiestand	Passman
Buckley	Hoeven	Pelly
Budge	Hoffman, Ill.	Perkins
Burke, Ky.	Hoffman, Mich.	Philbin
Burke, Mass.	Hogan	Pilcher
Burleson	Holt	Pillion
Bush	Holtzman	Pirnie
Byrnes, Wis.	Horan	Poff
Cahill	Hosmer	Porter
Cannon	Huddleston	Preston
Carnahan	Hull	Price
Casey	Ikard	Pucinski
Cederberg	Inouye	Quie
Celler	Irwin	Quigley
Chamberlain	Jarman	Rabaut
Chelf	Jennings	Rains
Chenoweth	Jensen	Randall
Chiperfield	Johansen	Ray
Church	Johnson, Md.	Reece, Tenn.
Clark	Johnson, Wis.	Rees, Kans.
Coffin	Jonas	Reuss
Cohelan	Jones, Ala.	Rhodes, Ariz.
Collier	Judd	Rhodes, Pa.
Colmer	Karsten	Riehlman
Conte	Karth	Riley
Cook	Kasem	Rivers, Alaska
Corbett	Kastenmeier	Rivers, S.C.
Cramer	Kee	Roberts
Cunningham	Keith	Robison
Curtin	Kelly	Rodino
Curtis, Mass.	Keogh	Rogers, Colo.
Curtis, Mo.	Kilburn	Rogers, Fla.
Daddario	Kilday	Rogers, Mass.
Daniels	Kilgore	Rogers, Tex.
Davis, Ga.	King, Utah	Rooney
Dawson	Kirwan	Rostenkowski
Delaney	Kitchin	Roush
Denton	Kluczynski	Rutherford
Derounian	Knox	Santangelo
Devine	Kowalski	Saund
Diggs	Lafore	Saylor
Dixon	Laird	Schenck
Dollinger	Lane	Scherer
Donohue	Langen	Schwengel
Dooley	Lankford	Scott
Dorn, N.Y.	Latta	Selden
Dorn, S.C.	Lennon	Shelley
Dowdy	Levering	Sheppard
Downing	Libonati	Shipley
Doyle	Lindsay	Short
Dulski	Lipscomb	Siler
Durham	Loser	Simpson, Ill.
Dwyer	McCormack	Smith, Calif.
Edmondson	McCulloch	Smith, Iowa
Elliott	McDowell	Smith, Kans.
Everett	McFall	Smith, Miss.
Evins	McGinley	Smith, Va.
Fallon	McIntire	Spence
Farbstein	McMillan	Springer
Fascell	McSween	Steed
Feighan	Macdonald	Stratton
Fenton	Mack, Wash.	Stubblefield
Fino	Madden	Sullivan
Fisher	Mahon	Taber
Flood	Mailliard	Teague, Calif.
Flynn	Marshall	Teller
Flynt	Martin	Thomas
Fogarty	Mason	Thompson, Tex.
Foley	Matthews	Thomson, Wyo.
Forand	May	Thornberry
Forrester	Meader	Tollefson
Fountain	Merrow	Trimble
Frelinghuysen	Meyer	Tuck
Friedel	Michel	Udall
Fulton	Miller, Clem	Ullman
Gallagher	Miller, George P.	Utt
		Vanik

Van Zandt	Whitener	Wright
Vinson	Whitten	Yates
Wainwright	Widnall	Young
Wallhauser	Wier	Younger
Walter	Williams	Zablocki
Wampler	Willis	Zelenko
Watts	Wilson	
Weis	Winstead	

NAYS—31

Anderson, Mont.	Green, Pa.	Montoya
Baring	Hagen	Morris, N. Mex.
Barrett	Harmon	Nix
Bennett, Fla.	Holifield	Patman
Burdick	Holland	Pfost
Byrne, Pa.	Johnson, Calif.	Prokop
Coad	Johnson, Colo.	Roosevelt
Dent	King, Calif.	Sisk
Dingell	McGovern	Toll
Granahan	Mack, Ill.	Wolf
	Metcalf	

NOT VOTING—45

Albert	Ford	Powell
Andrews	Frazier	St. George
Anfuso	Griffin	Sikes
Ayres	Hall	Simpson, Pa.
Barden	Jackson	Slack
Baumhart	Jones, Mo.	Staggers
Belcher	Kearns	Taylor
Bolton	Landrum	Teague, Tex.
Bonner	Lesinski	Thompson, La.
Canfield	McDonough	Thompson, N.J.
Carter	Machrowicz	Van Pelt
Cooley	Magnuson	Weaver
Dague	Minshall	Westland
Davis, Tenn.	O'Brien, N.Y.	Wharton
Derwinski	Poage	Withrow

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Anfuso with Mr. Baumhart.
Mr. Lesinski with Mr. Taylor.
Mr. O'Brien of New York with Mr. Ford.
Mr. Thompson of Louisiana with Mr. Van Pelt.
Mr. Carter with Mr. Withrow.
Mr. Albert with Mr. Simpson of Pennsylvania.
Mr. Frazier with Mr. Kearns.
Mr. Machrowicz with Mr. Grffin.
Mr. Staggers with Mr. Derwinski.
Mr. Slack with Mr. Ayres.
Mr. Magnuson with Mr. Belcher.
Mr. Thompson of New Jersey with Mr. Weaver.
Mr. Cooley with Mr. Westland.
Mr. Andrews with Mr. Wharton.
Mr. Hall with Mrs. St. George.
Mr. Powell with Mr. Minshall.
Mr. Sikes with Mr. McDonough.
Mr. Teague of Texas with Mrs. Bolton.
Mr. Bonner with Mr. Jackson.
Mr. Landrum with Mr. Dague.
Mr. Davis of Tennessee with Mr. Canfield.

Mr. MORRIS of New Mexico and Mr. DINGELL changed their votes from "yea" to "nay."

Mr. BASS of Tennessee and Mr. KNOX changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MILLER of New York. Mr. Speaker, pursuant to permission granted I would further like to clarify a point with respect to the bill S. 2524, as passed by the House and Senate. It is not the intention of this legislation, in my opinion, that goods shipped into a State and temporarily at rest in a public warehouse should be singled out as a basis for the levying of a State tax against the shipper or manufacturer.

Mrs. WEIS. Mr. Speaker, I am extremely pleased that the conference report on S. 2524 is being called up for consideration today, and I think the members of the Judiciary Committee are to be especially commended for the dispatch with which they have moved in seeking a solution to this vexatious problem of State taxation of interstate commerce.

In the past, interstate commerce has been at least relatively free from the burdens of multiple State taxation. As a result of the court decisions in the Stockham Valve case and in the Northwestern States Cement case, however, the door may now be open for any State to step in and impose crushing taxes on firms located outside, but doing business within, the boundaries of that State.

The burden of such taxation would be especially severe for the small-business man, whose volume of business in any one State would probably not even warrant continuing to do business in States imposing such taxes.

In fact, several firms in my own 38th District of New York have indicated to me that their volume of business in some States would be such that they probably could not even afford the administrative costs connected with keeping the voluminous records necessary to pay the taxes, let alone the taxes themselves.

Just this week, I have received word that 70 percent of the gross sales, both wholesale and retail, of the companies in Newark, N.Y., are made in interstate commerce throughout the entire country. Newark is the largest city in Wayne County, N.Y., which I am privileged to represent in the Congress, and it would be a fearful blow to the community's economy if crushing income taxes were suddenly imposed by a number of States in which Newark's business firms are operating.

S. 2524 deals with a portion of the problem by prohibiting States from taxing income derived solely from the solicitation of orders within a given State by out-of-State companies. The language of the bill itself makes it clear that this is not the final answer to the entire problem by providing for continued study by two separate committees of the Congress. But it definitely represents a step in the right direction, a step which is of vital importance to every businessman operating in interstate commerce.

Mr. Speaker, the absence of artificial trade barriers between the States has been responsible for much of the dynamic growth of this Nation, and the Congress has a grave responsibility to see that these channels of trade remain free and open. S. 2524 will serve the best interests of thousands of small-business men throughout the country, and I urge adoption of this conference report.

MILITARY CONSTRUCTION APPROPRIATIONS FOR 1960, H.R. 8575

Mr. THOMAS. Mr. Speaker, on behalf of the gentleman from California [Mr. SHEPPARD], I ask unanimous consent that the managers on the part of the House have until midnight to file a conference report on the military construction appropriation bill for 1960, namely, H.R. 8575.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDING COMMUNICATIONS ACT OF 1934 WITH RESPECT TO EQUAL-TIME PROVISIONS

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 2424) to amend the Communications Act of 1934 in order to provide that the equal-time provisions with respect to candidates for public office shall not apply to news and other similar programs, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1069)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2424) to amend the Communications Act of 1934 in order to provide that the equal-time provisions with respect to candidates for public office shall not apply to news and other similar programs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 315(a) of the Communications Act of 1934 is amended by inserting at the end thereof the following sentences: 'Appearance by a legally qualified candidate on any—

"'(1) bona fide newscast,

"'(2) bona fide news interview,

"'(3) bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or

"'(4) on-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto),

shall not be deemed to be use of a broadcasting station within the meaning of this subsection. Nothing in the foregoing sentence shall be construed as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this Act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance.'

"SEC. 2. (a) The Congress declares its intention to reexamine from time to time the amendment to section 315(a) of the Communications Act of 1934 made by the first section of this Act, to ascertain whether such amendment has proved to be effective and practicable.

"(b) To assist the Congress in making its reexaminations of such amendment, the Federal Communications Commission shall include in each annual report it makes to Congress a statement setting forth (1) the information and data used by it in determining questions arising from or connected with such amendment, and (2) such recommendations as it deems necessary in the public interest."

And the House agree to the same.

OREN HARRIS,
WALTER ROGERS,
JOHN J. FLYNT, Jr.,
JOHN B. BENNETT
(By J. ARTHUR YOUNGER),
J. ARTHUR YOUNGER,
WM. H. AVERY,
Managers on the Part of the House.

JOHN O. PASTORE,
A. S. MIKE MONRONEY,
STROM THURMOND,
CLIFFORD P. CASE,
HUGH SCOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2424) to amend the Communications Act of 1934, in order to provide that the equal-time provisions with respect to candidates for public office shall not apply to news and other similar programs, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Section 315(a) of the Communications Act of 1934 now provides that if any radio or television licensee permits any person who is a legally qualified candidate for any public office to use a broadcasting station, such licensee must afford equal opportunities to all other candidates for that office in the use of such broadcasting station.

The bill (S. 2424) as passed by the Senate would have added to section 315(a) a sentence as follows: "Appearance by a legally qualified candidate on any newscast, news interview, news documentary, on-the-spot coverage of news events, shall not be deemed to be use of a broadcasting station within the meaning of this subsection, but nothing in this sentence shall be construed as changing the basic intent of Congress with respect to the provisions of this Act, which recognizes that television and radio frequencies are in the public domain, that the license to operate in such frequencies requires operation in the public interest, and that in newscasts, news interviews, news documentaries, on-the-spot coverage of news events, all sides of public controversies shall be given as fair an opportunity to be heard as is practically possible."

In addition, the bill, as it passed the Senate, contained a section 2, declaring the intent of Congress to reexamine the amendment above referred to at or before the end of the 3-year period immediately following the enactment of this proposed legislation, to ascertain whether the amendment was effective and practicable. It also included a section 3 to require the Federal Communications Commission to report to Congress annually, during such 3-year period, certain information to aid the Congress in its reexamination of the effectiveness and practicability of the amendment being made to section 315(a).

The House struck out all after the enacting clause of the Senate bill and inserted a substitute which merely amended section 315(a) by adding at the end thereof a new sentence, as follows: "Appearance by a legally qualified candidate on any bona fide newscast (including news interviews) or on any on-the-spot coverage of news events (including, but not limited to, political conventions and activities incidental thereto), where the appearance of the candidate on such newscast, interview, or in connection with such coverage is incidental to the presentation of news, shall not be deemed to be use of broadcasting station within the meaning of this subsection."

The differences between the substitute passed by the House and the substitute agreed to in conference are as follows:

THE AMENDMENT TO SECTION 315(A)

The first section of the conference substitute adds to section 315(a) a new sentence having the same general purpose as the new sentence proposed by the House substitute. However, there are differences which represent compromises between the Senate and House positions on certain points.

Under the House provision an appearance would have been exempted from the equal time requirement only "where the appearance of the candidate on such newscast, interview, or in connection with such coverage is incidential to the presentation of news." The Senate provision contained no language comparable to this, and it is omitted from the conference substitute, except as explained below.

The Senate bill exempted an appearance on a "news interview," while the House amendment exempted such an appearance only when it was included as part of a bona fide newscast. In the conference substitute an appearance on a "bona fide news interview" is exempted without regard to whether it is included as a part of a newscast.

The intention of the committee of conference is that in order to be considered "bona fide" a news interview must be a regularly scheduled program.

It is intended that in order for a news interview to be considered "bona fide" the content and format thereof, and the participants, must be determined by the licensee in the case of a news interview originating with the licensee of a station and by the network in the case of a news interview originating with a network; and the determination must have been made by the station or network, as the case may be, in the exercise of its "bona fide" news judgment and not for the political advantage of the candidate for public office.

The Senate bill exempted appearances of candidates on news documentaries. The House amendment made no such exemption. Under the conference substitute, the appearance of a candidate on a news documentary is exempted only if such appearance is incidental to the presentation of the subject or subjects covered by the news documentary. Thus, a program which deals predominantly with a candidate would not be a news documentary exempted under provisions of the substitute.

In the conference substitute, in referring to on-the-spot coverage of news events, the expression "bona fide news events" instead of "news events" is used to emphasize the intention to limit the exemptions from the equal time requirement to cases where the appearance of a candidate is not designed to serve the political advantage of that candidate.

The Senate bill, in the sentence being added to section 315(a), contained the following language: "but nothing in this sentence shall be construed as changing the basic intent of Congress with respect to the provisions of this Act, which recognizes that television and radio frequencies are in the public domain, that the license to operate in such frequencies requires operation in the public interest, and that in newscasts, news interviews, news documentaries, on-the-spot coverage of news events, all sides of public controversies shall be given as fair an opportunity to be heard as is practically possible."

With certain modifications this language has been included in the conference substitute as a sentence reading as follows: "Nothing in the foregoing sentence shall be construed as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance."

The conferees feel that there is nothing in this language which is inconsistent with the House substitute. It is a restatement of the basic policy of the "standard of fairness" which is imposed on broadcasters under the Communications Act of 1934.

SECTION 2

Section 2(a) of the Senate bill declared the intention of Congress to reexamine, on or before the expiration of a 3-year period, the amendment made by the bill to section 315(a) of the Communications Act of 1934, to ascertain whether the amendment had proved to be effective and practicable. Subsection (b) of section 2 required the Federal Communications Commission to report to Congress annually during such 3-year period on the administration of the amendment, together with recommendations. The House amendment contained no similar provisions.

Section 2 of the substitute agreed to in conference is similar to these Senate provisions, except that the 3-year limitation has been removed.

OREN HARRIS,
WALTER ROGERS,
JOHN J. FLYNT, Jr.,
JOHN B. BENNETT,
(By J. ARTHUR YOUNGER),
J. ARTHUR YOUNGER,
WM. H. AVERY,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we bring to the House a conference report on legislation which is commonly referred to as the equal-time amendment to the Communications Act of 1934.

It will be remembered that this is the problem we had in the House a few days ago in which all of us are interested and have some concern about.

You will recall that this problem developed out of a decision of the Federal Communications Commission—which we thought was a rather arbitrary decision—in the Lar Daly case involving the appearance of political candidates on newscasts.

We made an effort to clarify section 315 by exempting from the equal-time provision political candidates' appearance on such programs as newscasts, news interviews, and on-the-spot coverage of news events.

Your conferees met and there was considerable discussion. It would be correct to say that at times it got a little heated. But we have done the best we could to resolve this issue and bring it back and present it to you in an effort to clarify this very important provision of law.

We tried to limit carefully the exemptions from section 315 in the bill which we brought to the House. We exempted bona fide newscasts which had been the pattern over the years. We included in connection therewith news interviews and we extended the exemption to on-the-spot coverage of news events using the language of the gentleman from California [Mr. Moss], as he offered it at that time requiring that the appearance of the candidate must be "incidental to the presentation of news."

We described what was intended. We explained that it was difficult to write specific language to meet the problem, but we were making legislative history in the report and on the floor which the industry and the Federal Communications Commission could follow in trying to administer this very knotty problem.

We had little trouble in agreeing on what was intended during the course of the debate except in one instance, and that had to do with certain so-called panel discussions. It will be recalled that the committee struck the words "panel discussion" and "news documentary," but we were careful to explain in the report and in our debates here on the floor of the House that we struck those words because the committee felt these undefined categories might take in too much, and that the exemption thus would possibly go too far; but we also explained that by doing so we did not intend to eliminate those panel discussions and news documentaries which may fall in the category of a "bona fide newscast" or of an "on-the-spot coverage of news events."

As I say, during the course of the debate a question was asked by one member of the committee, Mr. YOUNGER, of another member of the committee, Mr. Moss, as to his intention with respect to certain panel shows. The gentleman from California [Mr. Moss] gave him his reply, which in my opinion, was contrary to what we had included in the report, and which certainly was contrary to what I had said in answer to a question by the gentleman from Texas [Mr. IKARD]. Now that, as well as some other things, had to be resolved, so in our conference we agreed that the language would be changed.

And, I might say, in my opinion, we have got a better bill in this conference report than we had in the bill which was reported by our committee and passed in the House and a better bill than was passed by the other body.

So, what we did was to exempt the appearance of a legally qualified candidate on, first, a bona fide newscast—it has to be a bona fide newscast; second, a bona fide news interview; third, a bona fide news documentary, if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary. In other words, if you go back and pick up documentary material out of the past and make it a part of a so-called news documentary, the appearance of the candidate must be incidental to the subject presented on such news documentary. That is what we did, and our conference report explains that intention.

There is no question about the on-the-spot coverage of bona fide news events, which refers to matters such as a national political convention and so forth. We have tried here in the statement of managers to spell that out just as clearly as we possibly can what is intended.

Now, just in case anybody in the broadcasting industry or in the Federal Communications Commission, or even a candidate himself, should get the idea that "The reins are off; you can do what you want to," we have accepted in the conference substitute a provision similar to what was referred to as the Proxmire amendment in the other body. This provision says that nothing in the foregoing sentence shall be construed as relieving the broadcasters in connection with the presentation of news, news interviews, documentaries, and on-the-spot coverage of news events from the obligation imposed upon them under this act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance.

Furthermore, in the statement of managers on page 4 you will find that it is the intention of the conferees that in order to be considered bona fide, a news interview must be a regular scheduled program. Now, there has been already some discussion that on these national panel programs or interview programs there has been no particular problem. The great problem is that on the local level a broadcaster might set up panel discussions or news interviews that are not regularly scheduled programs but which constitute an effort to take advantage of such a program to further the candidacy of some political candidate. That is not intended to be exempted and it is not permitted under this report—either the spirit of it or the language of it. Such program has to be, No. 1, bona fide, and No. 2, it has got to be a regularly scheduled program before it would come under the exemption provisions. Then we went further than that to be sure that there was no advantage taken by the broadcasting industry or anyone else and reaffirmed the "standard of fairness" established under the Communications Act. Anyone trying to take advantage, will be held accountable to the Federal Communications Commission for his action.

Mr. Speaker, I think the conferees have done a very good job under the circumstances and I urge the adoption of this conference report.

Mr. BENNETT of Michigan. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the ranking minority member and a member of the conference committee.

Mr. BENNETT of Michigan. Mr. Speaker, I wish to associate myself with the gentleman in the remarks he has just made in explanation of this bill. We are legislating here in perhaps one of the most difficult areas concerning the Communications Act. I do not think it is possible to arrive at a completely satisfactory solution or one that will deal effectively with every single problem that arises in this area. But I think we have come up with a reasonably good solution, an entirely practical solution, recognizing the rights of candidates on the one hand and giving broadcasters the right to exercise their bona fide news judgment.

I feel very strongly that the conference substitute is superior to the legislation passed by the House.

As I stated in the discussion of this legislation on the floor of the House, I felt that the bill as reported to the full committee by our Subcommittee on Communications and Power was a very satisfactory bill. As a matter of fact the provisions of the conference substitute are very close to the provisions contained in the subcommittee bill. In the full committee, however, a new clause was added providing that the appearance of the candidate on a newscast, interview, or in connection with the coverage of a news event must be—and I quote—"incidental to the presentation of news."

I feel that this language would make the task of broadcasters and the FCC an impossible one and that even with the best intentions in the world neither broadcasters nor the Commission can meet the task of distinguishing between appearances which are incidental and appearances which are not incidental.

I am glad to see that the conference substitute omits this language because the majority of the conferees felt as I do, that this requirement would lead to even greater confusion than we have at present under the Lar Daly decision.

Mr. Speaker, I hope the conference report will be agreed to.

Mr. HARRIS. Mr. Speaker, I might say that the conferees on both sides agreed to this conference report with the exception of one Member of the House, the gentleman from California [Mr. Moss], who did not agree with the conference report as presented. All other members of the Conference Committee, both House and Senate, agreed to and signed the report.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. YOUNGER. Mr. Speaker, I associate myself with the conference report and should like to ask this question. Does not the gentleman believe that the conference report and the explanation made in it, actually make for a better bill than we went to conference with?

Mr. HARRIS. I just stated that a moment ago; I feel that way.

Mr. YOUNGER. I thank the gentleman.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Kansas.

Mr. AVERY. Mr. Speaker, I certainly want to be associated with the gentleman from Arkansas who is now addressing the House in his remarks. Certainly the fact that the conferees were able to agree was a direct result of the leadership of the gentleman and his positive assertion of the position of the House while we were in conference.

I wondered, while the gentleman was in the well—I know this item is going to

come up a little later—if he would not address himself to the proposition that the test of the standard of fairness still prevails in the basic act irrespective of any changes that we have made in section 315; and it applies not only to political candidates, but issues and editorializing by licensees as well.

Mr. HARRIS. The gentleman is eminently correct. He will remember as he was one of the conferees, that we discussed this particular item and everyone agreed that the standard of fairness must prevail, and applies to the programs which will be exempted from the equal-time requirement of section 315.

Mr. HEMPHILL. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from South Carolina.

Mr. HEMPHILL. Mr. Speaker, I take this time to ask this question. The term "bona fide news documentary" as contained in the report does not under any circumstances mean a panel discussion, is that correct?

Mr. HARRIS. No; a panel discussion might come under the heading "news interviews."

Mr. HEMPHILL. As I recollect, the Senate debate on this particular legislation removed "panel discussions."

Mr. HARRIS. Yes, but as I explained a moment ago in our conference report that is explained on page 4. The kind of interview the gentleman is talking about has got to be a regularly scheduled program, has got to be bona fide, and if such a panel discussion comes within that category, it is permitted.

Mr. HEMPHILL. That was the intention in the committee when we discussed panel discussions?

Mr. HARRIS. Yes; the gentleman is correct.

Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Speaker, I hope you will look at the report, the statement of the managers on the part of the House, on page 4, because you have just heard about all of the safeguards built into this legislation. I want to show you that you have no safeguards. The restatement of the so-called Proxmire amendment is virtually meaningless, the statement that says that a rule of fairness must apply, a rule of fairness which can only be tested at the time the station's license comes up for renewal, and renewals which are handled routinely and where there have been no refusals to renew. It gives an opportunity to seek a remedy when the case is cold and forgotten. And if you are a defeated candidate it is of little comfort to know that you may have had a remedy.

Going halfway down on page 4 of the conference report, let us find out what we are doing because it is my considered judgment we are making a back door repeal of section 315, as it applies to the standard of fairness of equal times for candidates. If we open up first by removing the criteria of incidental appearance, incidental to the proper presentation of the news, the conferees were clearly inconsistent because they said this criteria was of no value, and yet they applied it to the matter of news documentaries. They say that the appearance on the documentary broadcast must clearly be incidental to the reporting of the documentary material. But that test of fairness is removed. Any newscast is exempted if it is regularly scheduled. What is a regular schedule? There is no definition. "I intend to schedule it, if I can continue to secure sponsorship for it" might be the attitude of a station. "We will give it a trial run of 3 weeks." Then, it is a regularly scheduled program and is exempt. With reference to bona fide newscasts or news interviews—stop thinking of "Face the Nation" and "Meet the Press." This becomes an issue in your local district over your local radio or TV station.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield.

Mr. HOLIFIELD. I just noticed in one of the national magazines that a former Governor of the State of California is going to have a political, a regular political broadcast program beginning in the next few weeks in which he attempts to comment and interview people in politics. Would there be any protection against this former Governor interviewing the candidates of his own faith?

Mr. MOSS. As to the test of good faith, and I am not a lawyer, but I say to any of my colleagues who are—you try to prove that that broadcast was undertaken in bad faith—and you cannot do it.

Mr. HOLIFIELD. Then the answer is——

Mr. MOSS. The answer is that he would be clearly exempt under the provisions of this language. This is wide open to abuse. Let us see where else we have a remedy. If we apply this general rule of fairness in a news presentation of broadcast material. It says, if a program is a regular program under the control of the licensee—if it is a case of a local station or a network—if it is network originated, networks are not regulated. The argument will be offered that networks are licensees because they own radio or television stations. That is not true at all. Mutual Broadcasting owns no stations and yesterday three former officials were indicted for what? For taking $750,000 to set up a special news service to feed slanted news. In my view, you cannot leave to these unregulated organizations, the responsibility of determining whether or not the treatment you receive is fair, or for that matter whether the treatment received by your opponent is fair because he, at election time, has the same right to enter the homes of the American people and present his platform and his views as any of us sitting here as incumbents have. I am concerned that the rights of each of us be preserved. Those rights are not preserved if we repeal this, and that is what you are doing here, and we are not doing it in the language of the statute—we are doing it in the language of the report of the managers from the conference. If it had been included in the language amending the statute, it would have been clearly subject to a point of order, and I assure you I would have made that point of order. But we have expanded this by definition. A newscast now is any program regularly scheduled where you might interview. Yes, it might be a case of the regularly scheduled "This is Your Life." It might be any type of regularly scheduled program thought up by someone in your community. I am not saying that abuses would occur in a great many instances, but I say they could occur and it is our responsibility here to see that they do not. All that is necessary to overcome the very unwise Lar Daly decision is to make clear in the presentation of the news where the candidates' appearance is incidental to the presentation of that news that it is clearly exempted.

That takes us back to where we were before the Labor Day decision; so if we adopt this conference report we go back a very great way, because for 32 years this doctrine of equal time has existed. It was in the first Radio Act.

I say there has been no showing to justify this type of action. It is far too broad; it is opening up the way to abuse, and I think the record shows that some who enjoy privileges in this field have certainly failed to live up to their responsibilities. Again I cite the matter of the indictment yesterday of the three former Mutual Broadcasting officials.

I urge most sincerely that this House not approve this conference report.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. MOSS. Of course, I yield to the gentleman.

Mr. AVERY. I know the gentleman has very sincere convictions about this matter, because he and I have personally debated them in committee and otherwise over a period of months; but in the course of his remarks made this afternoon, I hope the gentleman will clarify his remarks when he says we have extended this to the point that we have repealed section 315. The gentleman should say "in his opinion" we may have done that. Here we have a conference report coming up signed by four Members of the other body and by five Members of this body, and that certainly was not the position that we took in the conference.

Mr. MOSS. I yielded to the gentleman for a question. Let me say I do not think any Member of the House felt that I was expressing other than my own opinion and my own conviction. I was the sole Member out of 10 who did not sign this conference report, and I have no apology for that whatsoever. I recognize the gentleman's sincerity and the gentleman from Kansas knows I am sincere when I say that the language in this report opens the door all the way.

Mr. AVERY. Mr. Speaker, will the gentleman yield further at that point?

Mr. MOSS. I yield further.

Mr. AVERY. Since the gentleman mentioned the events of yesterday involving former officials of the Mutual Broadcasting Co., he would not want to leave the impression with the House that the action taken on section 315 in any way affected the action by the Department of Justice yesterday involving those officials that were just mentioned.

Mr. MOSS. That is such a far-fetched idea that I would not even propose it to the House.

Mr. AVERY. The gentleman brought it up in the course of his remarks.

Mr. MOSS. I think it is evidence of the fact that we do not control licenses or regulate in any way these networks.

Mr. HARRIS. Mr. Speaker, I yield such time as he may desire to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Speaker, I take this moment to inform the House, believe it or not, that we have agreed on a labor bill; and, may I add, all of the conferees survived.

Mr. HARRIS. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. I shall take only one minute. I would like to call the attention of the Members to the conference report. In my recollection, out of the 11 conferees 8 are very prominent attorneys. I am not a lawyer, but I want to assure the Members here that in the opinion of those eight very well-qualified attorneys we did not repeal section 315, but we did make it possible for the broadcasting companies to properly report political meetings, political conventions, and parts of the campaign coming up in the next year.

Mr. Speaker, I yield back the balance of my time.

Mr. HARRIS. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I would like to start out by thanking the chairman of the House Committee on Interstate and Foreign Commerce for so graciously making available to me this 5 minutes. I know how dear time is on these conference reports, and I appreciate it.

Mr. Speaker, I would like to subscribe wholeheartedly to the remarks made by the gentleman from California [Mr. Moss].

The gentleman from California said this conference substitute constitutes a repeal of the equal time provisions of section 315(a) of the Interstate Commerce Act. I want to subscribe to that and to repeat it, and to add to it that I think it not only repeals it but virtually completely repeals it and that it just about eliminates the requirement for fair play in those subtle instances of discrimination which are possible between candidates on a radio or television program. The equal time provisions of section 315 of the act would otherwise cover these interviews. The conference substitute gives a virtual exemption of the equal time provisions to panel shows and to programs of that sort. For further proof of that I refer you to the language which appears on page 1 of the conference report where the exemptions are given to bona fide newscasts, bona fide news interviews, and bona fide documentaries. This offers something which has never been in section 315 of the Federal Communications Act before.

I want to recall to the House the fact the amendment that was adopted by this House, and it was adopted by the Committee on Interstate and Foreign Commerce, reflected the work and thought which was given to the bill by the gentleman from California [Mr. Moss]. He is the author and he is entitled to give the best and the most complete construction of that amendment which is before the House.

For the benefit of my colleagues, I want them to remember the House bill required the test that the appearance of the candidate be incidental to the presentation of news. The conference substitute merely requires that the broadcast be bona fide, with one exception, and that one exception is interesting—the question of bona fide news documentaries. In that sole instance the language incidental to the presentation of news is retained. Why should incidental to the presentation of news be important in documentaries if it is not important in the case of newscasts, interviews and other news presentations? The answer is that it is equally possible to utilize preferential treatment for a candidate in the instance where you have a newscast and a news interview as it is in the case of a documentary and the damage to a candidate must be fully as great.

Let me point out that bona fide is defined on page 4 to mean this: "A regularly scheduled program." A program may be regularly scheduled for 3 or 4 weeks or a week or for 7 successive days and immediately after the election it may vanish from the airways. Why? For want of a sponsor, or something of that sort.

In the interim there has been great damage to a candidate.

Then, again, "bona fide" is almost impossible of proof. The only way you can prove the absence of bona fideness and the only way an injured candidate can prevail under this section, and show absence of bona fideness by the producer or by the sponsor or by the show is by showing one of two things: a long pattern of preferential action.

Let me say it may be that this is an incumbent's bill. Possibly it is and it may not be.

I do not speak to the House today on the grounds of partisanship. I say that the right of a candidate to be heard and make his views known over the property of the American people, the radio and television spectrum, is too sacred a thing to be lost by the careless use of words or to be lost because this House failed to take the time to consider the semantics of the thing involved.

If we are to preserve democracy, if we are to preserve free elections in this country, if we are to preserve the rights of each and every candidate, ourselves and those who run against us, and those who run for other offices, we must reject this conference report and start anew.

Mr. HARRIS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, in the work that was done on this bill in committee, I know of no bill where more thought and care were given to a piece of legislation than this. May I say there were a great deal of differences which were ironed out in the committee, and there were also some disagreements that were carried over to the conference. But, I do believe that the conference committee did as good a job as it could. Any of you who have ever sat in on a conference between the House and the Senate know that you never get complete agreement between all of the parties to that conference. It just does not happen that way. It seems to me that the conference committee did about as good a job as could be done when you consider the differences that there were between what has been presented here by the distinguished gentleman from California, Mr. Moss, and the distinguished gentleman from Michigan, Mr. DINGELL, and what has been presented by the chairman of this committee. There were things, may I say, done in the committee which I did not agree with myself. But, I voted for the bill as it finally came to the floor because I felt that it was the best that we could do at that time. And, I believe that the conference report, may I say to my colleagues, is the best that could be gotten for you to vote on. In any piece of legislation such as this, where there are so many controversies and objections, you are finally going to have to resolve on a compromise, and this is the best that can be had. Overall I believe that the bill as it was originally brought to the House was the best bill. On the other hand, I find no particular disagreement with the bill as it has been expanded, and I believe that I certainly, being placed in that position, recommend it to my colleague as a compromise which can be voted on today, and I think you can do it in good conscience.

Mr. HARRIS. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Speaker, I take this time to ask the chairman a question or two if I may. Just exactly what did the conference committee mean by "a regularly scheduled program"?

Mr. HARRIS. It means a program that is regularly scheduled. Say every day at a certain time or every week at a certain time. The same connotation that is used on anything that would be considered regular in its operation.

Mr. BROWN of Missouri. I am sure the chairman is aware of this, that in television programs more and more they are having spectaculars that are programed only infrequently, rather sporadic scheduling. Let us say, for example, that a station or a network had a program called "Hear It Now," on which normally they carry documentaries. But, suppose 3 or 4 months prior to an election, instead of carrying a documentary, they carry "Hear It Now" with news interviews of a particular candidate. Now, does that come under the exemption?

Mr. HARRIS. The gentleman knows, as we all know, that there are human elements involved with anything that we have in our lives, and we know when someone on a program as important as this tries to go beyond the spirit and the letter of the law and begins to abuse it, it is going to be detected immediately.

Then is when you have the response from the general public. This language is so clear as to what is intended here that whenever an abuse occurs, then that abuse should be reported to the Federal Communications Commission with a request for immediate action.

Mr. BROWN of Missouri. Mr. Speaker, I respect the chairman's answer, and I know this is a very difficult field. I was in the radio business for many years myself. Actually, we got into trouble when the Federal Communications Commission tried to interpret a very vague general law, and I fear that we are asking for a continuation of this trouble. I like the theory of that which is incidental to news. That puts the burden right on the station manager, the licensee.

Mr. HARRIS. And so does this.

Mr. BROWN of Missouri. Well, I wonder if it does it as well as the incidental theory, because clearly under that which is incidental to news, we spell it out to the FCC and to the licensee that the burden is upon the licensee and the broadcaster to determine that which is incidental to news. Now, if we get into regularly scheduled programs, that is open to a great variety of interpretations, I respectfully suggest, because things can be regularly scheduled for a few months this year, and then for 2 years they may not be scheduled, and then may be revived again. Then, too, it lets you run all over the map on these news interview shows, which, personally, when I was in the broadcasting business, I always looked at very carefully, because almost every one of them had some political insinuation of some kind.

Mr. HARRIS. I will say to the gentleman that I respect his views because of the experience he has had with this industry, and I have a lot of admiration for him. I would say even though he has a great deal of familiarity with the actual operation of the program, I respectfully suggest that he is not familiar with the law and with the administration of it. As a matter of fact, heretofore when the Commission issued its rule in the famous Blondy decision, everything apparently moved along all right including news interviews, panel discussions, news documentaries, and so forth; but when the Commission arbitrarily reversed its own position in the Blondy case, that is when the matter got out of hand.

I will say to the gentleman that it is now the intention, and this report does give the Commission clear language as to how to proceed and a very clear guide as to how to carry out the program. And I would say that this is much better from the standpoint of operation in the public interest than what we have had heretofore.

Mr. BROWN of Missouri. Mr. Speaker, I will agree with the chairman that I am not a lawyer or a jurist, but I have had a lot of experience because a licensee actually has to watch his p's and q's or have his license revoked.

Mr. HARRIS. Mr. Speaker, I would refer the gentleman to page 4 of the report which I think should relieve him of any fear that he has regarding the responsibility. I think because of the intense interest in this it would be helpful for everyone to understand just what is intended here, not what I myself tell you from my own convictions or views or what the gentleman from California [Mr. Moss] might say as to his own convictions, but the composite views of the conferees as set out in this conference report and the explanation that goes with it, which is a part of the entire history of the program. I quote from page 4 of the report:

> It is intended that in order for a news interview to be considered "bona fide" the content and format thereof, and the participants, must be determined by the licensee in the case of a news interview originating with the licensee of a station and by the network in the case of a news interview originating with a network; and the determination must have been made by the station or network, as the case may be, in the exercise of its "bona fide" news judgment and not—

I repeat—

> and not for the political advantage of the candidate for public office.

We could not make it any clearer, in my judgment.

Mr. BROWN of Missouri. Mr. Speaker, I tremendously respect the conferees and the chairman of this committee.

Mr. HARRIS. I thank the gentleman.

Mr. BROWN. I just wanted to add this. I think we had a better bill in the original version in the House.

Mr. HARRIS. I still feel that this clarifies it.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. MOSS. Mr. Speaker, I hope it was not the intent of the gentleman to leave the impression that under the Blondy decision panel-type shows were exempt from the requirements of section 315.

Mr. HARRIS. Not at all. But I want to say to the gentleman that if the decision in the Lar Daly case was carried to its conclusion, which would be expected, it would reach panel shows, it would reach documentary news programs, it would reach news interviews, it would reach political conventions which have heretofore been carried on TV ever since we have had TV. And, in order to overcome those problems and difficulties, something had to be done about it. We present this as the method of doing it with the restrictions and the limitations attached to it.

Mr. MOSS. Mr. Speaker, will the gentleman yield further?

Mr. HARRIS. I yield.

Mr. MOSS. I believe that I have tried to overcome the effect of the Lar Daly decision. As I understand it, and I believe I am right, it changed the Blondy decision in applying to the reporting of the news. That was the mischief wrought by that decision. We here now go to an exemption of the panel shows which were not included in the Blondy decision.

Mr. HARRIS. Mr. Speaker, actually the one major difference between what we have here and what we presented on the floor of the House with our explanation is that one question. The gentleman from California interpreted the language so that it would not permit panel interviews. I, along with other members of the committee, interpreted it so that it would. This conference makes it clear; if it is a regularly scheduled interview, it is permitted.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, it has come to my attention that several broadcasters have commenced endorsing candidates or slates of candidates for public office. It seems to me that an endorsement is in effect a violation of the spirit of the section because it gives the preferred or recommended candidate free time to the disadvantage of the candidates who are not considered for endorsement.

Now my question is this: Will this amendment in any way authorize a broadcaster to endorse a candidate or a slate of candidates for public office, thereby violating the spirit of this section by giving the preferred or recommended candidates the advantage of the endorsement and the free time that is involved in that endorsement?

Mr. HARRIS. I will say to the gentleman that this matter of endorsing candidates over broadcasting facilites has just been brought to our attention. We have made some inquiry regarding it. I have only found two stations in the Nation. There may be others that have endorsed candidates over their facilities. One is in Connecticut, I believe, and there has been no problem there because I understand they let all other candidates have equal time in connection with their endorsement. The gentleman has one in his own district, I believe, that has engaged in this practice and has endorsed certain candidates. It is our thinking that this seems to be a clear abuse of the standard of fairness which is applied under the Communications Act itself unless fair opportunities are offered to the other candidates. I think that question ought to be presented to the Commission, and I think also our committee ought to study this problem of stations endorsing candidates.

Mr. VANIK. I thank the gentleman.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. FORAND. Let me add to what the gentleman from Arkansas has just said—he knows of two cases—may I say I know of a third case because they endorsed my opponent in the last election and I beat him by 40,000 votes.

Mr. HARRIS. Well, there is some experience for you. If we could have that kind of luck, I am for more of it.

Mr. Speaker, I yield myself 3 minutes to answer any questions.

Mr. BROWN of Ohio. Mr. Speaker, I congratulate the committee on the report that it has brought in. It does not go quite as far as I would like toward giving freedom of information over the radio and television such as is enjoyed by the press of the Nation, but I think

all of us who do believe in the right of information and freedom of the press could also endorse and approve this bill which will at least permit the news to be presented to us over another media other than the newspapers of the country themselves. I again congratulate the committee.

Mr. HARRIS. Mr. Speaker, Mr. Moss, who is a member of our committee and who was a member of the conference committee on this legislation, and Mr. DINGELL, who is a member of our committee, have prepared and circulated among the Members of the House a letter criticizing the substitute agreed to by the committee of conference, and they urge that the House reject the conference report.

As I read the letter—and I have read it carefully—the principal criticism it makes is based on the omission from the conference substitute of language which was in the House amendment and which, in effect, provided that the exemption from section 315(a) proposed by this legislation in the case of appearance of a candidate on a newscast, news interview, or on-the-spot coverage of news events, would apply only if such appearance was "incidental to the presentation of news," and the substitution therefor of a requirement that a newscast or news interview, or a program presenting news events through on-the-spot coverage, must be a bona fide program of that type or character in order for the exemption to apply.

The letter alleges that this change replaces "the objective requirement of the Houses bill that the appearance be incidental to the reporting of the news with the subjective text that the newscast or news interview be bona fide." It states that the conference substitute provides for "a purely subjective text almost impossible of proof without either the showing of the grossest kind of favoritism or of a long pattern of preferential treatment by the broadcaster."

The letter then states that "by the time the injured candidate had borne the burden of proof required by the substitute the campaign would be long over."

The sum and substance of the contention seems to be that the political candidate who, under the provision as passed by the House, would have been able to complain to the Commission with some hope of success in obtaining equal time would not have such a remedy under the language of the conference substitute.

I do not agree with this. It is my view that the complaining candidate will be able to take the matter before the Commission for a prompt determination of the matter. The test to be applied under the conference substitute is by no means too subjective to permit this. Under the substitute agreed to in conference, the appearance of a candidate on a newscast or news interview will not be exempt from the equal time requirement unless the newscast or news interview is bona fide, and appearance of a candidate in on-the-spot coverage of news events is not to be exempt from the equal time requirement unless the program covers bona fide news events. This requirement regarding the bona fide nature of the newscast, news interview, or news events was not included without careful thought by the conference committee. It sets up a test which appropriately leaves reasonable latitude for the exercise of good faith news judgment on the part of broadcasters and networks. However, it is not intended that the exemption shall apply where such judgment is not exercised in good faith. For example, to state a rather extreme case, the exemption from section 315(a) would not apply where the program, although it may be contrived to have the appearance or give the impression of being a newscast, news interview, or on-the-spot coverage of news events, is not presented as such by the broadcaster or network in good faith, but in reality has for its purpose the promotion of the political fortunes of the candidate making an appearance thereon.

There is another point on which I would like to comment. The letter states that the language of the conference report "reveals its weakness" in that the test of "incidental to the presentation of news" is retained with respect to news documentaries but not to other forms of newscasting. On the contrary, there is ample justification for this special treatment of news documentaries. News documentaries were not exempt as a separate category under the House amendment, but they were under the Senate bill. The report of the House committee explained that the committee did not exempt news documentaries because some such programs might, to quote the language of the report, "go far beyond what is normally considered to be news." I feel that the limiting language in the conference substitute as to news documentaries, since such programs are named as a separate category, is appropriate to meet the point expressed in the report of the House committee. I do not think that there is a similar problem in the case of the other categories included in the conference substitute.

I note that the letter makes reference to "panel shows" in a number of places, apparently on the assumption that this is a category in the case of which appearances of candidates would be exempt from the equal time requirement.

This term is nowhere used in the conference substitute. I can only assume that the writers of the letter had reference to certain programs that would be in the category designated in the conference substitute as "news interviews." Certainly I do not agree that the term "news interview" as used in the conference report is broad enough to include all the types of panel shows or panel discussions that one's imagination might conjure up—and I hardly think that the writers of the letter had this in mind. It might be appropriate to refer at this point to a statement in the House committee report with respect to panel discussions. This statement explained that the House committee amendment did not include them because some programs in that category might go far beyond that is normally considered to be news. Panel discussions were not treated as a separate category in the Senate bill. I wish to make it clear, however, that there certainly is no intention in this legislation to deny exemption from section 315(a) in the case of an appearance on a panel discussion if, by reason of the nature and characteristics of the program, it falls within any of the four categories specified in the first sentence of the amendment agreed to in conference.

The letter at another place charges the conference substitute is a back door repeal of section 315(a) and an "invitation to the grossest kind of political favoritism" and that it gives "an unprecedented opportunity to political kingmaking." This is, in my opinion, a wholly unwarranted statement, with which I heartily disagree.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the adoption of the conference report.

The question was taken; and on a division (demanded by Mr. Moss), there were—ayes 142, noes 70.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their own remarks in the RECORD just prior to the vote.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CENTURY 21 EXPOSITION

Mr. BROOKS of Louisiana. Mr. Speaker, I call up the conference report on the bill (H.R. 8374) to amend Public Law 85–880, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1104)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8374) to amend Public Law 85–880, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That the first sentence of section 1 of the Act of September 2, 1958 (Public Law 85–880; 72 Stat. 1703), is hereby amended as follows:

"(a) After the phrase, 'World Science—Pan Pacific Exposition', insert 'now known as Century 21 Exposition'.

"(b) Strike '1961' and insert in lieu thereof '1961 and 1962'.

"SEC. 2. (a) Clause (5) of section 3 of said Act is hereby amended to read as follows:

"'(5) incur such other expenses as may be necessary to carry out the purposes of this Act, including but not limited to expenditures involved in the selection, purchase, rental, construction, and other acquisition of exhibits and materials and equipment therefor and the actual display thereof, and including but not limited to related expenditures for costs of transportation, insurance, installation, safekeeping, maintenance and operation, rental of space, and dismantling; and'.

"(b) Add a clause (7) to section 3 of said Act as follows:

"'(7) procure services as authorized by the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $50 per diem.'

"(c) Clause (3) of section 3 of said Act is hereby amended to read as follows:

"'(3) erect such buildings and other structures as may be appropriate for the United States participation in the exposition on land (six and one-half acres or more and including land necessary for ingress and egress) conveyed to the United States in fee simple and free and clear of liens and encumberances, in consideration of the participation by the United States in the exposition, and without other consideration. In the design and construction of such buildings and other structures consideration, including consultation with the General Services Administration, shall be given to their utility for governmental purposes and needs after the close of the exposition.'

"SEC. 3. (a) Section 7 of said Act is hereby amended to read as follows:

"'SEC. 7. There are hereby authorized to be appropriated, to remain available until expended, not to exceed $12,500,000 to carry out the provisions of this Act, including participation in the exposition.'

"(b) Add a new section 8 to said Act, as follows:

"'SEC. 8. The functions authorized in this Act may be performed without regard to the prohibitions and limitations of the following laws: section 3648, Revised Statutes, as amended (31 U.S.C. 529); section 3735, Revised Statutes (41 U.S.C. 13).'"

And the Senate agree to the same.

OVERTON BROOKS,
GEORGE P. MILLER,
OLIN E. TEAGUE,
JAMES G. FULTON,
GORDON L. MCDONOUGH,
Managers on the Part of the House.

J. W. FULBRIGHT,
MIKE MANSFIELD,
BOURKE B. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8374) to amend Public Law 85-880, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendment of the Senate struck out all after the enacting clause of the House bill and substituted a new text. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for a clerical change, the differences are noted below:

The House bill provided for the conveyance or lease of land to the United States. The Senate amendment provided for a conveyance in fee simple of 6½ acres or more including land necessary for ingress or egress. The Senate amendment also required that, in the construction of buildings and other structures, consideration be given to their utility for governmental purposes and needs after the close of the exposition. The conference substitute adopts the Senate version on this subject.

The House bill amended section 6 of Public Law 85-880 so as to provide for the disposal of property acquired or erected with funds provided pursuant to the act, in accordance with Federal laws relating to excess and surplus property. The Senate amendment struck out this provision. The conference substitute adopts the Senate version on this subject.

The House bill authorized the appropriation of no more than $12,500,000. The Senate amendment authorized the appropriation of such sums as might be necessary to carry out the provisions of the act. The conference substitute adopts the House version on this subject.

Both the House bill and the Senate amendment would waive the prohibitions and limitations of section 3735, Revised Statutes (41 U.S.C. 13) insofar as applicable to the functions authorized by Public Law 85-880. In addition, the Senate amendment would waive section 3648, Revised Statutes, as amended (31 U.S.C. 529). The conference substitute adopts the Senate version on this subject.

OVERTON BROOKS,
GEORGE P. MILLER,
OLIN E. TEAGUE,
JAMES G. FULTON,
GORDON L. MCDONOUGH,
Managers on the Part of the House.

Mr. BROOKS of Louisiana. Mr. Speaker, explaining the conference report briefly to the House I wish to say that this is the so-called Century 21 Exposition bill. The House passed a bill which was presented by the Science and Astronautics Committee. The Senate in its consideration of the bill struck out everything after the enacting clause and wrote a different bill.

There are two fundamental differences between the House and the Senate bills that were ironed out in conference. The first and important one was that the Senate bill did not provide for any definite amount to be spent on the exposition; it provided that such funds as necessary would be made available for that purpose. The House bill provided $12,500,000 for that purpose. The Senate in the conference agreed to tie the sum down to not exceeding $12,500,000, which was the stipulation in the House bill.

On the other hand, when it came to the matter of handling the property on which buildings might be erected for the exposition the House bill did not stipulate the amount of property which would be provided for that purpose. The Senate bill provides not less than 6½ acres and that full means of ingress and egress to this property must be provided. In addition to that the Senate bill wiped out the provision which would permit a lease instead of an actual fee simple title to be given to the United States. We agreed to this. The lease provisions were stricken out and the bill as now presented to you from the conferees requires fee simple title in the United States.

Those are the two fundamental differences in the bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Iowa.

Mr. GROSS. As a result of the conference there is still $12,500,000 for this exposition in Seattle, Wash. Is that correct?

Mr. BROOKS of Louisiana. No; it is not to exceed $12,500,000. That was the amount the House bill provided.

Mr. GROSS. That is a good deal like writing salary limitations into some of the bills that have been going through recently: "Not to exceed $19,000"; but we see that all of them are appointed at $19,000. The gentleman, I suppose, anticipates that this $12,500,000 will be spent.

Mr. BROOKS of Louisiana. That will depend on what action the Appropriations Committees of both Houses take.

Mr. GROSS. But the gentleman anticipates that $12,500,000 will be appropriated, does he not?

Mr. BROOKS of Louisiana. I have great admiration for the gentleman's ability to detect waste, but I believe that if the United States is going to participate in that fair, and the United States has said it wishes to, that we ought to have a presentable exhibit out there on the west coast that will reflect credit upon the greatest nation in the world; and I hope it will not take $12,500,000.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. I want to say it is still too rich for my blood, and I am opposed to the conference report.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Pennsylvania, a member of the conference committee.

Mr. FULTON. I would like to assure the House that this amount of money is in good correlation with the other fairs that have been financed through Federal funds from the very beginning, ever since the Chicago Fair of the 1890's. The committee has looked into this carefully. It seemed that this would be a good type of building that can be used afterward by the Federal Government if needed. It can be used after the fair is over, either for Federal Government purposes or for other purposes by the State or city.

We have tried to work out a bill that was tight to meet the requirements of both sides. I am glad to say I agree thoroughly with the gentleman from Louisiana [Mr. BROOKS] as well as the gentleman from California [Mr. MILLER] that this is a good conference report and one we have all participated in and one that the Department of Commerce through its General Counsel has approved.

On behalf of the administration I must say it is within the budget and approved by the administration.

Mr. GEORGE P. MILLER. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from California.

Mr. GEORGE P. MILLER. Mr. Speaker, I would like to say for the benefit of the gentleman from Iowa that I consider this much more restrictive than the language involving $12½ million that was put in the bill because that would be a

target to shoot for. Now they have to justify every cent they are going to spend.

Mr. BROOKS of Louisiana. I may say further to the gentleman from Iowa we are in far better shape than we would have been had we adopted the Senate provision where there was no limit at all. This stipulates a limit.

Mr. FULTON. Under this legislation sent up by the administration it would have been an authorization and an appropriation without the necessity of going to the Appropriations Committee of the House of Representatives. I am glad to advise the gentleman that my amendment concurred in by the other side has made this legislation require every cent to be appropriated by the House of Representatives Appropriations Committee, so that we have tried to give it every kind of safeguard and have the House look at it and see that this is the maximum and that they do not get the money handed to them. Is that not right?

Mr. BROOKS of Louisiana. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Iowa.

Mr. GROSS. I like all this hedging that is going on over the $12½ million. If the gentleman here thinks that $12½ million is too much, I suggest to him that he could very well have reduced it in conference or tried to reduce it in conference. I hope you will not belabor this issue. I was not able to get a rollcall vote before, but if you keep telling me that you are likely to spend the money, you may convince me you will spend $12½ million and I might still get the rollcall.

Mr. BROOKS of Louisiana. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to and a motion to reconsider was laid on the table.

LEASING OF COAL LANDS IN ALASKA

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1116)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

WAYNE N. ASPINALL,
WALTER ROGERS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
(By J. P. S.)
Managers on the Part of the House.

ERNEST GRUENING,
FRANK E. MOSS,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The conference committee agreed to reject the Senate amendment to H.R. 6939 and thus to restore the bill to the form in which it passed the House. Under this agreement, 10,240 acres of public lands in Alaska will normally be the maximum that can be held under coal lease or permit by any one person, corporation, or association. The Senate amendment would have made this figure 20,480. Lessees and permittees will also be permitted to hold an additional 5,120 acres (instead of 10,240 acres, as proposed by the Senate) if special need therefor is shown. The acreage limitations in Alaska will, in other words, be identical with those in force elsewhere in the United States.

WAYNE N. ASPINALL,
WALTER ROGERS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
(By J. P. S.)
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to and a motion to reconsider was laid on the table.

DR. CORNELIUS P. RHOADS

Mr. FOGARTY. 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 Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the world of science, and indeed our Nation as a whole, have very recently suffered a great loss in the untimely death of Dr. Cornelius P. Rhoads. When he succumbed to a heart attack last August 14, Dr. Rhoads was just 61 years of age, and at the peak of his brilliant career as director of the Sloan-Kettering Institute for Cancer Research and scientific director of Memorial Center for Cancer and Allied Diseases in New York City. His outstanding contributions to cancer research should not go unrecognized by this body, which has itself long devoted much attention and effort to attaining the same goal that Dr. Rhoads stood for—victory over cancer.

Strangely enough, Dr. Rhoads, affectionately known as "Dusty" to his friends and associates, came rather late to the medical field to which he finally dedicated his life so completely. Not until 1939, when he joined the staff of Memorial Center, did he begin to turn his prodigious energies toward cancer. The next year, he became director of Memorial, and held that position for 10 years.

A profound change occurred in Dr. Rhoads' attitude toward medical research during the early 1940's, a change that has since been felt all over the United States and even beyond. During the Second War War, he served as chief of the medical service of the Army's Chemical Warfare Service. There he had the opportunity to observe the remarkable progress that can be achieved when scientists work together under pressure. As we all know, scientists are traditionally individualistic. Yet, during the war, many of them found that they could work together without risking any violation of their individual rights as scientists.

Dr. Rhoads became convinced that this approach could be applied to cancer research. He already believed that the problem of cancer could be solved through well-conceived, thorough, progressive research. His war experiences further convinced him that a concentrated frontial attack could speed this success. The way to do this, he decided, was to enlist scientists from a multitude of disciplines.

Dr. Rhoads was a crusader, and fortunately he was endowed with the ability to fire others with his enthusiasm and confidence. The 14-story Sloan-Kettering Institute for Cancer Research stands today as a witness to the inspiration of his leadership. Built with the contributions of Alfred P. Sloan, Jr., and others, it is often called, appropriately, the tower of hope. Dr. Rhoads became director of Sloan-Kettering in 1945, and in this capacity he exhibited great skill and discrimination in selecting exceptionally well-qualified research workers. He was able to offer them wise and generous support, all the necessary resources for conducting their work, and most important, great freedom and flexibility in their individual activities. He attracted outstanding scientists from many nations to Sloan-Kettering, and by the time he died, he had earned the deep respect of scientists in all parts of the world. Still, he was modest enough to say once, "All I can do is pick good men, give them opportunities, and help them keep pointed at the target."

As is the case with most people who try to introduce changes, Dr. Rhoads suffered considerable criticism during his lifetime. Many believed him impractical and impulsive. Some scoffed particularly at his belief that chemicals could be effective in treating cancer. But he refused to be discouraged. Today, chemotherapy research is a nationwide operation, heavily supported by the Federal Government, and widely considered to be our best hope for the future in controlling cancer. I know it must have been extremely gratifying for Dr. Rhoads to see this acceptance of his views.

When Dr. Rhoads was first attracted to the study of cancer some 15 years

ago, we were barely on the threshold of what is now today's most concentrated medical effort, a determined worldwide struggle to understand and reduce one of mankind's most staggering disease problems. Because of the dedication of men like Dr. Rhoads, we have secured the progress that has been made so far against cancer. His life will continue to furnish inspiration to all of us who work to conquer cancer.

It gives me great satisfaction to know that the Congress has made and is making a lasting contribution in this work. I am happy and proud that the Congress has recognized that progress in cancer research, particularly the enormous progress made during the very period when Dr. Rhoads was exercising his vigorous leadership, has merited increasing support over the years. From year to year, to the degree that cancer research has expanded and the need has increased, Congress has increased its appropriations to the National Cancer Institute. In 1945, the appropriation was slighly less than $500,000. For the fiscal year 1960, it is $91,257,000. The availability of these funds has contributed significantly to the support of worthy scientists all over our Nation. Dr. Rhoads' own research institution has been a major recipient of National Cancer Institute grant funds. The present substance of cancer research, the progress we have witnessed in such areas as chemotherapy, virology, and cytology, fully justify our support. They also justify our faith that there will be other men with the vision, the courage, the imagination, and the determination of Dusty Rhoads to carry on in this struggle.

I think you will be as impressed as I was by what Dr. Warren Weaver, Sloan-Kettering's president of the board of trustees, said about Dr. Rhoads. He said:

> It is quite literally true that he worked himself to death. But this occurred in a great cause, and however tragic the immediate incident, this is a noble way to die.

GEN. MELVIN JOSEPH MAAS: A LIVING EXAMPLE OF ACCOMPLISHMENT

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an article with reference to Gen. Melvin Joseph Maas.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, an example of unexcelled courage, determination, and devotion to public service is given us by our former colleague, Gen. Melvin Maas, in this week's—September 5—issue of the Saturday Evening Post.

Some of us were privileged to know and to serve with Mel Maas, who, by his life, has demonstrated the fact that there is no real need for anyone to be discouraged, but should accept complacently the disappointments and misfortunes which, in some degree, come to all of us.

Often the printed stories of the accomplishments of those who have reached the top are colored, the virtues of the individuals magnified, his faults minimized. That is not true of the story to which reference is here made.

It was my privilege, not only to serve with our former colleague here in the House, but on several occasions to be a patient at the Naval Hospital when Maas was there.

Never have I seen him discouraged; never have I seen him lessen his efforts to render worthwhile service to others. My association with him—and it was comparatively brief and not at all intimate—was always a reminder that there was no excuse for discouragement, no reason ever to cease trying to accomplish something for humanity.

But read the story, for no matter how strenuous your previous efforts may have been, it will inspire you to greater accomplishments for the benefit of others.

By his life, his faithfulness, and his accomplishments, our former colleague has rendered a service greater to our people than that of any individual I have ever met.

The article follows:

DON'T PITY US HANDICAPPED

(By Melvin J. Maas, as told to Paul F. Healy)

The telephone rang in my room at the Bethesda Naval Hospital and when I answered I heard an old friend, Robert Copsey, a brigadier general in the Air Force Reserve, asking what I was doing there.

"Bob," I told him, "you remember how I always admired beautiful women. Well, now all women are beautiful."

Copsey got the point that I had gone blind—and that I was adjusting to my condition and no longer felt sorry for myself.

Since that day in September 1951, quite a number of people have seemed startled by my ability to take my blindness lightly. They express astonishment, too, that I continue to travel alone all over the world—in the last 7 years I have covered 600,000 miles, to Europe, Central America, all U.S. territories and every one of the States. This travel without any escort, human or canine, has been part of my job as chairman of the President's Committee on the Employment of the Physically Handicapped.

What the public doesn't seem to realize, I find, is how millions of severely handicapped persons have readjusted their lives and have the ability of playing a positive, productive part in society. In my own case, the fact that I could joke about my trouble was the first sign that my rehabilitation was getting under way. It was a most welcome sign, too, because when I first learned that I was doomed to darkness, I was terrified and afraid that I would never be able to make the transition to a strange new life.

My blindness occurred with little warning in the middle of a busy career. For 16 years I had been a Congressman from Minnesota, and for 10 of those years had served on the House Naval Affairs Committee. I had been a flier in both world wars, and after the end of World War II had been active as a brigadier general in the Marine Corps Reserve. Then, in July of 1950, just after the Korean war broke out, I was recalled to active duty in the Pentagon as chairman of a Defense Department committee assigned to draft an armed-forces-reserve reorganization bill.

While testifying for this bill during the summer of 1951, I developed a severe case of ulcers and on August 28 was admitted to the Bethesda Naval Hospital. That very day my eyes began to hemorrhage, and the sight of my right eye began to fail.

Two weeks later a Navy doctor sat down by my bed and said bluntly, "You're a marine and supposed to be able to take it, so we're laying it on the line—you're going to be completely blind, and in all probability it will be permanent."

I was stunned speechless. The doctor went on to explain that the blindness apparently had no connection with the ulcers and might have been caused by any one of a hundred things, including bombing injuries I had suffered on Okinawa in World War II. When the doctor left, my first feeling was one of desperation. I had terrible visions of sitting on a street corner, selling pencils or shoelaces. For two nights I lay in a cold sweat. I never actually contemplated suicide, but I was all too aware that I was in a room next to the one from which a depressed James V. Forrestal, former Secretary of Defense, had gone to his death through a window in 1949.

My two immediate worries were that my income would be cut off and that I would be rejected socially. For the first time in my life, at 53 years of age, I faced the prospect of being utterly useless. I was afraid that I would be unable to support my family and would be a burden to them as well. I wondered if my family might not be better off if I were dead and they had my life insurance.

This period of black depression might have clamped down on me for weeks or even months—but I was too busy. I was still working on that reorganization bill. I was on the telephone all day every weekday, discussing its progress with the Congressmen who were guiding it through the House.

On the third night my panic ended. I was able to summon up a philosophy that had helped me before. It is: If you are faced with a problem and can do anything about it, get busy and do it; if your problem is something you can't do anything about, then it is senseless to worry about it.

I began to wonder what I could do about my problem, and I began to experiment. I still had some sight in my left eye, but I wondered what life would be like when that was gone. One morning I kept my eyes tightly shut as I got out of bed; I went to the bathroom and showered, shaved, and brushed my teeth without peeking once. This test brought me profound relief. If I could do that much without any trouble, life couldn't be so bad.

My reevaluation of myself started. First I realized that I wouldn't be penniless, as I had imagined during the period of initial shock. Any officer in the Armed Forces who is retired for total disability gets 75 percent of the base pay of his retirement grade, and this is exempt from income tax. As it turned out, I had reached the rank of major general by the time I retired, and thus began drawing approximately $900 a month, tax-free Also, some years before I had bought an accident-insurance policy that brings me a substantial monthly income.

Meanwhile, the psychological readjustment with my wife, Kathy, and my four children was starting out well. Kathy set an example by treating me just right—with encouragement and adequate sympathy but without coddling or maudlin sentiment. One day she brought me a brochure which described the rehabilitation course at the Veterans' Administration Hospital at Hines, Ill. My religion—I am a Catholic—has taught me that if I had the will to take advantage of the compensations, God would give me the strength and confidence. The brochure said that upon completion of the Hines course a person should be able to do everything he could before he went blind except drive a car. The course lived up to its promise.

My training at Hines started in November, 1951, as soon as I was able to leave the naval hospital. And at Hines I found myself with 2,500 others—mostly Korean war veterans—in the same predicament as myself, but learning things which make it possible for

them to lead an almost normal life. Their constant self-kidding was wonderful for the morale of all of us. The whole course was designed to give us confidence—to rid us of the fear that we might become social pariahs. Even the compulsory dancing class with the Red Cross girls had this aim, though it took me a while to appreciate it.

At the first of these dances, when a Red Cross girl asked me to dance, I tried to beg off with the old chestnut, "I broke my leg in China." She didn't back down but pulled me to my feet with the remark, "Oh, come on General. If you enjoy dancing, you close your eyes anyway."

After we had danced awhile, my partner asked me how I was getting along at Hines, and I admitted that I was having some trouble learning braille. "Just remember one thing," she quipped. "Confine your practicing to paper."

At Hines I soon acquired a state of mind which, I am convinced, is one of the most important mental aids to the handicapped. I learned to regard my existence as a continual challenge, full of the excitement of discovery. When I woke up in the morning, I asked myself, What new things can I learn today—things that I once thought could be done only with sight?

In fact, I sometimes tried to do more than the course permitted. That's how I came to drive a car. One January day my instructor took me on an assignment in an outlying neighborhood. He parked his car at an angle. When we returned, a heavy snow was falling. The car's wheels spun when we tried to back out, so I persuaded the instructor to get out and push while I took the wheel. I was able to back the car into the middle of the street. Then I couldn't resist shifting gears and driving forward a short distance. The instructor got back behind the steering wheel with a memorable sigh of relief.

The Hines brochure had not bothered to rule out flying an airplane, and I had never heard of anyone literally flying blind. Yet, one time when I was returning from Hines to Washington, D.C., in a Marine Corps transport plane, I suddenly got the urge to take the controls again. After all, I had logged between 8,000 and 9,000 hours as a Marine pilot, and some of those hours had been fairly exciting. In fact, one of them had been downright stupid. That was back in 1931 when some of my colleagues in the House of Representatives scoffed at my motion that an enemy plane could get close enough to bomb the Capitol. To show them, I borrowed an old pursuit plane from nearby Bolling Field and made three screaming runs on the skylight of the House while it was in session. Members told me later the vibrations shook some plaster from the ceiling—and emptied the House in record time. Foolish though this stunt was, it proved my point.

Well, on this trip back to Washington in 1952, I asked the pilot, whom I knew well, to let me take his seat. He yielded, and I enjoyed myself thoroughly. After about 10 minutes the copilot leaned over and said respectfully, "General, you've made a 90-degree turn to the right." Following the usual procedure, I twisted the controls over to the left and held them there for 15 seconds to compensate. I said, "Well, son, how's that?" He replied, "Fine, General, except that you've made a 150-degree correction."

When I returned to the cabin, I sat with a group of young Marines hitchhiking a ride back to the capital. I said, "Boys, you don't know it, but you've just been piloted by the blindest blind pilot in the business." They laughed and one of them spoke up.

"But, General," he said, "you were doing swell—especially on that 360° turn." This was interesting news. The copilot, a first lieutenant, apparently had been too shy to tell a blind general that he was flying in circles.

So I gave up flying. But I have never given up reviewing parades. At first it seemed silly, but now it seems perfectly natural I can enjoy the music, and my memory of thousands of other parades helps me to visualize the scene. In fact, with someone giving me a description of what's passing—and nudging me when to salute the flag—I can practically see the whole thing.

Despite my blindness, I was kept on active duty at the Pentagon until August 1, 1952, because my advice was needed on technical amendments to the Reserve bill before it finally passed the Senate. During the next 3 years I was recalled to active duty to serve in full uniform at meetings of the Reserve Forces Policy Board, of which I was a member. Also, I served intermittently on active duty as a member of promotion boards in the Marine Corps.

One day an Army general remarked that I was probably the only general in history to remain on active duty while blind. "Oh, no, General," I said, "only the first to admit it."

When the President's Committee on the Employment of the Physically Handicapped was created in 1947, President Truman had appointed me as a member, presumably to represent the military Reserves. In April 1954 President Eisenhower asked me to step up to the job of chairman. I tried to convince the President that a sighted person could do a better job than I could. But I lost this argument with Ike, who had been a friend of mine since he was an Army major assigned to the War Department.

Our committee does not find specific jobs for the disabled. Its purpose is to educate employers in the practical advantages of hiring the handicapped. Our program is carried on through radio and television programs donated by industry, free advertising and newspaper space, job-opportunity tips channeled through the AFL–CIO, consultation with State and local governments, and many other ways.

The committee has 15 salaried workers plus its noncompensated chairman and 300 committee members representing civic, fraternal, labor, veterans' and other national groups. Mine is primarily a public-relations job. I give three or four speeches a week before all types of luncheon and dinner meetings.

Almost all my trips are by air, and I am usually met at the airport by members of the group I am scheduled to address. My first European trip after becoming blind was in 1953. After attending an international veterans' rehabilitation conference at The Hague, I went on to Paris to take up a military matter with my boyhood friend, Gen. Alfred Gruenther, then supreme commander of NATO and now president of the American Red Cross. After chatting with me for a while, Gruenther asked, "Who's with you, Mel?"

"No one," I said.

"No one?" he echoed. From the tone of his voice I could tell that he didn't believe me. So I explained that on my first trip as a blind man an escort had come along, but had become so airsick that I had to take care of the escort. After that I had decided to go it alone.

Only once has there been a serious mixup in my solo travel arrangments. In December 1957, I flew to Guatemala City to address an Inter-American conference. I had been told the reception committee would include quite a number of lovely young ladies. But no one at all was there to greet me at the bottom of the ramp. I followed the other passengers into the terminal by the sound of their heels—but still no one welcomed me. For the first and only time in my foreign travels, I felt keenly my total ignorance of foreign languages.

After standing around helplessly, I recalled the name of the hotel I was booked into, and desperately began calling out, "San Carlos Hotel. San Carlos Hotel." Nothing happened. People must have thought I was a barker for the hotel. After a half hour, however, a perceptive taxi driver took pity on me and delivered me to the San Carlos. There my hosts explained the mixup—I had not been expected until the next day.

In the United States if no one meets me at the airport, I ask a skycap to get me a taxi. The taxi driver, the hotel doorman and the bellhops take over from there. When the bellhop shows me to my room I ask him to take me completely around it, identifying each piece of furniture. When he leaves the room, I feel my way around the walls again. After that it's just as if I could see the room.

When I travel, my schedule usually puts me in a different city every day. Early one morning I woke up and couldn't remember where the bathroom was in the room I was occupying. Then I realized I didn't even know what city I was in. Having no alternative, I called the switchboard operator and timidly asked her where I was. Before she told me I was in Cleveland, Ohio, I could overhear her turn to another operator and say, "Boy, has this guy been on a bender."

One of the first problems I faced in traveling was that the hotel maid invariably put my bedroom slippers some place where it was almost impossible for me to find them. Now, before I leave my room I make a point of hiding my slippers from the maid—usually in a dresser drawer—before she can hide them from me.

Like other physically handicapped persons who get around, I find that the biggest hazard is the well-meaning but thoughtless person who is determined to help me. It seems to be a natural inclination to grab a blind person by the arm and shove him along. But if I'm shoved out in front of a sighted person, it means I come to the curb first, or I am pushed into revolving doors ahead of him. However, if he lets me take his arm, then I'm a half step behind him and can tell by the feel of his arm anything he's about to do, such as turning or going downstairs.

For some reason it's very hard to get people to do that. I finally got to the point where I just let them shove me. I've come home from trips with my eyes black and blue or my flesh bruised. Once I suffered a broken rib. A fellow I judged to be about 6 feet 6 inches tall—nearly a foot taller than I am—held me in a viselike grip and propelled me toward a door. He went through the center of the door, but I slammed against the doorjamb.

Many people tell me I do not look blind at first glance, and nothing tickles me more than to be mistaken for a sighted person. When I go to the hotel dining room, for example, I ask a waiter to read me the menu. One waiter misunderstood and said apologetically, "Mister, I'm just as ignorant as you are."

I don't wear dark glasses or carry a white cane. A long cane gets in my way in airplanes, in restaurants, and so forth, so I use the collapsible leg of a camera tripod. It can be folded and put into my pocket when I don't need it to warn me of steps and to measure the height of curbstones.

From the beginning I was determined to avoid the telltale characteristics of the blind. At Hines, my instructor drilled me in turning my head toward the persons I was addressing, "watching" the smoke curling up from my cigar and in other habits of the normal person.

To avoid using Braille notes on the dais, I memorize the substance of my speeches. As soon as I have been introduced, I usually say, "I know what I'm talking about because I'm handicapped too." Then as a sympathetic hush settles over the audience, I add, "I've got false teeth." I can hear the tension snap. A burst of laughter follows, and from

then on I've got my listeners where I want them.

Some of my more amusing experiences are woven into my message. Once, for example, when my wife drove me to the Washington Airport for a trip to Miami, Fla., she discovered before I boarded the plane that I was wearing a brown checked sport jacket with gray trousers, gray vest, and gray accessories. Although I use Braille labels on my coathangers to prevent exactly this sort of confusion, I had made a mistake that morning. So I had to go on to Miami in my scrambled ensemble. When I rose to speak on the program I explained what had happened.

"And you know what my wife said to me?" I told the audience. "She said, 'Now you're not only blind but colorblind.'"

Humor is a wonderful safety valve for a handicapped person. At a west coast factory I was with a blind youth who was pushing a paraplegic to the cafeteria in a wheelchair, the paraplegic giving the directions. When the wheelchair bumped the wall slightly, the paraplegic wisecracked, "Hey, look where you're going."

"If you don't like my driving," the blind youth shot back, "get out and walk."

It would seem obvious that sighted people should immediately identify themselves when addressing a blind person, but they often forget this amenity. Sometimes the results are funny. Not long ago a blind former Army pilot gleefully told me about going to a cocktail party where a woman greeted him by throwing her arms around his neck and kissing him. He reciprocated. But when the woman broke from the affectionate clinch, he amused onlookers by inquiring, "Say, just who are you?"

She was, of course, an old friend, but not until she spoke could he be sure which old friend. I told him I could appreciate his problem because I've had the same pleasant experience several times.

Learning to compensate for lack of sight has been a constant challenge. Formerly when traveling I would read or look at the landscape. Now I have trained myself to use this time to concentrate on the tasks at hand or to meditate. I believe I have learned to think more clearly than I could before I became blind.

A byproduct of this concentration has been a tremendous development of my memory—it has become far more retentive than I ever imagined it could be. For example, while I was on the Reserve Forces Policy Board, several members once challenged my detailed recollection of the testimony a general had given the day before. They got out their copies of the general's statement and discovered that I was right. Dr. Arthur Adams, then chairman of the board, was deeply impressed and asked me how I remembered the involved testimony so clearly.

"Well, Mr. Chairman," I said, "I have an advantage—I'm not handicapped by sight."

Since I can't use a telephone directory, I have trained myself to remember some 200 telephone numbers and as many extension numbers. Also, I have developed my own system for dialing, which is faster than that used by the normal sighted person. If you doubt this claim, let me explain that I don't have to lose any time looking for the next number, and instead of waiting for the dial to spring back by itself after each movement, I move it back with my finger to give me the reference point for the next digit.

Thanks to modern science, my life at home is anything but that separate dark world which traditionally was thought to be the lot of the blind. I am virtually self-sufficient in my soundproofed office in the basement of my Washington suburban house, where I live with Kathy and my 18-year-old son, Melvin, Jr. My three daughters are now on their own—two are married and one is a captain in the Marine Corps.

Surrounding my chair are a Braille writing machine, a dictating machine, a pocket-size tape recorder, an intercom connecting me with the upstairs, a radio, and the audio part of a television set. There are many TV discussion programs and detective plays which, with a little imagination, I can enjoy probably as much as people who watch them. And I take in—effortlessly—more good literature than ever before by listening for hours on end to my "talking book" records which, incidentally, are provided free by the Library of Congress to all blind citizens of this country. On the whole, I am busier perhaps than I ever have been. I belong to 72 organizations—local, national, and international—and am quite active in 20 of them.

The degree to which a handicapped person can become usefully busy obviously is the most important key to his readjustment. On the President's committee, we define a physically handicapped person as "one who has a condition which makes normal employment difficult." We believe the committee deserves some credit for the fact that, since its start in 1947, employers in the United States have been hiring the handicapped at a rate which now runs close to 300,000 a year. Approximately 7,500,000 handicapped persons are now employed in this country, and we know of another 2 million who are employable if the right jobs are found.

The appalling additional fact is that on the basis of door-to-door surveys we estimate there are another 2 million "hidden handicapped" who are unreached by doctors and government agencies. These are unfortunates, suffering blindness, epilepsy, palsy, and the like, who have been hidden away in back rooms or attics because their relatives imagine that some social stigma is attached to such conditions. So we apparently have a long way yet to go in convincing all Americans that the handicapped are human beings like everyone else and have the same hopes, dreams and need for dignity, asking only a positive role to play in society.

When a person objects to working alongside a handicapped worker, he usually explains that he is afraid an accident will happen. But this is only an excuse and has no foundation in fact. After searching workmen's-compensation-law statistics all over the United States, we have yet to find a case where a handicapped worker caused an accident to a normal worker. Indeed, in the Hughes electronics plant in Los Angeles, 27 percent of the work force is physically handicapped in some way, yet that plant's insurance rates have been reduced several times because there hasn't been an accident among these workers in 10 years.

No; I think the reason why a normal person is uncomfortable in the presence of the disabled goes deeper than the purported fear of accidents. There is a feeling that these people are basically different. It may well be a psychological factor that can be traced to an early exposure to the grimmer kind of fairy tales, in which deformity invariably is associated with ugliness and evil.

Despite my concern for this humanitarian aspect, we keep our pitch for hiring the handicapped on a purely practical basis. Not only do they have better accident record than their coworkers but the handicapped outproduce them, and demonstrate more ingenuity in doing a job better or faster. Actually, of course, every handicapped person is—of necessity—an inventor.

My own success in drastically rebuilding my life is by no means unusual. In fact, whenever I pride myself on doing well, I hear about somebody who puts me to shame. Three years after my blindness I confessed some momentary feeling of inadequacy to a 30-year-old acquaintance who has been blind since he was 2 and could do amazing things. He laughed and said, "Oh, well, you're just a novice. Wait until you've been blind for 28 years."

But at least, in my worst moments of discouragement, I never said to myself, "Why did this have to happen to me?" After all, I feel there are few people who have had a more exciting life than I have had. Long ago I decided I had more than my share of good fortune, and I still have. My greatest compensation comes from people who approach me gratefully after a speech. Many a mother has said that I have given her hope for the future of her blind child. Others have said, "I'll never feel sorry for myself again."

My 7-year-old grandson, Marty Martino, summed it all up better than anyone else. When he got on my knee and I explained how I was able to get around, he said, "I've got it, grandfather—you can see with everything but your eyes."

MAJ. GEN. W. P. FISHER, DIRECTOR OF LEGISLATIVE LIAISON, DEPARTMENT OF AIR FORCE

Mr. FLYNT. 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 Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, on yesterday Maj. Gen. W. P. Fisher completed his assignment and service as Director of Legislative Liaison for the Department of the Air Force and today leaves for his new assignment as Commander, Eastern Transport Air Force of the Military Air Transport Service.

Those of us who had close and direct contact with Bill Fisher during his very important and sensitive position as Director of Legislative Liaison for the Air Force know of his ability and his dedication to the service of which he is a part. The efficient, cooperative, and effective performance of his duties has impressed Members of Congress.

I take great pleasure in commending him on the performance of his staff, as well as on the manner in which he performed his functions. He and his staff have been ever mindful of the necessity for and importance of cordial relations between the Armed Forces and the legislative branch of Government. He has had keen insight and a rare perception into matters which jointly affect the Armed Forces and Congress.

As General Fisher leaves to assume his new command, which is one of great importance and responsibility, he shall carry with him the respect, admiration, and good wishes of the Members of Congress who knew him and were associated with him during the time that he served as Director of Legislative Liaison of the Air Force.

We regret that he is leaving Washington, but we know that in his new assignment he will continue his outstanding manner of performance which has characterized his career in the Air Force. Personally and officially, he has represented and maintained the very highest traditions of the armed services of the United States.

PROGRAM FOR BALANCE OF THE WEEK

Mr. ALLEN. 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 Illinois?

There was no objection.

Mr. ALLEN. Mr. Speaker, I take this time to ask the majority leader if he can give us the program for the balance of the week.

Mr. McCORMACK. I am unable to state to my friend what the program is for the balance of the week. However, I want to announce to the Members of the House that on tomorrow the highway bill will come up. That is H.R. 8678. If we have an opportunity, we will take up the military construction conference report and other conference reports as they might be in order. There are two other bills that the Committee on Rules has reported rules out on, and if I can program them for either tomorrow or Friday, I will bring them up. One is S. 2208, extending the Federal Airport Act to Alaska and Hawaii, and the other is House Resolution 360 to amend the investigative resolution relating to the Committee on Interstate and Foreign Commerce.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder, if I might ask, if there is proposed to be a session next Monday.

Mr. McCORMACK. Yes.

Mr. GROSS. I wonder, if I might ask, if the gentleman has any information as to when the foreign giveaway bill will be back here.

Mr. McCORMACK. The foreign aid bill? I have no knowledge at the present time.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Arkansas.

Mr. HARRIS. I understand the gentleman to say that the Alaska airport bill will be scheduled tomorrow.

Mr. McCORMACK. It may come up tomorrow or the next day. Is the gentleman agreeable to that?

Mr. HARRIS. Yes; the gentleman is agreeable to it. I would also like to inquire—and it might be advisable to ask the attention of the gentleman on the minority side—as to whether or not consideration is being given to scheduling the bill which was reported by our committee commonly referred to as the commissioned officers bill of the Public Health Service.

Mr. McCORMACK. Well, as I understand, no rule is out as yet on that.

Mr. HARRIS. I might say that I thought perhaps we might get it up under suspension, if we are going to have another suspension day. And, I do know that there has been some discussion about it. I have discussed it with the gentleman from Indiana [Mr. HALLECK] briefly, and two or three other members of the committee. It has not been determined whether it is necessary to ask for a rule yet. But, I do call it to the attention of our distinguished majority leader because there is quite an urgency for it.

Mr. McCORMACK. Might I say to my friend, as he knows, I discussed this bill with him this afternoon.

Mr. HARRIS. Yes.

Mr. McCORMACK. Dr. Burney, the Surgeon General of the Public Health Service, called my office. In a memorandum taken, he said that there was some slight Republican opposition to the bill and, I assume, in the committee. I called Dr. Burney and I frankly told him if I was chairman of the committee, that I would not ask to bring the bill up under suspension of the rules unless I knew the Republican leadership was going to actively support the bill, because you need a two-thirds vote; that is, under suspension of the rules. My observation meant no criticism at all, but I just frankly evaluated the situation to Dr. Burney, and I told my friend from Arkansas [Mr. HARRIS], that I did not undertake to speak for him, but I said, "If I were chairman of the committee, Doctor, here is what I would do." The gentleman from Arkansas asked me about suspension. To begin with, that is a matter for the Speaker to decide. I would recommend strongly to my friend from Arkansas, for he knows more about parliamentary procedure than I do——

Mr. HARRIS. The gentleman compliments me too highly.

Mr. McCORMACK. Well, it is the truth.

Mr. HARRIS. However, I appreciate it.

Mr. McCORMACK. But I would recommend to the gentleman that before he asks the Speaker to suspend the rules he be assured that he will get a two-thirds vote. And I am practical enough to know that it is very easy to arouse almost one-third opposition to any suspension, and this is probably a bill that such opposition might be developed against without much difficulty.

Mr. HARRIS. I might say to my distinguished leader that I share his views with reference to bringing it up under suspension unless we can get the support we should have on it.

Mr. McCORMACK. The gentleman means active support.

Mr. HARRIS. Yes.

Mr. McCORMACK. The Speaker has also stated to me that there is a probability that a bill might come up on Friday relating to the increase of interest on E- and H-bonds. I make that announcement because, if that can be done, that is a matter of importance.

Mr. ALLEN. Mr. Speaker, I have also been asked to inquire of the majority leader whether it is contemplated that we will be in session Saturday of this week.

Mr. McCORMACK. I am hoping that it will not be necessary.

Mr. ALLEN. I have also been requested to ask whether it was likely that the labor bill would be up here on next Monday.

Mr. McCORMACK. I wish my friend would ask me that question tomorrow.

Mr. ALLEN. I thank the gentleman.

AMENDMENT TO RED CROSS CHARTER TO AUTHORIZE ACTIVITIES PROMOTING PEACE

The SPEAKER pro tempore (Mr. PRICE). Under previous order of the House the gentleman from Vermont [Mr. MEYER] is recognized for 10 minutes.

Mr. MEYER. Mr. Speaker, it is my hope to be able to present to Congress and to the American people some time in 1960 a coordinated plan and program for the prevention of war and the establishment of a just and lasting peace.

In the course of preparing such a plan, I have received many worthy proposals. One of these that has the support of many outstanding Americans suggests that the American National Red Cross charter be amended so that the Red Cross could engage in measures to prevent war and establish peace. Naturally, the officials of the Red Cross may be reluctant to jump into this complex field, but the proposed amendment to the charter is permissive and not mandatory. Therefore, they will be able to set their own pace and may eventually accept in full the challenge of a magnificent opportunity.

Section 8 of the Red Cross charter reserves to Congress the right to amend section 3, dealing with the purposes of the organization. Therefore, a new clause could be added at the end of section 3 to read as follows:

> Sixth. And to devise and carry on measures for the prevention of war and for the establishment of a just and lasting peace.

For these reasons I have today introduced a bill to accomplish this objective. It seems to me that this proposal is compatible with the objectives of those who are interested in the Great White Fleet and other plans for peace. All of these proposals can eventually be incorporated into a comprehensive plan and program that many of us seek to develop in behalf of those millions of people who are convinced that there is no honorable or reasonable alternative to a just and lasting peace.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I want to congratulate my friend from Vermont on introducing this bill in relation to an amendment to the Red Cross charter. It is a very idealistic bill. Many fine people throughout the country, as the gentleman from Vermont knows, are very much interested in it. I have had talks with them. A couple of my dear friends in Boston with whom my friend from Vermont has had chats also, are interested. Without regard to the outcome of the bill, it indicates the highly idealistic mind and spirit of the gentleman from Vermont, and again I congratulate him on introducing the bill.

Mr. MEYER. I thank the distinguished majority leader for his compliment.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the gentleman.

Mr. WOLF. Mr. Speaker, I want to congratulate the distinguished gentleman from Vermont and say that this is consistent with everything he has done since he has been in Congress in the cause of peace. It is another step in the right direction and I wish him good luck with this proposal.

Mr. MEYER. I thank the gentleman.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, it has been my privilege to serve on the Committee on Foreign Affairs with the gentleman from Vermont. I have never known a more dedicated, more sincere gentleman than the gentleman from Vermont. I think everyone on the committee feels as I do in regard to our dear colleague. The world of peace toward which he is looking—and I might say for which we are all praying—we will surely reach if our faith remains strong and our courage unfailing. The world of peace, for which we are reaching, will come the sooner because of such things as the gentleman from Vermont is doing. Its dawning will be hastened by our prayers and the earnest effort of every Member of this body.

I do want to take this occasion to say to the gentleman from Vermont that we, on the Committee on Foreign Affairs, give to him the greatest respect and we like him tremendously well. He is a dedicated servant of the Prince of Peace.

Mr. MEYER. I thank my good friend from Illinois very much.

Mr. Speaker, I yield back the balance of my time.

THE SUEZ CANAL: AN INTERNATIONAL WATERWAY

The SPEAKER pro tempore (Mr. PRICE). Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 40 minutes.

Mr. HALPERN. Mr. Speaker, for some time many of us who have followed events in the Near East have been disturbed by the failure to keep the Suez Canal, an international waterway, open to shipping of all nations without discrimination. Despite the Constantinople Convention and the United Nations Security Council ruling of September 1, 1951, this canal has been administered by President Nasser of the United Arab Republic as a national weapon against the State of Israel.

President Nasser's justification for blocking Israel shipping and Israel cargoes is that Egypt is in a state of war with Israel. However, despite the question of the validity of that assertion, under the Constantinople Convention the canal must be kept open both in war and in peace, and, the U.N. Security Council decision refused to accept Egypt's justification as valid. Moreover, it held that the armistice agreement between Israel and Egypt, negotiated in 1949 under the auspices of the United Nations, had ended the state of war.

By international agreement and by tradition, the Suez Canal has been considered an artery of international commerce. This in no way impugns U.A.R. sovereignty over the canal—the two are not incompatible. It does mean that such sovereignty implies a correlative responsibility to uphold freedom of navigation of the canal. Respect for treaty obligations is itself one of the essential attributes of sovereignty.

From its inception, the canal was constituted as a waterway for the passage of the ships of all nations. The concession for the building of the canal to de Lesseps in 1854 contained the following provision:

> The great maritime canal * * * and the ports attached to it shall always be open as neutral passage to every merchant ship passing through it from one sea to the other, without any distinction, exclusion, or preference either in respect of persons or nationalities.

In 1888 the Constantinople Convention in respect to freedom of passage through the canal was agreed to. Article I of that convention, an article which has never been qualified in any manner, reads:

> The Suez Maritime Canal shall always be free and open, in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag * * *. The canal shall never be subject to the exercise of the right of blockade.

In its white paper on the Nationalization of the Suez Maritime Canal Company, published on August 12, 1956, the Government of Egypt acknowledged on page 68:

> The 1888 convention stands intact whether the canal is administered by the company or by the Egyptian Government.

Further, on page 71, it declared:

> On announcing the nationalization of the Suez Canal Company, the Egyptian Government reaffirmed its determination to guarantee the freedom of navigation in the canal. In no way did the nationalization of the Suez Canal Company affect the freedom of navigation in the canal as borne out by the number of ships (amounting to 766) which passed through the canal during the past 2 weeks.

On October 19, 1954, an agreement was signed in Cairo between the Government of the United Kingdom of Great Britain and Northern Ireland and the Egyptian Government regarding the Suez Canal base. Article 8 of that treaty reads:

> The two contracting governments recognize that the Suez Maritime Canal, which is an integral part of Egypt, is a waterway economically, commercially, and strategically of international importance, and express the determination to uphold the convention guaranteeing the freedom of navigation of the canal signed at Constantinople on the 29th of October 1888.

Thus, the United Arab Republic has itself recognized, acknowledged, and affirmed the guarantee of freedom of passage through the canal for the ships of all nations.

Mr. Speaker, I do not intend to discuss exhaustively the legal aspects of the guarantee of freedom of passage through the Suez Canal. I do, however, in concluding my remarks at this point, want to refer to the United Nations Security Council resolution of September 1, 1951. This resolution resulted from a request by Israel to the Security Council that it discuss "restrictions imposed by Egypt on the passage of ships through the Suez Canal." The Council adopted this subject on its agenda and in September of 1951 passed a resolution calling upon Egypt "to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal wherever bound and to cease all interference with such shipping beyond that essential to the safety of shipping in the canal itself."

Because this resolution has such direct bearing on the matter under discussion, I include it at this point in my remarks:

RESOLUTION ADOPTED BY THE SECURITY COUNCIL OF THE UNITED NATIONS, SEPTEMBER 1, 1951

The Security Council,

1. Recalling that in its resolution of August 11, 1949, relating to the conclusion of armistice agreements between Israel and the neighboring Arab States it drew attention to the pledges in these agreements against further acts of hostility between the parties;

2. Recalling further that in its resolution of November 17, 1950, it reminded the states concerned that the armistice agreements to which they are parties contemplate the return to permanent peace in Palestine, and therefore urged them and other states in the area to take all such steps as will lead to the settlement of the issues between them;

3. Noting the report of the chief of staff of the Truce Supervision Organization to the Security Council of June 12, 1951;

4. Further noting that the chief of staff of the Truce Supervision Organization recalled the statement of the senior Egyptian delegate in Rhodes on January 13, 1949, to the effect that his delegation was inspired "with every spirit of cooperation, conciliation, and a sincere desire to restore peace in Palestine," and that the Egyptian Government have not complied with the earnest plea of the chief of staff made to the Egyptian delegate on June 12, 1951, that they desist from the present practice of interfering with the passage through the Suez Canal of goods destined for Israel;

5. Considering that since the armistice regime which has been in existence for nearly 2½ years is of a permanent character, neither party can reasonably assert that it is actively a belligerent or requires to exercise the right of visit, search, and seizure for any legitimate purpose of self-defense;

6. Finds that the maintenance of the practice mentioned in paragraph 4 above is inconsistent with the objectives of a peaceful settlement between the parties and the establishment of a permanent peace in Palestine set forth in the armistice agreement;

7. Further finds that such practice is an abuse of the exercise of the right of visit, search and seizure;

8. Further finds that that practice cannot in the prevailing circumstances be justified on the grounds that it is necessary for self-defense;

9. And further noting that the restrictions on the passage of goods through the Suez Canal to Israeli ports are denying to nations at no time connected with the conflict in Palestine valuable supplies required for their economic reconstruction, and that these restrictions together with sanctions applied by Egypt to certain ships which have visited Israeli ports represent unjustified interference with the rights of nations

to navigate the seas and to trade freely with one another, including the Arab States and Israel;

10. Calls upon Egypt to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal wherever bound and to cease all interference with such shipping beyond that essential to the safety of shipping in the Canal itself and to the observance of the international conventions in force.

Article 24 of the United Nations Charter entrusts the Security Council with the "primary responsibility for the maintenance of international peace and security." The same article states that members of the United Nations "agree that in carrying out its duties under this responsibility the Security Council acts on their behalf." The obligatory character of the Security Council resolutions is established in article 25 of the charter: "The members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present charter."

There is no reservation in this provision. There is no doubt as well, that the United Arab Republic has not abided by the terms of this resolution but has continued to impose a blockade on the shipping of Israel.

This then is the background to the international character of the Suez Canal. Unfortunately, universal freedom of navigation through the canal is not applied today as the U.A.R. consistently refuses passage to Israel cargoes and shipping.

I do not intend today, to go into a lengthy discussion on the background of this controversy, or to point up the opportunities the free world has lost to persuade the United Arab Republic to open the canal. However, in recent months our attention has been called to the fact that the United Arab Republic is applying for a loan from the World Bank in order to widen and deepen the canal. This is an exceedingly worthy project, we all will agree. I am certain that all of us believe the canal should be widened and improved to meet the needs of modern commerce. At the same time however, we felt strongly that the canal must be opened to international shipping. It would be most extraordinary if an international agency such as the World Bank were to advance the funds to finance this improvement without securing recognition from President Nasser that he will respect the international character of this seaway.

Although I do believe that the World Bank does have a responsibility to all nations, I, of course, have due regard for the fact that as an international agency its decisions are not subject to congressional approval—no more so than to the approval of other nations. The United States is, however, one of the largest stockholders in the Bank—we own some 28 percent of its stock; and, the authorization for America's participation and support of the Bank is subject to congressional control.

And, I believe that the World Bank, as a specialized agency of the United Nations, should be sensitive to past international decision as well as to public opinion in the United States and throughout the free world.

Accordingly, 12 other members of the House Banking and Currency Committee—which of course, handles legislation involving the World Bank—joined with me on August 26 in directing an appeal on this point to the president of the World Bank, the Honorable Eugene R. Black. In our letter we urged that agency to withhold action on the loan until such time as full guarantee is given that the canal is in truth, an international seaway.

Our letter stated:

We believe that the international community should not provide assistance to the U.A.R. for the canal improvement, lest it appear to condone a clear violation of international decision, an intolerable aggression by one nation against a neighbor. * * * We do insist that no money be used to finance an international artery until it is recognized as such without limitation or restriction.

I would like to introduce into the RECORD at this point the text of this letter, which was signed by the following Members of the House: HUGH J. ADDONIZIO, BYRON L. JOHNSON, JAMES C. HEALEY, FLORENCE P. DWYER, EDWARD J. DERWINSKI, WILLIAM S. MOORHEAD, CHARLES A. VANIK, SEYMOUR HALPERN, MARTHA W. GRIFFITHS, ABRAHAM J. MULTER, WILLIAM H. MILLIKEN, Jr., PAUL A. FINO, and GORDON L. MCDONOUGH.

AUGUST 26, 1959.

The Honorable EUGENE R. BLACK,
President, International Bank for Reconstruction and Development, Washington, D.C.

DEAR SIR: We, the undersigned, as members of the House of Representatives Banking and Currency Committee, wish to bring to your attention our serious personal concern in regard to the situation surrounding the proposed loan by the International Bank to the United Arab Republic for the purpose of enlarging the Suez Canal.

A vital international waterway, the canal should, of course, be open to the commerce of all nations. Instead it is being used as a weapon in relations between the Arab nations, particularly the United Arab Republic and the State of Israel. The refusal by Egypt to permit a non-Israel ship, *Inge Toft*, to carry an Israel cargo through the canal is the most recent in a long series of illegal actions which violate the Constantinople Convention and the United Nations Security Council decision. We are aware that Secretary General Dag Hammarskjold has been in negotiation with President Nasser, but up to this time we have seen no official pronouncement or action testifying to the successful outcome of these discussions.

As long as the canal, a major artery of international commerce, is being used for belligerent action by a nation which insists on remaining in a state of war with a neighbor, we are deeply disturbed that an international agency is considering a loan to improve and enlarge it. Colonel Nasser's violent declamation threatening to exterminate Israel, which has been condemned as intemperate by leading newspapers, implies that he will bar Israel shipping whenever he wants to. His own statement of July 22 shows that he is disturbed by Israel's growing trade with Asia and Africa, and that he intends to block it if he can because he is at war with Israel.

These statements brought sharp editorial comments from the Nation's leading newspapers. May we quote, for example, the New York Times in its July 28 editorial:

"The question keeps rising as to whether a person who talks as irresponsibly as President Nasser is a worthy representative of his people, a good subject for international credit, or a guarantee of something representing peace and civilization in the Middle East."

We believe that the international community should not provide assistance to the United Arab Republic for the Canal improvement, lest it appear to condone a clear violation of international decision, as intolerable aggression by one nation against a neighbor.

We feel free to write you in frank terms because we are aware of the constructive role you have played in the past in the negotiations revolving about the Suez, especially in connection with the settlement with the stockholders. We are not addressing ourselves to the particular diplomatic or political question involved. We do insist that no money be used to finance an international artery until it is recognized as such without limitation or restriction.

With our high regard and best wishes.

Yours very truly,

HUGH J. ADDONIZIO, BYRON L. JOHNSON, JAMES C. HEALEY, FLORENCE P. DWYER, EDWARD J. DERWINSKI, WILLIAM S. MOORHEAD, CHARLES A. VANIK, SEYMOUR HALPERN, MARTHA W. GRIFFITHS, ABRAHAM J. MULTER, WILLIAM H. MILLIKEN, Jr., PAUL A. FINO, GORDON L. MCDONOUGH, Members of Congress.

Our letter, Mr. Speaker, in essence, is a plea for reasonableness and adherence to, and respect for, international agreement and law. If the world is to journey toward the goal of justice for all peoples and nations, the road must be constructed upon respect for law and adherence to commitments. There is no other way to assure peace and fairness.

It is precisely because the United Arab Republic has insisted that it may violate its commitments with impunity that concern has arisen about the making of the contemplated loan. If that nation feels that it can unilaterally decide at any time what ships shall travel through the canal, it reduces to a shambles any respect for international law. It means, in effect, that tomorrow or the next day the carriers of Japan or Brazil or the United States can be excluded from the right of transit. And this despite the language of article I of the Constantinople Convention, "shall always be open to every vessel without distinction of flag." There are no reservations in that article, apparently, except such as the United Arab Republic determines. This is, tragically, an invitation to international anarchy. There is therefore deep reason for concern and for the raising of the question of a loan by the international community under such circumstances.

Furthermore, the attitude of the United Arab Republic constitutes a threat to the trade and economic development of many nations, both of the East and the West, which have been set in their existing form because of the existence of the Suez Canal and because governments and traders in many countries had been able confidently to rely on its free and open use. The fact that this could be disrupted at the will of one nation, raises further doubt about the making of an international loan at this time.

It is not surprising therefore, that our letter should have evoked a violent reaction from the Cairo press, but this expected bitter language only, unfor-

tunately, serves to prove our point. The New York Times in a story on August 29 reported that a Cairo newspaper, resorting to name calling and denunciation, described the congressional authors of the letter as "biased and ignorant," and quoted the government press spokesman as asserting that Israel ships "shall never pass through the Suez Canal except over our dead bodies."

I am happy to note that the same issue of the New York Times which carried the dispatch from Cairo thought it proper to publish an editorial upholding the validity of our contentions and fully supporting the position of a free and open canal as a requisite before the granting of the World Bank loan.

Mr. Speaker, I include at this point the editorial which appeared in the New York Times on August 29:

[From the New York Times, Aug. 29, 1959]

THE CANAL AND THE BANK

The technical aspects of arranging a loan by the World Bank for the United Arab Republic to widen and deepen the Suez Canal seem to have been settled in Cairo. The political aspects have not. This appears to be the gist of the impasse that has now been reached.

Obviously, the canal should be improved to take more and larger ships. The whole world would gain if that were done, and sooner or later it must be done. However, the World Bank is not a completely free agent. In theory it acts on a strictly financial and economic basis; in practice there are bound to be occasions where its decisions cut across political lines. This is one of them, as the letter of protest sent by thirteen members of our House of Representatives to Eugene Black, president of the bank, demonstrates.

The canal is an international thoroughfare, but it now belongs to the United Arab Republic. President Nasser continues to refuse to allow Israel ships or even cargo destined to Israel through the canal. As long ago as Sept. 1, 1951, the Security Council of the United Nations adopted a resolution calling on Egypt "to terminate the restrictions on the passage of commercial shipping and goods through the Suez Canal wherever bound, and to cease all interference with such shipping beyond that essential to the safety of shipping in the canal itself."

If President Nasser can get his financing privately no one would have a right to complain, but Israel is a member of the World Bank, even if a modest one. There are also other members who would not want to see the bank finance work on behalf of the Suez Canal so long as Colonel Nasser refuses to meet his international obligations. It should be made a condition of any loan that the Suez Canal be a truly international thoroughfare, without limitations or restrictions.

Many other publications have taken similar views. I note that the Economist of London said on June 13: "The pressure on Cairo would be much greater if the World Bank insisted before granting its loan that Egypt should honestly and in full carry out its obligations."

And, in this morning's New York Herald Tribune there appeared a thoughtful editorial on the question of the loan which I include in the RECORD at this point in my remarks:

[From the New York Herald Tribune, Sept. 2, 1959]

SENATOR FULBRIGHT ON THE MIDDLE EAST

It is perfectly true, as Senator J. WILLIAM FULBRIGHT says, that the Middle East picture is considerably brighter—or at least quieter—than it was a year ago. Then, if we may recall, American troops had gone into Lebanon, British into Jordan; and Iraq, after a violent revolution, was almost universally thought to be on the way to communism.

Today, by contrast, Lebanon is tranquil, Jordan strengthened and Iraq, rather than moving toward Soviet Russia, is keeping a wary eye on Moscow and the West alike. Relations between some of the Arab nations, notably the U.A.R. and Jordan, have been patched up at least temporarily and—again temporarily—border violence between the U.A.R. and Israel has subsided.

Against this unusually quiet background, Senator FULBRIGHT's call for a new long-range American policy in the Middle East to replace "impromptu measures" seems more startling than stirring. The landing of American soldiers in Lebanon and British paratroops in Jordan may have been impromptu measures, but they worked. And if the people of the Arab States really are, to quote Senator FULBRIGHT, "in the process of establishing the stability and relative calm essential to the development of representative government and economic growth," they surely can count upon the long-range support and understanding of the American Government.

We do not dispute that a close and continuing examination of our policies in the Middle East is important. But Senator FULBRIGHT's proposal for a "more mature and realistic" approach to the area is so vague as to leave doubts of what he really has in mind. One example he chose of what he calls the West's failure to comprehend "the full capabilities of the Arabs themselves"—Egypt's successful operation of the Suez Canal—is particularly inappropriate. The fear was not that Nasser, with the liberal use of foreign technicians, would be unable to operate the canal physically. It was that he would turn it into a weapon of Egyptian foreign policy in contravention of all precedent and of the conditions upon which he got it back. The impounding of Israeli cargoes in the canal since last February demonstrates that the concern over the future of the canal was more than justified.

The matter of the canal and the U.A.R. is likely to be brought up in the forthcoming session of the U.N. General Assembly. What would be Senator FULBRIGHT's suggestion for policy regarding this?

Mr. Speaker, it is our earnest hope that the course we are advocating will help to reduce tensions in the Near East. The free world cannot continue to condone a brazen violation of a United Nations decision and of international law. We favor, of course, the improvement of relations between the United States and the United Arab Republic. We ask, however, that the U.A.R. observe its obligations and respect the rights of other peoples.

Mr. HALPERN. 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 New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman from New York.

Mr. FARBSTEIN. I want to join with the gentleman from New York in his remarks referring to the attitude of the United Arab Republic insofar as committing piracy on what are the high seas. In that connection, on June 18, I wrote a letter to the President of the United States, and I think I can read it at this time because it is quite appropriate. The letter follows:

JUNE 18, 1959.

Hon. DWIGHT D. EISENHOWER,
The President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am prompted to write to you by my concern over Egypt's refusal to permit Danish and other ships unobstructed passage through the Suez Canal because they carry cargoes from Israel. These cargoes have been seized and confiscated by Egypt as a prize of war.

I am sure that you share the concern I have expressed. Free passage through the Canal is guaranteed by the 1888 Suez Convention, by U.N. resolution, and the six principles accepted by Egypt in 1956.

Our country is on record in support of these guarantees of the international character of the Suez Canal.

This record makes it unlikely that we would endure continued violations of the Suez agreement. It would seem unlikely that under these circumstances the World Bank could make the loan to the U.A.R. for widening the Suez Canal. Egypt's argument in defense of its action against Israel were rejected by the United Nations Security Council as far back as 1951. Her current violations directly impinge upon the rights not alone of Israel but of every nation which sends ships through the Canal. The Suez is an international waterway which cannot be subject to the whim of an individual and the uncertainties of domestic Egyptian politics.

The efforts of United Nations officers to obtain the release of the "Inge Toft" and its cargo have so far been unsuccessful. The situation created by this impasse contains elements of an extremely dangerous situation. It can deteriorate unless it is dealt with firmly and promptly.

In this circumstance I would appeal to you most urgently to bring the influence of your high office to bear in support of the United Nations efforts and upon the Government of the United Arab Republic to the end that it will desist from its present unlawful actions. I make this appeal in confidence that we are in accord, for I recall the strong statement that you made on February 21, 1957, when you declared that any renewed violation by Egypt "should be dealt with firmly by the society of nations". There is every reason to hope that your words at this juncture will bring about a satisfactory and peaceful solution to this problem.

Respectfully yours,

LEONARD FARBSTEIN,
Member of Congress.

On June 30 I received an answer from the Department of State. The answer which, after relating some of the history in relation to this situation, included the following:

The recent seizures of several cargoes bound from Israel aboard non-Israeli ships, and the current detention of a Danish flag vessel, have again raised the issue of free transit through the canal after a period of apparently satisfactory transit of cargoes originating in Israel. The United Nations and the parties concerned are currently engaged in trying to resolve the problem which has been created by these recent difficulties. We understand that the Secretary General of the United Nations will shortly visit Cairo for discussions of a number of questions including the Inge Toft case.

It is hoped that the transit problem may be resolved between the parties immediately concerned, and we are seeking to encourage and support the continuing efforts on the

part of Mr. Hammarskjold. The U.S. Government has already discussed the Suez transit question in various foreign capitals, including Cairo and Tel Aviv, and you may be assured that we will continue to take any appropriate measures which may contribute to a resolution of this problem.

If I can be of any further assistance to you, please do not hesitate to write.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Now, I would like to state for the RECORD that I feel that the letter of the State Department advising me that they will continue to take any appropriate measures which may contribute to a resolution of this problem is too nebulous.

I suggest that a definite answer to the effect that we will discontinue the sale to Egypt of commodities under Public Law 480, which in effect is a gift, and special assistance under the mutual security law so long as the violation continues. Further I would suggest that the World Bank be informed of our displeasure in Nasser's act of violating the 1888 Suez convention and the U.N. resolutions as sufficient to make inadvisable a loan to Egypt for the purpose of widening the Suez Canal which is being used for purposes other than that agreed upon, namely restricting its use to those nations that the Egyptian dictator favors. We would be compounding a violation of the U.N. resolution and the Suez convention.

Unless Nasser is stopped he will make an inland waterway out of what is recognized throughout the world as an international waterway.

Failure to take strong action and make strong representation would be in derogation of the President's strong statement of February 21, 1957. I feel that the President should reaffirm the position he took then, namely, "Any renewed violation by Egypt should be dealt with firmly by the society of nations."

Let me add now that nothing affirmatively has been done by the President or the State Department with relation to this situation. The UAR has gone even further, because on the 20th of August this year the United Arab Republic confiscated a case of meteorological books and instruments dispatched from a scientific institute in Australia to the Israeli meteorological services. The cargo was seized at Port Said.

I might say further that in this morning's press I read that it had become necessary for the Israeli Government to direct that two of their own frigates which they had detained in the Red Sea, that were supposed to go through the Gulf of Aqaba, frigates that were sold to Ceylon, were not sent because of fear of an explosion. Despite the obvious threat they have now been directed by the Israeli Government to proceed through the Gulf of Aqaba. I say again that unless this country, unless the President shows that we will take strong measures to stop this piracy, a further conflagration might erupt. I reiterate it is as much the fault of the President of the United States in not reasserting the strong position he took at the time he requested France, England and Israel remove themselves from Sinai that this situation has resulted. At that time he said strong action would be taken if necessary, but to this date nothing has been done. So I would suggest to the gentleman from New York [Mr. HALPERN], aside from the statement he has just made that he also confer with the President, who is of his own party, to try to see to it that he do something affirmative with relation to this situation. I thank the gentleman.

Mr. FARBSTEIN. 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 New York?

There was no objection.

Mr. BOYLE. Mr. Speaker, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman from Illinois.

Mr. BOYLE. Mr. Speaker, I want to salute Congressman HALPERN for his efforts which have resulted in his taking this special order and which points to the fact that 13 Members of Congress have joined to urge the World Bank to withhold a proposed loan to the United Arab Republic for the Suez Canal.

Mr. Speaker, I wish to associate myself with the remarks of the gentlemen who have preceded me here tonight and join with them in registering my deep and personal concern in regard to the situation surrounding the proposed loan by the International Bank to the United Arab Republic for the purpose of enlarging the Suez Canal. Colonel Nasser has requested a loan from the International World Bank for expansion and improvement on the Suez Canal. It is difficult at this time to see how the International World Bank could grant this loan to the saber-rattling Colonel Nasser when he has not respected the Constantinople agreement of 1888 which set up the canal as an international waterway. The refusal of the U.A.R. to permit passage of the Danish ship, *Inge Toft*, carrying Israeli cargo, is only one of a series of incidents precipitated by the United Arab Republic against the State of Israel; as recently as the end of July of this year Colonel Nasser has made several acrid speeches threatening the very existence of the State of Israel—that bastion of democracy in the Middle East.

The United Nations attempts of Dag Hammarskjold and Ralph Bunche to negotiate with Cairo to bring about a working agreement concerning the "state of belligerence" that has existed between the United Arab Republic and Israel have not been productive. The United Arab Republic continued to talk belligerence and continues to deny the existence of the State of Israel, while Prime Minister Ben-Gurion has pleaded and fought for a just peace.

With the fluidity of the arrangement on shipping through the canal whereby at one time Israeli shipments are allowed through the canal and on another occasion they are detained, such a loan by the International World Bank should be withheld.

As a condition precedent guarantees must be made that this vital international waterway would be open to the shipping of all countries without such limitations and restrictions as are currently being placed on the canal by the United Arab Republic.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, I, too, wish to associate myself with the gentleman from New York and other speakers in their remarks and to commend the gentleman for bringing this very important subject to the attention of this Congress.

There is no question that affirmative action is necessary at this time by the President to preclude any further loans to Mr. Nasser so long as Israel is being harassed and being denied the use of the Suez Canal.

What sort of international society do we live in when the dictator of Egypt can approach the International Bank and ask for additional funds on one hand when, on the other hand, he is denying the use of the canal to the gallant people of Israel?

I think it becomes incumbent upon the formulators of our foreign policy to abandon their policy of desperation. That is what we have now, a foreign policy of desperation. They should put us back on a sound road where principles are again going to become the mainstay of our foreign policy. I certainly hope that the President is going to instruct his subordinates to take firm action in this matter so that once and for all Mr. Nasser is going to recognize the fact that Israel today is too well established, too noble a nation, has made too large a contribution to the peace and success and progress of the world to continue to be harassed and to be ignored.

Israel today must have access to the canal, the same access everyone else has, if she is going to continue her magnificent development and growth.

I wish to congratulate the gentleman for bringing this whole subject to the attention of the House in a special order.

Mr. TOLL. Mr. Speaker, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman.

Mr. TOLL. Mr. Speaker, I want to take this opportunity to commend the gentleman from New York [Mr. HALPERN] and the gentleman from New York [Mr. FARBSTEIN], as well as the other Members who supported the statements which were made by them. I feel they were very timely in view of the fact that Members of the other body have already expressed themselves on this situation. I feel that every Member of Congress should join these Members in urging a change in policy to take place in support of the little nation which has fought for Western democracy.

Mr. HALPERN. Mr. Speaker, I thank the gentleman for his kind remarks.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks on this subject at this point in the RECORD.

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

There was no objection.

THE EDUCATION AND WELFARE OF AMERICAN YOUTH AND CURRENT PROPOSALS OF THE 86TH CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. TOLL] is recognized for 15 minutes.

Mr. TOLL. Mr. Speaker, there are no factors of greater concern to the Congress than those which affect the fullest development of the potential of the youth of this Nation. Past legislation has in many instances opened new avenues for thousands of boys and girls by providing essential financial support to State programs which have service to youth as their primary aim. Current legislative proposals continue to reflect the concern of the Congress and the Nation with the need for the establishment, expansion, and enrichment of youth opportunities. All thinking people fully realize that to neglect the changing needs of the youth of a society is to encourage the eventual death of a way of life. It was Aristotle who, some 23 centuries ago, said:

> No one will doubt that the legislator should direct his attention above all to the education of youth; for the neglect of education does harm to the constitution. [Politics, Book VIII, ch. 1.]

For us, therefore, the question continues to be, how can we best provide assistance to our young people who, in addition to making the normal adjustments our society necessitates, have also the burdens of adjustment which accompany an era of rapid technological and scientific expansion.

I do not propose to know which of the programs of the States and the Nation are most essential at this time and in this era. There are many programs which, as you know, fulfill a continuing need, while other temporary emergency measures have also proved extremely effective and beneficial. There are, however, certain of the State and national programs relating to our young people which are of special interest to me; in particular, the programs of the Children's Bureau, Federal and State plans improving the health of our children, Federal assistance to impacted school districts, the proposed Youth Conservation Corps, aid for teachers salaries, and the pressing problems of our institutions of higher education.

Because of the effectiveness of these particular programs, I take this opportunity; one, to review them in brief and to consider their continuing role of service to today's youth; two, to discuss our congressional responsibility for review and support of these programs on an increased financial basis; and three, to consider some of the current legislative proposals which are designed to meet present day educational needs.

THE CHILDREN'S BUREAU

One Government agency which has made the welfare of American youth its primary concern is the Children's Bureau. You will recall that the Children's Bureau derives its authority from the basic act of April 9, 1912, by which it was created and charged with "investigating and reporting upon all matters pertaining to the welfare of children and child-life among all classes of people." Under title V of the Social Security Act the Bureau derives authority to administer grants to the States for, first, maternal and child health service; second, crippled children's services; and, third, child welfare services.

The work of the Children's Bureau in the past has been highly significant, and has resulted in many instances in improved State programs for children. The remarkable decline in the rates of infant and maternal mortality during this century has largely been a result of Children's Bureau activities. The year 1960 also promises to be a very full year for the Bureau. This fact becomes apparent after only a glimpse of the Bureau's program as outlined and presented to this Congress during the hearings of the Committee on Appropriations—Subcommittee of the Committee on Appropriations, House of Representatives, Departments of Labor and Health, Education, and Welfare Appropriations for 1960.

It is reported that during 1959–60 the Bureau will continue to give emphasis to helping the States in improving State child welfare legislation, since within the past year, many States have requested assistance with proposals for such legislation. Future plans include the tabulation of changes in State legislation, and the classification and collection of data for use in State requests.

The Bureau also plans to continue to give high priority to program areas designed to alleviate the stresses on family life brought about by efforts to maintain the family in time of crisis and by the ever-increasing numbers of working mothers. You may also be interested to know that the Children's Bureau is cooperating with the Women's Bureau of the Department of Labor in conducting a survey of national agencies, public and voluntary, to determine their interests, concerns, and programs in day care of children. This is perhaps of special interest to many of us because there is currently proposed legislation—S. 1286—before this Congress to provide Federal financial assistance for day care programs for children of working mothers. During this year, several conferences will be sponsored by the Children's Bureau to review information available from various sources and to consider steps which should be taken by National, State, and local agencies in providing day care facilities and services.

Other program services of the Bureau which are of a continuing nature embrace the problem area of juvenile delinquency, research in child life and services for children; and the preparation of information for parents and others working with children.

One of the highlights of the year 1960 will certainly be the sixth White House Conference on Children and Youth. It was the first of these conferences in 1909 which initiated the establishment of the Children's Bureau, and each conference thereafter has produced significant gains for children. Although many Government agencies will cooperate in this conference effort, the Children's Bureau will be the focal point in the Government for planning and organizing the conference.

The purpose of the 1960 White House Conference is "to promote opportunities for children and youth to realize their full potential for a creative life in freedom and dignity." Conference participants will include professional educators, parents, teachers, social workers, sociologists, psychologists, and many other professional and lay people who will attempt to understand and evaluate the effect of the stresses of the day upon children and youth and the fulfillment of those goals expressed in the conference purpose.

We realize, of course, that in order for the Children's Bureau to continue to provide its present services and programs of assistance and to expand and enrich programs in keeping with growing needs, the Congress must, through increased appropriations and needed legislation, make available the necessary financial support.

SCHOOL MEDICAL CARE

Good health and adequate health care for our children have long been goals in our country, but they are goals not always realized. During World War II the Nation in general became concerned about the numbers of boys rejected by the Armed Forces for various reasons. Today we are beginning to understand that medical care for our children is as important to their development as sound citizens as it is to the development of sound soldiers. For, as Steinhaus has observed, the purpose of total fitness may be "to assure survival on the human plane—survival of the body, mind, finer motives, and higher aspirations of man and spirit" together with a keen enjoyment of living.

Recognizing the importance of proper health care for needy children, the Federal Government in the 1956 amendments to the Social Security Act made special provisions for better medical care for children on the federally aided aid to dependent children rolls. Under this legislation, the Federal Government pays to the States an amount equal to half of State expenditures for payments in behalf of these needy children, up to a maximum of $3 per month per child times the number of children on the rolls. In Pennsylvania, payments for medical care for such children are made directly to the practitioner from a pooled medical care fund. This fund is maintained by payment of a monthly premium for each needy child into the fund by the department of public welfare. Freedom of choice of doctors is maintained by the device of paying the doctor, from the fund, for services rendered in an amount determined by an established schedule of fees.

In addition to this plan, used by most of the States for all of their federally-assisted public assistance plans—old-age assistance, aid to the permanently and totally disabled, and aid to the blind as well as aid to dependent children—my own State of Pennsylvania has expanded the concept to include children whose school health record shows a condition requiring medical, dental, or surgical

treatment if his parents cannot pay for the necessary treatment. Under this program the State government provides medical, dental, or surgical treatment and hospital care if an examination of the family's assets shows that they are not sufficient to allow for these expenses. Thus the State of Pennsylvania recognizes that a family, otherwise self-sufficient, may postpone needed medical care for their children because they cannot afford the extra heavy medical expenses. We recognize that medical care costs may be heavy but temporary, and do not, therefore, make the requirement, common in the Aid to Dependent Children programs, that a showing of need requires the exhaustion first of all personal property or income before any payments can be made. We further recognize in this School Medical Care program that every family, depending upon its size, needs a certain amount of money to meet the usual costs of running a home.

The plan of treatment, in such cases, is worked out by the school authorities—usually including the school nurse—and the doctor, dentist, or hospital providing the services the child needs. The amount charged is never more than the cost. If the family is able to pay part of this cost, the department of public welfare pays the rest. If not, the State pays the total bill—again an amount never more than cost.

The effects of this plan on the health of our school children in Pennsylvania is suggested by the fact that the biennial school health examinations during the 2 school years 1951–53 showed a considerable drop in the number of remediable defects which had neither been corrected or were under treatment over the 1946–47 census. In 1946–47, about 50 percent of the State's enrolled pupils were reported as having such remediable defects. By 1951–53 this figure had dropped to a little over one-third—or 36 percent. This drop, it is generally agreed, is an indication of the effectiveness of the States 1945 school health law.

THE EDUCATION PROGRAMS OF FEDERALLY IMPACTED AREAS

Many of you have undoubtedly been impressed, as I have been, with the overwhelming success of the companion laws 815 and 874 providing Federal financial assistance to school districts which have been burdened because of Federal activity. Now in its tenth year, this program has provided assistance to these affected school districts so that they can continue to provide an up-to-date program of learning for all pupils in spite of the swelling enrollments.

You are probably familiar with the report of the U.S. Commissioner of Education which outlines the success of these maintenance and operation and construction programs. I was impressed with the fact that in only 9 years of operation, under Public Law 874, the number of participating school districts has trebled, and the number of federally connected pupils has doubled. Furthermore, the average daily attendance of federally connected pupils constitutes about 15 percent of the total attendance in eligible school districts.

Dr. Derthick has also reported that these school districts in federally affected areas provide educational service to some 7.5 million pupils which is almost 25 percent of all pupils in attendance at public elementary and secondary schools.

Moreover, under Public Law 815, more than 4,000 construction projects have been approved to provide about 45,626 classrooms to house 1,321,417 pupils in 1,800 different school districts. It is no wonder that Congress has amended and extended these companion laws several times since their enactment; and that the 85th Congress not only extended the programs for an additional three-year period, but also made the program permanent as it relates to children of Federal employees who both work and reside on Federal property.

I am distressed, however, by the Administration support given to a measure—H.R. 7140—currently being considered by the Congress which would amend the federally impacted area laws to reduce certain payments. In view of the impacted area aid program's growth and because of the clear need for expanding, rather than restricting, our educational system in this country, this amendment hardly seems warranted.

We well know that each State has its own particular problems relating to impacted area assistance. Perhaps some of the States would not suffer any serious loss as a result of the proposed amendment to reduce certain of these funds, however, in the State of Pennsylvania, a cut-back in program funds at this time would certainly make a noticeable dent. For example, at the Olmsted Air Force Base alone, some 62 school districts would be affected. It is my hope that the proposed amendments to cut the impacted area assistance program will find little support among the Members of this body.

YOUTH CONSERVATION CORPS

I have also been very anxious that more of our young people have the opportunity to experience the very wholesome life which accompanies work in the out-of-doors. Not only could such experiences prove to be physically rewarding, but there could also result an extensive program for the recreation of neglected scenic areas, parks, and so forth, for the development of a more beautiful America.

With these purposes in mind, I have introduced a bill which would establish a Youth Conservation Corps. This same type of proposal has had many other sponsors during this session of the Congress. Generally, the programs would recruit young people into service on a voluntary basis, to work in our forests and our mountains on much-needed reclamation and conservation projects.

The program of the Youth Conservation Corps would probably have widespread appeal to the young people who are "city dwellers" since these boys and girls often are not exposed to life in the great out-of-doors. I hardly need speak of the many benefits to be derived from such a program in terms of improved park facilities, replanted forests, and revitalized rivers and wildlife refuges. We are all, perhaps, vividly aware of the deplorable conditions of neglect and abuse which exist in many of these areas.

We might draw a guide of the possible measure of success of a Youth Conservation Corps by reviewing some of the benefits of the Civilian Conservation Corps which, as you know, was initiated under the administration of Franklin Roosevelt. Many persons have referred to the success of the CCC in their statements which enthusiastically support a YCC. For example, Mr. Ralph C. Wible, chief of forests of the State of Pennsylvania has written:

> In Pennsylvania we are reaping the benefits of the work of the Civilian Conservation Corps. Many of our State parks and other forestry programs were created by the CCC. Having had intimate experience with this work, I can testify to the great value of the CCC program for the men who took part in it.

I might also mention that the Governor of Pennsylvania is among 11 State Governors who have personally endorsed a YCC program.

Certainly in these modern times when more people enjoy leisure and more families seek wholesome recreation in park areas, we would do well to preserve such lands, while at the same time affording to ambitious and energetic young people a rare experience in healthful outdoor living, and group dynamics at work and play. It is my sincere hope that this body will realize the value of a Youth Conservation Corps program and will enact such a measure.

FINANCIAL ASSISTANCE TO TEACHERS SALARIES

We are all aware of the fact that one of the reasons most frequently given by teachers for leaving the teaching profession is because there is not enough income. A survey made in 1956, for example, showed that the average teacher who switched to another occupation earned $1,323 more per year. It seems to me that this loss of thousands of capable teachers from our classrooms as a result of poor pay is especially disgraceful in these times when we are increasingly aware of the vital role of education in the preparation of young people for the work of today and tomorrow and for the responsibilities of adult citizenship.

Those persons who remain in the classroom often find it necessary to supplement their incomes with a second job. Thus they are forced to devote less time to their preparation for classroom instruction. According to the National Education Association, almost one-third of America's teachers, because of inadequate salaries, must supplement their incomes with a second job. About 18 percent of our public school teachers are still paid a salary of under $3,500 a year.

Poor pay and numerous out-of-class demands which have been placed upon the teacher have not only driven qualified instructors out of the classroom. These factors also had the effect of holding in the classroom a large number of teachers who have substandard credentials. At the opening of this 1958–59 school year, the U.S. Office of Education reported that some 7.1 percent of the public school teachers had less than standard certificates.

I share the concern, which many of you have also expressed, over the economic status of the public-school teacher. I, too, believe that this problem presents one of the most urgent of our educational need areas today. I strongly favor the use of Federal financial assistance to the States as a means of supporting their individual efforts to increase teachers' salaries. And, as you perhaps know, I have introduced a bill—H.R. 7574—which would provide for this type of assistance.

I have also supported the Murray-Metcalf proposals—S. 2 and H.R. 22—which would give to the individual State a choice between using Federal funds for public-school teachers' salaries or school construction. In supporting this measure, I fully acknowledge that needs vary from State to State. Whereas the greater need in my district is for increased teachers' salaries, in other districts the greater need might well be for school construction.

But it is not enough to speak only of the public-school teachers' economic plight as a reason for Federal financial assistance for increased salaries, for such an assistance program would have a more far-reaching significance. A very important factor would be the nationwide recognition given to the work of the classroom teacher with whom lies the tremendous responsibility of teaching not only the fundamentals of the academic world, but the whole framework within which our democratic form of government functions. I am convinced that there is no more important legislative proposal before this Congress than that which would provide the States with needed Federal financial assistance for public-school teachers' salaries.

EXPANDED OPPORTUNITIES FOR HIGHER EDUCATION

The illustrious Alfred North Whitehead once said:

> In the conditions of modern life, the rule is absolute: The race which does not value trained intelligence is doomed.

Perhaps never before in history has this statement held more meaning, for rarely have conditions around the world demanded more of the trained person, or more of our institutions of higher education in providing this training. Yet there are still large numbers of capable students who, upon completion of their high-school education, do not go on to college, or who fail to realize the relationship between higher education and the fulfillment of their more distant goals.

I do not believe that it is possible for us to itemize in a 1-2-3-4 fashion the reasons why many capable students do not go to college. However, it seems clear that among these factors which appear to deter many students from the pursuit of higher education are the lack of the financial means to pay for 4 years of college and/or graduate study, and a lack of motivation toward such undertakings.

There is very little we can do as a legislative body to insure the proper motivation of good students. About the most we can do along these lines is to try, through our individual contacts, to inspire young students and to help build in the community a respect for learning. There is much we can do as Members of Congress, however, in terms of providing opportunities for higher education for those for whom the financial factor is the primary barrier. I think this has been realized by the large majority of the Members of Congress, and numerous proposals reflect this realization. I have been pleased that the question of financial assistance to students in the form of scholarships for higher education is again being considered.

I am aware of the most gratifying success of the student loan program which was established under one of the provisions of the National Defense Education Act of 1958. I think there is little doubt that this program has been enthusiastically accepted by institutions of higher education, and students and parents. For a large number of persons this program will solve a serious financial problem. For an equally large number of students, unfortunately, this loan program will not provide a solution to the problem of paying for higher education. Frequently these persons are not able to pursue college study on a loan because of their anticipated income resulting from their choice of work, or because of family responsibilities already assumed, or because of family responsibilities which they expect to assume immediately upon completion of studies, or numerous other factors which vary from individual to individual. Yet, who would deny that these individuals deserve the opportunity to benefit from a college education. It is these young people who present a special problem—it is these young people for whom a national scholarship program holds significance. And all too often, it is these young people who have some special ability, interest, or talent. This talent and ability or specialized interest must not go undeveloped.

In addition to the question of student scholarships, proposed legislation relating to higher education would also provide for the construction and expansion of public community junior colleges—H.R. 967; and income tax exemptions or deductions or credits for expenditures for higher education—S. 755, S. 926.

Still another factor affects the realization of the cherished American dream of education of high quality for as many as are qualified. This is the burden of the institutions of higher education who must accommodate their increased student enrollments while at the same time maintaining their high standards. The pattern of population growth and birth within the Nation during the past decade has resulted in the serious strain upon facilities and faculties in our colleges and universities. Today we enroll in our colleges and universities an average of slightly more than 3 out of 10 of our youth of college age. This proportion is rising along with our college-age population and the need for higher education. Our college enrollment is expected to double by 1967. Indeed, competent authorities estimate that by 1967 the full-time enrollment in our colleges and universities will have jumped from today's 3 million to 6 million students.

Our institutions of higher education are also faced with the problem of teacher shortage. A seriously inadequate salary scale is steadily reducing the number of qualified people who choose, and stay with, college teaching as a career.

The Council for Financial Aid to Education reports that college faculty members are among the lowest paid professional groups in the Nation, with an annual median salary of about $5,200. The council reports:

> This whole situation makes no sense. The average college professor's salary today, in actual purchasing power, is less than 70 percent of what it was in 1940. The average factory worker's purchasing power is now 150 percent of its 1940 value.
>
> At a time when good teachers are more vitally needed than ever, thousands of them are forced out of the colleges and into industry simply because they cannot make ends meet. One of the crying needs of higher education is to establish salary levels which will attract and hold larger numbers of men and women with a real talent for teaching.

Mr. Speaker, I am convinced that we must be earnestly concerned with a broad program for the enrichment of the minds and opportunities of our young people. Certainly there can be no better investment of public funds than this. Too often, I am afraid, we are content merely to talk about these needs like the barker in the local carnival who while making loud proclamations, seeks chiefly to fool the people. I would not maintain that a single bill would solve the problem in education or the problems of child welfare. There is no single panacea.

Instead, I would proclaim that the Federal Government has a very definite responsibility to fulfill if the States in these times of crisis would provide the best possible programs for education and welfare for the youth of this Nation. I further maintain that without a doubt, the actions of this 86th Congress will influence the direction of the Nation in these areas. Let us then be even more serious minded and even more determined to enact those legislative measures which will accomplish these purposes and which will provide for additional numbers of young people an expanded horizon of opportunity.

MAJ. GEN. WILLIAM P. FISHER

Mr. BERRY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. WILSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. WILSON. Mr. Speaker, the legislative scene here at the Capitol is always notable for the swiftly moving changes that occur. As further evidence of these changes, it is with regret that I note the reassignment of Maj. Gen. William P. Fisher, director of the Air Force's legislative liaison, who upon the 15th of September will assume command of the Eastern Air Force of the Military Air Transport Service.

General Fisher has distinguished himself by his able and clear presentation of the Air Force view upon the critical challenges which have faced this Congress enabling us all to have a new and greater understanding of these most important issues. In addition, General Fisher has performed a valuable service in providing us with the answers to many questions from our constituents relating to the Air Force.

It is with gratification that I note that General Fisher is proceeding to a command assignment for which his experience has so well fitted him. General Fisher commanded the 26th Bomb Squadron of the famed 19th Bomb Group at Clark Field in the Philippines when the Japanese attacked on December 7, 1941. Although wounded in this attack, he went on to command the 308th Bomb Group in China under the direct control of General Chennault. After the war and a period of staff duty, he was successively selected to command the 43d Bombardment Wing and the 36th Air Division. When the Korean war broke out he was the obvious choice to command the Far Eastern Air Force Bomber Command. During World War II and Korea, he flew 59 combat missions. For his outstanding and valuable services, General Fisher has received the Distinguishsed Service Medal, the Legion of Merit with three Oak Leaf Clusters, the Distinguished Flying Cross with one Oak Leaf Cluster, the Air Medal, Purple Heart, the Presidential Unit Citation with four Oak Leaf Clusters.

Before coming to his present assignment, he served as commander of the First Air Division of the Strategic Air Command and Deputy Commander of the Eighth Air Force. I believe that we in the Congress have been most fortunate to have had the assistance of a man who has successively distinguished himself in command of squadron, group, wing, air division, and Air Force, and while I regret to see him moving on, we may feel gratified that he is bringing this wealth of experience to the most important Atlantic operations of MATS.

WE MUST DISCOURAGE INTERNATIONAL CARTEL AND MONOPOLY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. WOLF] is recognized for 15 minutes.

Mr. WOLF. Mr. Speaker, one of the most interesting and important problems which the United States will encounter in the next decade is that of finding foreign markets for its industrial and agricultural products. This problem will, of course, become even greater as the United States turns to automation to improve its productivity and as our potential for and manufacture of complex domestic industrial machinery and consumer goods becomes greater while the level of consumer needs in the United States approaches something close to fulfillment.

The problems of distribution, which are, in fact, all there is to the meaning of finding markets, is not an easy task; and it is not made easier by various practices of international cartels and world monopolies which limit production, distribution, and competition of products. Restrictive business practices in the international scene are practices about which the United States has been cognizant for a very long time. Many sensitive observers of international trade and incisive American businessmen have long been aware of the fact that cartel arrangements function as detriments to economic development and progress.

As Dean Rostow of the Yale Law School pointed out in the report of the Attorney General's National Committee To Study the Antitrust Laws:

> Foreign monopolies, cartels, and restrictive arrangements of comparable effect are costly burdens upon the American economy. They affect certain prices within the United States either directly or by influencing imports into this country; and they influence, and often control, American export and investment opportunities in other countries. * * * While no estimates are available as to the proportion of world trade affected by cartels, there can be no doubt that they constitute a quantitatively significant influence on both actual and potential movements of goods, services, and capital in the economy of the free world. In the last 30 years, governmental reports alone have reviewed cartel plans with respect to more than 120 commodities or services of significance in world trade, including aluminum, diamonds, wood pulp, nickel, copper, rubber, various chemical and electrical products, dyes, cocoa, shipping, magnesium and machinery of many types.

American businessmen are beginning to feel the problem of restrictive business practices as they have never felt them before. The Randall Commission on Foreign Economic Policy stated—in one of its few unanimous conclusions—that the existence of restrictive business practices "will limit the willingness of U.S. businessmen to invest abroad and will reduce the benefits of investment abroad to the economies of the host country."

This awareness has been the basis of our public international economic policy since immediately after the Second War. The U.S. Government under President Truman took part in many important international conferences in order to work out a responsible program to rid international trade of the yoke of monopoly and cartelism.

For example, in 1951 the American Government introduced a resolution in the Economic and Social Council of the United Nations to establish an intergovernmental committee to make recommendations to the Council solely for the prevention and control of restrictive business practices in international trade. This resolution passed by a vote of 13 to 3. As was expected, the three negative votes came from the Soviet bloc. As a result of this resolution an able intergovernmental committee, composed of 10 countries, worked very hard for over a year to write a comprehensive and workable arrangement for an intergovernmental committee which would have the power of gathering information on various cartels and world monopoly arrangements from member nations, besides the power of investigating any complaints from member nations in order to ascertain the facts. After work on this draft was completed and it appeared to be acceptable to the United States, the United States changed its position early in 1953. It is clear that a switch in American policy at that time came as a result of a change in political administrations in Washington. There is little question that the State Department and the White House changed the American position on the insistence of a few strong opponents who happened to be billionaire cartelists. This opposition came from the oil and mining interests which have informal international cartel arrangements. These vain and selfish groups have rigged the price of the world oil and mineral production while dividing up the world into vast private oil and mining dynasties.

Thus, the United States, after taking the lead in this important area in world trade in order to break world monopoly beat a hasty retreat. This was done after we had convinced the heavily industrialized free nations of the world and the heavy trading nations of the importance of international exposure of cartels and world monopoly.

The American reversal of its position has had the effect of discouraging any kind of international action in the cartel field. Other nations that supported our position have been greatly discouraged by waning American enthusiasm. It should be pointed out, however, that many nations now have done much to encourage antitrust laws on a national basis as a result of our previous position in the United Nations. This, of course, is not enough, since cartels, like disease knows no national boundaries or individual loyalties.

Mr. Speaker, it is now eminently clear that the policy of the State Department in this area for the past 5 years has been one conceived in private interest and fraught with selfish folly. American businessmen, and consequently American labor and agriculture have suffered because of this policy. Private businessmen all over the free world have suffered, economic development in Asia and Africa has been slowed, the average world consumer has suffered because of this international price fixing.

Now is the time, before it is too late, to reestablish our policy of eliminating restrictive business practices in international trade. By so doing we are showing the world that we stand behind the idea of competition in international trade; that this notion is a basic precept of American economic life and not an empty slogan.

Mr. Speaker, the reaffirmation of our policy will show to our friends in Asia, Africa, and South America that we do not countenance restrictive and viper-like cartels that destroy economic development, depress wages and raise and freeze prices to the hindrance of both the buyer and the independent, competitive seller.

CONCURRENT RESOLUTION REQUESTING THE PRESIDENT TO INSTRUCT THE U.S. DELEGATION TO THE UNITED NATIONS TO SPONSOR AND SUPPORT RESOLUTIONS CURTAILING RESTRAINTS ON WORLD TRADE RESULTING FROM CARTELS AND OTHER FORMS OF WORLD MONOPOLY

Whereas the United States has a continuing concern with the existence in international trade of restrictive business practices which have harmful effects on the attainment of higher standards of living, full employment and conditions of economic and social progress and development;

Whereas the United States recognizes that national action and international cooperation is necessary in order to deal effectively with business practices affecting international trade;

Whereas the elimination of harmful restraints on international trade such as cartels or other forms of world monopoly and the furthering of competition in international trade continues to be a basic objective of this country's economic policy: Now therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress requests the President of the United States to instruct the U.S. delegation to the United Nations, and to appropriate agencies of the United Nations, to sponsor and support resolutions that would assist the United Nations in establishing the proper intergovernmental machinery, and urging member Government participation, to implement a policy of elimination of harmful restraints on international trade resulting from cartels or other forms of world monopoly.

SERIOUS SITUATION IN SOUTHEAST ASIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, I think it imperative that the House should take note of the increasingly serious situation building up in southeast Asia, particularly the events in Laos.

The ramifications of the ever-growing Communist pressures now being openly applied in this area are many, and none of them are pleasant for us to contemplate.

It is very clear to all that what we are seeing in Laos today is a renewed Communist effort to gain direct access to Thailand and Cambodia, flank South Vietnam and open the way to the remainder of southeast Asia. All of these dire results would flow from the fall of Laos.

It is incredible to me, as it is to many Americans, that even as we face this new threat, one in which the potential for grave disaster to the cause of the free world is as great as any we have faced, the Pentagon refuses to follow the mandate of this Congress and ready our forces best suited to act in this situation.

Certainly it is a matter of general recognition that the U.S. Marine Corps constitutes the very first echelon of our forces most capable, most carefully designed, to meet the repeated open threats of the cold war.

I, of course, have no way of knowing if there is any plan even in existence to employ Marines in Laos should that situation continue to deteriorate. Nor is it my intention to recommend that we do so.

Instead, it is my purpose to call attention to what can only be considered by all thinking citizens one more example of the strange lack of wisdom and dearth of good judgment in the Pentagon in failing to provide adequate forces to cope with the very type of situation which is rapidly building up in southeast Asia.

The Congress, I submit, has more correctly evaluated the nature of the threat posed by the repetitive overt pressures and incursions of the Communist empire. We have provided again this year for a minimum strength Marine Corps of 200,000 Marines.

Yet, even as the events in southeast Asia daily provide a worsening, ever darker picture, a Pentagon bemused by ICBM's and near tragic fascination with the "bigger bang for the buck" has stripped the Marine divisions and air wings of battalions and squadrons of combat-ready Marines.

Not even the 3d Marine Division on Okinawa, the only combat-ready ground force we have in Asia, has escaped the cuts imposed by the Pentagon's unreasoning, illogical insistence upon ignoring the expressed intent of Congress on what constitutes an adequate Marine Corps.

Can it be that the cutting of this combat ready force of Marines, so symbolic to friends and foes alike of our determination to stand by our allies, has in itself encouraged to some extent the renewed outbreak of Communist aggression in Laos? Certainly the deactivation of combat units within this single American ready force in the Far East does nothing to discourage the evil aspirations of the Communist.

Logic, common sense, prudence support the congressional direction to the Department of Defense to maintain the Marine Corps at a strength adequate to the proven need. Each passing day but confirms the soundness of our decision and exposes further the lack of sound planning in the Pentagon for the means to meet the known pattern of Communist conquest by piecemeal.

Every single experience we have encountered in the past decade has proven the inability of massive retaliation to deal with the familiar Communist tactic now again unfolding before our eyes in southeast Asia.

Just as clear is the fact that every successful reaction we have made over the years has been based upon the readiness, availability and versatility of the very forces now cut to the bone.

I call upon the Secretary of Defense to commence immediately effecting the congressional intent on Marine Corps strength; to provide at the earliest possible moment with the funds and resources the Congress has made available a Marine Corps adequate to the national interests—a Marine Corps of 200,000.

AN OPEN RULE IS NEEDED ON THE HIGHWAY BILL TO PERMIT A FISCALLY RESPONSIBLE AMENDMENT REDUCING THE OIL DEPLETION ALLOWANCE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the body of the RECORD and to include therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REUSS. Mr. Speaker, earlier today I appeared before the Committee on Rules to urge an open rule on the highway bill, H.R. 8678.

I did so in the interest of fiscal responsibility.

It was my intention to offer a fiscally responsible amendment to the highway bill, reducing the oil depletion allowance.

As a substitute for the bill's proposed diversion of funds to highway purposes from the general fund, my amendment would raise the necessary $2.4 billion through a reduction in the oil depletion allowance.

I support the bill's fiscally responsible provision to increase the Federal gasoline tax by 1 cent a gallon for 22 months. But the second financing section in the bill, to divert to the highway fund a large part of auto and auto parts excise taxes for a 3-year period, is not fiscally responsible. Reducing the 27½-percent oil depletion allowance to 15 percent for those whose oil and gas income exceeds $5 million annually, and to 21 percent for those whose oil-gas income is between $1 million and $5 million a year, will produce the same proceeds as the proposed diversion from the general fund, but will be fiscally responsible.

Mr. Speaker, I am advised that the Committee on Rules has now recommended a closed rule for H.R. 8678, and that the matter is to be taken up on Thursday by the House. I regret that I shall have to oppose the rule. I shall continue to seek the opportunity to offer my fiscally responsible amendment.

At this point in the RECORD I insert the statement which I made today before the Committee on Rules and the text of the amendment which I have prepared:

STATEMENT OF REPRESENTATIVE HENRY S. REUSS, OF WISCONSIN, BEFORE COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, WITH RESPECT TO H.R. 8678, FEDERAL-AID HIGHWAY ACT OF 1959, SEPTEMBER 2, 1959

Mr. Chairman, I urge the Committee on Rules to recommend an open rule for the consideration of H.R. 8678.

Since both the Committee on Ways and Means and the Committee on Public Works have had such difficulty agreeing on the language of this bill, and since, so I understand, the bill has been agreed on in committee by the closest of votes, I believe that the rule for consideration of H.R. 8678 should be a liberal one, so that the House will have the opportunity to consider at least several of the alternatives that have been offered with respect to continuing the Federal-aid highway program, and particularly with respect to the financing of the program in the immediate future.

Mr. Chairman, I know that every member of the Committee on Rules and every Member of the House wishes to be fiscally responsible. Sometimes, when a variety of conflicting proposals arise, such as on this highway issue, and it is necessary to weld several proposals into one to get a bill out of committee, the result can be something less than fiscally responsible.

The compromise highway financing proposal contained in H.R. 8678 is, in my opinion, an example of this kind of compromise.

It proposes to increase the Federal gasoline tax by 1 cent for a 22-month period, and that is fiscally responsible as far as it goes. It also proposes to take from the general fund for a 3-year period one-half of the 10-percent manufacturers' excise tax on automobiles and five-eighths of the 8-percent excise tax on auto parts and accessories. It is this part of the proposal that seems to me not fiscally responsible, since it would divert some $800 million a year from the general fund, with no provision for replacement. Surely now is the time to avoid future budget deficits.

Mr. Chairman, I certainly want the Federal-aid highway construction program to proceed as nearly on schedule as possible, but surely this is the kind of a program that should be on a pay-as-you-go basis.

The President's original proposal for a 1½-cent increase in the gasoline tax would do this, all right, but would, in my opinion, be inequitable in that it would throw the whole burden of financing the program deficit onto the automobile and truck user.

I hope, Mr. Chairman, that H.R. 8678 will reach the floor of the House under such circumstances that I shall be able to offer a fiscally responsible financing program, in place of section 202 which diverts funds from the general fund.

In essence my proposal is to raise the needed additional funds by reducing the oil depletion allowance in accordance with an equitable formula originally developed by some of our colleagues in the other body. I would reduce the depletion allowance from 27½ percent to 15 percent for those whose income from oil and gas properties exceeds $5 million a year; to 21 percent for those whose income is between $1 million and $5 million a year; and make no reduction for income under $1 million.

This reduction, coupled with the 1-cent gasoline tax boost for 22 months, would, according to reliable estimates, raise the same amount for the highway fund between now and June 30, 1964, as would the provisions of H.R. 8678.

The depletion allowance reduction, at an estimated yield of $500 million annually, would produce $2.4 billion by June 30, 1964. This is precisely the amount estimated to be produced under the plan for a 3-year, $800 million diversion from the general fund.

Mr. Chairman, I think the oil industry has a huge stake in the continuation of the highway program, and that it is not only fiscally responsible but eminently fair and equitable to raise the needed highway funds not only from the highway user in the form of a 1-cent gasoline tax boost, but from the oil industry in the form of a depletion allowance reduction.

I believe the Members of this House should have the opportunity to vote on such a proposal, and I therefore urge a rule on H.R. 8678 which will permit my amendment to be offered, along with others.

AMENDMENT TO H.R. 8678 OFFERED BY MR. REUSS

On page 8, strike out line 23 and all that follows down through line 11 on page 10, and insert in lieu thereof the following:

"SEC. 202. GRADUATED RATES OF PERCENTAGE DEPLETION FOR OIL AND GAS WELLS; TRANSFERS TO HIGHWAY TRUST FUND.

"(a) GRADUATED RATES OF PERCENTAGE DEPLETION FOR OIL AND GAS WELLS.—Section 613 of the Internal Revenue Code of 1954 (relating to percentage depletion) is amended—

"(1) by striking out, in subsection (a), 'specified in subsection (b)' and inserting in lieu thereof 'specified in subsection (b) and (d)';

"(2) by striking out paragraph (1) of subsection (b) and inserting in lieu thereof the following:

"'(1) OIL and GAS WELLS.—The percentage applicable under subsection (d)(1).'; and

"(3) by redesignating subsection (d) as (e), and by inserting after subsection (c) the following new subsection:

"'(d) OIL AND GAS WELLS.—

"'(1) PERCENTAGE DEPLETION RATES.—In the case of oil and gas wells, the percentage referred to in subsection (a) is as follows:

"'(A) 27½ PERCENT.—If, for the taxable year, the taxpayer's gross income from the oil and gas well, when added to (i) the taxpayer's gross income from all other oil and gas wells, and (ii) the gross income from oil and gas wells of any taxpayer which controls the taxpayer and of all taxpayers controlled by or under common control with the taxpayer, does not exceed $1,000,000.

"'(B) 21 PERCENT.—If, for the taxable year, the taxpayer's gross income from the oil and gas well, when added to (i) the taxpayer's gross income from all other oil and gas wells, and (ii) the gross income from oil and gas wells of any taxpayer which controls the taxpayer and of all taxpayers controlled by or under common control with the taxpayer, exceeds $1,000,000 but does not exceed $5,000,000.

"'(C) 15 PERCENT.—If, for the taxable year, the taxpayer's gross income from the oil and gas well, when added to (i) the taxpayer's gross income from all other oil and gas wells, and (ii) the gross income from oil and gas wells of any taxpayer which controls the taxpayer and of all taxpayers controlled by or under common control with the taxpayer, exceeds $5,000,000.

"'(2) CONTROL DEFINED.—For purposes of paragraph (1), the term "control" means—

"'(A) with respect to any corporation, the ownership, directly or indirectly, of stock possessing more than 50 percent of the total combined voting power of all classes of stock entitled to vote, or the power (from whatever source derived and by whatever means exercised) to elect a majority of the board of directors, and

"'(B) with respect to any taxpayer, the power (from whatever source derived and by whatever means exercised) to select the management or determine the business policies of the taxpayer.

"'(3) CONSTRUCTIVE OWNERSHIP OF STOCK.—The provisions of section 318(a) (relating to constructive ownership of stock) shall apply in determining the ownership of stock for purposes of paragraph (2).

"'(4) APPLICATION UNDER REGULATIONS.—This subsection shall be applied under regulations prescribed by the Secretary or his delegate.'

"(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on September 1, 1959, and shall apply with respect to taxable years ending on or after such date.

"(c) TRANSFER.—Section 209(c) of the Highway Revenue Act of 1956 (relating to transfer to the Highway Trust Fund of amounts equivalent to certain taxes) is amended by renumbering paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

"'(2) Increased income taxes resulting from decrease in rate of percentage depletion.—There is hereby appropriated to the Trust Fund, out of any money in the Treasury not otherwise appropriated, 100 percent of the increased revenues which the United States has derived before July 1, 1973, which are attributable to liability for tax incurred before July 1, 1972, and arise out of the taxes imposed by chapter 1 of the Internal Revenue Code of 1954 by reason of the amendments made by section 2(a) of the Act enacting this paragraph.'

"(d) CONFORMING AMENDMENTS.—

"(1) CLERICAL AMENDMENT.—Paragraph (4) (as renumbered by subsection (c)) of such section 209(c) is amended by striking out 'paragraphs (1) and (2)' each place it appears and inserting in lieu thereof 'paragraphs (1), (2), and (3)'.

"(2) FLOOR STOCKS REFUNDS.—Section 209 (f) of the Highway Revenue Act of 1955 (relating to expenditures from Highway Trust Fund) is amended—

"(A) by striking out the heading to paragraph (4) and inserting in lieu thereof the following: '(4) 1972 FLOOR STOCKS REFUNDS.—'; and

"(B) by adding at the end thereof the following new paragraph:

"'(5) 1961 FLOOR STOCKS REFUNDS ON GASOLINE.—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the general fund of the Treasury amounts equivalent to the floor stocks refunds made before July 1, 1962, under section 6412(a)(3).'"

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TOLLEFSON (at the request of Mr. HALLECK), from September 5, indefinitely, on account of official business.

Mr. MARSHALL (at the request of Mr. NATCHER), on account of illness in family.

Mr. DAGUE (at the request of Mr. FENTON), for September 3, 1959, on account of death in family.

Mr. MINSHALL (at the request of Mr. HALLECK), from September 2 for 1 week, on account of death of brother.

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. BURKE of Massachusetts (at the request of Mr. O'NEILL), for 1 hour, on Thursday.

Mr. THOMSON of Wyoming, for 45 minutes, on tomorrow and Friday.

Mr. WOLF (at the request of Mr. PUCINSKI), to address the House for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. FLOOD (at the request of Mr. PUCINSKI), to address the House for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. CURTIN (at the request of Mr. BERRY), for 10 minutes, on September 3.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MARTIN.

Mr. PORTER.

Mr. SHELLEY and to include extraneous matter.

Mr. PHILBIN and to include extraneous matter.

Mr. PUCINSKI and to include extraneous matter.

At the request of Mr. PUCINSKI, the following Members were granted permission to extend their remarks in the CONGRESSIONAL RECORD and to include extraneous matter:

Mr. BOWLES in two instances.

Mr. MACHROWICZ.

Mr. DOLLINGER.

Mr. HÉBERT.

(At the request of Mr. BERRY, and to include extraneous matter, the following:)

Mr. COLLIER in two instances.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers;

S. 417. An act to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota;

S. 551. An act to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams;

S. 994. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws;

S. 1221. An act to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands;

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site;

S. 1453. An act to authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa to the city of Keosauqua;

S. 1521. An act to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938;

S. 1645. An act to amend section 4161 of title 18, United States Code, relating to computation of good time allowances for prisoners;

S. 1647. An act to amend section 4083, title 18, United States Code, relating to penitentiary imprisonment;

S. 1947. An act relating to the authority of the Customs Court to appoint employees, and for other purposes;

S. 2013. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds;

S. 2029. An act to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes;

S. 2118. An act to amend section 4488 of the Revised Statutes, as amended, to authorize the Secretary of the Department in which the Coast Guard is operating to prescribe regulations governing lifesaving equipment, firefighting equipment, muster lists, ground tackle, hawsers, and bilge systems aboard vessels, and for other purposes;

S. 2334. An act to transfer from the Department of Commerce to the Department of Labor certain functions in respect of insurance benefits and disability payments to seamen for World War II service-connected injuries, death, or disability, and for other purposes;

S. 2339. An act to amend the law relating to the distribution of the funds of the Creek Tribe;

S. 2421. An act to amend the Klamath Termination Act; and

S. 2435. An act to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 1 minute p.m.) the House adjourned until tomorrow, Thursday, September 3, 1959, 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:

1349. A letter from the Comptroller General of the United States, transmitting a report on the audit of accounts of disbursing officers of the Army, fiscal year 1958; to the Committee on Government Operations.

1350. A letter from the Administrator, Small Business Administration, transmitting a draft of proposed legislation entitled "A bill to amend section 542(c) of the Internal Revenue Code of 1954 (relating to exceptions from the term 'personal holding company') to exempt small business investment companies from the personal holding company tax"; to the Committee on Ways and Means.

1351. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered under the authority contained in section 13(b) of the act as well as a list of the persons involved, pursuant to the act of September 11, 1957; to the Committee on the Judiciary.

1352. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Tai Ah Chu, A–10493023, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1353. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Eleventh report pertaining to organization and management of missile programs (Rept. No. 1121). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on Un-American Activities. H.R. 8121. A bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees; without amendment (Rept. No. 1122). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on Un-American Activities. H.R. 8429. A bill to amend the Subversive Activities Control Act of 1950 to provide for a procedure under which certain final orders of the Subversive Activities Control Board with respect to Communist organizations may be made applicable to successor organizations; with amendment (Rept. No. 1123). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H.R. 8754. A bill to amend the Atomic Energy Act of 1954, as amended; with amendment (Rept. No. 1124). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H.R. 8755. A bill to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States; with amendment (Rept. No. 1125). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes; with amendment (Rept. No. 1126). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 2390. An act to authorize the exchange of certain lands in or in the vicinity of Everglades City, Fla., in furtherance of the administration and use of the Everglades National Park; without amendment (Rept. No. 1127). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIMPSON of Pennsylvania: Committee on Ways and Means. H.R. 8126. A bill to amend the Internal Revenue Code of 1954 with respect to the taxation of exchanges of property and distributions of stock made pursuant to orders enforcing the antitrust laws; with amendment (Rept. No. 1128). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. H.R. 4150. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; with amendment (Rept. No. 1129). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. House Joint Resolution 513. Joint resolution designating the 17th day of December in each year as "Wright Brothers' Day"; without amendment (Rept. No. 1130). Referred to the House Calendar.

Mr. MILLS: Committee on Ways and Means. H.R. 5547. A bill to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States; with amendment (Rept. No. 1131). Referred to the Committee of the Whole House on the State of the Union.

Mr. THORNBERRY: Committee on Rules. House Resolution 372. Resolution for consideration of H.R. 8678, a bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; without amendment (Rept. No. 1132). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 373. Resolution for consideration of S. 2208, an act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act; without amendment (Rept. No. 1133). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 360. Resolution amending House Resolution 56, 86th Congress; without amendment (Rept. No. 1134). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 9021. A bill to provide that withdrawals and reservations of public lands for nondefense uses shall take effect only upon certain conditions, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9022. A bill to provide for assistance to States in their efforts to promote, establish, and maintain safe workplaces and practices in industry, thereby reducing human suffering and financial loss and increasing production through safeguarding available manpower; to the Committee on Education and Labor.

By Mr. BOWLES:

H.R. 9023. A bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 9024. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

H.R. 9025. A bill to authorize the Secretary of Defense to make a monetary allowance in lieu of headstones or markers for certain graves; to the Committee on Armed Services.

By Mr. FOLEY:

H.R. 9026. A bill to amend the act to regulate and fix rates of pay for employees and officers of the Government Printing Office; to the Committee on House Administration.

By Mr. MEYER:

H.R. 9027. A bill to amend section 3 of the act of January 5, 1905, incorporating the American National Red Cross, so as to include among the purposes of such corporation the establishment of a just and lasting peace; to the Committee on Foreign Affairs.

By Mr. STEED:

H.R. 9028. A bill to provide that certain funds shall be paid to the Kickapoo Tribal Council of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H.R. 9029. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 9030. A bill to officially designate the dam now under construction at Glen Canyon on the Colorado River in northern Arizona as Powell Dam; to the Committee on Interior and Insular Affairs.

H.R. 9031. A bill to provide for assistance to States in their efforts to promote, establish, and maintain safe workplaces and practices in industry, thereby reducing human suffering and financial loss and increasing production through safeguarding available manpower; to the Committee on Education and Labor.

By Mr. VAN ZANDT:

H.R. 9032. A bill to authorize the appropriation to the Corregidor-Bataan Memorial Commission of an amount equal to amounts, not in excess of $7,500,000, which may be received by the Secretary of the Navy from the sale of vessels stricken from the Naval Vessel Register, to be expended for the purpose of carrying out the provisions of the act of August 5, 1953; to the Committee on Armed Services.

By Mr. BALDWIN:

H.R. 9033. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. DORN of New York:

H.R. 9034. A bill providing for the Surgeon General of the United States to establish a hospital in the State of New York especially equipped for the treatment of persons addicted to the use of habit-forming drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLS:

H.R. 9035. A bill to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes; to the Committee on Ways and Means.

By Mr. HAYS:

H.R. 9036. A bill to amend the Foreign Service Buildings Act, 1926, to authorize the construction or alteration of certain buildings in foreign countries for use by the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McGOVERN:

H.R. 9037. A bill to authorize the sale at market prices or at 1959 support prices, whichever are lower, of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes; to the Committee on Agriculture.

By Mr. TOLLEFSON:

H.R. 9038. A bill to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota; to the Committee on Ways and Means.

By Mr. BAKER:

H.J. Res. 516. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. WOLF:

H. Con. Res. 430. Concurrent resolution requesting the President to instruct the U.S. delegation to the United Nations to sponsor and support resolutions curtailing restraints on world trade resulting from cartels and other forms of world monopoly; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLE:

H.R. 9039. A bill for the relief of George Gozadinos; to the Committee on the Judiciary.

By Mr. COOK:

H.R. 9040. A bill for the relief of Ana Fernandez Lambea; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.R. 9041. A bill for the relief of Joseph Starker; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 9042. A bill for the relief of Anna Semechole Marcolina; to the Committee on the Judiciary.

By Mr. ZELENKO:

H.R. 9043. A bill for the relief of Mock Fook Leong; 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:

270. By the SPEAKER: Petition of the assistant city clerk, Stockton, Calif., requesting that the Congress override the Presidential veto of H.R. 7509, public works appropriations; to the Committee on Appropriations.

271. Also, petition of the city clerk, Boston, Mass., requesting favorable action on H.R. 4633, relating to home rule for the District of Columbia; to the Committee on the District of Columbia.

272. Also, petition of Rosemary Macklem and others, Cleveland, Ohio, requesting that the American Indians get justice in the way of better living such as, better housing, food, water, medicine, and education; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Stuart Symington Cited by AMVETS

EXTENSION OF REMARKS

OF

HON. CLAIR ENGLE

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 2, 1959

Mr. ENGLE. Mr. President, at its recent national convention in Grand Rapids, AMVETS presented our distinguished colleague from Missouri, Senator SYMINGTON, with its first defense award in "recognition of exceptional contributions to the defense of the United States and the free world." I can think of no one more deserving of this recognition than Senator SYMINGTON. In its citation, AMVETS points out that Senator SYMINGTON "has brought to the Senate unique understanding of the times in which we live." I concur wholeheartedly with this statement and with the other commendations in the citation.

I ask unanimous consent that the citation be printed in the CONGRESSIONAL RECORD, together with an excellent address which Senator SYMINGTON delivered before the AMVETS convention.

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

AMVETS NATIONAL CITATION

The 14th Annual National Convention of AMVETS, assembled in St. Louis, Mo., on August 22, 1958, unanimously resolved that its first defense award be presented to the Honorable STUART SYMINGTON, U.S. Senator, in recognition of exceptional contributions to the defense of the United States and the free world.

Throughout his outstanding career, the Honorable STUART SYMINGTON has contributed exceptionally to the national strength of the United States. He has consistently emphasized to the Government and the public the necessity for impenetrable national defense, as a threat against aggression and to successfully counteract aggression should it occur. Senator SYMINGTON continues to protect the United States and the free world through his active participation on the important Senate Armed Services Committee and Aeronautical and Space Sciences Committee.

Senator SYMINGTON, who in 1958 was elected to the U.S. Senate by the highest percentage of votes cast in the history of Missouri, has brought to the Senate unique understanding of the times in which we live. His is the voice of a dedicated American with exceptional knowledge of current military needs. His is the voice of authority on national defense. His is the voice of authority on airpower. His is the voice of authority on defense reorganization.

Senator SYMINGTON's brilliant service as the Nation's first Secretary of the Air Force was responsible for many of the initial and subsequent contributions which the Air Force has made to the defensive strength of the United States and the free world. Earlier, the devoted public servant enhanced national welfare as Assistant Secretary of War for Air, Chairman of the Surplus Property Board, and Administrator of the Reconstruction Finance Corporation.

AMVETS and the United States—and the free world which looks to America to help preserve its freedom—are deeply indebted to the Honorable STUART SYMINGTON. It is with the greatest pride and appreciation that AMVETS present to him their first national defense award.

Presented August 27, 1959, AMVETS 15th Annual National Convention, Grand Rapids, Mich.

W. E. BURDINE, M.D.,
National Commander.
P. E. HOWARD,
National Executive Director.

THE PROTRACTED PSYCHOLOGICAL CONFLICT

(Address by Senator STUART SYMINGTON before the AMVETS National Convention, Grand Rapids, Mich., August 27, 1949)

It is a great privilege to be with you here in Grand Rapids at this national convention of the AMVETS.

Your organization is unsurpassed in its efforts towards adequate national defense.

Those in Government charged with responsibility in this field depend upon groups such as yours to keep our citizens both informed and alert about whether or not the strength of this Nation is adequate enough to insure our remaining a free people.

National defense is not just physical defense. It involves far more. It is the whole of our effort to keep the peace. It includes economic growth, scientific progress, the state of our morale and the quality of our education.

AMVETS does a magnificient job for its veteran members. But when it branches out—exploring the meaning of Americanism; granting scholarships; helping make better communities; speaking out for the legislation in which it believes—then your great organization makes its complete contribution to our overall security.

In the 15 years since its founding, AMVETS has grown steadily in stature.

And now you stand a vigorous, far-reaching, forward-looking organization, dedicated always to the welfare of our country.

In these 15 years this Nation has matured and expanded under the continuing challenge of world communism. We have disarmed, and armed again; forged great alliances; begun to build up underdeveloped areas; and learned some of the patience which must go with leadership of the free world.

Now we enter a new phase. In less than 3 weeks, Premier Khrushchev will come to this country.

It is hoped that he will leave these shores without incident—and with a better understanding of our basic strengths.

But it would be a tragic error to believe that his visit connotes any shift in Communist goals or strategy.

The Sino-Soviet Empire is committed to a single objective. They seek it at times by talk of peace, at times by war; in one place through professed efforts towards peace; in another by subversion.

But the basic goal is always the same: namely, the overthrow of parliamentary government, all over the world—resulting in their rule of all people.

We seem now to be headed for a phase which will be marked by increasing contact between communism and free peoples.

This means an increasing competition of words, ideas, and performance; and it is about this—what I would call the psychological side of the conflict—that I would speak briefly today.

The Russians are ready.

In his speech to the Second Congress of the Communist International, back in 1920, Lenin said: "Great are the military victories of the Soviet Republic, but still more significant is the victory over the minds and hearts of the masses, the victory of Communist ideas all over the world."

Following Lenin's advice, the Communists have developed the most effective machinery and the most refined strategy of propaganda the world has ever known.

Their assault on the mind takes many forms. It may be a peace congress in Sweden, a youth festival in Vienna, a strike in Paris, or a fair in New York.

Wherever it is, and whatever it is, you can be sure it is a well-planned monolithic effort, with the inspiration coming primarily from two places—Moscow and Peiping.

In this area of protracted psychological conflict the Communists are believed to be spending between $2 and $3 billion a year. It is an effort which has but one purpose—to drum home the Communist line, so as to soften up any opposition, as they move on with their plans for conquest.

But deeds are stronger than words; and the most ingenious propaganda is weakened if belied by actions.

This is what happened recently in Hungary, and even more recently in Tibet.

And that is why, despite the scope of the Communist effort, it is they, not us, who are vulnerable in this propaganda field at this time—if only we will shed the current complacency and go to work.

Greater effort in the psychological field could draw rich dividends for the cause of freedom.

Behind the Iron Curtain—in the so-called zone of peace in which we now let Communist rule go unchallenged—the people are nevertheless stirring.

Ideas of freedom have seeped through the blockade of indoctrination and thought control.

Why else would 250,000 Poles turn out to cheer the Vice President of the chief capitalist nation of the world?

Why else would 1 out of every 10 East Germans have left their country since 1950, drawn by the symbol of freedom which is West Berlin?

Yes; dissent and doubt are on the rise in many places behind the curtain.

Let me tell you a story, the authenticity of which is vouched for by the distinguished free Austrian magazine, Forum.

At the time of the Hungarian revolution 140 students were expelled from a Moscow university.

Their crime? In the middle of a class on Marxism they began to ask why, in Hungary, workers and peasants had risen against the Communist state.

The Russian students were not satisfied with the answer of their teachers, so they went to the rooms of Hungarian students and literally dragged them out of bed to ask some searching questions.

They wanted to know whether the Communist Party has not in fact become the exploiting class Marx warned against; and, if this were true, whether Marxist theory would not demand that the people revolt against the party.

These discussions spread to other Russian universities, where the question was even asked whether "the Russian workers, under Lenin's banner, will not rise against their bureaucratized exploiters."

Only extreme subsequent disciplinary measures quieted this outbreak of criticism. But the incident shows that, after 40 years of control, the Communists would seem to have failed in the indoctrination of some of their youth.

With wise and careful effort, we can carry on this battle of ideas behind the lines to great advantage.

We should utilize holes that have been opened up in the Iron Curtain to intensify our efforts to win converts to freedom's cause.

The crucial weapons of such an effort, I am glad to say, cost nothing.

They need no lead time, because we have them.

They are not subject to mechanical failures.

And they have not grown obsolete in 183 years.

They are parts of our life which many of us take for granted. But translated into the lives led by the people behind the Iron Curtain, they become concepts of great motive power.

First of course is the idea of freedom. The Iron Curtain people should know that if they lived under our system, they would be able to walk the streets without identity cards. They could move to a new city without registering with the police. They would be able to apply for the kind of job they wished, instead of being assigned by the state. They could read, think and speak what they pleased.

And then there is self-determination—people being free to choose their own form of government, without pressure from foreign troops on their soil; living in a land where men can choose their own government representatives in free elections.

Also there is the concept of material well-being—better pay, better working conditions, a better standard of living.

How interested these men and women would be to study the way we in America have narrowed the historic gap between rich and poor without revolution or bloodshed.

Why should we fear increasing contact between the Communists and ourselves? Their way of life has no attraction for us. But our way of life has much attraction for them.

The more they learn about how we live, the more they will realize that the free world has actually delivered the better life which the Communists promise.

Why is it that the truth about the West is so largely unknown behind the Iron Curtain?

A few comparisons can answer much of that story.

In the last year, while the Russians were spending billions in psychological warfare, our total effort in this field amounted to less than $150 million.

That is about 3 hours' output of 1 day of our annual income.

We have the weapons to lead the world to peace. But we neglect the means of delivery.

Therefore, I recommend a four-point program to help our country mount a new major offensive in this battle for men's minds.

First, there should be intensification of our radio broadcasting behind the Iron Curtain, our presentation of the truth about America.

We should be able to broadcast long enough, loud enough, and on enough channels to break through Communist jamming efforts.

We should not raise false hopes in the hearts of people—but we should keep constantly before them the difference between their life now, and the life they could have under freedom.

Second, we should increase personal contacts between Communist and free world peoples—through travel, letters, and exchange programs.

The young Americans serving as guides at the Moscow Fair have reported that their own personal views and experiences about life in the United States are a most effective counter to Communist propaganda.

Third, there should be better preparation of our Foreign Service people for jobs abroad. We cannot get over our message to another land or person if our representatives do not know the language. They cannot be effective unless they understand the culture and customs of the country in question.

Far too many of our representatives abroad are not properly equipped for their job. It was for this reason that I proposed the establishment of a Foreign Service Academy, to train the free world advocates of a lasting peace so they could present their message with maximum effect.

Finally, there should be a much more effective use of religion as an antidote to communism.

Eighty percent of the people held in bondage behind the Iron Curtain are Christians.

A large percentage of them are devout; and therefore, when their beliefs rub against the atheistic policies of their Communist rulers friction is automatic.

We have not yet made full use of our creeds and religious convictions as a weapon in this cold war. Through broadcasts, we could do much more in emphasizing the strength of our faith.

These broadcasts should stress the dignity of man under God, along with other religious ideals incompatible with Communist doctrine.

Why not, for example, translate and dramatize some of the outstanding religious broadcasts we hear on our own networks every Sunday.

I present these opportunities and suggest how we might use them. At this point, however, let me make it clear that I do not suggest stirring up any revolution.

But we do want to spread the truth, for there is a good chance that this truth will spread dissatisfaction, and thereby force some relaxation of Russian rule, in terms of more understanding and therefore more good will.

The head of the Central Intelligence Agency, Mr. Allen Dulles, asserted in a recent speech that while the Soviet Government is still a closely regulated autocracy, it is not today quite as free as under Stalin to disregard wholly the desire of the people.

This applies at least as much to the Soviet satellites. They would be grateful for the slimmest ration of the fruit of freedom.

If we can help them to that end, all our effort will have been worthwhile—and the goal of peace will be much nearer to mankind.

First Hungary, and then Tibet, have shown the Communists that if control of their satellites is based on force alone, they damage their cause in the uncommitted nations.

And by spreading our ideas, and ideals, we can stimulate apprehension in the countries they still do not control; plus unrest in the countries they do.

Such possible progress through truth can only reduce the Communist threat to our own security.

As our country heads into the uncertain future, testing new methods of diplomacy, facing new techniques, I have faith that this great organization of AMVETS will support these efforts, efforts essential for our security, our prosperity, and the greatest of all blessings, a just and lasting peace.

Communist Propaganda in Asia

EXTENSION OF REMARKS
OF

HON. CHESTER BOWLES

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1959

Mr. BOWLES. Mr. Speaker, under leave to extend my remarks, I include the following statement:

The Speaker has generously granted permission to me to exhibit in the Speaker's lobby of the House of Representatives several samples of Communist propaganda typical of that now being disseminated in the Middle East and in south and southeast Asia. This exhibit is designed to acquaint Members of Congress with the scope, breadth, variety, skill, and effectiveness of Communist propaganda in this area of the world and with the corresponding challenge it presents for American policy.

Among the aspects of this challenge, highlighted in the exhibit, are the following points:

First. Propaganda from the Soviet Union and Communist China is supplementary in various fields and in different countries. Chinese propaganda, for instance, appears more often in Pakistan, which is at odds with the Soviet Union, while the Soviets are more active in Burma, where the Chinese are regarded as a direct threat. A major role is also given to propaganda from countries of central and eastern Europe, particularly in the sphere of cultural and economic affairs.

Second. Soviet and Chinese publications are attractive, and present life under communism in terms designed to appeal to the workers and peasants of most of non-Communist Asia. China alone sold an estimated $1 million worth of propaganda material at cutrate prices out of Hong Kong last year.

Samples of direct propaganda publications include:

From China: China Pictorial, China Reconstructs, Women of China, People's China.

From U.S.S.R.: The Soviets distribute New Times, Soviet Literature, Soviet Union, Soviet Land, Soviet Weekly, Soviet Woman, Culture, and Life.

From central and east Europe: Romtrans—Romanian Industry—Czechoslovak Life, Bulgarian Foreign Trade, GDR Review (East German), Do You Know the Rumanian Peoples' Republic?

In the middle east Communist French publications such as Democracie Nouvelle are available.

Asian Communist countries, such as North Korea and North Vietnam distribute their own magazines.

Third. The official Communist propaganda pamphlet campaign is accompanied by standard literature. Russian classics are constantly being reprinted in English. Indeed, more publications in English are now being printed behind the Iron Curtain for distribution in non-Communist Asian countries than are being printed for such purposes by the United States and Great Britain combined.

Each year, scores of new titles in Hindi, Bengali, and Urdu and other national languages are also released. "Handbooks on Marx," "People's China, U.S.S.R.," "Chinese Cooking and Chinese Papercuts," are on sale everywhere, as is the Constitution of the Soviet Union in nearly all languages. Important pronouncements and interviews with Soviet leaders are widely distributed.

Books and albums are published in China and Moscow on the visits of Soviet leaders to other Asian countries. Publications on Islam and Buddhism are frequently distributed.

Communist propaganda aims at filling gaps in available literature wherever such gaps exist. Thus there is much concentration on children's books such as "The Silver Hoof," "Frisky Kitten," "Ukrainian Folk Tales," and a series of "Peace Fables"—published in Bucharest.

Indian art publications are published in Moscow and distributed in India. Many art postcards sold in India are printed in Moscow.

This Communist propaganda effort through books and periodicals is, of course, only one arm of a sustained, long-term program. That program also includes the persistent use of radio, press, films, trade fairs and cultural missions. The following brief summary indicates the extent of some of these supplementary activities:

Radio: Communist Chinese broadcasts number 242 hours per week in 10 Asiatic languages and 5 Chinese dialects. Chinese abroad numbering 30 million are considered as an important target and instrument for Communist propaganda. Moscow broadcasts much more extensively—8 hours weekly to southern Vietnam for instance, 35 hours weekly to Persia, and an unspecified number in Hindi, Bengal, Urdu, Tamil, Telegu, Singhalese, and other Asian languages.

Press: The actual Communist press in Asia is not very extensive—six papers in India, two in Pakistan, four in Ceylon and five in Japan. But Soviet and Chinese propaganda is carried on (a) through local press agencies which distribute news issued by Tass and the New China Agency, and (b) via extensive distributions of Chinese and Soviet publications in French, English and all Asiatic languages.

Films: Great emphasis is placed on presenting Communist films in Asia. Czechoslovakia, Poland, and Hungary make particular efforts in this field. In addition, Polish-Indian, Hungaro-Indian, Soviet-Indian film companies have been created and are discussing joint

productions. The Soviet Union produced the national film "In Pakistan" and the so-called Indian monumental "Pardesi."

Trade fairs, cultural, scientific, and sport exchange missions between Asian countries and the Communist bloc have been considerably increased. The Soviet Union and China have their pavilions at all trade fairs such as the Indian Fairs at Hyderabad or Bombay, or in Pakistan's Lahore Fair. So have east European countries. Presently in Cairo and Bombay there are Czechoslovak, Hungarian, Romanian, Bulgarian, Polish and East German industrial shows. Czechoslovak string quartets and Rumanian dance teams, East German sport teams and Chinese wrestlers visit the majority of Middle East and Asian countries. Communist teams are present at all Asian festivals. Chinese Buddhist art exhibitions tour Ceylon, India, and Burma.

The single, overall conclusion of any current survey of Communist propaganda in Asia is its formidable continuity of purpose. It is a long-term effort, being conducted with purpose and skill. It is not calculated to achieve dramatic or immediate success, but rather long-term impact in depth.

The importance of Asia to Communist strategy is obvious. America's stake in the future of free Asia is equally clear. We will need new thinking and new responses if this challenge is to be met effectively in the months and years ahead.

I hope that this exhibit in the speaker's lobby will help broaden understanding of the nature of this challenge. In the preparation of this material for exhibit, the International Federation of Free Journalists was most helpful, and I gratefully acknowledge their cooperation. I hope that as many Members of Congress as possible will see this exhibit during the next few days.

Passage of Des Plaines Wildlife Area Legislation Vital to Illinois Recreation

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. COLLIER. Mr. Speaker, I would like to bring to the attention of my colleagues an item of legislation, H.R. 3894, which may die in committee in these last few days of the session and upon which action should be taken without further delay.

This bill directs the Army and the General Services Administration to transfer to the State of Illinois approximately 2,400 acres attached to the Joliet Arsenal grounds as wildlife hunting, game preserve, and recreational area adjoining the Des Plaines and Kankakee Rivers. This 2,400 acres should provide not only a wildlife and game preserve but also a fine recreation ground.

The Army, however does not wish to give up any rights to the 1,500 acres south of the present preserve and wants to substitute another area of the present preserve. This substitute area has been carefully inspected and pronounced to be totally unsatisfactory. The Army argues that it needs the other area for military maneuvering purposes. Even without the 4,000 acres in question, the Army would have 39,000 acres for maneuvers. It would seem to me that the Army could do some pretty extensive maneuvering in 39,000 acres.

It would be a shame for Congress to adjourn without concurring with the Senate action on this bill which is not only in the interest of the citizens of Illinois but concerns everyone interested in the preservation of our Nation's public recreational areas.

The Right to Travel

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement which I made before Senator ERNEST GRUENING's Subcommittee on Passport Legislation on September 1:

STATEMENT BY REPRESENTATIVE CHARLES O. PORTER, DEMOCRAT, OF OREGON, BEFORE THE U.S. SENATE GOVERNMENT OPERATIONS SUBCOMMITTEE ON PASSPORT LEGISLATION, SEPTEMBER 1, 1959

It is my opinion that the Secretary of State does not have and should not be given powers to prevent an American citizen, Member of Congress or not, from visiting any country in the world. Unless we are actually at war, American citizens should be freely allowed U.S. permission to visit all countries. A passport should be only an identification. Its issuance should be an almost entirely clerical act, not a question of executive discretion to be decided in terms of foreign policy considerations.

Some of the legislation under consideration by this committee was requested of the Congress by the President of the United States July 7, 1958, to authorize the Secretary of State to refuse passports for travel in designated countries or areas. From the Executive's point of view there may seem to be advantages to this but, in my opinion and as in the case of many other restrictions on freedom, the disadvantages are far greater.

Four alleged advantages are set forth in a letter dated July 2, 1959, which I received from Assistant Secretary of State William B. Macomber, Jr.

The first advantage listed had to do with the emergency declared in 1950 and which is still in effect. This means there is a state of unresolved conflict between Communist China and the United States. I fail to see how restricting travel by U.S. citizens assists us in resolving this cold-war type of conflict in our favor. On the other hand I can conceive of improved relations resulting from such visits. However, the Department of State itself has granted permission to 41 U.S. journalists to travel in China. This seems to recognize the fact that the cold war is best fought through an increase of information and understanding. Our motives are good. We plan no aggressions. We truly want peace, freedom, and improved living conditions for the people of the world. To ban travel is to cut off effective personal communication. This lessens the opportunities for the understanding which must be the basis for any real peace.

Second, it is alleged that the United States can't provide the customary protection in these areas, the governments of which we don't recognize. There are many risks a U.S. citizen still takes without the aid of the protective arm of his Government. A citizen going to the Dominican Republic takes the usual risks in a police state of becoming a casualty, something which our diplomatic representatives there can neither prevent nor mend nor readily punish. All that the State Department should do in such circumstances is make certain that the citizen contemplating a trip to a police state understands the risks he faces.

Third, in the case of China, such restrictions are supposed to punish, or at least indicate our disapproval of, the Chinese Communist Government for maltreating and holding as hostages our citizens. This is on the erroneous assumption that our refusing permission to our citizens to visit China hurts or at least demeans them more than it handicaps us in seeking both peace and facts. I feel that we would secure the release of the five remaining U.S. prisoners far sooner if we permitted wider interpersonal communications between our country and Communist China.

Fourth, the State Department refers to what it terms an "important factor," the effort of the Communist Chinese to utilize trade and cultural contacts to promote political objectives hostile to our interests. We can hardly hope to win the cold war if we refuse to join battle on the trade, cultural and other fronts. Indeed, with respect to the Soviet Union, by far our major opponent, we carry on, amid almost universal applause, an extensive program of visitor exchanges. The President's recent decision to trade visits with Khrushchev is a dramatic affirmation of the President's belief that such contacts can aid the cause of peace.

We cannot rely on increased communication alone to guarantee peace. It is even more clear that the willful ignorance or any variety of iron curtains makes war more probable.

Every American citizen who travels abroad is an ambassador. Most are good ones. Some are not. All learn things which they bring back to be evaluated. Enemy stereotypes are blurred by facts and obliterated by understanding.

The peoples of the world don't want war. If informed, they can be powerful drags on imperialistic ambitions of their rulers. Ordinary person-to-person contacts are the best way for human beings to form tolerant and friendly opinions of each other. Curtains between countries, whether of iron, bamboo, visas or passports, become black shrouds for the cause of world peace.

These are some of the reasons why American citizens should be permitted by their Government to travel anywhere. I also believe that this is part of the freedoms guaranteed to every American citizen. This question is for the judiciary to settle.

On August 27, 1959, I filed suit against the Secretary of State because he had refused to give me permission to travel in China. With the chairman's permission I shall file the text of this complaint at the conclusion of these remarks. A Member of Congress is in a somewhat different position from one who is not a Member. Secretary Macomber, in the letter cited above, wrote to me, "as a Member of Congress your visit would be interpreted throughout Asia as well as by the

Communist Chinese as a basic change in policy at the very time when the Communists are engaged in liquidating the Tibetan revolt, threatening war in the Taiwan Straits, and showing increasing arrogance and contempt for international law and decency."

I see no necessity for an interpretation that the suggested change of policy would mean any softening of our attitude. Certainly no softening is justifiable. Red Chinese aggression in Tibet, Laos, and India should be dealt with firmly. No one is suggesting that we forgive or forget Korea.

My visit to China, or the visits of other Members, should be characterized to the world as fact-finding missions with no such overtones, just as the Eisenhower visit to the Soviet Union cannot be accurately interpreted as meaning that we have forgotten or forgiven the slaughter in Hungary.

It seems to me there is a more pertinent difference in the case of the Member of Congress who seeks permission to go to China or any other country. This has to do with our keystone governmental doctrine, the separation of powers. The executive cannot, it seems to me, forbid a member of the legislative branch to visit any country with which we are not actually engaged in war. My lawsuit against the Secretary of State seeks a judicial decision on this question.

Moreover, since the State Department has seen fit to give permission to travel in Communist China to 41 journalists, its refusal to permit a Member of Congress seems arbitrary and discriminatory.

Let me make it clear that I do not believe that my going to China is in itself of much importance. This is a test case and I am seeking to help open the way for a policy change which will permit others, far better qualified than I, to go. The harm done by the present policy is more apparent when we consider that the State Department's position also blocks travel by Senator MAGNUSON, the chairman of the Senate's Interstate and Foreign Commerce Committee, Senator COOPER, Senator HUMPHREY, Senator ENGLE, and other Members in both branches. Every Member of Congress has a duty to inform himself on legislative matters and to work for national security, but of course the special constitutional role of the Senate with respect to foreign policy makes the State Department's obstructionism with respect to Senators all the more intolerable and unconstitutional.

My plans for a trip to China and the Far East always have included being accompanied by other Members of Congress, experts in the area and in trade matters, businessmen, and journalists. That I am the sole plaintiff against the Secretary of State does not mean I intended to go to China as a lone, self-appointed investigating committee. Specifically I want to learn what I can, firsthand, about the conditions and potentialities of trade, especially with Oregon.

Warsaw in Chains

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. MACHROWICZ. Mr. Speaker, my attention has been called to many recent favorable reviews, here and in England, of a book recently published by Stefan Korbonski, entitled "Warsaw in Chains."

There has been of late much interest in recent political developments in Poland. Many Americans are having considerable difficulty in fairly assessing that situation. Vice President NIXON's recent visit to Poland and the unusually warm welcome given to him by the people of that Communist-controlled nation, serve to stress again the warm feeling of friendship to the United States by the Polish people.

The author, Stefan Korbonski, a lawyer by profession, was the political head of the huge Polish underground that fought gallantly under the exiled Polish leadership in London throughout the Nazi occupation. His experiences of personal arrests and escapes make fantastic reading.

I most warmly recommend "Warsaw in Chains" to those of my colleagues who would like to understand better the present situation in Poland and the developments of the last 20 years. It makes excellent and most educational reading.

Golden Dollars—Poets and Poetry

EXTENSION OF REMARKS
OF
HON. E. L. BARTLETT
OF ALASKA
IN THE SENATE OF THE UNITED STATES
Wednesday, September 2, 1959

Mr. BARTLETT. Mr. President, proof is readily available, and I shall supply it here, that Capitol Hill is inhabited not only by statesmen but also by poets, or, at least, versifiers.

Only recently the Members of the Alaska delegation in Congress, Representative RALPH J. RIVERS, Senator ERNEST GRUENING, and I sent to each Member of Congress a "golden dollar" supplied by the Fairbanks, Alaska, Chamber of Commerce and good for $1 in trade—in Fairbanks. These were "minted," or so our covering letter stated, in commemoration of Alaska's admission to the Union. Accompanying the letter sent to each Member of Congress was a rhymed presentation, a wonderful work of art, no less, from the mind and pen of Charlie Hughes, administrative assistant to Representative RIVERS. So that the whole wide world, or, at least, that part of it which turns to the CONGRESSIONAL RECORD for education and enjoyment, may have the benefit of reading Charlie Hughes' verses, I present them now:

Today we all holler for a good sound dollar,
A low-priced car and a no-wilt collar;
But, despite the advance of this thing "automation,"
We can't even return nickel beers to the Nation.

But up in the city of Fairbanks, Alaska
(A wonderful place, if people should ask ya),
The chamber of commerce has done something about
A fair return for what you put out.

In honor of Alaska's becoming a State,
And joining you all in the "south 48,"
They've minted a dollar that's worth a whole buck
In all sorts of merchandise, including "mukluk."

They've sent us a "golden dollar" for you,
In honor of statehood—a dream come true;
It comes to you with the chamber's good cheer;
But spend it in Fairbanks—it's no good here.

Mr. President, another "Charlie" has retaliated in rhyme. He is none other than my friend CHARLIE BOYLE, that is to say the Honorable CHARLES A. BOYLE, Member of the House of Representatives for the 12th District of Illinois. CHARLIE BOYLE responded to the gift of the "golden dollar" in these words:

Your "golden dollar" has been received
What will be done with it can't be perceived
Spending in Fairbanks will have to wait
For it looks like we're stuck in the "south 48."

With adjournment appearing not coming forth
We won't get a chance to journey north
But thanks anyway for your little token
Perhaps we can use it for the highway program.

Mr. President, the situation is getting out of hand. Poetry begets poetry. Before we are done with this we shall doubtless have a sufficient supply of the muse on hand for the publication of a book, or books. Even as I set about to leave my office to go to the floor to make sure that these enduring words were preserved in print for posterity, another stanza reached me, responsive to the "golden dollar" theme. This is from Congressman HOWARD W. ROBINSON of the 37th District of New York:

Thanks for the dollar—it's welcome you bet;
But my only problem is how to get
From here to Alaska—so please send the fare,
And I'll spring for the beers, when I get there!

The Aptuxcet Story

EXTENSION OF REMARKS
OF
HON. JOSEPH W. MARTIN, JR.
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. MARTIN. Mr. Speaker, a unique observance is taking place on September 5 and 6 in the town of Bourne, Mass., where I have my summer home and which is represented in the House by our colleague, Hon. HASTINGS KEITH.

The townspeople on these days will commemorate the establishment, in the year 1627, of the Aptuxcet Trading Post in the town of Bourne, on the banks of the Manamet River. It was here that the colonists of the Plimoth Plantation wrote and signed the first business contract in America, thus becoming the birthplace of American capitalism and free enterprise.

A replica of the trading post stands on the original foundations of the post. In 1627, an agreement was written setting up the trading post, by the colonists of the Plimoth Plantation. The written instrument gave certain of their number control of the trade, the purpose of which was to pay off the huge debt still owed to the London promoters of the

Mayflower expedition, to transport more of their countrymen to Plimoth.

The observance on September 5 and 6 will be marked by a pageant at the post, depicting the historical events connected with it.

The significance of the event is that it was here that the system of free enterprise contracts had their beginning. The colonists built on a firm foundation. From this humble start the way of life established by these rugged settlers became the vehicle for the development of the economic strength which has made our country the greatest power in world history.

Remarks on Diversion of Water Issue

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, September 2, 1959

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my remarks on the diversion of water issue.

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

REMARKS OF SENATOR ALEXANDER WILEY BEFORE SENATE OF THE UNITED STATES ON DIVERSION OF WATER ISSUE

Let us first get a little of the history involved in this water diversion. Since 1922, bills have been introduced in Congress to authorize the diversion. They were introduced mostly by Congressmen from the city of Chicago. The bills based their right for the diversion of water from Lake Michigan on the following grounds:

(1) Sanitation—for sewage disposal purposes.

(2) Public health—caused by contamination of waters of the Chicago River, the Chicago Sanitary District Canal, and the Illinois Waterway.

(3) Diversion would permit the generation of additional waterpower at the Chicago District Lockport plant.

(4) Fish life would be restored.

(5) It would eliminate damage by extremely high waters of Lake Michigan.

(6) Navigation requirements of the Illinois Waterway demanded additional diversion.

(7) Then there was the position that diversion should be authorized to take care of a variety of demands in the Mississippi River watershed.

Harry Truman once quoted Justice Holmes as follows: "A page of history is worth a volume of logic," so let us get at some of the historical facts.

The controversy originated between the years 1892 and 1900 when the Chicago metropolitan area cut a canal across the Continental Divide. Previously the Illinois-Michigan Canal was completed in 1848. This canal soon became polluted with sewage; and, finally, in 1887, the Commission studied three methods of sewage disposal and recommended as the most economical the discharge of the sewage into the Des Plaines River through a canal across the Continental Divide. The legislature took action and the sanitary district was created with power to handle the situation. At that time, the sanitary district embraced an area of 185 square miles—it now embraces 600 square miles.

Since the opening of the canal, the Chicago River has been reversed. Then, it flowed into Lake Michigan—now it flows away from Lake Michigan. The purpose of the canal was the disposal of sewage and the production of electricity, so the Court found.

In 1907, an application was made to do certain work on the Calumet-Sag Channel to increase the flow from Lake Michigan through said channel. But this was refused by the Secretary of War. In spite of this, the sanitary district went right ahead; so the United States brought suit in 1908. Then, another application of the district in 1913 was denied by the Secretary of War.

In 1908, pursuant to the amendment of the constitution of Illinois, development was begun of a project that would contruct powerplants, locks, bridges, and dams, starting at the water powerplant near Lockport to a point on the Illinois River near Utica; the justification therefore was that it would provide about $3 million a year from the use of water diverted from Lake Michigan for waterpower purposes.

Well, the diversion was made without the consent of the States bordering on the Great Lakes, and in defiance of the Federal Government. Temporary permits were granted from time to time by reluctant Secretaries of War on the plea that the district and Illinois had neglected or refused to install modern sewage disposal plants and that the health of the people would be impaired.

The sewage pollution continued to be offensive up through the years. In 1925, the U.S. position for injunctive relief was affirmed by the Supreme Court, although the Secretary granted a permit for diversion of 8,500 cubic feet—looking to a progressive reduction. Meanwhile, in 1920, the Board of Engineers for Rivers and Harbors of the United States, made a report stating, in substance, that Chicago was debarred from any claim for indulgence; that it had defiantly opposed the Government and was in open disregard of the law; and that they had expended money of their constituents in prosecution of unwise and illegal plans.

In 1927, the Court, having referred the action of Wisconsin, Minnesota, and Michigan to Special Master Charles Evans Hughes, who said that the district, in relying on the arguments with reference to the health of its people, had long delayed the subject of suitable sewage plants as a means of avoiding future diversion. Therefore, the district could not complain if an immediately heavy burden was placed upon the district because of its attitude and its course of action. The Court further required that the rights of the complainants be restored gradually; giving the district time to provide adequate means for disposing of the sewage. In other words, the U.S. Supreme Court ruled that the Chicago Sanitary District, and the State of Illinois, must stop the illegal diversion (281 U.S. 179) and the Court observed that "the diversion of water for sewage disposal was held illegal."

In 1932, on the application of the States, including Ohio, the Court appointed a Special Master, Edward F. McClellan. He found that the causes of delay in obtaining approval of the contruction of controlling works in the Chicago River "are total and inexcusable failures of the defendants to make an application to the Secretary of War for such approval." The Court entered its decree and provided for "gradual reduction of the diversion of waters of the Great Lakes, St. Lawrence system through the Chicago drainage canal; the reduction should be down to 1,500 cubic feet per second by December 31, 1938."

Again, the district delayed and, in 1932, application was made by the complainants again for a special officer to see that the decree of April 21, 1930 (281 U.S. 696) was carried out.

In 1933, the Court enlarged its decree to provide that "the State of Illinois is required to take the necessary steps to complete adequate sewage disposal plants and sewers to the end that the reduction of diversion may be made at the times fixed in the decree." The sanitary district then demanded that the Federal Government purchase the canals, paying $90 million therefor. The engineer department reported against it and this started the flood of bills; beginning in 1937, in the 75th Congress, seeking authorization for increased diversion of water.

In the Supreme Court Decree of April 21, 1930, there was a requirement in paragraph 5 that the defendant's sanitary district file with the clerk of the court semiannually, on July 1 and January 1 of each year—beginning July 1, 1930—a report to the Court adequately setting forth the progress made in the construction of the sewage treatment plants and appurtenances outlined in the program. Also, it was to set forth the extent and effect of the operation thereof and the average diversion of water from Lake Michigan.

Again, the sanitary district failed to comply with this order. The last semiannual report was filed on January 2, 1939, which said that "the complete treatment of all sewage will not be possible until July 1939,"—although the district was required to complete construction of the facilities on or before December 31, 1938. In January 1940, an application was made again for more diversion. The Court said, in relation to the same, "Illinois has failed to show that it has provided all possible means at its command for the completion of the sewage treatment system as required by the decree and no adequate excuse has been presented for the delay." The Court appointed a special master again and he recommended that the petition of Illinois be dismissed. The Supreme Court upheld the master's report.

Again, in 1956, Illinois petitioned the Court for a temporary modification of the decree and the Solicitor General filed a memorandum on behalf of the Government, as amicus curiae; pointing out the interests of the United States with regard to the paramount power of Congress in relation to navigation and treaties between the United States and Canada which affect the total problem of diversion. The Court, on the application of the district, granted a petition for temporary increase of diversion to, and including, January 31, 1957, and extended it again to February 28, 1957 (352 U.S. 983).

HISTORY OF THE FIGHT IN CONGRESS

Since 1920, bills have been entered to increase the diversion. Twice President Eisenhower has vetoed bills; stating, in substance, that he was unable to approve the bill because:

(1) Existing diversions are adequate for navigation on the Illinois Waterway and Mississippi River.

(2) All methods of control of lake levels, and protection of property on the Great Lakes, should be considered before arbitrarily proceeding with the proposed increased diversion.

(3) Diversions should be authorized with reference to negotiations with Canada.

(4) The legitimate interests of other States affected by the diversions may be adversely affected.

In the 85th Congress, a bill providing for an additional diversion for 3 years was passed in the House, but failed in the Senate.

The Chicago district pressure has not been limited to bills in Congress. Applications were made to Presidents Roosevelt and Truman, with Secretaries of War and with various boards and commissions.

Now, it is evident that Chicago has no health problem. Back in 1940 it was claimed that diversion was necessary because the pollution in the Chicago drainage canal constituted a menace to health. The special

master, after extensive hearings, held that there was no menace to health. We know very well that an additional diversion of 1,000 cubic feet will not clean up the objectionable conditions in the Illinois Waterway as long as untreated, and partially treated, sewage and sludge is permitted to enter the waterway. The permanent solution is to keep pollution out of the Chicago area's waterways by enforcing State and district laws prohibiting the dumping of raw, or partially treated, sewage, chemicals, and other materials in the streams and waterways of the State of Illinois. Eminent sanitary engineers are agreed that the effluent (liquid residual which remains after complete treatment of the well of an operated sewage disposal plant of an activated-sludge of modern type) is a clear, odorless liquid—nonputrescible which requires no chlorination and in which fish can live. The sanitary district affirms that the effluent of its northside treating plant "is almost as clear as drinking water, and quite as harmless as it finally leaves the plant through an outlet and into and through an artificial channel which discharges into the Chicago River" (278 U.S. 367).

There is no claim that additional diversion is needed for navigation on the Illinois Waterway, or for navigation on the Mississippi River. In a recent report by the division engineer, he states that "commerce on the Illinois Waterway has increased from 1,600,000 tons, in 1935, to 21 million tons in 1955." Recent studies of present and prospective water requirement for navigation on the Illinois Waterway show that the authorized diversion of 1,500 cubic feet per second from Lake Michigan is adequate to meet those requirements.

The Alton lock, which was provided by Public Law 500, will take care of any trouble during low water.

Now, the Supreme Court has made it pretty clear that it will not permit any additional diversion at Chicago until the district utilizes all practical means, other than diversion, to alleviate conditions complained of. The U.S. Public Health Service has indicated that there are measures which the sanitary district can take which would handle the situation: Sewage treatment through aeration or chlorination, or the combination of the two. (See Senate Subcommittee on Public Works hearings, 1958, p. 92.) Based on aeration, the first cost would be $2 million; annual cost $250,000. Based on chlorination, the first cost is not given; annual cost $550,000.

It is very evident that the reason the sanitary district urges additional diversion is to avoid the normal and usual sanitation costs which would be required in expanding its facilities. Away back in 1913, when application was made to Henry Stimson, Secretary of War, he stated:

"The demands for diversion at Chicago are based solely upon the needs for sanitation of that city. Every drop of water taken out of the lake necessarily tends to nullify costly improvements made under direct authority of Congress throughout the Great Lakes; and, it is manifestly said that, as long as the city is permitted to increase the amount of water which it may take from the lakes, there will be very strong temptation placed upon it not to take a more scientific—and possibly a more expensive—method to dispose of the sewage."

The Supreme Court on April 21, 1930, limited the amount of water that could be diverted from the Great-Lakes-St. Lawrence system to 1,500 cubic feet in addition to domestic pumpage (281 U.S. 696).

There are the House bill, the Senate bill, and the amended bill, all considered by the committee. A study of the bills indicates quite clearly that some fertile minds which drew the two amendments were trying to meet some of the arguments that were made. The Power Authority of the State of New York, when it accepted the licenses granted to it by the Federal Power Commission for the construction of the Niagara power projects, did so, relying on the decree mentioned above.

The Canadian Government and the State of New York will in the course of the next 3 or 4 years have completed the power projects at an expense of over half a billion dollars. By that time, the power projects will be in full operation and a diversion of 1 year will be felt, causing a loss yearly of over a million dollars in income. So there is no question that the power authority would be deprived of substantial legal rights.

As we have already stated, such a diversion in violation of the Court's decree and the legal treaties would justify the claims of Canada to divert all the water from the Columbia River.

Now the next question arises, Is there any need for a diversion of 1,000 cubic feet per second for such a study? Senate Document No. 128 of the 85th Congress, 1st session, states: "Recent studies of present and prospective water requirements for navigation on the Illinois Waterway show that the authorized diversion of 1,500 cubic feet per second from Lake Michigan is adequate to meet those requirements" (p. 48) and shows that losses would result from increased diversion to navigation, power development, and shore property interest. Further, that if the water were diverted, such study could not possibly demonstrate that the levels of the Great Lakes and the flow at Niagara and the St. Lawrence River would not be affected detrimentally—with adverse effects on navigation and power development. It would also show, if such diversion were made, increased power production at the sanitary district's plant at Lockport, Ill., saving the district money.

The U.S. Department of Health in its report of April 29, 1957, suggests the answer by means of chlorination and aeration.

Added diversion will not benefit navigation on the Illinois Waterway; it will affect adversely navigation on the Great Lakes. It will not solve the problem of sewage in the sanitary district. It will affect adversely the power authority and benefit the district power generation.

All these facts raise a Constitution issue of the power of Congress to authorize additional diversion. But if it should be constitutional—and only the Court can decide that—it certainly is unfair to injure the property rights of people in Michigan and Wisconsin and deprive navigation and downstream power interests of their rights solely for the economic benefit of the sanitary district.

Now that the Court has appointed a master, he should handle the matter. Perhaps it should be referred to the Commission under the authority of article IV of the Boundary Waters Treaty of 1909.

Certainly diversion is unnecessary. It involves the rights, obligations and interests of the United States and Canada, as well as the litigating States and the inhabitants thereof.

REASONS FOR DENYING DIVERSION

1. The legislation will jeopardize our friendly relations with Canada. Canada is the best friend we have got in the world. Besides that she's our best neighbor, our best customer.

The two notes which follow, which I ask to be printed at the end of my remarks, clearly demonstrate how inappropriate it would be for Congress to take action.

2. The Great Lakes watershed: Canada and the United States are trustees thereof. If the door is opened now a flood of requests will come to the Congress from other communities along the St. Lawrence and in other States. Already the Ohio communities have discussed taking from Lake Erie water to the Ohio River watershed, and recently a group of Texans has suggested that a pipeline be built to the Great Lakes to tap the water thereof.

3. The increase in diversion comes at a time when the Great Lakes are headed for a record low lake level. At a time when every inch of diversion accentuates great losses in shipping, hydroelectric power plants on the Niagara and St. Lawrence River and also the harbors of port cities.

4. We and Canada have put into the St. Lawrence development between us a billion dollars. The utilization of the Seaway requires high water levels. Chicago diversion will nullify, to some extent, the benefits derived from the St. Lawrence Seaway.

U.S. ARMY ENGINEERS REPORT

1. The Engineers have stated that a temporary 3-year diverison of 1,000 cubic feet per second would lower Lakes Michigan-Huron by five-eighths of an inch and Lakes Erie and Ontario would be lowered by three-eighths of an inch.

They also stated that an increased diversion of 1,000 cubic feet per second at Chicago would affect the flow and production of power in the Niagara River, the St. Lawrence River and in the Illinois hydroelectric plants—having an adverse effect on hydroelectric energy evaluated at $408,000 to $918,000.

2. The permanent diversion of 1,000 cubic feet per second would have the effect of lowering the levels in Lake Michigan-Huron, and the estimated annual average economic loss to the U.S. Great Lakes fleet would be $240,000.

3. The evidence of the chairman of the Power Authority of New York estimated by 1 year additional diversion at Chicago of 1,000 cubic feet per second the total loss to Canada and the power authority would be $1,142,000, and as was suggested, it is plain that H.R. 1 is designed to open the door to a permanent additional diversion of 1,000 cubic feet per second.

4. There has been plenty of evidence to show that the port cities of the Great Lakes would sustain very substantial damages to their harbors and port cities if H.R. 1 were to become law. Every fraction of an inch of loss in lake levels to artificially lower the Great Lakes due to a diversion at Chicago, would cost the lake port cities thousands of dollars annually.

5. The lake carriers testified that an additional diversion of 1,000 cubic feet per second at Chicago with the resultant lowering of the lake would result in a loss of approximately $2,500,000.

CONCLUSION

1. The waters of Lake Michigan are interstate in character.

2. Five States: Illinois, Michigan, Minnesota, Indiana, and Wisconsin in 1955 approved the so-called Great Lakes Basin Compact, but Illinois Congressmen, following in the steps of their predecessors, kept on pressing Congress, even though the Supreme Court has returned and recently taken action and again appointed a master.

3. There are some real nice questions of law involved:

(a) Does Congress have the power to authorize the transfer of huge quantities of water from the Great Lakes-St. Lawrence watershed to the Mississippi watershed with substantial damage to the Great Lakes States, the municipalities located on the Great Lakes and their people?

(b) We believe—

(1) The Court in *Wisconsin* v. *Illinois*, 278 U.S. 367, has answered that question definitely. That it is beyond the power of Congress and the Federal Government, particularly when made to create an artificial waterway to divert water from one watershed to another.

(2) That the power in Congress goes to the constitutional provision to regulate com-

merce or navigation, and that sewage disposal or sanitation is not a legitimate object of legislation.

(3) Neither is the development of power at Lockport, Ill., a valid object under the Court's decision.

(4) Now that the Supreme Court has again appointed a master, it is the proper machinery to dispose of this matter.

(5) That the notes from Canada, with whom we have been at peace for 140 years, indicate a really substantial reason for Congress not to take action on this bill.

(6) That it is unconstitutional for Congress by additional diversion to prefer Chicago over the ports of the other States.

(7) That an additional diversion would work injury to the other States by depriving them and their citizens and property owners and property without the due process of law (278 U.S. 367).

(8) That, in accordance with the testimony of Colonel Nauman, of the Corps of Engineers, additional diversion is not needed on the 9-foot channel of the Illinois Waterway.

(9) That taking water from Lake Michigan and transferring it to another watershed to the detriment of the first watershed is neither just, legal, nor equitable.

(10) That the only permanent and effective way of cleaning up the drainage canal and the Illinois River is by keeping out of them any untreated, or partially treated, and other material that pollutes the water.

4. The International Joint Commission has definitely stated that if any increased diversion will have the effect of partially lowering the levels of the boundary waters, that it is not within the Congress to attempt to change the amount of the present authorized diversion. Under the Boundary Waters Treaty of 1909, our two nations divested themselves of all authority over the boundary waters as far as raising, lowering, or diverting them were concerned.

Let me recapitulate. Aside from the question of jurisdiction and power of Congress in the premises, no necessity or justifiable excuse exists for increasing the diversion of water from the Great Lakes-St. Lawrence system through the Chicago drainage canal.

1. The Great Lakes are international waters and no additional diversion should be permitted without the agreement of Canada and the States bordering on the Great Lakes;

2. The Illinois Waterway has more than enough water to handle all of the traffic and freight available and last year handled about 22 million tons of cargo;

3. Additional water diverted from Lake Michigan would not stop any erosion to riparian property on the Great Lakes due to high waters and winds; other means to minimize such damages are effective;

4. The Great Lakes are now in the downward movement of the cycle, with Lake Michigan 5 feet lower today than in August of 1952, and the Great Lakes will have new levels for the next years;

5. Additional diversion will not clean up any objectionable conditions in the Illinois Waterway as long as the Sanitary District of Chicago and industries, municipalities, and individuals continue to dump raw or partially treated sewage, chemicals and other materials in the waterway;

6. Any additional diversion will result in large and continuing damages to the Great Lakes and municipalities on the Great Lakes and their peoples, as witnesses and the United States Supreme Court pointed out;

7. Chicago today has no health problem related to the diversion issue;

8. President Eisenhower in his veto message of September 3, 1954, and in his veto in 1956, set forth succinctly the reasons why additional water from Lake Michigan through the Chicago drainage canal should not be authorized by Congress. (CONGRESSIONAL RECORD, vol. 102, pt. 11, p. 15304.)

9. The State of Illinois has, as a matter of official State policy as evidenced in its adoption of the Great Lakes Basin compact, recognized the justice and desirability of settling the Chicago water diversion controversy by agreement among all of the affected States and Canadian provinces, and not by Federal legislation. President Eisenhower, in his September 1954 veto of the diversion bill, indicated that he approved of an agreement between the interested Great Lakes States before authorizing additional diversion.

How Long Can the Benevolent Philosophy of Foreign Aid Continue To Blind Us to the Reality of Its Failures?

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. COLLIER. Mr. Speaker, reality is the only means of discriminating between the virtues of benevolence and the sin of misdirected charity.

The foreign aid program most certainly was conceived in a sincere sense of virtuous benevolence. Its history in recent years reflects a sense of indiscriminate charity. Millions of Americans who have been burdened with the expense of this program regard the realities of its colossal waste and failures as reason to bring it to an end either immediately or in the near future. Countless others seem to be willing to accept it as a permanent program for reasons varying from benevolence to the calculated desire to maintain allies. Hence foreign aid has become an issue of deep controversy and one which will more than likely culminate in its slow death if the increasing number of votes in opposition to the program continues in the Congress in the years ahead. By its very nature, foreign aid is doomed—perhaps within 5 years and possibly 10.

There are those who justifiably fear that this program must be continued as long as the world is engaged in a titanic struggle between the forces of capitalism and communism. Be that as it may, no conscientious legislator can view the colossal waste and failures, so vividly revealed in committee investigations, without deep reservations. Neither can any conscientious legislator simply look the other way and blindly assume that we cannot turn back to some path of good judgment in this area of international life.

The U.S. Comptroller General, Joseph Campbell, told a House committee investigating foreign aid earlier this year that military and other oversea spending agencies of the U.S. Government have had more money to hand out than they can judiciously plan and use. Certainly a man in this high position, whose competence has never been questioned, would make no such statement without fact and knowledge.

Just what are some of the things which prevent some Members of Congress from voting "Yes" on foreign aid appropriations? In a number of countries, for example, the major item of expenditure is for training and supplying of a native army. One of these places happens to be Laos, in southeast Asia, now the center of a Communist-inspired rebellion. Representative PASSMAN testified that we supplied funds for maintaining an army of 25,000, but that U.S. military inspectors have never been permitted to find out just what kind of an army does exist there, if any.

But even if no army exists, there is plenty of evidence that there are uniforms, warehouses full of them. Among the thousands of uniforms waiting to be worn there were sizes 44 to 46. Each one of these, it appears, could accommodate two Lao soldiers since the average Lao weighs about 115 pounds and is 5 feet 3 inches tall.

In one depot oversea investigators discovered a 20-year supply of WAC clothing. At another place 70,000 sets of new tire chains were left out of doors to rust. Enough of one ammunition item to last for 185 years was found at a supply base. A 45-year supply of 30-carbine ammunition was uncovered at a military school in another foreign country. Then there was a motor pool which revealed the hoarding of 44 tires for each truck there. U.S.-equipped factories to build airplanes for the personal use of officials, it was found, were getting part of the foreign aid money.

Aid to foreign countries includes the stationing of U.S. missions to supervise the distribution of the funds and materials. While these supervisors are powerless to control the stealing, they are not without power to live sumptuously themselves. The Comptroller General told of some goings-on in Pakistan. There, for 271 Americans, the United States sent 529 refrigerators costing about $105,800. Since the 271 included wives and children, it is obvious that for each American more than two refrigerators had been supplied. There were also 669 air conditioners valued at $135,600; 650 stoves at $47,100, and household furniture at $128,500.

To bolster an apparently unpopular Pakistanian Government and win its support from the people, the United States decided to build in that country an installation which would supply a billion gallons of water a day for irrigation. A Japanese firm was engaged to do the job and over a million dollars was appropriated. When the pump house was completed it was discovered that there had been insufficient study of the problems to be solved, that the pumps would not be able to withstand the silt and mud and that the whole project was therefore useless as it stood.

Of Burma, Representative PASSMAN said:

> When you go into a country and you cannot find any trace of any benefit from that program, you wonder what we did teach them while we were there.

After hearing how much has been poured into Okinawa and other Ryukyu Islands, Representative CONTE asked of a testifying general whether these moneys had gained us the support of the people of these U.S.-occupied Japanese

islands. The general asked that his answer be kept off the record. It was:

Perhaps one of the most authentic and striking appraisals of foreign aid recently came through Max A. Thurn-Valsassins, a member of the Austrian finance ministry and a former consultant to the World Bank.

Our foreign aid, he says, is based on three idealistic assumptions that are peculiar to the United States: that it will help underdeveloped countries raise their standard of living, that this will make them more stable, and that this, in turn, will contribute to American security.

Europe—

He says—

may be just as conscious of the Russian threat. It may have just as much to lose if the underdeveloped countries fall under Russian domination. Yet, in Europe, economic development has not aroused the big popular concern that exists in America.

The reason is not lack of money, he says. Some European countries could now afford foreign aid programs of their own. Instead, they let the United States struggle along under its self-imposed burden.

It is inconsistent, he says, for Americans to think that they can foster free enterprise, which they regard as essential to rising production, by giving money to rulers who regard our aid only as an instrument for subjecting the productive forces of their countries to their political and ideological objectives. These rulers resent any conditions or supervision accompanying our aid, and without these reins the money will go to build up public ownership and State control—the same things Russia deliberately fosters with her aid.

Such a system—

He says—

is incompatible with western type political and legal institutions. Unless present policies are altered, these institutions will become progressively weaker. Their final collapse may mean the end of western influence.

What underdeveloped countries need first, he says, is not money; indeed many Latin Americans have been investing large amounts in the United States while their governments are crying for investment capital. What they do need, he says, is a legal and institutional framework which will repatriate local capital and attract new investment from abroad. Lack of capital, he says, is not the cause of underdevelopment; rather, it is the consequence.

Developing this framework, he says, will require time, tact, and patience. But without it, foreign aid will remain futile, and, once it is accomplished, foreign aid will probably be unnecessary. This logic will probably not appeal to foreign aid lobbyists who think that with a generous dose of dollar bills, they can mold Asians and Africans into the image of Americans.

In the final analysis, it might be said that the answer to an effective foreign aid program lies in its proper administration. Perhaps this is true. But, how can a nation administer a foreign aid program when it has little or no control over the distribution of such aid it renders once the gift has been made to another nation? One does not give gifts with the positive direction of their use by their recipients. If the United States has no control over the distribution of economic assistance, nor the right to investigate military assistance given to foreign nations, how can we possibly direct a successful foreign aid program? As a matter of fact, even if we were able to clean up the waste and corruption in the controlled phase of its administration, we would have no means of channeling the gifts of foreign aid to the areas of need. We cannot blindly place a label of benevolence on indiscriminate charity.

Trade Adjustment Legislation Needed

EXTENSION OF REMARKS

OF

HON. CHESTER BOWLES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1959

Mr. BOWLES. Mr. Speaker, the reciprocal trade agreements legislation has always had my enthusiastic support. For at least a generation it has been evident to most Americans that the lowering of tariff barriers must be systematically pursued if the United States is to measure up to the demands of world leadership economically as well as politically.

At the same time it has long seemed unfair to me to expect a certain few industries in this country to bear the major burden of our national trade policy. It cannot be denied that the economic reversals suffered by many communities have resulted from tariff reductions.

I believe it is the responsibility of this Congress to ease the adverse effects of our national trade policy on previously healthy sectors of our economy. I am deeply convinced that we should provide temporary assistance to those stricken industries, communities, and individuals that find aid necessary as they attempt to diversify or expand their economic base.

Today I have introduced a trade adjustment bill which I hope may help serve as a focus for discussion in advance of the reconvening of Congress in January.

The objective of the bill is not to subsidize the adversely affected communities and firms or to compensate them for injury. Instead its aim is to help them adjust to new conditions within the framework of our trade policy—either by assisting them to make more effective use of their present facilities or by aiding the development of new lines of production.

The area redevelopment bill passed by the Senate earlier in this session contained an amendment which would have been a first step toward such a program of trade adjustment. This amendment would have authorized governmental assistance for industries and communities as they adjust their productive activities to the new economic conditions created by the lowering of trade barriers. The amendment would have encouraged the President to use every governmental procedure presently available to facilitate the adjustment process.

Unfortunately this amendment is not contained in the area redevelopment bill reported out by the House Committee on Banking and Currency. As a result there is little constructive legislation before this house designed to alleviate the conditions of depressed areas suffering specifically because of our overall national trade policy.

Mr. Speaker, the bill which I have introduced today is a comprehensive measure to provide governmental assistance to those communities, industries, enterprises, and individuals adversely affected by our reciprocal trade program.

Briefly, this bill would provide help from the Federal Government to retrain individuals for news jobs, to render technical and financial assistance for conversion of plants to new items of production, and to assist communities in their efforts to attract new types of industry.

In the past when imports have reached the so-called peril-point threatening a domestic industry, great pressure has been brought to bear upon the Tariff Commission for restoration of tariffs or imposition of quotas. It is my belief that the executive branch should be provided with another alternative in such situations. It should be able to assist these businesses, industries, and communities as they attempt to adjust to newly created economic conditions.

What I propose in this bill is the establishment of an interdepartmental committee, the Trade Adjustment Board. As an alternative to the acceptance of peril-point and escape-clause recommendations, the President could turn the matter over to this Trade Adjustment Board.

Upon application by a community, an industrial development corporation, a business enterprise, an employee, or a union, the Board could determine whether the applicant had been adversely affected by the lowering of trade barriers. If the Board decided that the applicant had been so injured, many different forms of assistance could be made available.

By shifting the point of adjustment from the tariff itself to the particular community, firm, or individual claiming injury, an equitable trade policy would both encourage the expansion of foreign trade and at the same time minimize the extent of possible injury to the domestic economy.

My bill would provide an orderly and direct means of supplying technical advice and information to seriously afflicted communities.

Another type of aid would be granted in the form of loans. These loans could be made available through the regular procedures of the Small Business Administration.

Firms and communities would also be allowed accelerated amortization in order that they might readily develop new or different lines of production.

Finally, this bill would also provide several types of aid to individual workers who lose their jobs because of our trade policy.

The first assistance granted to these individuals would take the form of additional unemployment compensation. The bill would authorize the supplementing of State benefits from Federal funds. A worker, under this bill, could receive two-thirds of his weekly pay for 52 weeks. This unemployment compensation would, of course, be a stopgap measure, providing benefits only until other employment was available.

If a worker is over 60 years of age when he loses his job through the operation of international trade, and if he cannot get another job because of his age, this bill would allow him to retire under the Social Security Act.

Other workers, however, with many productive years ahead would be provided with an opportunity to receive retraining in skills that are in demand by the national economy.

This trade adjustment program is not a subsidy. It is not permanent assistance enabling industries or communities to hobble along. It is temporary assistance designed to help them over a period of adjustment.

If we believe that world trade is crucial to the future economic health of our Nation, as everyone by now should be convinced it is, then anyone seriously injured in the pursuit of this policy should be eligible to receive aid in order that he might change operations and again become productive.

In the field of veterans' legislation, we refer to a "service-connected disability." That is the way I regard the sacrifices which some of our industries have had to make as we pursue the legitimate objectives of our national trade policy.

It is the responsibility of Congress, I believe, to provide temporary assistance to those trade-affected communities, industries and individuals that need and can use aid as they attempt to diversify or expand their economic base. This bill would not subsidize obsolete plants. It would assist them to make more effective use of their present facilities or aid them in switching to new lines of production.

Mr. Speaker, trade adjustment is not an untried idea. It has been tried and found workable.

I refer to the experience of the European coal and steel community. It was recognized by the farsighted men who set up this first major venture in international administration of economic resources that hardship would fall to certain areas because of greater productivity through technical development and shifts in the centers of production.

So the conception of readaption was evolved and put into operation in 1952. Readaption in the European coal and steel community offers aid to disadvantaged firms and workers similar to those proposed in my trade adjustment bill. This European program by and large has met with success. The recent treaty establishing the European economic community has continued the concept of adjustment assistance in areas affected by the reduction of trade barriers.

This concept of readjustment assistance recognizes that our American economy is able to adapt its productive capacities in order to meet changing conditions. We see this adaptability in action every day as American industry modifies itself so that it may assimilate new products or technological improvements.

Here is a partial but constructive solution for an ancient dilemma which has often plagued Members of Congress. Those who wish to lower tariffs should support trade adjustment for they do not want any domestic interest to be injured. At the same time those who are legitimately concerned about some particular industry or community should find in this trade-adjustment bill a way to assist these individual enterprises while at the same time furthering the overall national interest by increasing world trade.

Everyone should now be aware of our true national interest. The easy argument against foreign imports has prevailed too long. If it results in a further weakening of our trade policy we may all suffer gravely in the future. Totalitarian nations will continue to make inroads into the free world as their trade offensive succeeds beyond their greatest hopes. Our alliances will falter over trade antagonisms. Our domestic economy will decline and American laborers will be out of work as other nations are no longer able to buy our products.

None of these things need happen, of course. A policy of trade adjustment provides the means whereby the Reciprocal Trade Agreements Act can be strengthened, not weakened. Under it our trade with the world can continue to increase. Only a vigorous trade program of this sort will keep together a strong free world and promote a continually rising living standard for us all.

Maj. Gen. W. P. Fisher

EXTENSION OF REMARKS
OF
HON. F. EDWARD HÉBERT
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. HÉBERT. Mr. Speaker, I share with my colleagues a sense of loss at the reassignment of Maj. Gen. W. P. Fisher, Air Force Director of Legislative Liaison. I congratulate him, however, upon his forthcoming assignment, that of commander of the Eastern Air Force of the renowned Military Air Transport Service.

General Fisher is a man of unusual experience and capacity as a commander, beginning with his leadership of the 28th Bomb Squadron, 19th Bomb Group which experienced the Japanese attack on the Philippines in December 1941 and survived.

His great capacity as a leader was notable during his service in the extremely challenging duties which he has had here in Washington. General Fisher is a man respected and admired for his calm, straightforward manner of doing business. His integrity is unquestioned. He has promoted with distinction the cooperative relationship which exists between the Congress and the U.S. Air Force.

I take this opportunity to welcome his successor as Director of Legislative Liaison, Maj. Gen. Thomas C. Musgrave, Jr., who is also an officer of the highest ability.

America's Religious Freedom Omitted From U.S. Exhibit in Moscow

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. PUCINSKI. Mr. Speaker, I would like to call attention to an article which appeared in the Christian Science Monitor on Friday, August 21, 1959, describing the American Exhibition in Moscow.

I think all of you will agree that the Christian Science Monitor is one of the most highly respected newspapers in America, and it is safe to presume that the reports of this newspaper's correspondents are factual and trustworthy.

It is because I have such profound confidence in the integrity of this newspaper that I was particularly disturbed about the following paragraph which was part of the story about the American Exhibit in Moscow in the August 21 issue of the Christian Science Monitor.

The paragraph stated:

> There are also reports that many Soviet visitors have been both perplexed and disappointed that there was not more on religion and religious life in the United States at the exhibition.

It is indeed ironic that the following paragraph in this story is as follows:

> But in certain areas visitors' opinions appear to be highly favorable. One of these is the hi-fi area, which attracts a large number of young people who know a great deal about American music, particularly jazz.

While I have no reason to question the accuracy of the Christian Science Monitor report, in order to assure myself that this report was indeed correct, I sent an inquiry to Mr. Erwin D. Canham, editor of the Christian Science Monitor, who only last week returned from an inspection of the American Exhibit in Moscow. I should like to point out here that Mr. Canham is also president of the U.S. Chamber of Commerce.

In answer to my inquiry, Mr. Canham was kind enough to forward me the following reply:

> Yes, I agree that religious life in America could have been more effectively and explicitly presented. However, there were many pitfalls, including denominational pressures and probably difficulties with the Soviets. It is a subtle problem, since we need to persuade Russians of the real meaning of religion and religious freedom to Americans, not just formal worship as they have known it. It is gratifying that Ameri-

can guides and specialists have often been able to give meaningful and impressive answers to religious questions asked by Soviet visitors.

It is of particular interest to me that in his reply, Mr. Canham does confirm the fact that the Russian people are obviously asking questions about religion in America.

I submit, Mr. Speaker, that on the basis of these two reports, the Office of the American National Exhibition in Moscow has broken faith with me and the other Members of this Congress.

I should like to recall here that on May 1, 1959, the general manager of the American exhibition, Mr. Harold C. McClellan, assured me in a rather lengthy letter that the "pervasive influence of religion throughout the American society" would be adequately included in the exhibit.

For some time prior to receipt of Mr. McClellan's assurance, I had carried on considerable negotiations with both Mr. McClellan and the U.S. Information Agency to impress on these people that it is my firm belief that the American exhibit should show the Russian people the real dynamics of religious freedom as we know them in this country.

I had pointed out to Mr. McClellan and his associates that the very cornerstone of our freedom in the United States is our deep belief in the Almighty, and I had urged Mr. McClellan to provide perhaps a special exhibit dealing with the subject. Throughout my discussions with Mr. McClellan and his associates, I tried to impress the fact that millions of Russian people who will visit this American exhibit should be made aware that the very basis of our Republic is the spiritual foundation which gives us understanding and compassion in dealing with each other as Americans.

It was on the basis of my firm position on this subject that I received an assurance from Mr. McClellan by letter on May 1 that "we shall do our best to reflect properly the religious side of American life."

I submit, Mr. Speaker, that on the basis of this article in the Christian Science Monitor, Mr. McClellan has not kept his word, and I strongly urge that that the appropriate committee of this Congress undertake a full investigation to ascertain what factors came into play in omitting this very important aspect of our American life in the exhibit at Moscow.

Ever since the exhibit opened, we have seen press reports of severe censorship of the entire exhibition by Soviet officials. We have seen that our American authorities were not given a free hand in preparing the exhibit so that it would reflect the full meaning of freedom in this country. Only the other day the press carried stories that American officials were compelled to remove a photograph of a hungry child in China holding a bowl of rice.

It was my understanding that some 13 million American dollars have been spent on this exhibit, and I think it is the duty of this Congress to find out what factors were influential when the original agreement for this exhibition was reached with the Soviet authorities. It is my firm conviction that some study should be given to just how much backbone and stamina our American representatives have in dealing with the Soviet Union. There is no question in my mind that if they yield to the Soviet Union on the subject of an exhibit such as the one we are now financing in Moscow, then I hardly think they are capable of dealing with the Soviets on the more profound problems facing the survival of civilization.

I am deeply concerned that those who have set up this exhibit have put their greatest emphasis on the material wealth of America when actually our greatest strength as a nation lies in our spiritual foundation—our freedom of speech, our freedom of the press, our freedom of elections, our freedom of religion, our freedom of assembly.

I need not tell you how chagrined I am that while the organizers of this exhibit could not find sufficient space to tell the Soviet people about our great religious freedom, they did find sufficient resources to emphasize hi-fi and jazz.

Mr. Speaker, I am enclosing the entire text of Mr. McClellan's letter to me of May 1, 1959:

OFFICE OF AMERICAN NATIONAL EXHIBITION IN MOSCOW,
May 1, 1959.

Hon. ROMAN C. PUCINSKI,
House of Representatives, Washington, D.C.

DEAR MR. PUCINSKI: I acknowledge receipt of your thoughtful letter of April 24 in reference to our conversation concerning the presentation of religion in the American National Exhibition in Moscow this summer.

I have reviewed your letter and its enclosures very carefully and have discussed them with the policy experts on my staff and elsewhere in the executive branch of the Government. It remains my best judgment that we should not present a separate religious exhibit at Moscow, but rather that we should portray the pervasive influence of religion throughout the American society.

I recently returned from Moscow where I have reviewed our plans with Ambassador Thompson, his top officials, and our own exhibit staff. I believe in all sincerity that we are following the proper approach.

I should like to give you an idea of some of the ways we intend to present religion in the exhibit.

1. One of the most striking features of the architectural exhibit will be a set of panels devoted to churches and the creativity of American architecture in the religious tradition.

2. The two motion pictures to be shown at the exhibit will contain photographs of churches and people entering these churches. These two motion pictures are Circarama and the special seven-screen documentary on American life presently under production by Charles Eames.

3. There will be religious literature at the exhibition in the book, magazine, and newspaper section.

4. There will be an exhibit of university catalogs in which courses in religion will appear. There will also be a certain number of catalogs of theological schools.

5. There will be a considerable number of questions in the Ramac electronic calculating machine concerning statistics and information on religion in American life. I cannot yet tell you how many questions because they are still being prepared in the U.S. Information Agency.

6. The exhibit on the American worker in community life will contain photographs and textual material on religious life in the community.

7. There will be some paintings with religious themes in the painting exhibit.

8. The large photographic exhibit, entitled "The Family of Man," has a considerable number of photographs depicting human belief in God.

9. The Gallery of Americans, which is a special exhibit composed of photographs of famous Americans, will include several of the national figures mentioned in your attachment and will include quotations which refer to the subject of religion.

10. Religious music will be included as part of the musical programs presented in both the high-fidelity area and the outside rest area.

Please accept again my appreciation of the time and thought you have given this problem and my assurance that we shall do our best to reflect properly the religious side of American life.

Sincerely yours,

HAROLD C. MCCLELLAN,
General Manager.

Luther Burbank Monument

EXTENSION OF REMARKS
OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1959

Mr. PHILBIN. Mr. Speaker, on Saturday last, I was privileged to participate in the simple, but impressive, exercises marking the dedication of the Luther Burbank monument at Fort Devens.

The exercises took place in that portion of Fort Devens which was once part of the town of Lancaster, where Luther Burbank was born and where he spent the early years of his life. The site of his home was cleared by Army officials at Fort Devens and planted with sugar maples and flowers. A 4-foot obelisk, which was unveiled Saturday, marks the site of the Burbank homestead. The obelisk is inset with a plaque commemorating the site, which will be open to the public for picnicking with the permission of the provost marshal at Fort Devens.

Under leave to extend my remarks in the RECORD, I include the text of my address at the dedication ceremonies.

The material follows:

REMARKS OF CONGRESSMAN PHILIP J. PHILBIN AT DEDICATION OF LUTHER BURBANK MEMORIAL, LANCASTER, AUGUST 29, 1959

It is an honor and a happy privilege for me to join you today in paying appropriate tribute to the great Luther Burbank.

Thanks to the wisdom and patriotism of distinguished officials of the town of Lancaster and the incomparably splendid and outstanding leader of our military forces of the Army, General Wooten, we are proud to come here today to this hallowed spot to dedicate this beautiful, lasting memorial to one of history's great geniuses who first saw the light of day here where we gather.

I cannot give too much credit today to Lancaster town officials and leaders, Mr. Burgoyne and the board of selectmen, Rev. John M. O'Brien, Mr. Griswold, Chief Ryder, and to General Wooten and Colonel Rutledge and others interested in this fine project, because without their devoted interest, work, and co-

operation, today's commemoration would not have been possible.

It is all the more creditable, desirable, and praiseworthy that we should establish this memorial because in a nation and a world which more and more tends to frown upon tradition and the virtues and glorious achievements of the past as an inspiration and fitting accompaniment to present and future accomplishments, it is all the more appropriate and helpful that we should add this historic shrine raised in honor of the great Burbank to the many of which Lancaster may boast.

My good and distinguished friends, Mrs. Esther B. MacDonald, town clerk of Lancaster, and Mrs. Marion Safford, gifted historian of the town, in their diligence and kindness have on other occasions furnished me with comprehensive biographical information on the life of Luther Burbank which I was happy and proud to use in speeches on the floor of the House of Representatives, first on his 100th birthday and again at the time of the Lancaster tricentennial celebration.

Luther Burbank was born in Lancaster March 7, 1849, the son of Samuel Walton Burbank and Olive Ross Burbank, the 13th child in the family. His father was a prosperous farmer and a maker of brick and pottery.

From his mother, Luther apparently inherited his love of nature, particularly his love of flowers.

He attended the Pine Grove School, a typical New England school in the north part of Lancaster.

When he was 15 years of age he entered Lancaster Academy where he studied for four winters, all the while making good use of the excellent library which, even at such an early date, the progressive and educational-minded people of Lancaster had provided to inculcate and encourage learning in the community.

From his work on the farm Luther early gained a practical knowledge of the life, characteristics and growth of plants.

Sometime after his father's death he purchased a 17-acre farm in Lunenburg where he took up the business of market gardening. It was here that this great genius first produced in quantity his first new plant creation—the Burbank potato.

According to Mrs. Safford he was a quiet, reticent youth who frequently was seen walking along the streets of the town with his hands folded behind his back, apparently in deep thought and in a contemplative mood.

He bred this new species of potato from seed which he found in his garden and sold his crop of seed potatoes to a marketing firm in Boston.

In 1875 when he was about 26 years of age, he sold his farm and went to California where his three older brothers resided, taking with him the capital from the sale of the farm and a small quantity of his newly created potatoes.

His subsequent experiments and creations cover a very wide range and produced revolutionary changes in plant life and methods of cultivation in orchard, garden, field and forest.

Burbank discovered new ways of choosing and caring for seeds, preparing the soil, planting, disease and pest prevention.

He created many new species of berries, fruits, vegetables, and flowers, amazing and unbelievable to botanists and horticulturists.

He improved the size and quality of many species. He utilized grafting to promote startling changes in garden, orchard, and forest.

I could not begin to enumerate his remarkable accomplishments here, but they were epochal, monumental and of lasting value to mankind. Luther Burbank will always be remembered as one of our greatest scientists and one of our greatest Americans.

It is interesting to note that the house where Luther Burbank was born, right here on this very site that we are commemorating today, a large New England style brick home with a wooden ell was razed by the Government when it took over this section of the town to extend Fort Devens during World War II.

Another great American benefactor, Mr. Henry Ford, had purchased the ell of the house some years before and removed it to Dearborn, Mich.

Luther Burbank was born on the second floor in a small room of this ell. Some years ago I talked about Luther Burbank with two of his old schoolmates who long resided in our district, the brothers Fred W. and Luther Bateman, both very prominent and highly respected citizens.

Mr. Fred Bateman who knew Burbank intimately and well, was a famed, successful civil engineer, who even when he was over 90 years of age continued to work daily at his profession. These good men were of the opinion that in his early years Burbank showed great genius and was a painstaking, resourceful experimenter.

The American people, indeed the people of the world have received lasting benefits from the brilliant research and miraculous achievements of Luther Burbank and we are indeed honored today to pay this additional heartfelt tribute to his memory, and express our renewed appreciation for his magnificent work in behalf of science and humanity.

Luther Burbank was the product of this proud, rugged, Lancaster environment, of hardworking people and he unquestionably derived much of his skill and genius from the frugal, industrious habits, willingness to perform hard work and tenacious purpose from his rugged New England forbears and from the favorable, encouraging climate of this distinguished and progressive town of Lancaster.

It was here that he had his humble beginning, got his early training and drew deep inspiration.

It was here that the hand of destiny first placed upon his brow the diadem of genius and greatness.

It was here amidst the eternal, green hills, fertile valleys, and beautiful countryside of old New England where American liberty was nurtured and where its spirit still animates the hearts and minds of the people, that Luther Burbank's brilliant work found its source and its stimulus.

It is for us and succeeding generations to keep in mind and to perpetuate the great spiritual values which are represented in and responsible for the illustrious career of Burbank and his service to humanity—his profound belief in the Almighty, his reverence for free institutions and his faith in himself which led him to lasting fame and, more than that, enabled him to contribute so mightily to the welfare and happiness of people of every race, color and creed the world over.

Among Burbank's most beautiful creations was the Shasta daisy which the people and the schoolchildren of Lancaster and of his adopted home in California believe should become the national flower of our country.

It is fitting on this occasion that we should make reference to this beautiful flower because of all his creations it perhaps best exemplifies the hardy, inconquerable spirit of the great Luther Burbank. May we of this troubled time draw courage and inspiration from the homely virtues and patriotism of Luther Burbank. May his fine example and brilliant achievements long continue to inspire and guide us in the perpetuation of freedom, justice, and peace.

This is probably the last occasion upon which our distinguished friend, General Wooten, will be officially with us. He has been promoted to a much higher post of responsibility in our great Army and, in time, because of his great talents, ability and high purpose he will undoubtedly go right to the very top of his proud calling.

We are all greatly indebted to this great American soldier, not only for his peerless service at Fort Devens, but also for his warm friendship, the interest he has taken in our community affairs, the effective cooperation which he has always given us.

Though we all rejoice in his promotion, we are very sorry to have him leave this district where he has made so many friends and where he is so highly esteemed and beloved. We hope he will return often to see us.

In behalf of our district, our people and myself I wish to express to him today our sincere and deep gratitude for his many contributions, congratulations upon his advancement and very best wishes to him and his family for many more happy, constructive years in the service of our great Nation.

May the memory and achievements of Luther Burbank long continue to inspire our people and to nurture and develop more great men from our midst to serve wholeheartedly and unselfishly in the tasks and the cause of peace.

Exercises Commemorating and Honoring the Memory of Father Junipero Serra, O.F.M., 175th Anniversary

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 2, 1959

Mr. SHELLEY. Mr. Speaker, there stands in Statuary Hall here in the Nation's Capitol a statue of Father Junipero Serra as one of California's distinguished sons. On Friday, August 28, at 10 a.m., ceremonies commemorating the 175th anniversary of Father Serra's death were held in front of the statue. Present were all of the California Members of the House, California's two distinguished Senators, the Serra Club of Fort Belvoir, Va., members of the clergy, and others.

Under leave to extend my remarks in the RECORD, I present herewith the remarks made by the several speakers:

EXERCISES COMMEMORATING AND HONORING THE MEMORY OF FATHER JUNIPERO SERRA, O.F.M., 175TH ANNIVERSARY, STATUARY HALL, AUGUST 28, 1959

The commemoration and the laying of wreaths at the statue of Padre Junipero Serra was held at Statuary Hall, U.S. Capitol, Washington, D.C., on Friday, August 28, 1959, at 10 o'clock a.m.

Dr. William T. Doran, Jr., president of the Serra Club of Fort Belvoir, Va., presided.

The PRESIDING OFFICER. Ladies and gentlemen, the ceremonies commemorating and honoring the memory of Father Junipero Serra, O.F.M., on the occasion of the 175th anniversary of his death will begin with the invocation. This will be given by Father Noel F. Moholy, O.F.M., of Santa Barbara, Calif., the vice postulator for the cause of Father Serra. Father Moholy.

INVOCATION

O God in heaven above, Supreme Master and Sovereign Lord, we praise Thee, we bless Thee, we adore Thee for Thy great glory. We beg Thee, Provident Father of us all, to turn Thy benign countenance upon this assemblage honoring one of America's pioneers. We beg of Thee the signs and prodigies

which will show indisputably, to the glory of Thy name, that he is a saint in heaven.

The PRESIDING OFFICER. Your Excellency, distinguished participants in the ceremony, Members of Congress from the Senate and House of Representatives, it is with great pride that I, as chairman, welcome you here this morning on behalf of the cosponsors of this ceremony: the Members of Congress from California and the Serra Club of Fort Belvoir, Va. It is fitting to the memory of Father Serra that we acknowledge the presence here of our distinguished guests. Would that time permitted to mention everyone here because all present represent prominent and cultural groups and include: Knights of Saint Gregory, Knights of Malta, Knights of the Holy Sepulchre. It is with sincere pride and grateful acknowledgment that I mention those whose presence emphasizes the national and international recognition of California's first citizen and man of God's choosing. Representing the executive branch of our Government is Serran James O'Connell, Montclair, N.J., the Under Secretary of Labor. Among the Congressmen is Serran DONALD IRWIN, U.S. Representative from Connecticut. Representing Spain we are honored to have (Spain being the place of Father Serra's birth), the Honorable Enrique Suarez de Puga, Secretary for Cultural Affairs of the Embassy. Representing Mexico, our sister country to the south, and the place of Father Serra's early missionary work, is the Honorable Juan Gallardo, Chargé d'Affaires, and Mr. Luis G. Aveleyra, also of the Embassy. Representing the Pan American Union, is Dr. Juan Marin, Director of the Department of Cultural Affairs, Dr. Javier Malagon, and others. Dr. Manuel Martinez of the Department of Latin-American History of Georgetown University is representing the Spanish-American Historical Societies. Monsignor Magner is representing Catholic University. Father Durkin is representing Georgetown University. Mr. Homer Hammond represents the National Council of Catholic Men; former Congressman John Costello, the Holy Name Society; Mr. Gerald Mooney, Ancient Order of Hibernians; Mr. Justin McCarthy and Mr. Valentine Matellis, the Knights of Columbus. Father Frank Hurley represents the National Catholic Welfare Council. There are representatives of the various Catholic religious orders. Serra clubs of Serra International, are represented here this morning, from California to New Jersey, Massachusetts to Texas. Past President Thomas Reilly of Serra International, is here with us. Father (brigadier general) Walsh, U.S. Army (retired), represents the diocese of Richmond, Va., recognizing California's saintly pioneer. There are greetings; two of these I will read.

AUGUST 26, 1959.

Hon. JOHN SHELLEY,
House of Representatives,
Washington, D.C.:

I am with you in spirit on the occasion of of the commemoration in the National Capitol of the 175th anniversary of the death of Padre Junipero Serra. May God grant our Nation may soon be honored by the inscription of the name of California's founder and apostle in the Cannon of the Saints.

A. J. WILLINGER,
Bishop of Monterey.

FRESNO, CALIF.

AUGUST 26, 1959.

Hon. JOHN SHELLEY,
House of Representatives,
Washington, D.C.:

Franciscan Fathers of California express sincere appreciation for commemorative observance for Padre Junipero Serra on this 175th year and rejoice at the honor accorded their founder who also laid first stones of culture and initiated progress which has come to such a peak of achievement in the Golden State.

Father DAVID TEMPLE,
Franciscan Province of Santa Barbara.
OAKLAND, CALIF.

The PRESIDING OFFICER. Ladies and gentlemen, at this time I would like to introduce our first speaker, the Honorable JOHN SHELLEY, Congressman from San Francisco.

Congressman SHELLEY. Mr. Chairman, Your Excellency Most Reverend Bishop Hannan, Right Reverend and Very Reverend Monsignori, Reverend Fathers, representatives of the Governments of Spain and Mexico, my colleagues in the Congress of the United States and ladies and gentleman. It is first my privilege to read a couple of messages that were addressed to my office which arrived this morning:

AUGUST 26, 1959.

Hon. JOHN F. SHELLEY,
Old House Building,
Washington, D.C.:

It is a privilege to join with the Serra Society on the occasion of the observance of the 175th anniversary of the passing of Father Junipero Serra. The people of San Francisco are continually aware of the tremendous contribution made to this area by Father Serra. Were it not for his saintly efforts, San Francisco and California would be lacking in many of our greatest spiritual assets. However, our indebtedness to Father Serra exceeds even the sphere of the church as evidenced by the many temporal accomplishments justly accredited to his untiring efforts. San Francisco's debt to Father Serra and his coworkers of nearly two centuries ago can never be fully repaid.

GEORGE CHRISTOPHER,
Mayor, San Francisco, Calif.

AUGUST 26, 1959.

The Honorable JOHN SHELLEY,
House of Representatives,
Washington D.C.:

It is distinct pleasure to extend my warmest felicitations to the California legislators and the Serra Club of Fort Belvoir as you gather to commemorate the 175th anniversary of the death of Father Junipero Serra. In keeping his cherished memory alive you do a great service to the church and to the country. May the high ideals of this zealous apostle continue to inspire you and may God abundantly bless your devoted work.

Archbishop VAGNOZZI,
Apostolic Delegate to the United States.

AUGUST 27, 1959.

Hon. JOHN F. SHELLEY,
Member of Congress,
House Office Building,
Washington, D.C.:

Understand you will be present at ceremonies before statue of Junipero Serra. Would appreciate your acting as my representative and reading the following message:

It is fitting that in this year marking the 175th anniversary of Serra's death there be a program in his honor in the Statuary Hall of the Nation's Capitol. Father Junipero Serra is truly the first of the pioneers who inaugurated the history of civilized California. He personally established 9 of the 21 missions and made a host of other great contributions to the future of this State. The people of California owe him great and lasting honor and we appreciate the effort made by those of you present today.

Sincerely,

EDMUND G. BROWN,
Governor of California.

AUGUST 28, 1959.

Hon. JOHN SHELLEY,
House of Representatives,
Washington, D.C.:

The Native Daughters of the Golden West extend congratulations to Fort Belvoir Serra Club for this observance honoring Junipero Serra whom we revere and honor as the founder of our missions and father of California. Our order recognizes the great contribution Father Serra made to our State and we are happy to participate in this commemoration. I am proud to announce that we are beginning a project for the placement of a statue of Father Serra on the capitol grounds at Sacramento. The Native Sons of the Golden West will cosponsor this project with us. We will be happy to have assistance from other organizations or friends. I wish it were possible to be present for your program, but as it is not, I am delighted to have my daughter represent me and the Native Daughters of the Golden West.

MAXINE PORTER,
Grand President, NDGW.

A MESSAGE FROM JOHN B. SCHMOLLE, GRAND PRESIDENT, NATIVE SONS OF THE GOLDEN WEST, TO THE CALIFORNIA DELEGATION HONORING THE 175TH ANNIVERSARY OF THE DEATH OF FATHER JUNIPERO SERRA AT STATUE OF FATHER SERRA IN STATUARY HALL, WASHINGTON, D.C.

Father Junipero Serra—apostle of California—left an impact on the culture of the State which will live eternal. The simple kindliness which emanated from this man of God still permeates the atmosphere of California. His development and plan of the chain of missions was done in a time and an era devoid of the materials and mechanical knowledge ordinarily attendant and available to structures even at that period.

Using the elements of nature and the products of the earth, coupled with the resourcefulness of a master builder, this man of God and his aids, drew on their storehouse of knowledge to erect in the primitive wilderness of California the buildings recognized by the civilized world as suitable habitations for the purpose they were to serve. All of the buildings still stand in one form or another—some in semirepair—some still in use. All are shrines, not only to the lover of history and the romantic period known as the Splendid Idle Forties, but also to the devout. Over 1 million tourists annually visit the missions of California.

The results of these buildings have been reflected over the entire history of California. In the architectural field the copyists refer to the buildings as mission style and replicas are still being built today, both for commercial and residential use, by people who have been enamored of this gracious form of building.

This diminutive man in body had the heart, mind, and spirit of a giant and symbolically represents the heart of California. As grand president of the Native Sons of the Golden West, it is my great privilege to write these few words honoring him, for he was a beacon and established a light that has never failed; the forerunner and possibly the reason for the greatest mass migration the world has ever known.

JOHN B. SCHMOLLE,
Grand President, Native Sons of the Golden West.

AUGUST 28, 1959.

Congressman JOHN F. SHELLEY,
Capitol, Washington, D.C.:

San Francisco Serra Club joins with you on the commemorative 175th anniversary of the death of our beloved patron Father Junipero Serra.

ALBERT E. MAGGIO,
President.

ADDRESS BY CONGRESSMAN SHELLEY

Ladies and gentlemen, there is a television series called "I Led Three Lives." This same title is particularly applicable to the State's founder, Padre Junipero Serra, and is especially significant this year. The year 1959 marks the 175th anniversary of Father Serra's death, the 190th anniversary of his arrival in upper California, and the 210th an-

niversary of his departure from his homeland in Spain. The first 36 years of his life Padre Junipero Serra spent on his native island of Mallorca. There he entered the Franciscan Order in 1730. After obtaining the doctorate in sacred theology, he devoted some 10 years to a distinguished career of teaching, even occupying a chair in the Lullian University of St. Raymond. His ability as a professor was rivaled only by his popularity as a preacher. In 1749 Father Serra sailed to the New World to become a missionary. His first assignment was in the mountains, Sierra Gorda, where in some 9 years he could report that not a single unconverted Indian remained in the region. Eight more years he passed crisscrossing central Mexico preaching missions to the faithful. In 1768 he was appointed padre presidente of the chain of missions in lower California. The following year brought the fulfillment of his heart's desire when he was designated the pioneer priest to handle the Christianizing of upper California. Father Serra helped blaze the trail that is still known as El Camino Real and founded the first 9 of the missions that eventually became a chain of 21. In 1784 he concluded his threefold career which had been lived in three countries and in three realms of activity. Today the servant of God is known and revered throughout the world for his zeal and for his holiness, and tomorrow we hope that the church in her wisdom and her prudence will reward this reputation with her highest honor—the canonization of Father Serra as a saint.

It is now my privilege to present my colleague from California, the senior Senator from California, the Honorable THOMAS KUCHEL.

ADDRESS BY SENATOR KUCHEL

Representative SHELLEY. Your Excellency, reverend clergy, members of the diplomatic corps, my colleagues in the Congress, ladies and gentleman, these services commemorate the life and labors of a Franciscan friar whose intrepid Christian ministrations were spread through a great primitive area before the United States came into being. Junipero Serra, Franciscan missionary from Mallorca, journeyed to the North American Continent in the 1750's, came to the city of Mexico and in the late 1760's went northward to upper California. In that northward trek, both he and his courageous, faithful and devoted companions, sowed in the hearts and in the minds of men, the seeds of a new civilization under the Divine Spirit. Father Serra brought with him the mission which meant the spread of religion in these unknown lands, the presidio which meant the expansion of the political and military control of Spain, and the pueblo (a town) which meant the establishment of orderly civil government. Here was a tripartite development both secular and spiritual. The hard trails which his weary feet traversed, from mission to mission, along the El Camino Real today continues to be the wayroad along which our strong great municipalities, great universities, great industry, great agriculture, and the great missions of his day—human progress in its every latest attainment. One hundred and seventy-five years ago, Father Serra departed this life. From a primitive unsettled land on the Pacific shore to which he came, has developed now a majestic center of cultural and economic life rich in all the bounty of God's nature, our magnificent State of California. While we honor Junipero Serra for the blessings of civilization which he left in California, we shall not forget that his was a spiritual labor. The missions he built, the agriculture he founded supported by irrigation systems which, incidentally, still excite the admiration of modern hydraulic engineers, were all means to an end. The sword was there to support the cross, and so was the civil authority—but it was the cross which came first. Imbued with Divine Spirit, charged with an exalted mission and sustained by an unfaltering faith—Father Serra brought to the Indians the civilizing message of Christian teachings. Here was the solid, sound foundation upon which all other building rested. It is well to recall this simple fact in our day, for we too have an exalted mission—to hold high the banner of man's freedom to protect it from all assaults from the ungodly and to advance it with God's grace by an unfaltering faith in the righteousness of our purposes.

Congressman SHELLEY. Senator ENGLE, the junior Senator from California, was to have been here but was detained by a debate on the floor—that's his job—he has to be there. He has very graciously sent a very charming young lady from his office who will deliver the message of Senator ENGLE, of California.

SENATOR ENGLE'S ADDRESS

Your Excellency, reverend monsignori, reverend fathers, Mr. SHELLEY, Senator KUCHEL, Members of Congress, distinguished guests, ladies and gentlemen, I bring the greetings and regrets of Senator ENGLE, who is now engaged in a major speech on the Senate floor which he was obliged to make at this hour, and he was especially sorry to miss this beautiful ceremony this morning. In his name, I would like to read a few remarks in tribute to Father Serra.

The highest honor any State can confer on a native son is to place his statue here in Statuary Hall in the Nation's Capitol. Each State has been most careful in the selection of the individuals it has placed here. If you visit the respective States, you will find the statue of their favorite son in numerous places there. The statue of Padre Junipero Serra, accordingly, is found throughout California, in public plazas and in private patios, before courthouses and in lush parks. Streets are named in his honor and buildings are dedicated in his memory. Schools, theaters, and a retreat house bear the name of Serra. Such honor you would more or less expect to find in the Golden State but you find a statue of the venerated Franciscan in the vestibule of St. Peter's Church in Chicago's Loop. You see his image on the facade of Holy Name College here in Washington as well as in mosaic at the new Shrine of the Immaculate Conception. You cannot miss his identity in the ceramic of the new church of St. Francis Xavier in Phoenix, Ariz., and he holds aloft the cross from the roof of Casa de Paz Ybien in the same Valley of the Sun. His statue stands on the tables as he presides at every meeting of Serra clubs throughout these United States, and as Serra International grows, his statue moves into foreign lands. If you travel to Mexico you will find him in the vestibule of the church of San Fernando College, the cradle from which California was born. His name and reputation are held in veneration throughout the land to our south. In Mallorca you will find his statue in the principal plaza of his native town. Throughout Spain his name is revered. And now in the eternal city of Rome itself, the new American Franciscan college currently under construction is to be known as Collegeo Franchiscano de Americano de Junipero Serra. Here is a true American success story. The annals of our history feature those who have risen from poverty to riches, from obscurity to influential positions in public life. Not a few immigrants to this country have landed on our shore penniless, uneducated, and uncultured. Lifting themselves by their own bootstraps in this land of equal opportunity to all, they have attained prominence and importance to truly amaze historian and biographer alike. Padre Junipero Serra born in the small village of Petra Mallorca, in the poorest section of that little town, his humble origin might have suggested that he follow in the family simple tradition of farming. His illiterate background portended no brilliant future, yet under Franciscan tutelage first at San Bernardino in Petra, and later at San Francisco in Palma, he manifested such superior native talent and such proficiency in scientific work that he was awarded the doctorate in sacred theology and held the chair of theology in the renowned Lullian University of St. Raymond. All that he sacrificed when he sailed for the New World. While I would not here repeat the story of his life, I would underline his sharing of the American tradition. Although of poor and humble background, he rose to international preeminence. Today three countries claim him either as native son or adopted father. We Californians are justifiably proud to join with our Mallorcan friends in acclaiming him El Foundador de California—the founder of California.

The PRESIDING OFFICER. Ladies and gentlemen, it is my honor now to present Father Noel F. Moholoy, O.F.M., S.T.D., vice postulator for the cause of Padre Serra, from Santa Barbara, Calif.

ADDRESS BY REVEREND MOHOLOY, O.F.M., S.T.D.

Your Excellency Bishop Hannon, right reverend Monsignori, reverend fathers, Members of Congress, honored guests of the diplomatic corps, ladies and gentlemen, unable to stand or even to sit, the father now 55 years old lay restless on his bed of pain. Word spread throughout the camp quickly that Father Junipero Serra was ill. Don Gasparde Portala, the military commander of the expedition, immediately went to the friar's tent, appraised the situation realistically, and told the little padre that he would make arrangements immeditaely to have him transferred to San Fernando de Bellacepa, the mission Serra had founded 4 days previously. The pain disappeared instantaneously as the little Mallorcan reacted aghast: "No. If I die on the road, I'm still going to go." And he called the muleteer and asked him to apply the same tallow and herbs that he used on the pack animals. The next morning Junipero Serra celebrated mass and continued on to San Diego in the land of heart's desire. Frequently in the years that followed Serra was to manifest the same type of determination. When the entire colony in the spring of 1770 was preparing to leave, to abandon California, he was on Presidio Hill, in characteristic prayer begging that the relief ship *San Antonio* would arrive on time. But already a month previously he had served his ultimatum—"Though they all go back, I will remain here with Father Fray Juan (Crespi) to the bitter end." In answer to his prayer, the ship arrived, and he was revealing the watchword he had manifested in the farewell letter to his parents years before: "Always to go forward and never to turn back." He was an enthusiast and a zealot. To him the magnificent bay named in honor of St. Francis was a watery barrier hindering his progress for he envisioned missions as far north as Alaska in his own lifetime and commissioned expeditions to go there. For 15 years he labored in the area in the modern State of California working zealously planting nine of the crosses along El Camino Real, where weary Spaniard and wary Indian alike would find hospitality, nourishment for the body and heavenly food for the soul. And it was only when the Angel of Death hovered over his simple pallet that to his beloved son Carlos de Bormelo de Carmello he finally said: "I must take some rest." The West has always boasted that it is a land where men are men. Father Serra can well be said to have set the precedent. He rolled up his sleeves and went to work. California has accorded him her highest honor by placing his statue here in Statuary Hall of the Nation's Capitol. The Franciscan Fathers of California have been laboring for 18 years and longer to place around that head the halo of a saint.

Congressman SHELLEY. It is my privilege at this time, ladies and gentlemen, to present for remarks the Honorable EUGENE J. MCCARTHY, U.S. Senator from Minnesota, Senator MCCARTHY.

ADDRESS BY SENATOR M'CARTHY

Mr. SHELLEY, Your Excellency, Right Reverend and Very Reverend Monsignori, Reverend Fathers, representatives of the diplomatic corps, of the administration, my colleagues of the Senate, Senator KUCHEL and Members of the House, ladies and gentlemen, friends of the cause of Father Junipero Serra. It is truly a privilege for me, from Minnesota, and the U.S. Senate outside of the Californians to be here to participate in this program. I think that you of California and of the Serra Club and the Franciscans who have had Father Serra to themselves for so many years, must now come to accept that throughout this country and throughout the world, his great work has been known and his cause has many supporters as he has many followers. It may be significant that now that California is no longer the western frontier of the United States, that it is now in effect the geographical center of the country, that Father Serra will be accepted too, as standing in the center of this United States, and the things for which he stood become more widely known and more widely accepted. It is significant I think that he labored in California in the same years during which men of politics labored on this eastern coast to establish the institutions and the traditions which have been the strength of democratic society here in the United States. His approach, as has been said by others here before me, was somewhat different. His emphasis was on the cross and on the things of the spirit but his labors were not restricted to that field, because he knew, as well or better than any man, along with the things of the spirit, it was needed to have political order and economic and social order. So, dedicated to the cross and things of the spirit, he built these other institutions as men of politics establishing this United States sought to build political institutions and economic and social institutions which would establish the means and conditions out of which spiritual perfection might be achieved. So let me congratulate you, the friends of Father Serra, Californians, members of the Serra Club, and particularly the Franciscan Order and to express my hope that his particular cause, the cause of his canonization, may prosper, but along with that, and more important, the cause which he so well advanced in his own time will prosper even more.

The PRESIDING OFFICER. We of Serra and California, thank you Mr. MCCARTHY for your remarks. Mr. Hubert Kelly, chairman of the special events committee, Serra Club of Fort Belvoir, will present the wreath laying ceremonies.

Mr. HUBERT KELLY. Thank you Dr. Doran. I shall first call upon Father Clebus Wheeler, Minister-Provincial of the Franciscan Order of Friars Minor to bless the floral offerings that we are about to present. Father Wheeler.

BLESSING

We ask of our Heavenly Father that He speed the cause of Father Serra, that He bless these wreaths we are about to put on the foot of his statue and that He bless us in the name of the Father, of the Son and of the Holy Spirit. Amen.

Mr. HUBERT KELLY. The first wreath will be presented for Serra International by Mr. Peter A. Mills, Knight of St. Gregory, Pittsburgh, Pa., the permanent chairman of the Father Serra Spiritual Observance Day, and past trustee of Serra International, and by Mr. Ralph Hauenstein of Grand Rapids, Mich., first vice president of Serra International.

Mr. Mills and Mr. Hauenstein thereupon placed a wreath at the foot of the Serra statue.

The second wreath will be presented for the Serra Club of Fort Belvoir by Mr. Joseph S. Hoffmann, Alexandria, Va., past president of the Serra Club of Fort Belvoir, and deputy district governor of district 19 of the Serra International, and Mr. Fiori J. Tamanini, also a past president of Serra Club at Fort Belvoir.

The second wreath was placed before the Serra statue by Mr. Hoffmann and Mr. Tamanini.

We will now call upon Father (Lieutenant Colonel) Pawlowicz, post chaplain of Fort Belvoir and acting chaplain of the Serra Club of Fort Belvoir to make one final introduction before closing the ceremony with the Serran prayer. Father Pawlowicz.

Father PAWLOWICZ. I would like at this time to ask all the distinguished guests to remain seated until after the ceremony is over and also to call upon His Excellency, the Most Reverend Philip M. Hannan, auxiliary bishop of Washington, D.C., to present benediction after the prayer of the Serrans.

PRAYER FOR VOCATIONS

O God who wills not the death of a sinner, but rather that he be converted and live, grant, we beseech Thee, through the intercession of the Blessed Mary, ever virgin, and all the saints, an increase of laborers for Thy church, fellow laborers with Christ, to spend and consume themselves for souls, through the same Jesus Christ, Thy Son, who liveth and reigneth with Thee, in the unity of the Holy Spirit, world without end. Amen.

Bishop HANNAN. I think it is fitting on an occasion like this to recite the prayer of St. Francis, a prayer which certainly epitomizes the life of Father Serra. In the name of the Father, and of the Son and of the Holy Ghost. Amen.

PRAYER

Lord make me an instrument of Thy peace; where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

The PRESIDING OFFICER. Will the distinguished and honored guests please remain for the press and the photographers. The ceremony is ended.

Alaska's Air Transport

EXTENSION OF REMARKS

OF

HON. A. S. MIKE MONRONEY

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 2, 1959

Mr. MONRONEY. Mr. President, my distinguished colleague, the senior Senator E. L. (BOB) BARTLETT, of Alaska, recently participated in a most important meeting of short-haul airline operators in a twin city Alaskan appearance in Anchorage and Fairbanks, July 28 to July 31.

This meeting of the Association of Local Transport Airlines featured an address delivered by our distinguished committee member, Senator BARTLETT, on Wednesday, July 29, 1959, in Anchorage, Alaska, saluting civil aviation in Alaska, past and present, and should be of the greatest interest to all the distinguished Members of this body.

Recognizing the active and most constructive aviation role my distinguished colleague has played in this, his first session as a member of the Subcommittee on Aviation, Senate Interstate and Foreign Commerce Committee, I ask unanimous consent to have Senator BARTLETT'S address printed in the CONGRESSIONAL RECORD.

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

REMARKS BY SENATOR E. L. (BOB) BARTLETT, OF ALASKA, TO THE ASSOCIATION OF LOCAL TRANSPORT AIRLINES AT ANCHORAGE, ALASKA, JULY 29, 1959

I am exceedingly pleased to be here addressing you this evening, and want to thank you for honoring me with the invitation to take part in your winged visit to Alaska and to speak to you.

My friends from the Anchorage Chamber of Commerce will join me, I'm sure, in expressing our State's warmest welcome to you of the Association of Local Transport Airlines.

I was all the more ready to accept this invitation to be with you of the association because it was extended to me by Col. Joseph P. Adams, general counsel and executive director of this splendid aviation group. I count it a privilege to name Joe Adams as a friend. Joe has a way of getting around on Capitol Hill and in the executive departments of Government which is just as effective as it is proper. Come to think of it, I wonder if all these local airlines would be in existence if it were not for Joe Adams. As a member of the Civil Aeronautics Board, who served the public interests faithfully and well, Joe insisted that the little fellow get a break. He prevailed. There were many times, I know, when it would have been easier for him to give up, and jettison his cargo, to lower his landing gear and set down in the face of the very formidable opposition which confronted him. But Joe is not that kind of a man. He persevered, and won out. The public won at the same time.

We Alaskans feel we have an important stake in your association. After all, 5 of the local service airlines that are lifelines in our farflung State form a rather substantial part of your membership of 16 companies. We remember, too, that you had the courtesy, when you first organized in 1957, to reflect Alaska in your original name—the Association of Local and Territorial Airlines. And I can well imagine that you were almost as pleased as we when the march of American history caused you to change that name by dropping the territorial reference.

For many long years "statehood" was a word that had a bitter flavor for us. Now it tastes deliciously sweet as it rolls off our tongues. I understand that statehood has been sweetening the balance sheets of the local service airlines in Alaska and Hawaii, too, by booming the business and tourist traffic. For the benefit of any Civil Aeronautics Board auditors who may be within earshot, let it be stated that this comes to me strictly as rumor. I haven't examined a single account sheet. And I hope this effect extends to your members in what we've taken to calling "the other 48 States" by picking up the pace of their traffic.

It is my fond belief that we have had only the first taste of the benefits of Alaska and Hawaii statehood, and that your palates and ours will be more and more delighted as we grow in the coming years.

Now, having welcomed you on Alaska's behalf, I want to do a turnabout and join those of you from outside in saluting our hosts—Alaska Airlines, Northern Consolidated Airlines, Reeve Aleutian Airways, and Wien Alaska Airlines.

The labors of our intrepid bush pilots gave birth to these airlines. And their history, for high drama, is unexcelled anywhere.

Some of you may recall that one of these airline founders, Bob Reeve, was my rival in a delegate election a few years ago. If things had turned out a bit differently, your speaker tonight might well be one far better qualified on the subject of Alaska aviation.

But I can speak with a good deal of experience as a passenger. Having been a patron of your four host companies during the travels involved in eight campaigns plus a lifetime of residence in Alaska, I can truly say that I know them well, and I hold them in the highest respect.

Even so, a speaker is bound to gulp a few times when he gets upon his feet to talk about aviation to a group of aviation experts. But a politician is never noted for his lack of temerity and so I prepare to take the plunge. Not earthward, however. We are on a higher level tonight. Even as a layman, I can and will make a brag. In about 35 years of flying, most of it within Alaska and starting in the very early days of aviation, I have never had a forced landing. And I attribute this remarkable record less to my own luck than to the splendid skill of the Alaska aviators who have manned the Alaska skies from then until now.

Happily, one does not have to be a flyer himself to make reference to Alaska's airmindedness, air traffic, airports, aircraft and aviators.

Will anyone rise to challenge the statement that Alaskans are the most airminded people in the world? I don't think so—at least not successfully.

Tonight we are dealing almost solely with facts, and very little if at all with fiction. You have no choice in the matter. I am on my feet in firm, if temporary, control and you may escape a barrage of facts only by departing the room. First, I hand to you one which defies analysis, which is simply incredible, which nonetheless has its veracity attested to by the Civil Aeronautics Board. It is that certified Alaska air carriers last year carried 409 passengers per thousand population. This was more than 22 times the U.S. average of 18 passengers per thousand. Let this be a goal for the 11 non-Alaska members of the Association of Local Transport Airlines.

Alaska is the smallest State in population, making up only twelve one-hundredths of 1 percent of the U.S. total. But in proportion to this population, her air commerce traffic pattern is fantastic.

In 1958, Alaska aircraft departures totaled almost 88,000, equal to 2.8 percent of the U.S. domestic total—or 23 times what the population proportion would lead you to expect. The number of passengers boarded was about 320,600, equal to seventy-four one-hundredths of 1 percent of the domestic total—or six times what you would expect. Tons of cargo totaled more than 10,000, equal to 2.3 percent of the domestic total—or 19 times what you would expect. Tons of airmail was the greatest of all: 7,192 tons, equal to 4.8 percent of the domestic total—or 40 times the population proportion. When we say "send it airmail," as so many of our firms do on their business letterheads, we really mean it.

Of course there are sound reasons for our airmindedness. We are short of highway and railroad mileage. The operation of ocean and river vessels is seasonal in many areas, while on the other hand our flying weather in many regions is best in winter. In vast parts of Alaska the local service airline or the bush aircraft is the only practical means of transportation. Then, too, our people have always been eager to be linked as closely as possible with the rest of the United States, which helps explain why we're the flyingest, airmailingest people anywhere.

How about airports? The State division of airports estimates that Alaska has about 600 landing areas of all categories. Gene Roguszka, director of aviation, recently sent me a very handy Alaska airport directory. It lists more than 300 airstrips and seaplane landing areas, and provides maps of most of them.

The 1959 national airport plan issued by the Federal Aviation Agency includes 270 Alaska air commerce airports—4 of them intercontinental, 9 continental, 68 trunk, 111 local, and 78 seaplane facilities. Also included in the plan are 64 general aviation airports.

Aircraft? Alaska's owned total of active registered aircraft was 1,179 as of last January 1. In this measurement we were not, as you might expect, close to such sparsely settled Western States as New Mexico, Wyoming, and the like—but rather to more populous States like Oregon and Louisiana. To put it another way, Alaska has 1 aircraft for every 180 residents, which is unquestionably the highest ratio in the United States.

Of these 1,179 aircraft, 56 were, under the new FAA classification, listed as scheduled and irregular air carriers. However, some of our carriers are in the next 2 categories—among the 64 multiengine planes and 420 postwar 4- and 5-place single engine planes listed under "general aviation." Finally, in the "all other" category, we have 639 more aircraft.

At the same time, we had 2,877 active pilots, or about 1 Alaskan out of every 75. A number of others who once were licensed no longer are on the active list. There has been a lot of talk lately about retiring pilots at the age of 60, or thereabouts. This reminds me that I am now engaged in a research operation aimed at discovering whether A. A. Bennett is still in the land of the living. If he is, you may be sure that he is still flying at an age not exactly known to me but surely such that he would consider a pilot of 60 a mere youngster. From Fairbanks, where he was one of the organizers of the Bennett-Rodebaugh Airplane Co., A. A. Bennett went down to Idaho. He had his commercial license renewed there in 1957 but as yet my research organization has not advanced beyond that point. Bennett was one of the fabulous characters of early-day Alaska aviation. He steadfastly refused to go in for such a modern contrivance as a cabin airplane. Forced finally to give in by the stress of economic competition, Bennett persuaded the Zenith people to build him a special plane with a cabin for the passengers up forward and open cockpit for the flyer way back aft. Bennett was not adverse to telling anyone, most particularly his passengers, the reason for this. He admitted that airplanes fell down once in a while out of the sky and hit the hard, hard earth and he did not propose to be right on top of the engine when and if this occurred. Let the passengers bear the brunt of this while he took charge from the rear, Bennett said.

And he had the clearest blue eyes ever possessed by man. It was this oldtimer's persistent insistence that his eyesight was perfect because when flying he took off his goggles and stuck his head out of the cockpit. He said the gale into which he then faced toned up his optic muscles, and did everything except erase original sin. But I must guard myself for it is easy to start reminiscing about an extraordinary breed of men—the early-day Alaska pilots.

A significant illustration occurred right here in Anchorage last week, revealing that today's men of wings are in tune in every way with those who started Alaska's aviation. This came about when Don Sheldon of Talkeetna was presented with the Special Service Award by General Necresop. This is the highest award given a civilian by the Air Force.

No doubt you have heard Anchorage referred to as the air crossroads of the world. Lest you think our chamber of commerce friends are overstating their case, let me note that in calendar 1958 the FAA towers at International Airport, Merrill Field, and Lake Hood controlled a total of 406,701 aircraft movements. This was only a few thousand less than at the busiest single airport in the Nation—Midway at Chicago.

Our international airports at Anchorage and Fairbanks are in superb locations astride the aerial routes from the Eastern United States to the Far East, and from the Western United States to Europe, over the pole. I think the day is approaching when—if with God's help the peace is kept—other Asia air centers, in China and the Soviet Union, will be reached by flights from Alaska. But even if Peiping, Moscow, and Irkutsk do not go up on our destination boards, we can nevertheless look ahead to great growth in our international traffic.

While our intercontinental air traffic is significant today and has great future potential, intra-Alaska traffic is even more striking in relation to national figures. FAA records show that some 66,500 landings were made last year at the 28 intermediate airfields in Alaska. That figure is higher than the total of landings made at the 74 intermediate fields elsewhere in the United States. Air carriers accounted for more than one-third of these landings, which testifies to the vigor of our local service airlines.

These airlines offer plane-window vistas of scenery as awe inspiring as any on the face of the globe. They offer, too, unique recreational tours—to the Arctic, to the Pribilof Islands in the fur seal mating season, to Katmai National Monument for unmatched trout fishing, and to the national park at America's highest peak, Mount McKinley.

Congress and the Federal Government have for years recognized the importance of aviation to Alaska. But our Territorial status and our lack of voting representation have tended to hold back full development of our airports and related facilities.

In 1948 Congress authorized Federal construction and operation of completely new international airports at Anchorage and Fairbanks. The initial appropriation of $13 million was raised to $17 million 2 years later.

Anchorage International Airport received the lion's share of the money and was somewhat more adequately planned and built than Fairbanks International. Today both these airports urgently need runway extensions to meet the demands of the jet age.

The coming of statehood altered our airport situation and presented problems to which the Alaska delegation in Congress and the State government have devoted major attention.

In recommending provisions for the Alaska omnibus bill this year, the Eisenhower administration proposed to get Uncle Sam out of the international airport business in Alaska by giving the Anchorage and Fairbanks Airports to the State without charge.

The omnibus bill—now enacted into law—also provided transitional grants of $28½ million during the 5 fiscal years, beginning with the current one. Of these transitional grants, it was understood $4½ million should be applied to capital improvements at the international airports.

However, the extensions at Anchorage and Fairbanks were estimated at a cost of some $9,800,000. So it became obvious that Alaska would have to get more than the flat sum of $1,350,000 a year it received in recent years under the Federal airports program if the improvements were to be made.

Under the old Airport Act, Alaska was of course treated as a Territory. It did not share funds on the basis of a land area and population formula, as the other States did. Nor was Alaska eligible to receive any of the $15-million-a-year discretionary fund which could be allocated by the program administrator to the most important projects, wherever they might be. But the Territory did have one advantage in the old law. It was required to match funds on a 3-Federal dollars-to-1-Territorial-dollar basis, instead of the split of about 2 Federal dollars to 1 State dollar for public lands States.

Early in this session, the Senate passed a new airport bill. It would have boosted the available funds considerably, but would have continued to treat Alaska—and Hawaii—on a basis similar to that in the old law as far as matching and eligibility were concerned.

The House of Representatives, however, took a quite different approach to the airport bill. The House cut back the proposed expenditures in relation to the Senate version, but on the other hand it proposed to treat Alaska on the same basis as other States.

The House, while it was more modest than the Senate, still favored a higher level program than the old one. But the administration wanted to phase out the entire airport program gradually. So the battle of the budget soon was raging around the airport issue.

Senate and House conferees could not agree on either one of the bills passed, nor on a compromise somewhere in between. As their discussions wore on, tempers grew more and more brittle. The upshot was that, under the pressure of a June 30 deadline, the conferees finally recommended a simple 2-year extension of the old $63-million-dollar-a-year program. Both Houses reluctantly accepted this recommendation.

This meant Alaska would get only $1,350,000 and still would be treated as a Territory. When this decision was reached in conference it was simply impossible thereafter to make any changes referring to Alaska especially, or to make any changes at all in any part of the program.

The inadequate treatment of Alaska was so flagrant that the President called for its correction when he signed the Airport Act extension.

Next, the Alaska delegation introduced an amending bill. It would have boosted our State's share of the airport funds by adding money to be distributed under the overall formula and by making Alaska eligible to share on the same basis as other States. However, as more pencils were brought into use to do the necessary calculations, it became apparent that around $11 million in additional funds would have to be authorized by amendatory legislation if Alaska were to receive that which it would be entitled to as a State without any of the other States suffering cutbacks, which they were not at all willing to accept. We were told very frankly that an effort to add any such sum would, if successful, confront a Presidential veto.

Obviously, there was no point then in engaging in legislative exercises in the Congress for the fun of it. And, very factually, I must add that I think that neither the House nor the Senate would have accepted a bill adding to the total airport sum by about $11 million. When the conferees decided, and the two Houses accepted the proposal for a simple extension of the existing act there was no likelihood that any substantial amendment would thereafter be accepted.

What to do, then? The members of the Alaska congressional delegation considered this as a proposition of the greatest urgency and importance. We held meetings with the Deputy Director of the Bureau of the Budget and a group of his people. It was then that the hopelessness of expecting a worthwhile amendment to the Airport Act became apparent. If I may give myself a measure of credit it was about that time that I came to the conclusion that the most we could hope for—and the very vital most it could turn out to be—would be to amend the law so as to permit Alaska to share in the discretionary funds allotted to the Administrator of the Federal Aviation Agency. Following the meeting with the Bureau of the Budget the members of the Alaska congressional delegation had another meeting with Deputy FAA Administrator James T. Pyle, and members of his staff. Whether it was by coincidence or whether in the circumstances it was the only decision that could be made, they and I about simultaneously at this meeting put the stamp of endorsement on a sharing in the discretionary fund.

The Administrator's views were not long after communicated to the Senate Interstate and Foreign Commerce Committee when Jim Pyle said in part:

"If the amendment which I recommended is adopted, Alaska will receive money to meet its urgent needs out of the discretionary fund. The Administrator will be in a position to insure that such money is used to meet these needs, and he will also require that Alaska be treated like other States in matching the Federal funds advanced. Alaska will also retain the advantage of having its share of project costs financed out of the $1,350,000 already authorized remain at 25 percent."

Mr. Pyle's statement about matching any discretionary funds granted means Alaska must put up 37½ percent to Uncle Sam's 67½ percent. But on the basic allocation Alaska will continue to match one-quarter to the Federal Government's three-quarters.

The amendment recommended by the FAA was accepted by the Senate committee which unanimously reported the bill. The bill was then passed by the Senate last week. I have talked with Chairman HARRIS of the corresponding House committee and urged prompt action on the bill there. I am hopeful that it will be granted, and that affirmative action will be taken.

Does this mean that substantial grants will be made from the discretionary fund to Alaska in the next 2 years? Not at all. It means that Alaska will have a chance, together with every other State, to request such funds. But I am confident that the high urgency of the need for runway extensions here at Anchorage and at Fairbanks, plus other airport needs in Alaska, are recognized by the FAA and will receive appropriate consideration from that agency of the Federal Government. In this connection, I cannot speak too highly of the splendid cooperation which has and is being given to us in the Federal Aviation Agency from General Quesada and Jim Pyle on down. Uniformly, they have been understanding, helpful and possessed of a vigor and will to advance the cause of Alaska aviation.

Taking a look back, you may be interested to know that from the 1947 fiscal year through fiscal year 1959, $7,284,904 had been made available as Federal allocations to Alaska. With this money 38 projects have been physically and financially completed, 12 are physically completed but awaiting financial payment from the Federal Government, 19 are now under construction and should be completed before October this year and 13 are programed for construction.

But even if the discretionary fund amendment becomes law, we shall be operating under a jerry-built stopgap arrangement. The airport program which was extended to mid-1961 is by no means a wholly adequate program to meet the Nation's jet age needs. It is a program that was veto proofed to meet most of the President's objections and to assure the country that the airport program would not expire completely. I think that you will all recall that the President vetoed a new airport program in 1958.

I look forward to passage of a much better and more comprehensive program under the new administration that will take office in 1961. One point of that program must be treatment of Alaska and Hawaii on an equal footing with the other 48 States.

Senator GRUENING, Representative RIVERS, and I were pleased to have been able to help our State government work out arrangements for the change of hands of the two international airports. This change should be completed in the next year. In the meantime, the FAA will operate the airports as the agent of the State.

In addition, the smaller intermediate airports held by the FAA are to be transferred to the State gradually.

When these transitions are completed, the State of Alaska will be operating one of the most extensive and busiest airport systems in the country. It will still need plenty of improvement in the future. We in Congress will do our best to see that it is as adequately supported by Federal grants as any other State's.

When two-motored aircraft first came into use in Alaska, Alaska pilots first went into uniform. I can remember ever so vividly those great big, marvelous Lockheed Electras, which must have carried 12 or 14 passengers and which opened up an entirely new era in Alaska aviation. The pilots denounced the uniforms they were required to wear with an understanding and ability to use the language comparable to that of a cowpuncher trying to lasso a balky steer. But I always thought that secretly they were proud and pleased as could be. Those were the days when on landing the passengers were told to remain in their seats until the pilot and copilot had made leisurely and grand exit from the plane.

Today it is otherwise. But the aura of romance, of accomplishment, of derring-do, of pioneering, of adventuring in the far places, still surrounds the Alaska aviator. They are successors to those elder giants of the Yukon of the gold stampede days. Romance, mystery, physical daring and hardihood—all of these are elements that go into the makeup of the true pioneer, wherever he is found at whatever time in history. For example, I cannot think of Ray Peterson as the president of a successful airline which is a constituent member of the Association of Local Transport Airlines, so much as a helmet-and-goggle flyer in the perfect days of long ago.

So I would conclude here by saluting a brave race of men who have carved their place in Alaska history and whose exploits and vision have opened up for us—for all Americans—the vastness of the Alaska skies and the treasures of land and ocean that lie beneath.

Congressman Dollinger's Annual Report

EXTENSION OF REMARKS

OF

HON. ISIDORE DOLLINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1959

Mr. DOLLINGER. Mr. Speaker, this is my 11th annual report to my constituents; I have sent them an annual report every year since coming to Congress. This report will be a résumé of my aims and efforts in behalf of the people I represent, as well as a summing

up of the work of the 1st session of the 86th Congress. I have enjoyed representing the fine people of my district, and have considered it a privilege to strive for legislation beneficial to them as well as for the best interests of our country.

This Congress has accomplished a great amount of work, when we consider the overwhelming volume of business before it, the defense of our Nation being of primary concern. Vital domestic issues had to be considered as well as the Mutual Security Act, which fortifies our position with friendly nations and enables them to gain economic strength and protect themselves against aggressors.

In addition, we have had to grapple with the many crises engendered by the Soviet menace and the continuing cold war, as well as the explosive situations prevalent in many corners of the earth. Israel's position remains untenable and insecure regardless of the tremendous sacrifices of her people, their ability and industry, for her enemies still threaten to destroy her. I have lost no opportunity to urge that she be given all possible aid, for Israel is our bastion of democracy in the Middle East; she is our friend and ally; she deserves all that we can do to help her.

LABOR

This country's millions of workers await with great anxiety the final provisions of the highly controversial labor bill. At this writing, we do not know what the law will provide, as the Senate and House bills are in conference. We do know that as usual, Republicans favored management, and they, together with the southern bloc, succeeded in passing the Landrum-Griffin bill in the House. This has been labeled a bill which would "kill" the union movement; it has been charged that it was "probably authored by representatives of the National Association of Manufacturers." It has also been charged that a deal was made between Republicans and certain southern Democrats—that the Republicans would stymie action on civil-rights legislation in return for southern votes in favor of the Republican-sponsored Landrum-Griffin bill. I voted against this bill, the effect of which would throw the weight of the Federal Government on the side of management and would inflict punishment on the millions of honest, law-abiding men and women who belong to unions.

I favored a strong and constructive labor reform bill, which would protect union members and end abuses; I shall continue to fight against any labor bill which is punitive, which penalizes innocent workers, and which would deprive labor of any of its hard-won battles and advances. I hope that we shall have the opportunity to consider a final bill which will provide union members with all necessary safeguards and which will not tip the Taft-Hartley scales still more in favor of employers and against workers.

For many years, I have introduced bills to increase the minimum hourly wage from $1 to $1.25. I urged action on my bill, pointing out that millions of our people are merely existing; they live in substandard conditions because they are underpaid and because high living costs and high taxes make it impossible to provide their families and themselves with barest necessities.

CIVIL RIGHTS

Hope for passage of an effective civil rights bill at the present session of Congress grows dimmer; this is a severe blow to all who recognize the great need for such legislation. The 1957 civil rights right-to-vote bill is virtually ineffective; it needs teeth. Unless the Civil Rights Commission is given some real power, Negroes will go into the 1960 elections as voteless as ever. The President wants the Commission extended for 2 more years. This amounts to only a token gesture on his part, when we consider that he has yet to make an earnest plea for strong civil rights legislation. The Republicans are responsible for failure to vote a civil rights bill out of committee; if the Republicans were sincere in their campaign promises regarding civil rights, Members of Congress would have had the opportunity to vote on a good bill long before this, but so far, the Republican members of the committee in charge have withheld their support. The Attorney General must have authority to seek Federal court injunctions to enforce school desegregation and civil rights generally, and legislation to give him such authority should be given priority.

I have introduced strong civil rights bills to end the unconscionable discrimination, harassment, intimidation, and other human indecencies which are being inflicted upon a vast segment of our population. We cannot claim to have true democracy in our country, equality of men, equality of opportunity, freedom as guaranteed by our Constitution, until every vestige of discrimination because of race, color, or religion is abolished.

HOUSING

The President's veto of the first housing bill passed during the present session of Congress came as a great shock to me. In my opinion, his action was not only ill advised but was unconscionable, when we consider that countless Americans now merely exist in substandard dwellings, and that they must rely on the help of the Federal Government for public housing.

We have now passed a second housing bill and it is to be hoped that it will become law. The bill provides for urban renewal grants; 37,000 additional public housing units, loan programs for construction of college classrooms and dormitories, and housing for elderly persons. This represents a constructive and vitally needed program, but it only begins to meet the minimum standards we should set for American living.

IMMIGRATION

I, with other members of the New York Democratic delegation, introduced an Immigration and Citizenship Act to supersede the present Immigration and Nationality Act, known as the McCarran-Walter Act. It has long been recognized that the present law is discriminatory, unfair, and undemocratic. Under our proposal there will be no discrimination based on national origin or race, no classification of U.S. citizens into two categories, native born and naturalized. There will be no additional grounds for loss of U.S. citizenship by naturalized citizens except those that apply to native-born citizens. Many other necessary provisions are also included.

I hoped that, in view of the fact that the United States joined with other free countries in the United Nations in sponsoring a proposal for a World Refugee Year, and inasmuch as our attention was directed toward those unfortunates so desperately in need of a homeland, Congress would pass legislation liberalizing our immigration laws. However, that hope has been dashed also, and we continue to shirk our duty toward mankind while other nations, less able to sacrifice than ours, are opening their hearts and doors to the unfortunate, the homeless, the innocent victims of wars and oppression.

FEDERAL AID TO EDUCATION

Democrats are rightfully proud of their sincere efforts and great accomplishments. Their aim has always been to afford the help which the people need. By contrast, we find the Republicans still indulging in their deceitful promises and then sabotaging or ignoring the legislation which would provide for the very benefits they advocate by word only. As witness the deplorable plight of our public school system. The administration has, as usual, called attention to the desperate conditions, but has made no effectual moves to correct those conditions. There is a shortage now of about 140,000 classrooms throughout the United States. There is a great shortage of teachers. The administration is primarily to blame that this grave problem has once again been swept under the rug and that about 10 million American children are doomed to overcrowded and obsolescent classrooms in the richest Nation on earth.

SOCIAL SECURITY, PROBLEMS OF THE AGED, AND OTHER IMPORTANT LEGISLATION

I have been happy to support legislation liberalizing benefits under the Social Security Act and have introduced bills to provide further benefits. Among the latter are bills to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under the act; to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; and to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits.

I also introduced a bill to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits. The protection offered by this bill is vitally needed by those many thousands of our older people who now cannot afford necessary medical, nursing, or hospital care; they cannot obtain or afford private insurance and they cannot meet the expense

of illness. Costs of such care continue to rise, and the Federal Government must act to protect all those who are in dire need of such assistance.

Older workers and their problems have continued to receive my attention, and I reintroduced my resolution which would end existing bias against the hiring of older workers, and which would assist them in maintaining their rightful and dignified place as useful members of society.

I have introduced bills to lighten the taxload; to repeal excise taxes; to grant additional income tax exemptions to those supporting a dependent who is permanently handicapped; to those receiving retirement annuities or pensions; to those who are physically handicapped; to increase the personal income tax exemption of taxpayers.

Veterans deserve all possible assistance, and I have been happy to support legislation in their behalf at every opportunity, as well as to introduce bills beneficial to them. I am gratified that the liberalized veterans' pension bill, recently passed, has been signed into law.

I voted for the Federal employee health program bill and am pleased that it passed. I trust it will be signed into law. This will enable Federal employees to purchase protection at a cost which is within their means, from the unanticipated and oppressive costs of medical care, as well as the often crushing expense of so-called catastrophic illness or serious injury. The bill is designed to close the gap which now exists and bring the Government abreast of most private employers who have for many years been establishing and operating contributory health benefit programs for their employees.

I was happy to procure passage of my bill in the House to provide for the honorary designation of Saint Ann's churchyard in the city of New York as a national historic site. This culminated 11 years of unrelenting work on my part regarding the designation of Saint Ann's churchyard. Last year, I thought my work was finished when the House passed the bill, but it was defeated in the Senate committee. I renewed my efforts again this year; it again passed the House, and at this moment the bill is once more bottled up in the Senate committee. I can only hope that the Senate will take favorable action.

CONCLUSION

Space limitation prevents my discussing all the subjects important to my constituents. I hope the foregoing will show, to some extent, what I have endeavored to accomplish and what the 86th Congress has done so far.

My congressional office at 938 Simpson Street is open daily, and my constituents are welcome to call there and discuss matters of interest to them. I am always pleased to see them, to receive their letters, and to do all I can to be helpful.

SENATE

THURSDAY, SEPTEMBER 3, 1959

(Legislative day of Monday, August 31, 1959)

The Senate met at 9:30 o'clock a.m., on the expiration of the recess.

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

O Thou God of life and light, whose love is unfailing and in whose mercy there's a wideness like the wideness of the sea.

At this wayside shrine of prayer set up so long ago by those who launched our ship of state and hallowed across the long years we lift up our souls unto Thee.

We come unto our father's God
Their rock is our salvation
The eternal arms their dear abode
We make our habitation
We seek Thee as Thy saints have sought
In every generation.

In this forum of deliberation and debate amid the din and clash of differing opinions may we here unite in keeping always a constant sense of the eternal which will save us from spiritual decay, from moral cowardice, and from any betrayal of the highest public good.

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 2, 1959, was dispensed with.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL 1555, SUBMITTED DURING RECESS (S. DOC. NO. 51)

Under authority of the order of the Senate of September 2, 1959,

Mr. KENNEDY, on September 2, 1959, submitted the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1555) 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 printed,

(For conference report, see House proceedings of today.)

ENROLLED BILLS SIGNED

The VICE PRESIDENT announced that on today, September 3, 1959, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 539. An act for the relief of Mrs. Joyce Lee Freeman;

S. 669. An act to authorize the Secretary of Agricultaure to convey certain lands to the Bethel Baptist Church of Henderson, Tenn.;

S. 696. An act for the relief of Mrs. Annie Voisin Whitley;

S. 1071. An act for the relief of Nettie Korn and Manfred Korn;

S. 1298. An act for the relief of Concetta Meglio Meglio;

S. 1392. An act for the relief of Isabel M. Menz;

S. 1557. An act for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim;

S. 1650. An act for the relief of Edmund A. Hannay;

S. 1667. An act for the relief of the widow of Col. Claud C. Smith;

S. 1792. An act for the relief of Lilia Alvarez Szabo;

S. 1915. An act for the relief of Chung Ching Wei;

S. 1921. An act to exempt from taxation certain property of the United Spanish War Veterans, Inc., in the District of Columbia;

S. 1958. An act to amend section 12 of the act of March 5, 1915, to clarify types of arrestment prohibited with respect of wages of U.S. seamen;

S. 2021. An act for the relief of Irene Milios;

S. 2027. An act for the relief of William James Harkins and Thomas Lloyd Harkins;

S. 2050. An act for the relief of Leokadia Jomboski;

S. 2081. An act for the relief of Yadwiga Boczar;

S. 2102. An act for the relief of Irene Wladyslawa Burda; and

S. 2238. An act for the relief of Kenzo Hachtmann, a minor.

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 September 1, 1959, the President had approved and signed the following acts:

S. 510. An act for the relief of Peter R. Muller;

S. 554. An act for the relief of Argyrios G. Georgandopoulos;

S. 900. An act to amend section 204(b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes;

S. 967. An act for the relief of Lea Levi; and

S. 1945. An act for the relief of Josef Jan Loukotka, Mieczyslaw J. Piorkowski, and Jan Frantisek Sevcik.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of William A. M. Burden, of New York, to be Ambassador Extraordinary and Plenipotentiary to Belgium, which was referred to the Committee on Foreign Relations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. CLARK, and by unanimous consent, the Subcommittee