me. But it is doubtful that any law passed by the representative legislative process will ever be acceptable to all because, in such issues as these, there are as many points of view as there are parties to the discussion. But democracy is the art of the possible—and in this instance we have done all that could be accomplished within the latitude afforded by the differing versions passed by the two Houses of the Congress.

There has been much exaggerated talk at both extremes regarding Senate and House actions on labor-management legislation. And though it may take time to assess its impact, this I can state from knowledge based upon intimate study and contact with its preparation: It is a measure aimed at eliminating the racketeer element from honest labor and restoring democratic safeguards to those unions where they have been lost. These accomplishments can be brought about under the terms of the legislation without destroying the hard-won and legitimate rights of organization and collective bargaining.

In discussing the conference report in the Senate on Wednesday of last week, I said: 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.

At this point I state emphatically that, in my opinion, the conference chairman, Senator JOHN F. KENNEDY, of Massachusetts, spoke with complete accuracy when he informed the Senate, also on Wednesday, when he said:

"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 * * * all the Senators would have regretted it finally. * * * And when we view the significant provisions of the Landrum-Griffin bill, one after another, we must admit they go far beyond reform. They go into an area which would limit what we all would consider legitimate activities of men and women who bargain collectively."

But I do not choose to inflate out of its proper proportions the importance of the issue of so-called labor reform. Whatever the merits of the issue, the problem has not been one in the great body of the institution of trade unionism. This has always been, and remains so today, a movement necessary to the welfare and strength of a democratic system.

My concern for the welfare of organized labor in America goes deeper than the issue of reform. In these closing minutes I would like to address what seems to me a more fundamental issue—more fundamental for the labor unions and for the welfare of American democracy. I refer now to the loss of what might be called a "sense of mission." And I do not use the term lightly.

For the trade unions have always acted their best—as has the United States itself—when imbued with a sense of mission—a mission to perform not for themselves alone but for all Americans. This was the lesson of the life of Samuel Gompers. It was from this sense of mission that the unions fought for gains for all Americans—for free public schools, child labor laws, minimum wages, workmen's compensation, social security, and a host of other advances which have been to the benefit of all American citizens.

Thus have the trade unions always best served themselves when they have served the American heritage, when their actions have been charged by the belief that they could create a future of greater worth and human dignity. This belief—this belief in the possibilities of man and the dignity of labor—has shaped the destiny of America.

American labor, led by the trade unions, is today a full participant in that destiny. But if we are to live up to the fulfillment of America we must live beyond the preoccupations of our particular job or craft. This is a responsibility which one cannot defer to his political or union leaders. It is an obligation which rests upon the individual heart and will of each of us.

"The American journey has not ended," stated Archibald MacLeish. "America is never accomplished, America is always still to build; for men, as long as they are truly men, will dream of man's fulfillment." This is the mission to which we must again rededicate ourselves; this is the mission which Samuel Gompers saw with such clarity.

Thus, as citizens and as workers, it is up to each of us to rekindle the faith in the American future, and to live with a renewed vision of the possibilities of man. We Americans have reason thus to live; whether we have the will depends upon the individual heart. And if we do so live, our work, whatever its nature, will be ennobled in its service to the greater benefit of man.

SENATE

WEDNESDAY, SEPTEMBER 9, 1959

(Legislative day of Saturday, September 5, 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:

Eternal Spirit, in whom alone is the strength of our hearts and the hope of our world, in this our morning prayer we would open our faltering lives in penitence to Thy waiting might and to Thy cleansing grace. For the living of these days grant us wisdom for the problems we face, insight for these troubled times, and vision which sets its gaze on far horizons.

In the midst of events so staggering and colossal that as individuals on the confused world stage we appear so puny and inadequate, O God, who sittest above the flood of man's insanity, lift us into the only greatness we will ever know by using us, earthen vessels though we be, as the channels of thy purpose and intent. So may we serve the present age as we fulfill our high calling in Christ Jesus, our Lord. Amen.

REPORT OF A COMMITTEE SUBMITTED DURING RECESS

Under authority of the order of the Senate of May 21, 1959,

Mr. HAYDEN, from the Committee on Appropriations, on September 8, 1959, reported favorably, with amendments, the bill (H.R. 8385), making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, and submitted a report (No. 981) thereon, which report was printed.

MESSAGES FROM THE PRESIDENT

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

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, we made a great deal of progress yesterday in the Senate, and I am hoping for progress today. I see no prospects for adjournment by this weekend. We have more than 100 bills for the Senate to consider. Dozens of them will have to be called up by motion and are of a general nature.

I should like to call to the attention of the Senate some very important facts. When Congress is moving rapidly, no measure becomes law until it has passed both Houses and either been signed by the President or passed over his veto. There are several loose ends which must be tied together.

We in the Senate are interested in passing laws, not just going through the motions. There are many steps which must be taken before we can be satisfied that the public business has been concluded and fully transacted.

However, I do wish to inform the Senate that I believe we are heading for a very constructive record, and I hope the closing days of Congress will be productive.

If necessary, we will have another meeting of the policy committee later in the week to consider any other bills that may have been reported from the committees, if the committees meet today.

Mr. President, a parliamentary inquiry. We had an order yesterday that we will have the usual morning hour, with a limitation of 3 minutes on statements. Is that correct?

The VICE PRESIDENT. The Senator is correct.

Mr. JOHNSON of Texas. I understand the housing bill is the pending business.

The VICE PRESIDENT. The Senator is correct.

EXECUTIVE SESSION

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

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

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President

of the United States submitting sundry nominations, and withdrawing the nomination of Earl J. Thompson to be postmaster at O'Fallon, Ill., which nomination messages were referred to the appropriate committees.

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

AGREEMENTS FORMULATED AT UNITED NATIONS CONFERENCE ON LAW OF THE SEA—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from certain agreements formulated at the United Nations Conference on the Law of the Sea, transmitted to the Senate today by the President of the United States, and that the message, with the accompanying documents, be referred to the Committee on Foreign Relations, and printed in the RECORD.

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

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of each of the following agreements: (1) convention on the territorial sea and the contiguous zone; (2) convention on the high seas; (3) convention on fishing and conservation of the living resources of the high seas; (4) convention on the Continental Shelf; and (5) optional protocol of signature concerning the compulsory settlement of disputes; which agreements were formulated at the United Nations Conference on the Law of the Sea, held at Geneva from February 24, 1958, to April 27, 1958, and were dated at Geneva on April 29, 1958. The conventions, which were open for signature from April 29, 1958, until October 31, 1958, and the optional protocol, which was open for signature from the same date and continues open indefinitely, were signed on behalf of the United States of America on September 15, 1958, and have been signed on behalf of a number of other states.

I transmit also, for the information of the Senate, the report which the Acting Secretary of State has addressed to me in regard to this matter, together with the enclosures thereto.

In the event that the Senate advises and consents to ratification of the convention on fishing and conservation of the living resources of the high seas, it is requested that it enter an understanding in its resolution of advice and consent as follows:

Resolved (two-thirds of the Senators present concurring therein) That the Senate advise and consent to the ratification of Executive —, 86th Congress, 1st session, an agreement entitled "Convention on Fishing and Conservation of the Living Resources of the High Seas" adopted by the United Nations Conference on the Law of the Sea at Geneva on April 29, 1958.

It is the understanding of the Senate, which understanding inheres in its advice and consent to the ratification of this agreement, that such ratification shall not be construed to impair the applicability of the principle of "Abstention," as defined in paragraph A.1. of the documents of record in the proceedings of the conference above referred to, identified as A/CONF.13/C.3/L69, 8 April 1958.

DWIGHT D. EISENHOWER.

(Enclosures: (1) Report of the Acting Secretary of State; (2) commentaries; (3) certified copies of agreements of April 29, 1958; (4) certified copy of final act of the conference, together with annexed resolutions.)

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 9, 1959.*

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

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

James H. Blumer, for permanent appointment as ensign in the Coast and Geodetic Survey; and

Alvin T. Durgin, Jr., and sundry other persons, for appointment in the U.S. Coast Guard.

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

U.S. DISTRICT JUDGE

The Chief Clerk read the nomination of Leonard P. Walsh to be U.S. district judge for the District of Columbia.

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

DEPARTMENT OF THE TREASURY

The Chief Clerk read the nomination of David A. Lindsay to be General Counsel for the Department of the Treasury.

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

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Norman A. Kreckman to be Collector of Customs.

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

DEPARTMENT OF DEFENSE

The Chief Clerk read the nomination of J. Vincent Burke, Jr., to be General Counsel of the Department of Defense.

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

IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

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

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

IN THE NAVY

The Chief Clerk read sundry nominations in the Navy.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

IN THE MARINE CORPS

The Chief Clerk read sundry nominations in the Marine Corps.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

U.S. CIRCUIT JUDGE

The Chief Clerk read the nomination of Henry J. Friendly to be U.S. circuit judge for the second circuit.

Mr. JOHNSON of Texas. Mr. President, I wish to commend the committee for its thorough and prompt action in connection with the nominations which we are about to consider.

I have had numerous representations concerning Judge Friendly. I understand he is one of the most capable lawyers in the country, and I am very happy to see that the committee has seen fit to report his nomination. I hope he will be unanimously confirmed.

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

Mr. YARBOROUGH subsequently said: Mr. President, if the distinguished majority leader will yield for a minute, I wish to comment briefly about the services of a veteran judge of the U.S. Court of Appeals for the Second Circuit; Harold R. Medina, now retired, whose place on that court is to be taken by Judge Friendly, whose nomination is being confirmed today. I am proud of the service which Judge Medina rendered for our Government and the American people. He presided in one of the most difficult trials in the history of Anglo-American jurisprudence, where almost intolerable pressures were put upon him. He presided with dignity, fairness, and with great credit to himself and to the bench and to the governmental forces which placed him upon the bench. He is a great credit to the American people, to our concepts of freedom and liberty under the law, and to the fairness of our system of jurisprudence.

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I wish to associate myself with the remarks of the Senator from Texas [Mr. YARBOROUGH] with respect to Judge Medina. I think he is one of the great jurists of all time. He is a man who recognized that law is a living force and not a dead hand. I think the contribution he has made to American jurisprudence will be his great monument in the legal history of the United States.

Mr. DODD subsequently said: Mr. President, as one of the Senators who approved in committee the confirmation of Mr. Friendly as a judge of the Second Circuit Court of Appeals, I wish to say

that everything I know about Mr. Friendly indicates that he is an excellent lawyer and a man of good character. I feel he has the basic qualifications to make an able judge of the second circuit.

However, Mr. President, I think it is also necessary and proper to point out that the administration has again violated the sound career policy that should govern judicial appointments by appointing a man with no judicial experience to the second highest court in the Nation.

Many lawyers in the second circuit are disappointed because of the failure to promote Judge Irving R. Kaufman, recognized as one of the most brilliant and able members of our Federal judiciary, to the post which has been given to Mr. Friendly. Judge Kaufman is a man of such preeminent competence, character, and judicial experience that his promotion to the court of appeals is long overdue.

The latest bypassing of Judge Kaufman is a serious blow to the development of a Federal judiciary system based on merit and experience on the bench. I hope the fact that Judge Kaufman tried the Rosenberg atomic spy case has had nothing to do with the unexplainable delay in giving him a well-deserved promotion to the Second Circuit Court of Appeals.

U.S. DISTRICT JUDGE

The Chief Clerk read the nomination of Harold K. Wood to be U.S. district judge for the eastern district of Pennsylvania.

Mr. JOHNSON of Texas. Mr. President, the distinguished Senators from Pennsylvania both have talked to me about Judge Wood. They represent him as a judge of the very highest caliber. The Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT] have been very anxious to see this nomination considered.

The Judiciary Committee has one of the heaviest dockets of any committee in the Senate, but I hope that before we conclude this session it will clear its calendar completely.

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

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of William A. M. Burden to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

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

The Chief Clerk read the nomination of Henry E. Stebbins to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Nepal.

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

U.S. CIRCUIT JUDGES

The Chief Clerk read the nomination of Bailey Aldrich to be U.S. circuit judge for the first circuit.

Mr. JOHNSON of Texas. Mr. President, both Massachusetts Senators [Mr. SALTONSTALL and Mr. KENNEDY] are very much interested in having this vacancy filled. They represent that Judge Aldrich is a man of the highest qualifications. He has been unanimously reported by the Judiciary Committee after following the procedures of that committee. I hope that his nomination will be acted upon favorably.

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

The Chief Clerk read the nomination of Phillip Forman to be U.S. circuit judge for the third circuit.

Mr. JOHNSON of Texas. The very able Senators from New Jersey [Mr. CASE and Mr. WILLIAMS] have talked to me about Judge Forman. They have had a number of letters in connection with his appointment. I hope the Senate will act favorably on his nomination.

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

The Chief Clerk read the nomination of Paul C. Weick to be U.S. circuit judge for the sixth circuit.

Mr. MORSE. Mr. President, I should like to call the attention of the Senate to the fact that Paul C. Weick will be taking the bench which has been occupied with great distinction and great honor to the law by a great judge, Florence E. Allen, who is retiring.

We all recall, I am sure, when this great woman was appointed to the bench. It attracted national attention, and rightly so. The predictions at that time were that she would make a great judicial record. Such a record has been made. I thought that this word noting her record should be placed in the RECORD at the time that her successor to the bench is confirmed in the Senate today.

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

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of Fred Kunzel to be U.S. district judge for the southern district of California.

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

The Chief Clerk read the nomination of George L. Hart, Jr., to be U.S. district judge for the District of Columbia.

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

The Chief Clerk read the nomination of Anthony Julian to be U.S. district judge for the district of Massachusetts.

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

The Chief Clerk read the nomination of Lloyd F. MacMahon to be U.S. district judge for the southern district of New York.

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

The Chief Clerk read the nomination of Charles M. Metzner, to be U.S. district judge for the southern district of New York.

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

The Chief Clerk read the nomination of Joe J. Fisher, to be U.S. district judge for the eastern district of Texas.

Mr. JOHNSON of Texas. Mr. President, Judge Fisher is an elected district judge in Texas. He is a person of the finest character. He is a man of considerable experience in the law. He is a dedicated public servant. I believe him to be extremely well qualified.

Yesterday my colleague and I had an opportunity to present Judge Fisher to the Judiciary Committee, where he was examined and subsequently recommended for confirmation unanimously. He is a native of Texas. He has been county attorney, district attorney, district judge, and he is presently serving as district judge. All of the counties of his district will be in the eastern district of Texas, which he will now serve as Federal judge.

I yield to my colleague, who has known him practically all of his life.

Mr. YARBOROUGH. Mr. President, I thank the distinguished majority leader for yielding to me for a moment of comment on the nomination of Joe J. Fisher as district judge for the eastern district of Texas. The eastern district of Texas is the oldest of the four districts in my State. It is the district in which I was born and reared. Traditionally it has had a line of very distinguished and able judges, among them Gordon Russell, a relative of the distinguished Senator RICHARD RUSSELL.

Mr. Fisher served in that district as county attorney by election of the people and as district attorney for 8 years by election of the people. He is now serving a 4-year term as State district judge by election of the people, having served 3 years in that office.

Having worked for a long time with people in that district, Judge Fisher knows their problems and I am confident he will bring to the Federal bench a knowledge of the legal problems in the district which few people possess. He has had 15 years of public service in that district.

I have known him for more than 20 years. He has been a diligent and faithful public official, and I am confident he will fulfill the duties of the office of U.S. district judge with credit to himself and family, with honor to his State, and with fidelity to the great Government he serves.

Mr. MANSFIELD. Has the nomination of Judge Fisher been confirmed?

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

JUDGE OF THE DISTRICT OF GUAM

The Chief Clerk read the nomination of Eugene R. Gilmartin, to be a judge for the district court of Guam.

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

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

The Chief Clerk read sundry nominations of judges of the municipal court for the District of Columbia.

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

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

Mr. MORSE. Mr. President, I wish to take a moment to comment on these nominations. They were considered yesterday in the District of Columbia Committee, and I was privileged to recommend each one of the nominees. As a member of the District of Columbia Committee of the Senate I am somewhat familiar with the problems of our municipal court. We must keep in mind the fact that the municipal courts probably have the closest contact with the American people so far as the administration of justice is concerned, and these men who have been appointed and recommended by the District of Columbia Committee for the municipal court of the District of Columbia deserve our high commendation.

I am familiar with the work of Judge Smith and Judge Kronheim. Both of those men have already brought distinction to the bench. I am sure our former colleague in the Congress, DeWitt S. Hyde, will demonstrate our confidence in his judicial temperament and his legal ability, and will grace the bench of the District of Columbia municipal court with great distinction.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

U.S. PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations for appointment in the U.S. Public Health Service.

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

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

NOMINATIONS REPORTED FAVORABLY AND PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry nominations reported favorably and placed on the Vice President's desk.

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

The VICE PRESIDENT. Without objection, the nominations will be confirmed en bloc.

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

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the votes by which all nominations were confirmed today.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMENDATIONS OF JUDICIAL CONFIRMATIONS

Mr. JAVITS. Mr. President, I wish to make a statement about the judges of the U.S. courts in New York whose nominations have just been confirmed. It will be noted there are three on the calendar.

The nomination of Judge Friendly has been confirmed as a judge for the circuit court of appeals. The nominations of Judge Charles M. Metzner and Judge Lloyd F. MacMahon have both been confirmed for the district court.

Mr. President, New York is very proud of these nominations.

We have one additional nomination pending, that of John O. Henderson, to be district judge in the western district of New York. His nomination has received a hearing in committee, and we hope very much that his nomination may be confirmed before the end of the session.

The reason for our expression of pride in the confirmation of the nomination of these judges is that we consider these men to be truly representative of New York and to be men of outstanding distinction.

I wish to say a word first about Henry Friendly. It took a very long time to get a judge to replace the very great Judge Harold Medina, who has been properly lauded on the floor this morning.

It might interest the Senate to know I studied for the bar under Harold Medina when I first took the bar examination in New York in 1926. He was then one of the brightest legal minds it has ever been my privilege to encounter. He showed to the whole world in the Communist trials how great a judge can be in terms of serving the public interest and doing justice even in an unpopular cause, and yet seeing that the public interest prevailed.

Mr. President, in Mr. Friendly's case, he started with the greatest promise. He was, as I understand, the brightest student who ever graduated from the Harvard Law School. Throughout his professional career he has been a leader at the bar. He has made the law his life in a real sense.

Mr. President, I think the congratulations in respect to the nomination of Mr. Friendly go perhaps to those who influenced him and convinced him that he ought to be a judge, and to the President of the United States who named him, because this is, I believe, an appointment sheerly based upon the merit and the quality of the man.

I know of my own knowledge it is uniquely true in the case of Henry Friendly that the office sought the man. The President himself was tremendously impressed with his qualifications, and we have promise of a career judge of the highest order. We waited quite a long time for Mr. Friendly to be confirmed. Whatever may have been the reasons for the delay, they are now washed out by the happy event of his confirmation, and I am very happy on the part of the State of New York to congratulate him and I think really congratulate the United States on getting such a distinguished servant.

Mr. President, in the case of Charles Metzner and Lloyd MacMahon, they are younger men with whom I have had the opportunity to work in political fields as well as in communal and civic fields. Both are men of extremely high quality. Charles Metzner is one of our young, active members of the bar who is deeply concerned with the problems of New York. He has shown in his whole life, and particularly in political life, morality, dignity, skill, and integrity. I have seen Charles Metzner at first hand in these respects. We have here a young man, which is good for a bench which is as busy as that of the Southern District of New York. He will make a great judge.

In the case of Lloyd MacMahon I had a similar experience. I was closely associated with him. I worked with Lloyd MacMahon in the "Citizens for Eisenhower and NIXON," in which he was a very distinguished leader and there, too, his qualities of heart, mind, skill, and ability were borne out in his distinguished legal practice in New York. I think we will be proud of him as a judge.

He is replacing Lawrence E. Walsh, who is Deputy Attorney General of the United States and a young New Yorker of whom we are extremely proud and who is covering himself with honors in his very exacting job of assisting Attorney General Rogers in Washington. Indeed, I am happy to say a word about the talents of Lawrence Walsh today, because we sort of begin to take things for granted when a man does so many fine things in the place of his chief, as does Ed Walsh, as we call him in New York.

I think Attorney General Rogers is to be congratulated for the wisdom with which he has picked his chief assistant.

Mr. President, I wish to speak a word about William A. M. Burden, whose nomination to be Ambassador to Belgium was confirmed by the Senate today. Again, Mr. Burden is a New Yorker with whom I have a personal friendship of very long standing. He is a man who has devoted a great part of his life, as an extremely successful businessman, to the public interest. He is a man of rare tact and discretion, and who has tremendous contacts throughout the world.

Like Ambassador Zellerbach, Ambassador Whitney, Ambassador Houghton, and other distinguished leaders in industry, of whom we are so properly proud, and who have been appointed to the diplomatic corps, I believe Mr. Burden will prove to be a real boon and benefit to the United States.

I conclude by expressing again the pride of New York in this galaxy—and it is that this morning—of distinguished New Yorkers who have attained, with the gracious consent of the Senate, such very high office.

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

Mr. JAVITS. I yield.

Mr. COOPER. I wish to join in complimenting Mr. William A. M. Burden, of New York. I, too, have known him for a long time, and I agree with the statement of the Senator from New York that Mr. Burden will make a distinguished Ambassador from the United States to Belgium.

Mr. JAVITS. Mr. President, some days ago I placed in the RECORD a box score or a record showing the delay in acting on the nominations to judgeships. With this whole group of confirmations this morning, I think justice must be done where it is due. Tremendous strides are being made in coming abreast of the problems. I ask unanimous consent that revised box score, which shows a very much better record, may be printed as a part of my remarks in respect to the nominations of judges confirmed this morning.

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

Box score on judgeships

DISTRICT JUDGES

No.	Name, State and date of reference	Office	Subcommittee and date of reference	Committee action	Committee report	Confirmed
1	Henley,[1] J. Smith (Arkansas) Jan. 17, 1959.	U.S. district judge for eastern district of Arkansas.	Eastland, Johnston, and Hruska; Public hearing Aug. 26, 1959.	Aug. 31, 1959, approved.	Sept. 1, 1959.	Sept. 2, 1959.
2	Robson, Edwin A. (Illinois) Jan. 17, 1959.	U.S. district judge of the northern district of Illinois.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska. Apr. 21, public hearing (recorded).	Apr. 27, 1959, approved.	Apr. 28, 1959 (by Mr. Dirksen).	Apr. 29, 1959.
3	Hart, George L., Jr., (District of Columbia) Jan. 17, 1959.	U.S. district judge for District of Columbia.	Feb. 18, 1959, Messrs. Eastland, Johnston, and Hruska, Apr. 21, public hearing (recorded).	Sept. 8, 1959, approved.	Sept. 8, 1959.	Sept. 9, 1959.
4	Gilmartin, Eugene R. (Rhode Island), Jan. 17, 1959.	U.S. judge for the District Court of Guam.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, Aug. 19, public hearing.	do.	do.	Do.
5	Gordon, Walter A. (California), Jan. 17, 1959.	Judge of the U.S. District Court for the Virgin Islands.	Feb. 21, 1959, Messrs. O'Mahoney, Hennings, Carroll, Hruska, and Keating, public hearing scheduled Aug. 26.	Aug. 31, 1959.	Sept. 1, 1959.	Sept. 2, 1959.
6	Tucker, John G. (Texas), Feb. 12, 1959.	U.S. district judge for the eastern district of Texas.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska.			Aug. 3, 1959, nomination withdrawn by the President.
7	Crocker, Myron D. (California), Feb. 16, 1959.	U.S. district judge for the southern district of California.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, June 18, 1959, public hearing (recorded).			
8	Kunzel, Fred (California), Feb. 16, 1959.	U.S. district judge for the southern district of California.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, June 17, 1959, public hearing (recorded).	Sept. 8, 1959.	Sept. 8, 1959.	Sept. 9, 1959.
9	Kilkenny, John F. (Oregon), Feb. 19, 1959.	U.S. district judge for the district of Oregon.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, June 15, 1959, public hearing (recorded).	July 27, 1959, approved.	July 27 (by Mr. Dirksen).	July 28, 1959.
10	Julian, Anthony (Massachusetts), Feb. 26, 1959.	U.S. district judge for the district of Massachusetts.	Mar. 2, 1959, Messrs. Eastland, Johnston, and Hruska, May 4, 1959, public hearing (recorded).	Sept. 8, 1959, approved.	Sept. 8, 1959.	Sept. 9, 1959.
11	Walsh, Leonard P. (District of Columbia), Feb. 26, 1959.	U.S. district judge for the District of Columbia.	Mar. 2, 1959, Messrs. Eastland, Johnston, and Hruska, June 17, 1959, public hearing (recorded).	Sept. 2, 1959.	Sept. 2, 1959 (by Mr. Eastland).	Do.
12	Wood, Harold K. (Pennsylvania), Mar. 2, 1959.	U.S. district judge for the eastern district of Pennsylvania.	Mar. 2, 1959, Messrs. Eastland, Johnston, and Hruska, July 8, 1959, public hearing (recorded).	Sept. 7, 1959, approved.	Sept. 7, 1959.	Do.
13	MacMahon, Lloyd F. (New York), Mar. 10, 1959.	U.S. district judge for the southern district of New York.	Mar. 18, 1959, Messrs. Eastland, Johnston, and Hruska, June 24, 1959, public hearing (recorded).	Sept. 8, 1959, approved.	Sept. 8, 1959.	Do.
14	Metzner, Charles M. (New York), Apr. 15, 1959.	do.	May 5, 1959, Messrs. Eastland, Johnston, Hruska, June 16, 1959, public hearing (recorded).	do.	do.	Do.
15	Bartels, John R. (New York), Apr. 20, 1959.	U.S. district judge for the eastern district of New York.	May 5, 1959, Messrs. Eastland, Johnston, Hruska, June 4, 1959, public hearing (recorded).	July 27, 1959, approved.	July 27, 1959 (by Mr. Keating).	July 28, 1959.
16	Sweigert, William T. (California) Apr. 23, 1959.	U.S. district judge for northern district of California.	May 5, 1959, Messrs. Eastland, Johnston, Hruska, public hearing scheduled Aug. 25, 1959.			
17	Field, John A. (West Virginia), May 11, 1959.	U.S. district judge for the southern district of West Virginia.	July 29, 1959, Messrs. Eastland, Johnston, Hruska, Aug. 3, 1959, public hearing (recorded).	Aug. 10, approved.	Aug. 11, 1959 (by Mr. Eastland).	Aug. 12, 1959.
18	Powell, Charles L. (Washington), May 26, 1959.	U.S. district judge for eastern district of Washington.	June 3, 1959, Messrs. Eastland, Johnston, Hruska, June 10, 1959, public hearing (recorded).	June 15, 1959, approved.	June 15, 1959 (by Mr. Eastland).	June 16, 1959.
19	Dalton, Ted (Virginia), July 21, 1959.	U.S. district judge for western district of Virginia.	July 22, 1959, Messrs. Eastland, Johnston, Hruska, Aug. 3, 1959, public hearing (recorded).	Aug. 10, 1959.	Aug. 11, 1959 (by Mr. Eastland).	Aug. 11, 1959.
20	Weinman, Carl A. (Ohio), July 28, 1959.	U.S. district judge for southern district of Ohio.	Aug. 5, 1959, Messrs, Eastland, Johnston, Hruska, public hearing, Aug. 17, 1959.	Aug. 31, 1959, approved.	Sept. 2, 1959.	Sept. 2, 1959.
21	Butler, Algernon L. (North Carolina), July 28, 1959.	U.S. district judge for eastern district of North Carolina.	Aug. 11, Eastland, Johnston, Hruska; public hearing Aug. 11, 1959.	Aug. 26, 1959.	Aug. 27, 1959, Mr. Johnston.	Aug. 28, 1959.
22	Paul, Charles F. (West Virginia), Aug 3, 1959.	U.S. district judge for northern district of West Virginia.	Aug. 5, 1959, Messrs. Eastland, Johnston, Hruska.			
23	Young, Gordon E. (Arkansas), Aug. 18, 1959.	U.S. district judge for eastern district of Arkansas.	Sept. 18, 1959, McClellan, Ervin, Hruska; public hearing Aug. 26, 1959.	Aug. 31, 1959.	Sept. 2, 1959.	Sept. 2, 1959.
24	Kalbfleish, Gerald E. (Ohio), Aug. 21, 1959.	U.S. district judge for northern district of Ohio.	Eastland, Johnston, Hruska; public hearings Sept. 9, 1959.			
25	Henderson, John O. (New York), Aug. 21, 1959.	U.S. district judge for western district of New York.	Aug. 3, 1959, Eastland, Johnston, Hruska, public hearings Sept. 8, 1959.			
26	Timbers, William H. (Connecticut), Aug. 27, 1959.	U.S. district judge for district of Connecticut.				
27	Fisher, Joe (Texas), Sept. 7, 1959.	U.S. district judge for the eastern district of Texas.		Sept. 8, 1959, approved.	Sept. 8, 1959, reported.	Sept. 9, 1959.

[1] Renominated Aug. 18 for eastern and western districts.

Box score on judgeships—Continued

CIRCUIT JUDGES

No.	Name, State and date of reference	Office	Subcommittee and date of reference	Committee action	Committee report	Confirmed
1	Boremen, Herbert S. (West Virginia), Jan. 20, 1959.	U.S. circuit judge, 4th circuit.	Feb. 21, 1959, Eastland, Johnston, Hruska, June 10, public hearing (recorded).	June 15, 1959, approved.	June 15, 1959 (by Mr. Eastland).	June 16, 1959.
2	Forman, Philip (New Jersey).	U.S. circuit judge for 3d circuit.	Feb. 21, 1959, Eastland, Johnston, Hruska, June 18, 1959, public hearing (recorded).	Sept. 8, 1959, approved.	Sept. 8, 1959	Sept. 9, 1959.
3	Cecil, Lester L. (Ohio), Feb. 17, 1959.	U.S. circuit judge for the 6th circuit.	Feb. 21, 1959, Eastland, Johnston, Hruska, Apr. 28, 1959, public hearing (recorded).	July 13, 1959, approved.	July 13, 1959 (by Mr. Eastland).	July 15, 1959.
4	Aldrich, Bailey (Massachusetts), Feb. 26, 1959.	U.S. circuit judge for 1st circuit.	Mar. 2, 1959, Eastland, Johnston, Hruska, May 4, 1959, public hearing (recorded).	Sept. 8, 1959, approved.	Sept. 8, 1959	Sept. 9, 1959.
5	Castle, Latham (Illinois), Feb. 26, 1959.	U.S. circuit judge for 7th circuit.	Mar. 2, 1959, Eastland, Johnston, Hruska, Apr. 21, 1959, public hearing (recorded).	Apr. 27, 1959, approved.	Apr. 28, 1959 (by Mr. Dirksen).	Apr. 29, 1959.
6	Friendly, Henry J. (New York), Mar. 10, 1959.	U.S. circuit judge for 2d circuit.	Mar. 11, 1959, Dodd, Hennings, Dirksen. Public hearing scheduled Aug. 25.	Sept. 7, 1959, approved.	Sept. 7, 1959	Sept. 9, 1959.
7	Weick, Paul C. (Ohio), Aug. 5, 1959.	U.S. circuit judge for 6th circuit.	Aug. 20, 1959, Eastland, Hruska, Johnston, hearings Aug. 27, 1959.	Sept. 8, 1959, approved.	Sept. 8, 1959	Do.
8	Blackmun, H. A. (Minnesota), Aug. 18, 1959.	U.S. circuit judge for 8th circuit.				
9	Smith, Joseph J. (Connecticut), Aug. 27, 1959.	U.S. circuit judge for 2d circuit.				
10	Merill, Charles (Nevada)	U.S. circuit judge for 9th circuit.	Aug. 31, 1959, Eastland, Johnston, Hruska; public hearings, Sept. 8, 1959.			

Mr. KUCHEL. Mr. President, in the confirmation of the nomination of the Honorable Fred Kunzel, of California, to be U.S. district judge for the southern district of California, there has been added to the Federal judiciary a distinguished lawyer whose entire lifetime has prepared him for honorable judicial service. Fred Kunzel is an able member of the California bar and of the American bar. He is a family man, respected as a lawyer and as a fellow citizen in the city which he lives.

Fred Kunzel served his country as a member of the Armed Forces in World War I and again in World War II. I am very glad to see the action which the Senate has taken in the confirmation of his nomination which was sent to us by the President of the United States.

Mr. YARBOROUGH. Mr. President, I think I would be remiss if I allowed the occasion of the confirmation of the nomination of Joe J. Fisher, of Texas, to be U.S. district judge for the eastern district of Texas to pass without commenting briefly upon the able judge whom he succeeded, Lamar Cecil.

Lamar Cecil was a classmate of mine at the University of Texas. We were not on the same side of the political fence, so I can judge him with unprejudiced eyes. He was one of the finest, most impartial, most dispassionate judges the eastern district of Texas has ever seen, and the district has traditionally had able judges.

The district judges who preceded him included Gordon Russell, a close relative of the distinguished senior Senator from Georgia [Mr. RICHARD RUSSELL].

We have had serve that district, due to the early date at which it was settled, a long line of people of great distinction in our State. Lamar Cecil was second to none in the ability which he brought to the bench and in the fine judicial impartiality he displayed there.

If the newly confirmed judge, Joe Fisher, can hold up the standards set by Lamar Cecil, the people and the Government will be well served in that area.

LEGISLATIVE SESSION

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

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED APPROPRIATION, FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION (S. Doc. No. 55)

A communication from the President of the United States, transmitting a proposed appropriation for the fiscal year 1960, in the amount of $150,000, for the Franklin Delano Roosevelt Memorial Commission (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PROPOSED PROVISIONS PERTAINING TO FISCAL YEAR 1960, DEPARTMENT OF COMMERCE (S. Doc. No. 54)

A communication from the President of the United States, transmitting, for the consideration of the Congress, proposed provisions pertaining to the fiscal year 1960, for the Department of Commerce (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, RELATING TO USE OF CERTAIN PROPERTY BY STATE DISTRIBUTION AGENCIES

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the use of surplus personal property by State distribution agencies, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (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.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution of the Legislature of the territory of Guam; to the Committee on Interior and Insular Affairs:

CERTIFICATION OF ADOPTION OF A RESOLUTION

This is to certify that Resolution 123, "relative to expressing the heartfelt and sincere appreciation of the people of Guam to

the Honorable JAMES E. MURRAY, chairman of the Senate Committee on Interior and Insular Affairs, for his excellent grasp of the problems of the territory of Guam, and for his willingness to assist the people of Guam," was on the 22d day of June 1959, duly and regularly adopted.

A. B. WON PAT,
Speaker.

Attested:

V. B. BAMBA,
Legislative Secretary.

RESOLUTION 123

Resolution relative to expressing the heartfelt and sincere appreciation of the people of Guam to the Honorable JAMES E. MURRAY, chairman of the Senate Committee on Interior and Insular Affairs, for his excellent grasp of the problems of the territory of Guam, and for his willingness to assist the people of Guam

Whereas the Honorable JAMES E. MURRAY, chairman of Interior and Insular Affairs Committee of the United States Senate, has always been willing, courteous, and sympathetic to the problems of the territory of Guam; and

Whereas the honorable Senator has always been courteously receiving and otherwise lending a sympathic ear to the problems of Guam, by arranging conferences and appointments for the Honorable A. B. Won Pat, speaker of the Fifth Guam Legislature; and

Whereas during the recent trip of the Speaker, A. B. Won Pat, to Washington, the honorable Senator was especially kind, and courteous, and as well sponsored or authored legislation beneficial to the territory of Guam, including; particularly, the introduction of a bill to provide the territory of Guam with a resident commissioner to the United States Congress, and did also look into the matter of the dual wage system as practiced by the United States Navy here on Guam and other matters of concern to the territory; and

Whereas the people of Guam are cognizant to the various matters aforesaid, all of which are beneficial to the territory of Guam: Now, therefore, be it

Resolved, That the Fifth Guam Legislature does hereby on behalf of the people of Guam express its heartfelt and sincere appreciation and gratitude to the Honorable JAMES E. MURRAY for his many and varied assistance in introducing legislation and other matters beneficial to the territory of Guam; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable JAMES E. MURRAY, Senator from Montana, chairman of the Senate Committee on Interior and Insular Affairs; to the Presiding Officer of the United States Senate, and to the Governor of Guam.

A. B. WON PAT,
Speaker.
V. B. BAMBA,
Legislative Secretary.

INCREASED PENSION FOR HOLDERS OF CONGRESSIONAL MEDAL OF HONOR—LETTER

Mr. HUMPHREY. Mr. President, on July 22 of this year I introduced the bill, (S. 2422) to increase from $10 a month to $100 a month the pension payable to holders of the Congressional Medal of Honor. My bill would also have permitted payment of such pension to any recipient of this distinguished award, regardless of his age.

As my colleagues know, under the present law no one may receive the $10 per month special pension unless they are 65 years of age or over.

I recently received a letter in support of my bill. It was a most unusual letter in that it was signed by seven recipients of the Congressional Medal of Honor.

These courageous patriots in their letter to me pointed out that they are frequently invited to speak at various patriotic functions throughout the country, and that such requests are indeed a heavy financial burden for them to bear. Frequently these gentlemen have found it necessary to decline the invitations, despite the fact that they would be more than happy to attend if it were possible for them to do so financially.

Needless to say, if these Congressional Medal of Honor winners were to receive a special monthly pension of $100 a month, it would be of great help for them to appear at various functions of veterans groups and other organizations.

I ask unanimous consent, Mr. President, that this letter be printed in the RECORD, and be referred to the Committee on Finance which has my bill before it for consideration.

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

AUGUST 11, 1959.

Hon. HUBERT E. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: The undersigned, all of whom are recipients of the Congressional Medal of Honor, offer you their sincere thanks, for introducing S. 2422: "Increased rate of special pension for holders of the Medal of Honor award."

Your address concerning the merits of the bill, will, we know, be very deeply appreciated by all who will benefit by the legislation.

As you so ably pointed out, "there can be no price tag on valor." As we understand your presentation of the case, your bill recognizes extraordinary services in action but is not to be construed as compensation for courage. That is the way it should be.

May we respectfully call to your attention, that it is our honest belief that no recipient of the medal considers himself a hero. Rather, we believe that God was especially good to us in that he endowed us with a little extra something, when we needed it most. It is our sincere belief that those who made the supreme sacrifice, in action, against an enemy of the United States of America, are the only servicemen entitled to the citation, "Above and beyond the call of duty."

Therefore, we believe we have these obligations to our sacred dead: To be of service to our beloved country, without qualification, at all times; to be constantly on the alert for any acts of subversiveness and to support all those who fight it; to promote and teach Americanism whenever we have the opportunity of doing so.

To this end, your bill if enacted, would be invaluable to us, in that it would supply the means for us to carry out our beliefs as set forth in the preceding paragraph.

As it is now, Congressional Medal of Honor recipients are constantly invited to attend and speak at patriotic functions in all parts of the country. It follows, that because of distances and lack of finances, we are forced to decline. As a result, two things happen: One, we are deprived of the opportunity of helping to bolster an important patriotic rally. Two, the impression is immediately created that we are indifferent, or worse, that we are playing hard to get. Whereas the truth is we are always anxious to cooperate in any such endeavor. Strangely enough, the vast majority of our citizens are under the impression that our Government has awarded us anywhere between $150 and $250 per month. They naturally think that under the circumstance, we should accept any invitation extended to us.

A bill, similar to yours, has been introduced in the Senate several times in the past few years, after having passed the House unanimously. Unfortunately, they died in the Finance Committee, without the full membership of the Senate body being given the opportunity to vote on the proposed legislation. We have full confidence Senator, that you will see to it that your bill does not meet the same fate.

Again thanking you for your kind and sincere efforts in our behalf, we are

Respectfully yours,

Stephen R. Gregg, Bayonne, N.J.; Thomas J. Kelly, New York, N.Y.; John W. Meagher, Jersey City, N.J.; Richard W. O'Neill, Bronxville, N.Y.; Nicholas Oresko, Tenafly, N.J.; Charles W. Shea, Plainview, Long Island, N.Y.; Charles A. MacGillivary, Braintree, Mass.

Mr. HUMPHREY. I am hopeful, Mr. President, that the Committee on Finance will give very careful consideration to this measure. The cost involved is nominal. There are 314 persons living today who have been awarded the Congressional Medal of Honor. It is estimated that the first year's cost under my bill would be approximately $376,000.

I was disappointed, although not greatly surprised, that the Bureau of the Budget has objected to this bill. I have come to expect such action from the Bureau of the Budget. I am confident, however, that the eloquent letter to which I have referred will be more than ample rebuttal to the opposition of the administration.

RESOLUTION OF VETERANS OF FOREIGN WARS COMMENDING SENATORS CANNON AND KEATING

Mr. BIBLE. Mr. President, at the 60th national convention of the Veterans of Foreign Wars of the United States a number of resolutions were adopted. Among the resolutions adopted was Resolution No. 243, commending my able and distinguished junior colleague from Nevada [Mr. CANNON] and the able and distinguished Senator from New York [Mr. KEATING] for their fine work in serving as a special subcommittee of the Senate Committee on Rules and Administration to consider the need for a standing Senate committee on veterans' affairs. I ask unanimous consent that this resolution be printed in the RECORD at this point as a part of my remarks.

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

RESOLUTION 243

Resolution Commending Senator HOWARD CANNON, of Nevada, and Senator KENNETH KEATING, of New York

Whereas Senator HOWARD CANNON, of Nevada, and Senator KENNETH KEATING, of New York, were appointed as a special subcommittee of the Senate Committee on Rules and Administration to consider the question and need for a standing Senate Committee on Veterans' Affairs; and

Whereas this special Senate subcommittee, after exhaustive hearings and investigation, favorably recommended to the full Senate Committee on Rules and Administration the creation of a nine-member standing Senate Committee on Veterans' Affairs; and

Whereas the creation of a Senate Veterans Affairs Committee has been a major objective in the legislative program of the Veterans of Foreign Wars for many years: Now, therefore, be it

Resolved by the 60th National Convention of the Veterans of Foreign Wars of the United States, That we commend and thank Senator HOWARD CANNON, of Nevada, and Senator KENNETH KEATING, of New York, for devotion to their assignment as a special Senate subcommittee, and their favorable recommendation which was made on the true findings of the hearings, without prejudice or favor.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes (Rept. No. 982); and

H.R. 5733. An act for the relief of Park National Bank (Rept. No. 983).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

H.R. 8911. An act to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes (Rept. No. 984).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with an amendment:

S. 2231. A bill to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended (Rept. No. 990).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

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 (Rept. No. 985);

H.R. 3792. An act 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 (Rept. No. 986);

H.R. 5004. An act 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 (Rept. No. 987);

H.R. 5431. An act to provide a further increase in the retired pay of certain members of the former Lighthouse Service (Rept. No. 988);

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman (Rept. No. 989); and

S. Con. Res. 75. Concurrent resolution favoring active participation by Federal agencies in the Fifth International Congress of High-Speed Photography to be held in Washington, D.C., in 1960.

BILLS INTRODUCED

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

By Mr. BIBLE (for himself and Mr. CANNON):

S. 2664. A bill to establish the Great Basin National Park, in Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. HUMPHREY:

S. 2665. A bill to establish a people's program for peace, to provide for investments in peace through the United Nations, to permit deductions from personal income taxes for payments made thereto, and for other purposes; to the Committee on Foreign Relations.

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

By Mr. KEATING:

S. 2666. A bill for the relief of Cloe Magnoni (Cloe Elmo) and Giovanni Magnoni; to the Committee on the Judiciary.

By Mr. FONG (for himself and Mr. LONG of Hawaii):

S. 2667. A bill to amend the Agricultural Act of 1949, as amended, in order to provide a price support program for coffee produced in the State of Hawaii; and

S. 2668. A bill to provide a price support program for coffee produced in the State of Hawaii based upon a moving 5-year average of the prices received by the producers of such coffee; to the Committee on Agriculture and Forestry.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 2669. A bill to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska; to the Committee on Interstate and Foreign Commerce.

By Mr. DODD:

S. 2670. A bill for the relief of Jamil and Anwer Abdullah; to the Committee on the Judiciary.

By Mr. COOPER:

S. 2671. A bill to exempt from taxation certain property of the American War Mothers, Inc.; to the Committee on the District of Columbia.

S. 2672. A bill to amend the definition of the term "child" as defined in title 38 of the United States Code so as to include in such definition a child who, after attaining age 18 and while a member of the veterans' household, became permanently incapable of self-support; to the Committee on Finance.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946, RELATIVE TO MEETINGS AND ADJOURNMENTS OF CONGRESS

Mrs. SMITH submitted the following concurrent resolution (S. Con. Res. 77); which was referred to the Committee on Rules and Administration as follows:

Resolved by the Senate (the House of Representatives concurring), That section 132 of the Legislative Reorganization Act of 1946 is amended to read as follows:

"SEC. 132. (a) Effective with the second session of the Eighty-sixth Congress, in each even-numbered year in which the two Houses have not adjourned sine die by August 15, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 15 in that year, or the following Monday if November 15 falls on Saturday or Sunday; and in each odd-numbered year in which the two Houses have not adjourned sine die by August 1, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 1 in that year, or the following Monday if November 1 falls on Saturday or Sunday.

(b) The consent of the respective Houses is hereby given to an adjournment of the other for the period specified in the first section of this resolution."

GREAT BASIN NATIONAL PARK, NEV.

Mr. BIBLE. Mr. President, on behalf of my colleague the distinguished junior Senator from Nevada [Mr. CANNON] and myself, I introduce, for appropriate reference, a bill providing for the establishment of the Great Basin National Park in White Pine County in eastern Nevada.

Last year I introduced proposed legislation providing for a survey to be made to determine the region's feasibility as a national park. As a result of the survey, the Advisory Board on National Parks recommended to the Secretary of Interior that this area, known locally as the Wheeler Peak-Lehman Caves region, be included in the national parks system.

Mr. President, the interest and enthusiasm generated by the prospect of having this region designated as a national park, are by no means confined to my native State. Nature lovers and outdoor enthusiasts from many sections of the country have evinced more than passing interest in this proposal. On the home front, prominent Nevadans, including two former Governors, have joined in forming the Nevada Foundation for a National Park, and are vitally concerned with the passage of this legislation.

This scenic wonderland covers approximately 147,000 acres of the Snake Range and extends from the sagebrush desert up through the various life zones, and includes a small but active glacier on Wheeler Peak, 13,063 feet above sea level.

The favorable recommendation from the Advisory Board on National Parks followed an extensive study made by Dr. Adolph Murie, an internationally known naturalist. Dr. Murie established the following three reasons why this Nevada area is suitable for a national park:

First. The spectacular view of mountain ranges and valleys across the central Great Basin, combined with natural park areas of forests, streams and lakes appropriate for camping, picnicking, hiking and exploration of nature, are in themselves of national park caliber.

Second. The area includes half a dozen splendid stands of bristlecone pines, believed to be the oldest living things on earth.

Third. The Wheeler area is the superb example of Great Basin country, illustrating well the geological process of basin-and-range formation, having good examples of various types of rock and geologic structure and illustrating the representative Great Basin vegetation and wildlife.

After concluding his ecological study, Dr. Murie commented that it would be

a crying shame if this area were not set aside with full national park status for the enjoyment and inspiration of the people of the United States.

As any of my illustrious colleagues who have national parks within their States well know, the scenic and scientific attractions are a steady magnet for visitors from other States. To the uninitiated, Nevada is sometimes pictured as a barren and desolate wasteland, a slander that this beautiful national park would effectively destroy.

Mr. President, I have high hopes that the Secretary of Interior will add his recommendation to that of the Advisory Board on National Parks. I am equally confident that Congress will look with favor upon this great region and properly elevate it to the status of a National Park, to take its rightful place alongside similar beauty spots in this wonderful land of America.

In conclusion, Mr. President, I would like to have printed in the RECORD, following my remarks, an article by Darwin Lambert, editor of the Ely (Nev.) Daily Times. Mr. Lambert, who has been the moving spirit in the creation of this park, is an acknowledged authority on the region. His article, which appeared in the Nevada State Journal, in Reno, on May 10, 1959, follows.

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

The bill (S. 2664) to establish the Great Basin National Park, in Nevada, and for other purposes, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The article presented by Mr. BIBLE is as follows:

WHEELER PEAK PARK ENDORSED

(By Darwin Lambert)

Establishment of Great Basin National Park in the Wheeler Peak-Lehman Caves area of eastern Nevada is now within reach as a result of endorsement by the Advisory Board on National Parks in session at Shenandoah National Park, Va., on April 28.

The Board considered the geological and ecological aspects of a 150,000-acre "sky island" in the heart of the Great Basin Desert of "national significance," making it suitable for preservation under the National Park Service. This superb scenic land, extending from shadscale and sagebrush desert up through the various life zones to a high alpine zone typical of the far north, was recommended to the Secretary of the Interior as representative of the many Great Basin mountain ranges, hence needed to represent this strange geographic province in the park system.

The report on which the decision was based, compiled by the regional office of the National Park Service in San Francisco through field studies and research during the last 6 months, speaks eloquently of majestic and extraordinary scenery and numerous special features. The area includes a small but active desert-bound glacier in the deep cirque of Wheeler Peak (13,063 feet above sea level), of timberline forests of immense bristlecone pines (the species recently found to include the oldest living things on earth, older even than the giant sequoias), of a limestone arch big enough to cover a six-story building.

The idea of a real national park in this remote territory, least populous of any place in the United States outside of Alaska, made up of features not known to any but a few rugged adventurers until 3 years ago, was considered when first put forward an impossible dream.

Just how does this "sky island" in the desert aspire to full national park status? Fred Packard, former executive secretary of the National Park Association, after exploring the area for 2 days, put it this way: "The Wheeler area has a greater variety of outstanding scenery than any existing national park."

Naturalists and other park authorities who have had more time for observations and research go into more detail. The Wheeler sky-country and adjacent desert, they say, add up to the superb example of the high Great Basin land, illustrating majestically the geologic process of basin-and-range formation and showing remarkable combinations of Great Basin vegetation and wildlife. In a distance of only 5 miles on some parts of the steep slope, it is possible to go from shadscale desert, through the pinon-juniper belt, the aspen-yellow pine belt, the spruce-fir country, and the ancient bristlecones of timberline to vast alpine expanses on the rocky peaks and ridges.

From Wheeler Park itself, good binoculars or a telescope reach to the Sierra Nevada mountains in one direction and the Wasatch range of Utah in the other, across the innumerable alternating ranges and valley basins from which no rivers reach the sea.

The half dozen weird and ancient forests of bristlecone pines are given by some authorities as reason enough in themselves for national park status. Not yet adequately explored, these high forests have already disclosed gnarled monsters up to 35 feet in trunk circumference, along with young and healthy trees which demonstrate that the species, in danger of dying out in parts of the bristlecone habitat elsewhere, will survive here.

Finally, those who know the area well, describe it as outstandingly scenic—in places, out of this world. Along with the scientific reasons for national park status, there are the spectacular views of pinnacles and crags, extensive evergreen forests accented by aspens, vistas of vast arid valleys, and ideal hiking and horseback riding country of meadows, lakes, streams, deep canyons surrounded by cliffs—all arranged in such a way as to make interpretation by the naturalist division of the Park Service both easy and impressive to large numbers of park visitors.

Great Basin National Park Association, with headquarters in Ely, Nev., has members now in more than a dozen States. Relatively little opposition has appeared to the park proposal, but since a national park can only be created by act of Congress, there is need for all possible support from individuals and groups in order to make the once impossible dream come true.

A Forest Service plan involving the letting out of sites for summer homes and commercial developments around the fringes of a central scenic area, well within the proposed national park, has been suspended temporarily pending outcome of the park proposal. But there is a real upsurge of interest in taking up land for private ownership in the vicinity, and action to save this remarkable wild country for the enjoyment and inspiration of the people for all time should now be taken promptly, while the situation is favorable.

Mr. BIBLE. Mr. President, I yield to my colleague the junior Senator from Nevada [Mr. CANNON].

Mr. CANNON. Mr. President, I wish to join my good friend and colleague, the distinguished senior Senator from Nevada [Mr. BIBLE] in his introductory remarks on a bill to establish a national park in Nevada's White Pine County.

As he has stated, the Advisory Board on National Parks has recommended that the Wheeler Peak-Lehman Caves area be designated as the Nation's 31st national park. They concluded that:

> The proposed area contains on assemblage of resources which in total, warrant addition as a unit to the national park system.

Although perhaps little known, the proposed site is outstanding in scenery, vegetation, and geology. Wheeler Peak, with an elevation of 13,063 feet, is the second highest mountain in the State, and is the culminating point of the Giant Snake range.

At the east base of Wheeler Peak, is the Lehman Caves National Monument, a 1-square-mile area preserving exceptional limestone caverns. High on the north side of Wheeler Peak is the Matthes Glacier, the only known body of moving ice in the entire great basin region.

The area also includes towering rock formations, natural arches, and groves of huge twisted bristlecone pine, oldest trees in the world. There are also several jewel-like lakes in the area, including the scenic Stella Lake.

All these outstanding features combine to make the area suitable for designation as a national park. As such, it could serve our citizens as a site for nature study and appreciation, hiking, horseback riding, boating, picnicking, overnight camping, and for general sightseeing.

I would like to assure those who hold bona fide interests in the area that those interests will be given full consideration.

I have joined with my colleague in introducing this proposed legislation in order that Congress may make possible the preservation for future generations of these impressive attractions. Thank you, Mr. President.

PEOPLE'S PROGRAM FOR PEACE

Mr. HUMPHREY. Mr. President, I am today introducing for appropriate reference a bill which will allow taxpayers to claim tax credits amounting to no more than 2 percent of their Federal income tax for contributions made to a special fund for United Nations Investments in Peace, which would support programs of technical assistance and economic development. This bill is identical to S. 4181, which I introduced in the 85th Congress.

I have long been advocating an increase in economic and technical assistance to those nations needing it, under the auspices and directions of the United Nations. I have also urged incentives to encourage channeling of more of our private capital into such investments for peace. Clearly, it is to the advantage of our private industries to do so. With the current economic interdependence of the nations of the world, it is obvious that a strong world economy is of tremendous importance in strengthening and bolstering our own.

Under the terms of the bill, contributions to this fund shall be made not by the various governments, but rather by the people themselves. It is my hope

that if such a fund is established, freedom-loving people throughout the world will make contributions and in so doing aid in promoting a person-to-person participation in international economic development.

As spelled out in section 3(a) this fund for United Nations investments in peace would be used solely "for the support, by way of loans, grants, or direct expenditures, either directly through the United Nations or through any of its specialized agencies of projects which would increase the food supply, health, educational, and technical skills, and the general social and economic welfare of those nations which need such assistance including the cultural exchange of persons, supplementing and supporting to the maximum extent possible the United Nations expanded programs of technical assistance and the activities carried out under the Special United Nations Fund for Economic Development."

To encourage maximum contributions to the fund on the part of our own citizens, this bill provides an income tax credit. It is estimated that, if everyone contributed, $700 million would be collected in the United States alone.

Mr. President, I strongly urge passage of this bill as an important, positive step in the direction of world peace and prosperity.

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

The bill (S. 2665) to establish a people's program for peace, to provide for investments in peace through the United Nations, to permit deductions from personal income taxes for payments made thereto, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Foreign Relations.

AMENDMENT OF ACT OF JULY 17, 1952—AMENDMENTS

Mr. COTTON submitted amendments, intended to be proposed by him, to the bill (S. 2282) to amend the act of July 17, 1952, which were ordered to lie on the table and be printed.

AUTHORIZATION FOR SECRETARY OF THE ARMY TO LEASE A PORTION OF TWIN CITIES ARSENAL, MINN.—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him to the bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota, which were ordered to lie on the table and be printed.

AUTHORIZATION FOR SECRETARY OF THE ARMY TO LEASE A PORTION OF FORT CROWDER, MO.—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him, to the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, which were ordered to lie on the table and be printed.

DESIRABILITY OF HOLDING AN INTERNATIONAL EXPOSITION IN THE UNITED STATES—AMENDMENT

Mr. JAVITS (for himself and Mr. KEATING) submitted an amendment, intended to be proposed by them, jointly, to the resolution (S. Res. 169) concerning the desirability of holding an international exposition in the United States, which was ordered to lie on the table and to be printed.

AMENDMENT OF SECTION 8(B)(4) OF NATIONAL LABOR RELATIONS ACT — ADDITIONAL COSPONSORS OF BILL

Under authority of the order of September 3, 1959, the names of Senators YOUNG of Ohio, CARROLL, DOUGLAS, ENGLE, MCCARTHY, and PROUTY were added as additional cosponsors of the bill (S. 2643) to amend section 8(b)(4) of the National Labor Relations Act, as amended, introduced by Mr. KENNEDY (for himself, Mr. KUCHEL, and Mr. MCNAMARA) on September 3, 1959.

PRINTING OF SUPPLEMENTARY OR MINORITY VIEWS ON REPORTS OF SMALL BUSINESS COMMITTEE SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. SPARKMAN. Mr. President, the Senate Small Business Committee has received permission from the Senate to file four reports during the sine die adjournment of the first session of this Congress. Two other such requests will be made in the next day or so. I ask unanimous consent that any supplementary or minority views attached to any of these six reports may also be received and printed.

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

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

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

By Mr. JOHNSON of Texas:

Letters by him addressed to Senator MURRAY, chairman, Committee on Interior and Insular Affairs, and Hon. Fred A. Seaton, Secretary of the Interior, with respect to Padre Island, Tex.

PRIVILEGE OF THE FLOOR TO MEMBERS OF STAFF OF COMMITTEE ON BANKING AND CURRENCY

Mr. FREAR. Mr. President, I ask unanimous consent that additional members of the staff of the Committee on Banking and Currency be permitted to have the privilege of the floor today during the debate on S. 2654, the housing bill.

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

AMENDMENT OF FOREIGN SERVICE ACT OF 1946

Mr. MANSFIELD. Mr. President, after consultation with the majority and minority leaderships, the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], and due to the fact that the bill would not be considered on the call of the calendar, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 907, S. 2633.

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

The LEGISLATIVE CLERK. A bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes.

Mr. MORSE. Mr. President, reserving the right to object, I wonder if the Senator from Montana will take a minute to tell us the purpose of the bill. Then I will be in a position to make my decision.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Committee on Foreign Relations, and the Senator primarily responsible for this much-needed legislation for that purpose. The bill was reported by that committee unanimously.

Mr. FULBRIGHT. Mr. President, S. 2633 would make numerous changes in the administration of the Foreign Service of the United States and the Department of State. With a few exceptions, the bill consists of amendments to the Foreign Service Act of 1946, as amended. Although many of the amendments are largely of a technical nature, there are also some substantive amendments; but a great many of them are technical.

A new class structure for Foreign Service staff officers and employees is provided. The Foreign Service retirement and disability system is liberalized in conformity with certain principles already in effect with respect to the civil service retirement system. Improvements are made in the legislation pertaining to the recruitment and training of Foreign Service officers. Functional and geographic area specialization by such officers is encouraged. An increase of $100 million, $50 million of which is in foreign currencies, in the authorization of appropriations for the Foreign Service buildings fund, largely for office space for U.S. missions overseas, is approved.

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

Mr. FULBRIGHT. I yield.

Mr. MORSE. The comments of the Senator from Arkansas refresh my memory of the bill. I have no objection to its being considered, but I hope the Senator from Arkansas and the Senator from Montana will make a full statement in regard to its purport, because I think it is important that a legislative history

be made on the floor of the Senate with respect to the bill. It is my opinion that the bill is of a nature which will involve a considerable amount of administrative interpretation, and I think the Senator from Arkansas and the Senator from Montana are best qualified to make the legislative history. I hope they will take a few minutes to explain the bill.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. The bill provides for the first substantial changes in the Foreign Service Act of 1946 since the amendments of 1956 were enacted. It will be recalled that the amendments of 1956 added two classes to the Foreign Service officer schedule, raised a numerical ceiling on lateral entry into the Foreign Service officer category, increased from 30 to 35 the number of years of service credit for computing retirement benefits for Foreign Service officers, broadened the authority to operate commissaries and mess services, increased medical benefits, and authorized the establishment of recreational facilities overseas.

Mr. President, I ask unanimous consent that various aspects relating to committee action be printed at this point in the RECORD.

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

COMMITTEE ACTION

With a few exceptions, all of the provisions of S. 2633 are taken from the following bills:

1. S. 443, Mr. GREEN (by request), January 17, 1959, to amend the Foreign Service Act of 1946, as amended, and for other purposes.

2. S. 1243, Mr. SALTONSTALL (for himself and Mr. MANSFIELD), March 2, 1959, to amend the Foreign Service Act of 1946, as amended, to establish standards of foreign language proficiency for the Foreign Service of the United States, and for other purposes. S. 1243 is the same as S. 3552 of the 85th Congress (SALTONSTALL) on which the Committee on Foreign Relations held an executive hearing on May 27, 1958.

3. S. 2232, Mr. FULBRIGHT (by request), February 16, 1959, to repeal section 12 of the act of June 26, 1884, prohibiting a charge or collection of fees by consular officers for official services to American vessels and seamen, and to repeal the provision in the act of June 4, 1920, authorizing the free issuance of passports to seamen.

4. S. 2233, Mr. FULBRIGHT (by request), June 23, 1959, to amend the Foreign Service Act of 1946, as amended.

5. S. 1044, Mr. FULBRIGHT (by request), February 16, 1959, to amend the Foreign Service Buildings Act of 1926, as amended.

A public hearing on S. 1243 was held on April 16, 1959, and public hearings on the remaining bills were held on July 6 and 15, 1959. The committee marked up the bills on August 27 and 28 and on the latter day ordered favorably reported an original bill combining the five bills.

MAIN PROVISIONS OF THE BILL

A good many provisions of the bill are of a minor technical, clarifying, or perfecting nature. The other provisions make important changes or innovations in the law pertaining to the Foreign Service and the Department of State. These provisions are summarized, explained, and justified below. References to the "act" in the discussion below mean the Foreign Service Act of 1946, as amended.

1. Section 2—New class structure for Foreign Service staff personnel: Section 2 of the bill would revise section 415 of the act so as to reduce the number of classes of Foreign Service staff personnel from 22 classes to 10 classes. This change in class structure complements the change in the structure of the Foreign Service officer category which was made in 1956. Classes 15 through 22 under the old staff structure have not been used for some time. A smaller number of classes has proved to be adequate in differentiating the duties and responsibilities of typical jobs carried out by staff personnel overseas. These jobs are primarily in the secretarial, technical, and custodial categories.

The salaries of the top three classes in the new staff schedule are the same as the salaries of classes 3, 4, and 5, respectively, of the Foreign Service officer salary schedule. Information as to the cost and numbers of Foreign Service staff personnel involved in this change is shown below in connection with the discussion of the temporary provisions providing for the conversion of staff employees from the old class structure to the new structure (sec. 51).

2. Section 2—Employment of staff personnel overseas at less than the rates prescribed for Foreign Service staff officers and employees: Section 2 of the bill would also add a new subsection (b) to section 415 of the act which would authorize the Secretary of State administratively to prescribe salaries less than those given in the statutory schedule for Foreign Service staff employees in those cases abroad where it is desirable to employ U.S. citizens locally in a foreign country who are not available or are not qualified for transfer to other posts.

Two examples may illustrate the occasion for the use of this proposed new authority. There are cases where a person living in a foreign country may possess U.S. citizenship, for instance by reason of having been born in the United States during a visit of his parents here, and yet he may in all other respects be a typical native of the foreign country. The U.S. mission may wish to employ such a person in a minor capacity and would not wish to pay him higher than the prevailing local rates for the kind of work involved merely because he happened technically to be an American citizen and entitled as such to the statutory Foreign Service staff salary. A second example concerns the frequent instance when a U.S. mission wishes to hire the wife, for instance, of a resident U.S. businessman to do clerical work in the mission. Such persons may be very useful to the mission yet would not be available for entrance into the regular Foreign Service staff category and subject to transfer from post to post. In using the proposed new authority in this latter category of cases the committee cautions against abuse of the authority by paying Americans, who would merit a salary at or near the statutory schedule of a regular Foreign Service staff officer, at unreasonable rates below the statutory schedule.

3. Section 6—Classification of Foreign Service officer positions in the Department of State: Section 6 of the bill amends section 441 of the act relating to the classification of positions. The existing position classification distinction between the categories of Foreign Service officer and Foreign Service staff officer is removed. Secondly, the Secretary is authorized to classify positions in the Department in accordance with Foreign Service standards without regard to the Classification Act of 1949, as amended. Up to the present time the Secretary has been designating certain positions in the Department as Foreign Service positions and classifying them under the Classification Act without clear legislative authority. He has been doing so under an arrangement embodied in an exchange of letters between the House Committee on Government Operations and the Civil Service Commission (see H. Rept. No. 1673, 83d Cong.). Some 1,500 positions in the Department now have a dual designation of "Foreign Service officer position" together with a grade level established under the Classification Act. Under the new language of section 441 of the act the Secretary may designate positions, including new positions, without such a grade level under the Classification Act. Under the new arrangement no grade allocation will be necessary unless the position is to be filled by a non-Foreign Service person.

The committee wishes to take this occasion to comment on the evidence which has been accumulating for some time that the Department of State has gone too far in carrying out the recommendations of the Wriston report calling for additional positions in the Department of State to be designated as Foreign Service officer positions. Evidence has been brought to the attention of the committee regarding the International Educational Exchange Service (IES), the Bureau of Intelligence and Research (INR), and the Policy Planning Staff (S/P) constituting three examples of the committee's concern.

The work of the International Educational Exchange Service is painstaking and specialized. The work of the Bureau of Intelligence and Research is scholarly, specialized, and requires long familiarity with narrowly defined masses of material. The work of the Policy Planning Staff requires senior specialists, for instance officers skilled in military planning who must work closely with their opposite numbers in the Department of Defense. The characteristic of much of the work of these three bureaus in the Department of State is that long continuity of service is highly desirable. Typical assignments of Foreign Service officers to these bureaus are for 2-year periods. These periods are long enough perhaps for the Foreign Service officer to become familiar with the work but not long enough for him to make an effective contribution. Moreover, the nature of the work is frequently so different from that which a Foreign Service officer is accustomed to doing overseas that many officers dislike such assignments and fail to put forth their best effort.

The committee is by no means of the opinion that no Foreign Service officer should be assigned to the aforementioned bureaus in the Department of State—these bureaus have been given merely as examples of the problem. The committee is of the opinion, however, that too many positions in these bureaus and others like them in the Department have been designated as Foreign Service officer positions. The committee has requested by December 1, 1959, a detailed report reviewing the original designation of Foreign Service officer positions throughout the Department pursuant to the Wriston program and discussing any changes in such designations which may have occurred since. The comment of the Department is requested on the views of the committee just set forth.

4. Section 7—Compensation for alien employees: Section 7 of the bill would revise section 444 of the act, pertaining to compensation for alien employees hired overseas, in two principal respects. First, the principle in existing law of compensating alien employees according to the rule "equal pay for equal responsibility" is being replaced by the policy of paying local employees in accordance with "prevailing wage rates and compensation practices for corresponding types of positions in the locality to the extent consistent to the public interest." The existing language has proved difficult to implement in certain countries where, for instance, women are not paid the same wages as men for the

same work. Although the U.S. missions would prefer to follow nondiscriminatory wage policies in these instances, it is sometimes offensive to foreign governments and upsetting to local conditions to do so.

The second change in section 444 is the deletion of the requirement that the Board of the Foreign Service advise the Secretary on the salary schedules for oversea local (alien) employees. It has proved unnecessary and impractical to obtain the advice of the Board on such matters.

5. Section 7—Permission for other Government agencies to use authority available to the Department of State in their employment of aliens overseas: Section 7 of the bill would add new language to section 444 of the act which would authorize U.S. Government agencies performing functions abroad to administer local employee programs in accordance with the applicable provisions of the Foreign Service Act. The purpose of the provision is to facilitate uniform employment practices abroad by all U.S. Government agencies. The committee considered designating the Secretary of State as the single official of the Government empowered to prescribe wage scales for local employees but upon being presented with evidence that voluntary cooperation among the agencies is now working satisfactorily, the committee recommends leaving the existing practice the way it is.

6. Section 8—Extra pay for courier duty: Section 8 of the bill would introduce a new section 447 into the act which would permit the Secretary to establish rates of extra pay not to exceed 15 percent of basic salary for persons assigned to duty as couriers. It appears clear to the committee that courier duty is a duty analogous to the various kinds of hazardous duty in the armed services and certain civilian agencies which is compensated for by extra pay. Department of State couriers spend long hours flying as part of their duties and many have sustained injury and some have been killed in this service. The proposed maximum of 15 percent extra pay does not seem to the committee to be excessive due to the fact that hazardous duty pay in the armed services ranges from a minimum of 17 percent to a maximum of 64 percent depending upon the rank of the person and the duty involved.

7. Section 9—Policy on language and other qualifications for the assignment of chiefs of mission and Foreign Service officers in foreign countries: Section 9 of the bill would add a new section 500 to the act stating the policy that chiefs of mission and Foreign Service officers shall have to the maximum practical extent a knowledge of the language, culture, history, and institutions of the countries in which they are to serve.

Probably the only reason this policy is not now a part of the Foreign Service Act is that it was thought to be self-evident. The policy is, however, either not self-evident or else implementation of the policy has failed in a disturbing number of cases. Such failure is inexcusable on the part of the U.S. Government. The richest country in the world can afford to employ, train, and send well-qualified Foreign Service officers wherever they are needed. The importance of their work demands no less.

The committee continues to be disappointed from time to time about nominations for ambassadorial posts. There are too many nominees, career and noncareer, who are merely so-so, not bad enough to reject but not really first rate.

Whether or not the policy statement in the proposed section 500 becomes a part of the law, the Committee on Foreign Relations intends to continue its practice of measuring nominees for chiefs of mission against the standard expressed in the new section 500 and will apply the standard with increasing particularity.

7. Section 10(b)—Appointments of new Foreign Service officers directly to class 7: Section (b) of the bill will add a new subsection (b) to section 516 of the act which would permit the appointment of Foreign Service officers directly to class 7 when, in the opinion of the Secretary, their age, experience or other qualifications make such an appointment appropriate. This provision will take care of the infrequent instances where graduate students having more than the usual amount of training or experience could expect higher starting salaries than afforded by class 8 appointments if they accepted jobs in private industry or other Government agencies. Under the new section 516(b) they could be given the higher salaries of class 7. The Department of State intends to limit these appointments to candidates who (1) are at least 28 years old; (2) have a record of graduate training or employment which clearly demonstrates extra ability; (3) have a modern foreign language competency. The committee endorses these standards in the proposed regulations of the Department.

8. Section 11(b)—Previous Government service as a prerequisite to lateral entry: Section 11(b) of the bill would revise section 517 of the act by removing the existing ceiling on lateral appointments of persons to the Foreign Service officer category. Lateral entry refers to the appointment of persons at an intermediate class in the Foreign Service officer category, depending on the age and experience of the appointee. Now that the so-called Wriston personnel integration program has been completed, the number of lateral entrants should depend simply upon the needs of the Service as determined by the Secretary.

The number of persons entering the Foreign Service officer category laterally will not change from current rates in all probability because the committee bill retains the requirement of 3 or 4 years, depending on age, of previous service in a Government agency as a prerequisite to lateral entry. The committee wishes to make sure that additional personnel or specialists needed urgently in the Service can be employed as the needs of the Service require, but it is convinced that the best way to bring such persons into the Service is by giving Foreign Service Reserve officer appointments to those coming directly from private life or by permitting the lateral entry directly to the Foreign Service officer category of those having previous Government experience. Thus, under either of these routes the Foreign Service will be able to maintain its career nonpartisan features and the Secretary of State will not be troubled by outside pressure to insert inexperienced persons into the Foreign Service officer group.

9. Section 12(b)—Reappointment of an officer who has left the Foreign Service: Section 12(b) of the bill would amend section 520(a) of the act by removing the present requirement that Foreign Service officers who resign and later ask reinstatement must have served continuously in the Government between the time of leaving the Foreign Service and the time of reappointment to the Service. It sometimes happens that an officer is obliged to resign from the Service through no fault of his own. If for instance his wife should become ill and unable to accompany him on foreign assignments, the committee believes that the President should have authority to reappoint such officers to the Service when they again become able to serve. The rationale behind the requirement of previous Government service, discussed immediately above in connection with lateral entry, would seem to be inapplicable to cases arising under section 520(a) of the act because in those cases the persons involved have already been Foreign Service officers and have fulfilled all of the requirements for such appointment.

10. Section 14—Limited and probationary appointments for staff officers: Section 14 of the bill would revise section 531 of the act so as to clarify the authority of the Secretary of State to make temporary, limited, and other types of appointments of staff officers and employees as the needs of the Service require. The new section also makes it clear that the Secretary may terminate at any time and without regard to the provisions of any other law staff officers appointed for temporary or limited service or who occupy probationary status.

The customary probationary period for staff officers is 2 years, and the Department will not specify longer periods. The usual reason for termination of temporary, limited, or probationary employees is that there is not sufficient work for such employees to do or that the specific work for which they were employed has ended. The Secretary's discretion is, however, not limited to such reasons. In the case of persons on probationary status, he may terminate their employment if their work is not satisfactory or if for various reasons they appear not to be suitable for foreign assignments. If, however, the Department's reason for terminating a staff officer on temporary, limited, or probationary appointment is the person's supposed misconduct, that is, conduct reflecting adversely on the integrity or character of the person, then the new version of section 531 requires that such person be given a hearing in accordance with the provisions of section 637 of the act.

11. Section 16(a)—Elimination of salary differential for a Foreign Service officer who is assigned to a position in Washington designated as a "Foreign Service officer position": Section 16(a) of the bill adds a new sentence to section 571 of the act which would eliminate any salary differential being paid to a Foreign Service officer who occupies a position in the Department which is also designated as a "Foreign Service officer position" and which carries a higher salary than the officer's Foreign Service salary. The former policy, allowing the Foreign Service officer to collect the difference, is inconsistent with the Foreign Service theory of appointment to a class and not to a particular job. Authority will continue to pay such a differential if an officer or employee of the Service is assigned to a position in the Department that is not so designated. Thus the salary differential—the difference between the officers's salary and the salary of the position which he occupies—would continue to be paid in those cases in which the position is in a Government agency other than the Department of State or a position not also designated as a "Foreign Service officer position" within the Department of State.

12. Section 16(c)—Housing allowance for officers on assignment in Washington: Section 16(c) of the bill would add a new section 571(e) to the act granting a differential applied to basic salaries of 8 to 13 percent, according to the number of dependents, in the case of Foreign Service officers assigned to duty in the United States between assignments abroad and Foreign Service officers of class 7 or 8 assigned to duty here prior to duty abroad.

This new provision is designed to give the same kind of financial assistance to Foreign Service officers assigned to Washington as has long been afforded to military personnel in the same circumstances. Foreign Service personnel coming to Washington for a relatively short time have many additional expenses, largely relating to housing, than employees who live here all the time. Foreign Service officers are now receiving a transfer allowance and hotel expenses while locating more permanent housing, but these allowances meet only a small part of their extra expenses. The proposed additional al-

lowance is fixed at an amount which may be expected to meet about one-half of typical housing costs while on duty in the United States.

13. Section 18—Foreign-language knowledge a prerequisite to assignment: Section 18 of the bill would introduce a new section 578 in the act which would require the Secretary to designate every Foreign Service officer position in a foreign country whose incumbent should have a useful knowledge of a language of the country. After a 5-year period to allow for increased training in foreign languages, each position so designated would be filled only by a qualified person. The Secretary would be able to make exceptions to this requirement for individuals or when special or emergency conditions existed.

One of the most common and justified criticisms of the Foreign Service today is the low level of language competency throughout the Service. The facts are familiar that 70 percent of new Foreign Service officers come into the Service without a knowledge of any foreign language. Fifty percent of officers already in the Service lack a knowledge of any foreign language. The figure on deficiencies in the more difficult languages are not available, but the committee has no reason to think the figures are any better with respect to them.

Language competence in the Foreign Service is primarily a function of money and people. With adequate appropriations and adequate numbers of intelligent officers, any desired level of language competence can be obtained. The committee intends that foreign-language competence be raised substantially, not for its own sake, but based on actual needs in U.S. missions overseas. The committee expects that the designation of Foreign Service officer positions abroad requiring language competence shall be based largely on the recommendations of the mission chief without regard to current budgetary targets. The Department of State estimates that the implementation of the proposed new section 578 will cost about $250,000 per year over a 5-year period. This would seem to be a small price when measured against the urgent need.

14. Section 19—In-class promotions of Foreign Service officers: Section 19 of the bill would amend section 625 of the act so as to eliminate a possible conflict between the policy of that section relating to in-class promotions of Foreign Service officers and the policy of the Government Employees' Incentive Awards Act (title III, Public Law 763, 83d Cong.) authorizing cash awards for superior service. The committee believes that while the cash-awards program is excellent, the special needs of the Foreign Service make it appropriate to award within-class increases for certain kinds of excellence, such as the learning of unusual foreign languages on an officer's own initiative.

15. Section 20—Relationship between promotions and functional and geographic area specialization: Section 20 of the bill would add a new section 626 to the act expressing the policy that more functional and geographic area specialization is needed in the Foreign Service and prohibiting such specialization from prejudicing promotions of officers up through class 1 in the Service.

The traditional assignment policy in the Foreign Service has been based on the premise that an officer is not fully qualified to be a mission chief unless he has had service in each of four or five main geographic areas in the world. It may be as a result of such a policy that the Government is short of topnotch specialists in some of these great geographic areas.

Existing assignment policy with regard to functional specialization appears to result in an officer having 2 or 3 years' experience in six or eight different types of work. The committee is concerned lest this policy result in developing an officer who is a jack of all trades and master of none.

With respect to geographic specialization the committee would like to see a situation in which incoming officers would be assured that most of their careers would be devoted to one of the larger geographic areas. They could then concentrate on the languages, culture, and problems of the area and develop outstanding excellence. For example, after an appropriate period of brief orientation assignments, an officer might specialize in Arabic and in the problems of the great area lying between Morocco and Pakistan and spend the greater part of his career in assignments which would take him alternately to that area, to Washington, to some third area country having important ties with that area.

With regard to functional specialization the committee believes that it would be better for a Foreign Service officer to concentrate on one field of work—say economic matters or administration—for a substantial part of his career until he reaches the level of, say deputy chief of mission, at which point he would have the choice of finishing his career as a senior specialist or taking on broader executive responsibilities and look forward to promotion to the levels of career minister or career ambassador.

The committee expects that the precepts given to promotion panels and the instructions given to assignment panels will be revised in accordance with the policy laid down in the new section 626.

16. Section 24—Accelerated selection-out benefits: Section 24 of the bill amends section 634(b)(1) of the act to authorize the Secretary in special instances to combine the installments of severance payment to which an officer is entitled when he is retired early from the Foreign Service in accordance with section 633 of the act. The usual thing would be for the selection-out benefits to be paid in three annual installments but the change in section 634(b)(1) will permit the Secretary in his discretion to accelerate the payments where the officer has an unusual financial need. These payments will be made from the Foreign Service retirement and disability fund.

17. Section 27—Consolidated separation for cause provision: Section 27 of the bill combines in a revision of section 637(a) of the act several provisions of the act relating to separation for unsatisfactory performance of duty, misconduct and malfeasance. The Secretary is given complete discretion to separate Foreign Service officers, Foreign Service Reserve officers, and Foreign Service staff personnel for such "cause as will promote the efficiency of the Service." This phrase, which is applicable to the Civil Service, is taken from the Lloyd-La Follette Act of 1912. Although the Secretary has complete discretion in defining causes for dismissal which will promote the efficiency of the Service, the revised section requires that officers separated under it shall be given a hearing by the Board of the Foreign Service and requires the establishment of such cause at such hearing. An officer may waive his right to a hearing. Foreign Service officers of class 8 or other officers in a probationary status or serving under limited or temporary appointments have a right to a hearing only in cases where the reason for their proposed separation from the Service is misconduct. Section 637(a) as it is amended deals with separations on a case-by-case basis. The language of the section could not be the basis for a general reduction in force.

18. Section 27—Extension of deferred annuity rights to persons separated from the Service for cause: Section 27 of the bill would amend section 637(b) of the act to provide that an officer separated from the Service for cause may receive a refund of his contributions to the Foreign Service retirement and disability fund, with interest, or he may elect to receive a deferred annuity payable when he reaches the age of 60. The committee approved this change but inserted a clause providing that a deferred annuity would not be available in cases where the Secretary determines that separation was based in whole or in part on the ground of disloyalty to the United States.

Under the present law certain officers separated for unsatisfactory performance of duty may receive an immediate limited annuity. Officers separated for misconduct are entitled merely to a refund of their contributions to the fund. The committee agrees (except as to disloyalty cases) with the view of the Department of State that, even though an officer may be separated for cause, after he has served at least 5 years he should not be denied the annuity benefit which he has earned by reason of his contributions and his period of satisfactory service.

19. Section 28—Termination of service of Reserve officers and staff officers with limited appointments: Section 28 of the bill would insert a new section 638 in the act which would permit the Secretary notwithstanding any other law to terminate at any time the service of any Reserve officer or staff officer serving under a limited appointment. This is the same principle as is contained in revised section 531 of the act discussed above under section 14 of the bill. The committee inserted a provision regarding separations for misconduct in the proposed new section 638 similar to that contained in revised section 531.

A special problem under the proposed new section 638 arises by reason of the concern of a certain group of 45 officers under limited Reserve appointments that the new authority may be used to terminate their employment. They accepted Foreign Service Reserve officer status at the encouragement of the Department of State. The committee inserted, with the concurrence of the Department, a provision which will insure that these officers will be retired when their limited appointments run out but not before.

20. Section 30—Longevity increases for Foreign Service staff employees: Section 30 of the bill would add a new subsection 642(b) to the act which would authorize the Secretary to establish a system of longevity increases for staff personnel. The Classification Act included the principle of longevity increases some years ago.

Work performed by staff personnel is highly essential but its nature is such as to contain inherent limitations on opportunities for promotion in some categories of work. In addition the staff group now includes a substantial number of older employees who were unable to qualify for various reasons under the Wriston program for lateral entry into the Foreign Service officer category. There is therefore something of a morale problem within this segment of the Foreign Service staff group which can be alleviated by the enactment of the proposed new subsection 642(b).

Longevity increases will not be automatically awarded; they will be given in recognition of both longevity and performance. The longevity periods will be established by the Secretary by regulation.

21. Section 31—Orientation and language training for wives of U.S. Government employees in anticipation of assignment overseas: Section 31 of the bill would add a new sentence to section 701 of the act giving the Secretary authority to provide orientation and language training to wives of Government employees in anticipation of assignment of such employees abroad. The Department of State has been giving such training on a space-available basis for some time but the practice ought to be specifically

authorized by law. The Department asked for authority to train "dependents" of employees but the committee limited the authority to "spouses," and inserted the phrase "to the extent that space is available" in order to keep such training to reasonable numbers.

22. Section 32(b)—Alien language teachers for the Foreign Service Institute: Section 32(b) of the bill would add a new subsection 704(e) to the act permitting the Secretary to employ aliens for the Foreign Service Institute either by appointment to the staff on a full- or part-time basis or by contract for services. This proposed authority would apply both in the United States and abroad because the Foreign Service Institute operates several language training schools overseas. The new authority is essential because, of course, it is sometimes difficult to find American citizens sufficiently well qualified to provide instruction in esoterc languages and other specialized subjects taught at the Foreign Service Institute. The authority to employ by contract is essential since some language teachers are available in the United States for only short periods of time and because some Institute courses are given periodically.

23. Section 32(b)—Monetary incentives for proficiency in esoteric languages: Section 32(b) of the bill also would add a new subsection 704(f) to the act which would authorize the Secretary to provide special monetary incentives to encourage the acquisition or retention of proficiency in esoteric foreign languages or other special abilities needed in the Service. The committee believes this new authority is necessary but desires that it be employed very cautiously. The term "esoteric foreign languages" certainly does not include such languages as French, German, Spanish, and Italian, which many Americans have an opportunity to learn. In the administration of a language incentives program language proficiency must be tested frequently and standards of competency must be kept high.

The "special abilities" which are to be encouraged are not the traditional skills expected of Foreign Service officers nor the ordinary academic disciplines which reasonably well educated officers bring with them into the Service.

24. Section 33(b)—Transfer of Foreign Service staff officers to the Foreign Service retirement system: Section 33(b) of the bill adds a new subsection 803(c) to the act providing for mandatory participation in the Foreign Service retirement and disability system of certain staff officers and employees. The proposed subsection 803(c)(1) would provide for the automatic transfer of Foreign Service staff officers with at least 10 years' service from the civil service retirement system to the Foreign Service retirement system. Their contributions to the civil service retirement fund would be automatically transferred and they would be required to make no additional contribution and they would get no refund as a result of the shift from one retirement system to the other.

The new subsection 803(c)(1) recognizes the fact that Foreign Service staff personnel serve overseas under the same conditions as Foreign Service officers who, under the Foreign Service retirement and disability system, are required to retire at age 60 (rather than age 70 as under the civil service system) because of the rigors of some foreign climates and the burdens of moving periodically to new working and living situations.

The new subsection 803(c)(2) provides for retirement on a gradual scheduled basis over a 5-year period of staff personnel who are above the mandatory retirement age at the time they become participants in the system. This new early retirement provision will not go into effect until 1 year after the other provisions of the bill go into effect. Subsection 803(c)(2) would involuntarily retire a group of some 400 older staff officers who would not have been required to retire for periods up to 10 years longer if they were permitted to stay under the civil service retirement system. The committee understands that most of the persons in this group welcome the new provisions but there are some who may have failed to make adequate financial provisions for such involuntary early retirement and who are therefore adversely affected.

These 400 older staff officers constitute, in the view of the Department, a "hump problem" analogous in many ways to that dealt with recently by the Congress in legislation pertaining to the Navy. The Department of State believes that it would be in the interest of the Service to accelerate the retirement of these 400 staff officers, most of whom have been unable to qualify for lateral appointment as Foreign Service officers because they were too old.

Because it is in the interest of the Government that retirement of these persons be accelerated the committee decided that their financial problems should be eased by the Government. The committee inserted a provision in the bill which would give to such involuntary retirees the same kind of financial aid as is given to Foreign Service officers who are selected out. Involuntary retirees would receive, in addition to their retirement benefits, one-twelfth of a year's salary for each year's service not exceeding a total of 1 year's salary. This amount would be payable in a lump sum at the time of retirement. The Department of State estimates that this temporary provisions, over the 5 years that it will operate, will cost approximately $676,000, which will be paid out of the Foreign Service retirement and disability fund, no appropriation being required.

It appears possible that some members of this group of involuntary retirees may not have knowledge of this possibility. The committee urges the Department to disseminate information about this matter widely so that persons affected can take appropriate steps to minimize any adverse financial consequences which can be foreseen.

25. Section 35—Increase from 5 to 6½ percent in Foreign Service personnel contributions to the retirement fund and matching contributions by the Government to the fund: Section 35 of the bill would amend section 811 of the act to place the financing of the Foreign Service retirement and disability fund on the same basis as the civil service retirement system. It would increase the rate of contribution to the Foreign Service retirement and disability fund from 5 to 6½ percent of basic salary. It would also provide a matching contribution to the fund from the appropriation for Foreign Service salaries.

The cost of the proposed matching contribution to the fund will be $2.5 million per year. The Department of State has been getting annual appropriations for the fund averaging $1.5 million for the last 4 years. There were no payments to the fund out of appropriations for several years prior to that. The fund's potential liabilities therefore exceed its assets and the proposed $2.5 million annual matching contribution will enable the fund to restore financial balance.

26. Section 36(a)—Benefits for survivors of Foreign Service officers: Section 36(a) of the bill would revise sections 821(b) and 821(c) of the act to provide benefits for surviving spouses and children of participants in the Foreign Service retirement system like the benefits provided for survivors of participants in the civil service retirement system.

The proposed changes in section 821 will increase survivor benefits at a reduced cost to the participant. The proposed formula for computing a joint and survivorship annuity under which the retiring officer elects to receive a reduced annuity and, upon death, an annuity for a wife or a husband, and the proposed formula for computing annuities for surviving dependent children are similar to those now in the civil service retirement system. The following example from pages 234–235 of the hearings will illustrate the advantages to the participant of the proposed formula over the existing formula.

Average salary for highest 5 years of service	$10,000
Annuity (2 percent times 30 years of service)	6,000
EXISTING	
Maximum survivor annuity	2,500
Cost to officer	1,250
Officer's reduced annuity	4,750
Maximum surviving annuity payable to a dependent child	0
PROPOSED	
Maximum survivor annuity	3,000
Cost to officer (2½ percent of $2,400 equals $60; 10 percent of $3,600 equals $360)	420
Officer's reduced annuity	5,580
Maximum surviving annuity payable to a dependent child:	
With surviving parent	600
With no surviving parent	720

The change in section 821(b) also eliminates a so-called gambling provision from existing law which now permits the participants to accept a further reduction of 5 percent of the spouse's annuity in order to provide for restoration of the full annuity if the spouse predeceases the participant. This gambling provision is not based on sound actuarial principles.

Benefits for surviving children of participants in the Foreign Service retirement and disability system are being provided for the first time in this bill. They have long been available under the civil service retirement system.

27. Section 37(a)—Return to duty of person recovered from disability: Section 37(a) of the bill would amend section 831(b) of the act relating to disability annuitants. Three principle changes are made: First, the provisions on annual examinations of disability annuitants are made more strict; second, new authority is given to permit the return to active duty in the Service of a disability annuitant who recovers sufficiently; third, the Secretary is given authority to establish by regulation a board of physicians who will advise him with regard to disability annuitants.

28. Section 39—The right to a deferred annuity of person who voluntarily leaves the Foreign Service after 5 years: Section 39 of the bill would add a new section 834 to the act which will permit a participant in the Foreign Service retirement system, upon voluntary separation from the Service after 5 years, to choose either to have his contributions to the fund returned to him with interest or to leave his contribution in the fund and receive a deferred annuity, based on his years of service and salary at the time of his separation, commencing at age 60. Similar deferred annuities are provided under the civil service retirement system.

29. Section 46—Amount of permissible earnings by Foreign Service annuitants who are reemployed by the Federal Government: Section 46 of the bill would add a new section 872 to the act dealing with the question of the limit on earnings of an annuitant if he returns to a Government job. Under present law a Foreign Service retiree who is reemployed in the Federal Government must forfeit his annuity during such reemployment. Under the civil service retirement system, a retired employee may be reemployed by the Government and continue to

receive his full annuity, plus the difference, if any, between the annuity and the salary of the position to which he is appointed.

Unfortunately, in view of the committee, the provisions of the Civil Service Retirement Act place the Federal Government in an unfavorable position to compete with private industry in obtaining the services of retired Federal personnel whose reemployment would benefit the Government. This is because such persons when hired in private industry may keep their annuities and receive the full amount of the salary in private industry.

The committee recommends the adoption of the new section 872 which would entitle a retired Foreign Service employee to receive the salary of a position to which he may be appointed plus so much of his annuity which, when combined with such salary, does not exceed the highest salary which such employee was entitled to receive when he retired from the Foreign Service. The committee believes that this provision will be more fair to retired personnel and will be in the public interest.

30. Section 48—Clarification of authority to lend Foreign Service employees oversea household furniture: Section 48 of the bill would amend section 812 of the act so as to make it clear that the Secretary of State may lend furniture, such as chairs and tables as distinguished from equipment such as refrigerators, to Foreign Service employees overseas for use in personally owned or leased residences. The purpose of this provision, thus amended, is to save shipping costs. Certain oversea missions have established pools of furniture which can be loaned to employees, thus saving the cost of shipping such furniture from the United States or from some other distant Foreign Service post.

31. Section 49—Clarification of authority to ship Foreign Service employees' vehicles: Section 49 of the bill would amend section 913 of the act so as to substitute "motor vehicles or replacement thereof" for the word "automobiles." The Comptroller General has ruled that "automobiles" does not mean motorcycles or motor scooters. Since it would be cheaper for the Government to transport motorcycles and motor scooters than automobiles, the committee believes that it would be advantageous to broaden the scope of section 913. The committee expects the Department in administering section 913 to establish by regulation some reasonable limit on the number of motor vehicles which may be transported for Foreign Service personnel within appropriate periods of time.

The committee urges the Department of State to give further study to the matter of transportation of vehicles overseas for the official use of U.S. missions. It suggests, for example, that greater use be made of motor vehicles built in the country of the mission since road or other conditions are frequently such as to make locally built cars more appropriate and, certainly, less expensive than American cars, counting the transportation costs from the United States. In circumstances warranting transportation of American cars overseas for official use, the committee believes that small American cars are just as useful and less offensive to foreign sensibilities than the larger American cars.

32. Section 51—Conversion table from the present Foreign Service staff class and salary schedule to the schedule established by section 2 of the bill: Section 51 of the bill contains temporary provisions providing for an orderly and equitable transfer of Foreign Service staff officers and employees from their present classes and salaries to the new classes and salaries prescribed by the revised section 415 of the act. Under the conversion scheme no Foreign Service staff person will have a reduced salary. The numbers of persons involved in this transfer in each class and the average salary adjustment in the various classes are shown in the following table taken from page 209 of the hearings:

Present FSS class	Number on rolls Dec. 31, 1958	Conversion to new schedule: Class	Conversion to new schedule: Number	Average per annum salary adjustment [1]	Total cost
FSS-1	30	FSS-1	30	$155	$4,666
FSS-2	24	FSS-1	15	204	3,060
		FSS-2	9	67	605
FSS-3	33	FSS-2	33	120	3,970
FSS-4	35	FSS-2	17	222	3,770
		FSS-3	18	132	2,380
FSS-5	50	FSS-3	50	147	7,360
FSS-6	69	FSS-3	19	169	3,210
		FSS-4	50	122	6,115
FSS-7	72	FSS-4	72	47	3,415
FSS-8	164	FSS-5	164	35	5,705
FSS-9	323	FSS-5	37	100	3,700
		FSS-6	286	95	27,080
FSS-10	538	FSS-6	171	136	23,220
		FSS-7	367	80	29,370
FSS-11	922	FSS-7	922	18	16,740
FSS-12	938	FSS-8	938	30	28,580
FSS-13	445	FSS-9	445	28	12,355
FSS-14	1	FSS-10	1	15	15
Total	3,644		3,644	51	186,660

[1] The average salary adjustment has been rounded off to the nearest dollar. Consequently multiplying the average per annum adjustment by the number of individuals does not exactly equal the total cost which has been computed on the basis of actual salary adjustments.

33. Section 52—Authority to use taxicabs in lieu of Government vehicles in certain cases: Section 52 of the bill would amend section 11 of Public Law 885, 84th Congress (70 Stat. 890) by making it possible for the chief of a diplomatic mission to approve the use of taxicabs, in addition to Government-owned vehicles, for the transportation of Government employees from their residence to the office and return when public transportation facilities other than taxicabs are unsafe or not available. The committee understands that the use of taxicabs will be authorized typically in those cases where the use of Government-owned vehicles necessitates the use of chauffeurs and makes this form of transportation more costly than the use of taxicabs.

34. Section 53—Exclusion from gross income for tax purposes of disability annuity payments: Section 53 of the bill would amend section 104(a) of the Internal Revenue Code of 1954 to exempt disability annuities from Federal income tax. This change is consistent with provisions of the Internal Revenue Code relating to disabilities annuities payable to other Government employees by the Bureau of Employees Compensation. The change is favored by the Treasury.

35. Section 54—Elimination of free official services and passports for American vessels and seamen respectively: Section 54 of the bill would amend section 12 of the act of June 26, 1884 (22 U.S.C. 1186) which now prohibits the charging of fees by consular officers for official services to American vessels and seamen. The Department will establish a reasonable schedule of fees for such services, and give reasonable notice to the parties affected, but it will not make a charge for services required by law or services which are primarily in the public interest.

Section 54 also amends section 1 of chapter 223 of the act of June 4, 1920 (22 U.S.C. 214) by eliminating free passports to American seamen. No objection was registered with the committee to this change and the original reason for the provision has long since passed.

36. Section 55—Increase in the authorization of appropriations for the foreign buildings program of the Department of State: Section 55 of the bill would add a new subsection (c) to section 4 of the Foreign Service Buildings Act, 1926, as amended (22 U.S.C. 295) which would increase by $100 million (of which $50 million represents foreign currencies) appropriations authorized for the purpose of erecting office buildings and other buildings needed by U.S. missions overseas.

The Department of State presented to the committee a detailed plan for a 5-year building program which was set forth beginning on page 125 of the hearings on S. 1044. Some members of the committee have seen the architectural plans and models for many of the structures which are to be built pursuant to this 5-year plan. The committee commends the Department for the excellence of these plans.

Mr. FULBRIGHT. Mr. President, the bill is a very long and involved bill. I find it very difficult to pick out of it any particular item. I call attention to one particular feature the committee added which was not in the bill as it came from the administration. It was a statement, really, of policy upon functional and geographic area specialization.

I may say that since the committee reported the bill, the Deputy Under Secretary of State for Administration, Mr. Henderson, telephoned to me, personally, and stated that he thought this provision would result in a very great improvement in the policy of the bill.

Mr. MORSE. Mr. President——

Mr. FULBRIGHT. Mr. President, I may say to the Senator from Oregon that, as can be seen, the report on the bill is very full. But if there are any questions which he would like to ask, I shall certainly try to answer them.

Mr. MORSE. Mr. President, I do not need to ask the Senator from Arkansas or the Senator from Montana any questions.

As a member of the Foreign Relations Committee I was an ardent supporter of the bill. But one of the points which I thought should be made today in establishing the legislative history of the bill calls for a statement in regard to some of the purposes and intents of the committee in bringing the bill to the floor of the Senate.

It is true, as will be seen by examining the bill, that its first part has to do with technical matters in regard to salary equalizations and classifications.

But I should like to have Senators turn for a moment to page 8 of the committee report, where we start coming to grips, by means of the bill, with what in my judgment is one of the great needs for improvement in our Foreign Service in connection with which our distinguished chairman [Mr. FULBRIGHT], as well as the Senator from Montana [Mr. MANSFIELD] have had much to say in the past—and quite correctly so—about the need to improve the language capabilities and facilities of our Foreign Service officers.

On page 8 of the committee report will be found a discussion of section 18 of the bill, "Foreign Language Knowledge a Prerequisite to Assignment." This is an excellent provision of the bill; and I ask unanimous consent that there be printed at this point in the RECORD, as

part of my comments on the bill, the part of page 8 of the committee report which deals with section 18.

There being no objection, the excerpt from the report (No. 880) was ordered to be printed in the RECORD as follows:

13. Section 18—Foreign language knowledge a prerequisite to assignment: Section 18 of the bill would introduce a new section 578 in the act which would require the Secretary to designate every Foreign Service officer position in a foreign country whose incumbent should have a useful knowledge of a language of the country. After a 5-year period to allow for increased training in foreign languages, each position so designated would be filled only by a qualified person. The Secretary would be able to make exceptions to this requirement for individuals or when special or emergency conditions existed.

One of the most common and justified criticisms of the Foreign Service today is the low level of language competency throughout the Service. The facts are familiar that 70 percent of new Foreign Service officers come into the Service without a knowledge of any foreign language. Fifty percent of officers already in the Service lack a knowledge of any foreign language. The figure on deficiencies in the more difficult languages are not available but the committee has no reason to think the figures are any better with respect to them.

Language competence in the Foreign Service is primarily a function of money and people. With adequate appropriations and adequate numbers of intelligent officers, any desired level of language competence can be obtained. The committee intends that foreign language competence be raised substantially—not for its own sake—but based on actual needs in U.S. missions overseas. The committee expects that the designation of Foreign Service officer positions abroad requiring language competence shall be based largely on the recommendations of the mission chief without regard to current budgetary targets. The Department of State estimates that the implementation of the proposed new section 578 will cost about $250,000 per year over a 5-year period. This would seem to be a small price when measured against the urgent need.

Mr. MORSE. Then, Mr. President, I suggest that Senators turn to page 11 of the report which deals with section 31, "Orientation and language training for wives of U.S. Government employees in anticipation of assignment overseas."

I believe it is often overlooked that when we send a Foreign Service officer abroad, we frequently do not send him alone; usually his family accompanies him. The members of his family are also, in effect, ambassadorial agents of the people of the United States to that foreign government.

I believe we have been too much inclined to take the families as a matter of course, and not to be of the assistance to them which I believe we very often could be, in order to make them more capable of serving the Foreign Service needs of our people abroad.

Section 31 of the bill, is, in my opinion, a very important one; and I wish to commend the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Montana [Mr. MANSFIELD] and the Senator from Montana who conducted some of these hearings—in regard to this particular section of the bill. I believe that any money our Government spends in regard to anything it does to be of assistance to the spouses and dependents of our employees abroad will be money well spent.

Section 32(b) deals with "Alien language teachers for the Foreign Service Institute." In my judgment, that is exceedingly important. If we are to train these people in foreign languages, I believe we should be willing to build up the sort of teacher training that the bill calls for.

I ask unanimous consent to have printed as part of my remarks in the RECORD the portion of page 11 of the committee report which deals with topics 21 and 22, to which I have just now referred.

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

21. Section 31, Orientation and language training for wives of U.S. Government employees in anticipation of assignment overseas: Section 31 of the bill would add a new sentence to section 701 of the act giving the Secretary authority to provide orientation and language training to wives of Government employees in anticipation of assignment of such employees abroad. The Department of State has been giving such training on a space-available basis for some time but the practice ought to be specifically authorized by law. The Department asked for authority to train "dependents" of employees but the committee limited the authority to "spouses," and inserted the phrase "to the extent that space is available" in order to keep such training to reasonable numbers.

22. Section 32(b), Alien language teachers for the Foreign Service Institute: Section 32(b) of the bill would add a new subsection 704(e) to the act permitting the Secretary to employ aliens for the Foreign Service Institute either by appointment to the staff on a full- or part-time basis or by contract for services. This proposed authority would apply both in the United States and abroad because the Foreign Service Institute operates several language training schools overseas. The new authority is essential because, of course, it is sometimes difficult to find American citizens sufficiently well qualified to provide instruction in esoteric languages and other specialized subjects taught at the Foreign Service Institute. The authority to employ by contract is essential since some language teachers are available in the United States for only short periods of time and because some Institute courses are given periodically.

Mr. MORSE. Mr. President, as the Senator from Arkansas [Mr. FULBRIGHT] has said, other parts of the bill deal with equalization in regard to some of the salary schedule problems and classifications, highly technical in nature. They speak for themselves, and do not require any comment.

Mr. President, I wish to commend the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Montana [Mr. MANSFIELD] for the fine work they have done in connection with the bill.

I believe the bill is of sufficient importance to be passed—as I am sure it will be—following a quorum call.

However, Mr. President, I now understand that the acting majority leader would like to have a quorum call following the passage of this bill. I believe I would have to agree that probably no Member of the Senate who would come to the floor of the Senate would in any way be opposed to a bill of the merit of this one. So at this time I withhold my suggestion of the absence of a quorum; but I wish to have a quorum call immediately following the passage of the bill.

Mr. MANSFIELD. Mr. President, I will say to the Senator from Oregon that I do not know of any Member who is in opposition to the bill, which was reported unanimously from the Foreign Relations Committee.

Mr. MORSE. Yes. I merely wish to say that, regardless of whether any Member agrees or disagrees in regard to the bill, I believe it very important in these closing days of the session that transactions in regard to important pieces of proposed legislation not be conducted without giving notice, by means of quorum calls.

However, I agree that this measure is very obviously desirable of enactment, and does have the unanimous support of the Foreign Relations Committee; and, therefore, I withhold the suggestion of the absence of a quorum.

Mr. MANSFIELD. I thank the Senator from Oregon.

The VICE PRESIDENT. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2633) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Service Act Amendments of 1959".

SEC. 2. Section 415 of the Foreign Service Act of 1946, as amended, is amended to read as follows:

"SEC. 415. (a) There shall be ten classes of Foreign Service staff officers and employees, referred to hereafter as staff officers and employees. The per annum salaries of staff officers and employees within each class shall be as follows:

"Class 1	$11,660	$11,990	$12,320	$12,650	$12,980	$13,310	$13,640
"Class 2	9,900	10,175	10,450	10,725	11,000	11,275	11,550
"Class 3	8,140	8,415	8,690	8,965	9,240	9,515	9,790
"Class 4	7,006	7,225	7,450	7,675	7,900	8,125	8,350
"Class 5	6,150	6,350	6,550	6,750	6,950	7,150	7,350
"Class 6	5,300	5,500	5,700	5,900	6,100	6,300	6,500
"Class 7	4,650	4,800	4,950	5,100	5,250	5,400	5,550
"Class 8	4,200	4,350	4,500	4,650	4,800	4,950	5,100
"Class 9	3,750	3,900	4,050	4,200	4,350	4,500	4,650
"Class 10	3,500	3,600	3,700	3,800	3,900	4,000	4,100

"(b) Notwithstanding the provisions of paragraph (a) of this section, the Secretary may, under such regulations as he may prescribe, fix the salary at lesser rates than those prescribed by this section for the applicable class of staff officers or employees who are recruited abroad and who are not available or are not qualified for transfer to another post."

SEC. 3. Section 416 of such Act is amended to read as follows:

"SEC. 416. (a) A person appointed as a staff officer or employee shall receive basic salary at one of the rates of the class to which he

is appointed which the Secretary shall, taking into account his qualifications and experience and the needs of the Service, determine to be appropriate for him to receive.

"(b) Whenever the Secretary determines that the needs of the Service warrant the appointment of staff officers or employees in a particular occupational group uniformly at a rate above the minimum rate of the applicable class, he may adjust the basic salary of any staff officer or employee in the same class and occupational group who is receiving less than such established rate."

SEC. 4. Section 417 of such Act is amended by striking out "(b)" in the first sentence.

SEC. 5. Section 431 of such Act is amended by striking out in the first sentence of paragraph (a) the phrase "the termination of time spent on authorized leave, whichever shall be later," and inserting in lieu thereof the phrase "upon termination of his service in accordance with the provisions of paragraph (b) of this section,"; and by amending paragraph (b) of this section to read as follows:

"(b) The official services of a chief of mission shall not be deemed terminated by the appointment of a successor but shall continue until he has relinquished charge of the mission and for such additional period as may be determined by the Secretary, but in no case shall such additional period exceed fifty days, including time spent in transit. During such period the Secretary may require him to render such services as he may deem necessary in the interests of the Government."

SEC. 6. Section 441 of such Act and the heading to such section are amended to read as follows:

"CLASSIFICATION OF POSITIONS IN THE FOREIGN SERVICE AND IN THE DEPARTMENT

"SEC. 441. (a) Under such regulations as he may prescribe, and in order to facilitate effective management, the Secretary shall classify all positions in the Service at posts abroad, excluding positions to be occupied by chiefs of mission, and in the case of those occupied by Foreign Service officers, Reserve officers, and staff officers and employees, he shall establish such positions in relation to the classes established by sections 412, 414, and 415, respectively. Positions occupied by alien employees and consular agents, respectively, shall be allocated to such classes as the Secretary may establish by regulation.

"(b) Under such regulations as he may prescribe, the Secretary may, notwithstanding the provisions of the Classification Act of 1949, as amended (5 U.S.C. 1071 and the following), classify positions in or under the Department which he designates as Foreign Service Officer positions to be occupied by officers and employees of the Service, and establish such positions in relation to the classes established by sections 412, 414, and 415."

SEC. 7. Section 444 of such Act and the heading to such section are amended to read as follows:

"COMPENSATION PLANS FOR ALIEN EMPLOYEES

"SEC. 444. (a) The Secretary shall, in accordance with such regulations as he may prescribe, establish compensation plans for alien employees of the Service: *Provided*, That such compensation plans shall be based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality, to the extent consistent with the public interest.

"(b) For the purpose of performing functions abroad, other Government agencies are authorized to administer alien employee programs in accordance with the applicable provisions of this Act."

SEC. 8. Section 446 of such Act and the heading to such section are amended to read as follows:

"ADMINISTRATIVE ESTABLISHMENT OF HAZARDOUS DUTY PAY FOR CERTAIN CATEGORIES OF OFFICERS AND EMPLOYEES

"SEC. 446. The Secretary may, under such regulations as he may prescribe, establish rates of salary differential, not exceeding 15 per centum of basic salary, for officers or employees of the Service while they are assigned for duty as couriers."

SEC. 9. Title V of such Act is amended by adding at the beginning thereof the following new section:

"POLICY

"SEC. 500. It is the policy of the Congress that chiefs of mission and Foreign Service officers appointed or assigned to serve the United States in foreign countries shall have, to the maximum practicable extent, among their qualifications, a useful knowledge of the principal language or dialect of the country in which they are to serve, and knowledge and understanding of the history, the culture, the economic, and political institutions, and the interests of such country and its people."

SEC. 10. (a) The heading to section 516 of such Act is amended to read as follows: "ADMISSION TO CLASS 7 OR 8".

(b) Section 516 of such Act is amended by striking out "SEC. 516" and inserting in lieu thereof "SEC. 516. (a)" and by adding at the end thereof a new paragraph (b) which shall read as follows:

"(b) The Secretary may furnish the President with the names of those persons who have passed such examinations and are eligible for appointment as Foreign Service officers of class 8, whom he recommends for appointment directly to class 7 when in his opinion, their age, experience, or other qualifications make such an appointment appropriate."

SEC. 11. (a) Section 517 of such Act is amended by striking out the words "A person who has not served in class 8" which appear at the beginning of the first sentence, and inserting in place thereof the following: "A person who has not been appointed as a Foreign Service officer in accordance with section 516 of this Act".

(b) Section 517 of such Act is further amended by striking out the second and third sentences of such section.

SEC. 12. (a) The heading to section 520 of such Act is amended by striking out the phrase "REINSTATEMENT AND RECALL" and substituting in lieu thereof the phrase "REAPPOINTMENT, RECALL, OR REEMPLOYMENT".

(b) The first sentence of paragraph (a) of section 520 of such Act is amended by inserting a period after the word "Service" where it appears for the third time, and by striking out the remainder of that sentence.

(c) Paragraph (b) of section 520 of such Act is amended to read as follows:

"(b) The Secretary may recall any retired Foreign Service officer temporarily to duty in the Service whenever he shall determine such recall is in the public interest."

(d) Section 520 of such Act is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c) Notwithstanding the provisions of title 5, United States Code, section 62, and title 5, United States Code, section 715a, a Foreign Service officer heretofore or hereafter retired under the provisions of section 631 or 632 or a Foreign Service staff officer or employee hereafter retired under the provisions of section 803 shall not, by reason of his retired status, be barred from employment in Federal Government service in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer."

SEC. 13. Section 528 of such Act is amended by striking out in the second sentence of such section the phrase "subsection (d), section 7, of the Classification Act of 1923" and substituting in lieu thereof the phrase "the Classification Act of 1949".

SEC. 14. Section 531 of such Act is amended to read as follows:

"SEC. 531. The Secretary may, under such regulations as he may prescribe, appoint staff officers and employees on the basis of qualifications and experience. The Secretary may make provisions for temporary, limited, and such other types of appointment as he may deem necessary. He is authorized to establish appropriate probationary periods during which newly appointed staff officers or employees, other than those appointed for temporary or limited services shall be required to serve. The Secretary may terminate at any time, without regard to the provisions of section 637, or the provisions of any other law, staff officers or employees appointed for temporary or limited service and staff officers or employees who have not completed probationary periods, except that if such separation is by reason of misconduct the provisions of section 637 shall be applicable."

SEC. 15. Section 532 of such Act is amended to read as follows:

"SEC. 532. Under such regulations as he may prescribe, the Secretary may assign a staff officer or employee to any post or he may assign him to serve in any position in which he is eligible to serve under the terms of this or any other Act. A staff officer or employee may be transferred from one post to another by order of the Secretary as the interests of the Service may require."

SEC. 16. (a) Section 571 of such Act is amended by striking out paragraphs (a), (b), (c), and (d), and the heading to such section, and inserting in lieu thereof the following:

"ASSIGNMENTS TO ANY GOVERNMENT AGENCY OR INTERNATIONAL ORGANIZATION

"SEC. 571. (a) Any officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed for duty in any Government agency, or in any international organization, international commission, or international body, such an assignment or combination of assignments to be for a period of not more than four years, except that under special circumstances the Secretary may extend this four-year period for not more than four additional years.

"(b) If a Foreign Service officer shall be appointed by the President, by and with the advice and consent of the Senate, or by the President alone to a position in any Government agency, any United States delegation or mission to any international organization, in any international commission, or in any international body, the period of his service in such capacity shall be construed as constituting an assignment within the meaning of paragraph (a) of this section and such person shall not, by virtue of the acceptance of such an assignment, lose his status as a Foreign Service officer. Service in such a position shall not however, be subject to the limitations concerning the duration of an assignment contained in that paragraph.

"(c) If the basic minimum salary of the position to which an officer or employee of the Service is assigned pursuant to the terms of this section is higher than the salary such officer or employee is entitled to receive as an officer or employee of the Service, such officer or employee shall, during the period such difference in salary exists, receive the salary and allowances of the position in which he is serving in lieu of his salary and allowances as an officer or employee of the Service. Any salary paid under the provisions of this section shall be the

salary on the basis of which computations and payments shall be made in accordance with the provisions of title VIII. No officer or employee of the Service who, subsequent to the effective date of the Foreign Service Act Amendments of 1959, is assigned to, or who, after June 30, 1960, occupies a position in the Department that is designated as a Foreign Service Officer position, shall be entitled to receive a salary differential under the provisions of this paragraph."

(b) Paragraph (e) of section 571 of such Act is amended by striking the phrase "with heads of Government agencies" where it appears in the second sentence and by redesignating the paragraph as "(d)".

(c) Section 571 of such Act is amended by adding at the end of such section a new paragraph (e) which shall read as follows:

"(e) Any Foreign Service officer or employee assigned to duty in the continental United States between assignments abroad, and any Foreign Service officer of class 7 or 8 assigned to duty in the continental United States prior to assignment abroad shall receive, during the course of such period of assignment, a differential applied to basic salary of 8 per centum if without dependents, 11 per centum if with one to three dependents, and 13 per centum if with more than three dependents to assist in defraying the cost of quarters."

SEC. 17. Section 575 of such Act is amended by striking out all after the word "accordance" and inserting in lieu thereof the phrase "with the appropriate provisions of titles III and IX of Public Law 402, Eightieth Congress (62 Stat. 7 and 13; 22 U.S.C. 1451–1453, 1478 and 1479)."

SEC. 18. Title V of such Act is further amended by adding at the end thereof the following new section:

"FOREIGN LANGUAGE KNOWLEDGE PREREQUISITE TO ASSIGNMENT

"SEC. 578. The Secretary shall designate every Foreign Service officer position in a foreign country whose incumbent should have a useful knowledge of a language or dialect common to such country. After December 31, 1963, each position so designated shall be filled only by an incumbent having such knowledge: *Provided,* That the Secretary or Deputy Under Secretary for Administration may make exceptions to this requirement for individuals or when special or emergency conditions exist. The Secretary shall establish foreign language standards for assignment abroad of officers and employees of the Service, and shall arrange for appropriate language training of such officers and employees at the Foreign Service Institute or elsewhere."

SEC. 19. Section 625 of such Act and the heading of such section are amended to read as follows:

"WITHIN-CLASS SALARY INCREASES OF FOREIGN SERVICE OFFICERS AND RESERVE OFFICERS

"SEC. 625. Any Foreign Service officer or any Reserve officer, whose services meet the standards required for the efficient conduct of the work of the Service and who shall have been in a given class for a continuous period of nine months or more, shall, on the first day of each fiscal year, receive an increase in salary to the next higher rate for the class in which he is serving. Without regard to any other law, the Secretary is authorized to grant to any such officer additional increases in salary, within the salary range established for the class in which he is serving, based upon especially meritorious service."

SEC. 20. Title VI of such Act is amended by inserting after section 625 the following new section and the heading thereto:

"RELATIONSHIP BETWEEN PROMOTIONS AND FUNCTIONAL AND GEOGRAPHIC AREA SPECIALIZATION

"SEC. 626. The achievement of the objectives of this Act requires increasing numbers of Foreign Service officers to acquire functional and geographic area specializations and to pursue such specializations for a substantial part of their careers. Such specialization shall not in any way inhibit or prejudice the orderly advancement through Class 1 of any such officer in the Foreign Service."

SEC. 21. The heading "PART D—SEPARATION OF FOREIGN SERVICE OFFICERS FROM THE SERVICE" under title VI of such Act is amended to read as follows: "PART D—SEPARATION OF OFFICERS AND EMPLOYEES FROM THE SERVICE".

SEC. 22. Section 631 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS OR CAREER MINISTERS

"SEC. 631. Any Foreign Service officer who is a career Ambassador or a career Minister, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall upon reaching the age of sixty-five, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years."

SEC. 23. Section 632 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS WHO ARE NOT CAREER AMBASSADORS OR CAREER MINISTERS

"SEC. 632. Any Foreign Service officer, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career Ambassador or a career Minister shall, upon reaching the age of sixty, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years."

SEC. 24. Subparagraphs (1) and (2) of paragraph (b) of section 634 of such Act are amended to read as follows:

"(1) one-twelfth of a year's salary at his then current salary rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's salary at his then current salary rate, payable without interest, from the Foreign Service Retirement and Disability Fund, in three equal installments on the 1st day of January following the officer's retirement and on the two anniversaries of this date immediately following: *Provided,* That in special cases, the Secretary may in his discretion accelerate or combine the installments; and

"(2) a refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), except that in lieu of such refund such officer, if he has at least five years of service credit toward retirement under the Foreign Service Retirement and Disability System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a), may elect to receive retirement benefits on reaching the age of sixty in accordance with the provisions of section 821. In the event that an officer who was separated from class 4 or 5 and who has elected to receive retirement benefits dies before reaching the age of sixty, his death shall be considered a death in service within the meaning of section 832. In the event that an officer who was separated from class 6 or 7 and who has elected to receive retirement benefits dies before reaching the age of sixty, the total amount of his contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), shall be paid in accordance with the provisions of section 841(b)."

SEC. 25. Section 635 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS RETIRED FROM CLASS 7 OR 8

"SEC. 635. Any Foreign Service officer in class 7 who is appointed under the provisions of section 516(b) and any Foreign Service officer in class 8 shall occupy probationary status. The Secretary may terminate his service at any time."

SEC. 26. Section 636 of such Act is amended by striking out the phrase "Any Foreign Service officer" and inserting in lieu thereof the phrase "Any participant in the Foreign Service Retirement and Disability System".

SEC. 27. (a) Paragraphs (a), (b), (c), and (d) of section 637 of such Act and the heading to such section are amended to read as follows:

"SEPARATION FOR CAUSE

"SEC. 637. (a) The Secretary may, under such regulations as he may prescribe, separate from the Service any Foreign Service officer, Reserve officer, or staff officer or employee, on account of the unsatisfactory performance of his duties, or for such other cause as will promote the efficiency of the Service, with reasons given in writing, but no such officer or employee shall be so separated until he shall have been granted a hearing by the Board of the Foreign Service and the unsatisfactory performance of his duties, or other cause for separation, shall have been established at such hearing, unless he shall have waived in writing his right to a hearing. The provisions of this section shall not apply to Foreign Service officers of class 8 or any other officer or employee of the Service who is in a probationary status or whose appointment is limited or temporary, except when separation is by reason of misconduct.

"(b) Any participant in the Foreign Service Retirement and Disability System separated under the provisions of paragraph (a) of this section shall receive a refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest, as provided in section 841(a) except that in lieu of such refund such officer may (except in cases where the Secretary determines that separation was based in whole or in part on the ground of disloyalty to the United States) if he has at least five years of service credit toward retirement under this System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a), elect to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821 commencing at the age of sixty years. In the event that an officer who has elected under the provisions of this section to receive a deferred annuity dies before reaching the age of sixty, his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881.

"(c) Any officer or employee of the Service separated under the provisions of paragraph (a) of this section who is not a participant in the Foreign Service Retirement and Disability System shall be entitled only to such benefits as shall accrue to him under the retirement system in which he is a participant.

"(d) Any payments made in accordance with the provisions of paragraph (b) of this section shall be made out of the Foreign Service Retirement and Disability Fund."

SEC. 28. Section 638 of such Act and the heading to such section are amended to read as follows:

"TERMINATION OF LIMITED APPOINTMENTS OF FOREIGN SERVICE RESERVE OFFICERS AND STAFF OFFICERS AND EMPLOYEES

"SEC. 638. Notwithstanding the provisions of this or any other law, the Secretary may, under such regulations as he may prescribe, terminate at any time the services of any Reserve officer or staff officer or employee serving under limited appointment, except that, if the termination is because of misconduct, the provisions of section 637 shall be applicable. This section shall not modify the conditions of employment of, and shall not be applicable to, staff officers who accepted Reserve officer appointments during the period from September 1, 1958, through December 31, 1958."

SEC. 29. Section 641 of such Act is amended to read as follows:

"SEC. 641. All promotions of staff officers and employees to a higher class shall be made at a higher salary on the basis of performance and merit in accordance with such regulations as the Secretary may prescribe."

SEC. 30. Section 642 of such Act and the heading thereto are amended to read as follows:

"WITHIN CLASS AND LONGEVITY SALARY INCREASES

"SEC. 642. (a) Under such regulations as the Secretary may prescribe, any staff officer or employee whose services meet the standards required for the efficient conduct of the work of the Service shall receive an increase in salary at periodic intervals to the next higher salary rate for the class in which he is serving. Without regard to any other law the Secretary is authorized to grant any such officer or employee additional increases in salary within the salary range established for the class in which he is serving, based upon specially meritorious service.

"(b) Under such regulations as the Secretary may prescribe, any staff officer or employee who has attained the maximum salary rate prescribed by section 415 for the class in which he is serving may be granted from time to time an additional salary increase beyond the maximum salary rate for his class in recognition of longevity and proficiency in the Service. Each such salary increase shall be equal to the maximum salary rate increase of the applicable class and no person shall receive more than four such salary increases while serving in the same class."

SEC. 31. Section 701 of such Act is amended by adding at the end thereof the following: "The Secretary may also provide to the extent that space is available therefor appropriate orientation and language training to spouses of officers and employees of the Government in anticipation of the assignment abroad of such officers and employees. Other agencies of the Government shall wherever practicable avoid duplicating the facilities of the Institute and the training provided by the Secretary at the Institute or elsewhere."

SEC. 32. (a) Paragraph (a) of section 704 of such Act is amended by striking out "1923" in the two places where it appears and inserting in lieu thereof "1949".

(b) Section 704 of such Act is amended by adding at the end of such section new paragraphs (e) and (f) which shall read as follows:

"(e) The Secretary may, under such regulations as he may prescribe, in the absence of suitably qualified United States citizens, employ persons who are not citizens of the United States by appointment to the staff of the Institute either on a full- or part-time basis or by contract for services in the United States or abroad at rates not in excess of those provided by the Classification Act of 1949, as amended (5 U.S.C. 1071).

"(f) The Secretary may, under such regulations as he may prescribe, provide special monetary or other incentives not inconsistent with this Act to encourage Foreign Service personnel to acquire or retain proficiency in esoteric foreign languages or special abilities needed in the Service."

SEC. 33. (a) Section 803(b)(2) of such Act is amended to read as follows—

"(2) have paid into the Fund a special contribution for each year of such service in accordance with the provisions of section 852(b)."

(b) Section 803 is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c)(1) In accordance with such regulations as the President may prescribe, any Foreign Service staff officer or employee appointed by the Secretary of State who has completed at least ten years of continuous service in the Department's Foreign Service, exclusive of military service, shall become a participant in the System and shall make a special contribution to the Fund in accordance with the provisions of section 852.

"(2) Any such officer or employee who, under the provisions of paragraph (c)(1) of this section, becomes a participant in the System, shall be mandatorily retired for age during the first year after the effective date of this section if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one, and thereafter at age sixty.

"(3) Any officer or employee who becomes a participant under the provisions of paragraph (c)(1) of this section, who is age sixty-one or over on the effective date of this section, and who is retired mandatorily under the provisions of paragraph (c)(2) of this section, shall receive, in addition to retirement benefits under section 821, one-twelfth of a year's salary at his then current rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's salary at his then current salary rate, payable without interest, from the Fund, at the time of his retirement."

SEC. 34. Section 804 of such Act is amended to read as follows:

"SEC. 804. (a) Annuitants shall be persons who are receiving annuities from the Fund on the effective date of this Act and all persons, including surviving wives and husbands, widows, dependent widowers, children, and beneficiaries of participants or annuitants who shall become entitled to receive annuities in accordance with the provisions of this Act, as amended, or in accordance with the provisions of section 5 of the Act of May 1, 1956 (70 Stat. 125).

"(b) When used in this title the term—

"(1) 'Widow' means the surviving wife of a participant who was married to such participant for at least two years immediately preceding his death or is the mother of issue by such marriage.

"(2) 'Dependent widower' means the surviving husband of a participant who was married to such participant for at least two years immediately preceding her death or is the father of issue by such marriage, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half of his support from such participant.

"(3) 'Child' means an unmarried child, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support. In addition to the offspring of the participant and his or her spouse the term includes (a) an adopted child, and (b) a stepchild or recognized natural child who received more than one-half of his support from the participant."

SEC. 35. Section 811 of such Act is amended to read as follows:

"SEC. 811. (a) Six and one-half per centum of the basic salary received by each participant shall be contributed to the Fund for the payment of annuities, cash benefits, refunds, and allowances. An equal sum shall also be contributed from the respective appropriations or fund which is used for payment of his salary. The amounts deducted and withheld from basic salary together with the amounts so contributed from the appropriation or fund, shall be deposited by the Department of State in the Treasury of the United States to the credit of the Fund.

"(b) Each participant shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this Act, notwithstanding any law, rule, or regulation affecting the individual's salary."

SEC. 36 (a) Paragraphs (a), (b), and (c) of section 821 of such Act are amended to read as follows:

"SEC. 821. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary for the highest five consecutive years of service, for which full contributions have been made to the Fund, multiplied by the number of years, not exceeding thirty-five, of service credit obtained in accordance with the provisions of sections 851, 852, and 853. However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any participant who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

"(b) At the time of retirement, any married participant may elect to receive a reduced annuity and to provide for an annuity payable to his wife or her husband, commencing on the date following such participant's death and terminating upon the death of such surviving wife or husband. The annuity payable to the surviving wife or husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by him as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 he specifies as the base for the survivor benefit plus 10 per centum of any amount over $2,400 so specified.

"(c)(1) If an annuitant dies and is survived by a wife or husband and by a child or children, in addition to the annuity payable to the surviving wife or husband, there shall be paid to or on behalf of each child an annuity equal to smallest of: (i) 40 per centum of the annuitant's average salary divided by the number of children; (ii) $600; or (iii) $1,800 divided by the number of children.

"(2) If an annuitant dies and is not survived by a wife or husband but by a child or children, each surviving child shall be paid an annuity equal to the smallest of: (i) 50 per centum of the annuitant's average salary divided by the number of children; (ii) $720; or (iii) $2,160 divided by the number of children."

(b) Section 821 of such Act is further amended by adding new paragraphs (d), (e), and (f) which shall read as follows:

"(d) If a surviving wife or husband dies or the annuity of a child is terminated, the annuities of any remaining children shall be recomputed and paid as though such wife, husband, or child had not survived the participant.

"(e) The annuity payable to a child under paragraph (c) or (d) of this section shall begin on the first day of the next month after the participant dies and such annuity or any right thereto shall be terminated upon death, marriage, or attainment of the age of eighteen years, except that, if a child is incapable of self-support by reasons of mental or physical disability, the annuity shall be terminated only when such child dies, marries, or recovers from such disability.

"(f) At the time of retirement an unmarried participant may elect to receive a reduced annuity and to provide for an annuity equal to 50 percentum of the reduced annuity payable after his or her death to a beneficiary whose name shall be designated in writing to the Secretary. The annuity payable to a participant making such election shall be reduced by 10 per centum of an annuity computed as provided in paragraph (a) of this section and by 5 per centum of an annuity so computed for each full five years the person designated is younger than the retiring participant, but such total reduction shall not exceed 40 per centum. No such election of a reduced annuity payable to a beneficiary shall be valid until the participant shall have satisfactorily passed a physical examination as prescribed by the Secretary. The annuity payable to a beneficiary under the provisions of this paragraph shall begin on the first day of the next month after the participant dies. Upon the death of the surviving beneficiary all payments shall cease and no further annuity payments authorized under this paragraph shall be due or payable."

SEC. 37. (a) Paragraphs (a), (b), and (c) of section 831 of such Act are amended to read as follows:

"(a) Any participant who has five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with provisions of section 851 or 852(a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary, be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the System at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service, but the additional service credit that may accrue to a participant under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his class in the Service.

"(b) In each case, the participant shall be given a physical examination by one or more duly qualified physicians or surgeons designated by the Secretary to conduct examinations, and disability shall be determined by the Secretary on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his class in the Service. If the Secretary determines, on the basis of the advice of one or more duly qualified physicians or surgeons conducting such examinations, that an annuitant has recovered to the extent that he can return to duty, the annuitant may apply for reinstatement or reappointment in the Service within one year from the date his recovery is determined. Upon application the Secretary shall reinstate any such recovered disability annuitant in the class in which he was serving at time of retirement, or the Secretary may, taking into consideration the age, qualifications, and experience of such annuitant, and the present class of his contemporaries in the Service, appoint him or, in the case of an annuitant who is a former Foreign Service Officer, recommend that the President appoint him, by and with the advice and consent of the Senate, to a class higher than the one in which he was serving prior to retirement. Payment of the annuity shall continue until a date six months after the date of the examination showing recovery or until the date of reinstatement or reappointment in the Service, whichever is earlier. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Fund. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"(c) If a recovered disability annuitant whose annuity is discontinued is for any reason not reinstated or reappointed in the Service, he shall be considered to have been separated within the meaning of section 834 as of the date he was retired for disability and he shall, after the discontinuance of the disability annuity, be entitled to the benefits of that section or of section 841(a) except that he may elect voluntary retirement in accordance with the provisions of section 636 if he can qualify under its provisions."

(b) Section 831 of such Act is further amended by adding new paragraphs (d) and (e) which shall read as follows:

"(d) No participant shall be entitled to receive an annuity under this Act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. Neither this provision nor any provision of the Act of September 7, 1916, as amended, shall be so construed as to deny the right of any person to receive an annuity under this Act by reason of his own services and to receive concurrently any payment under such Act of September 7, 1916, as amended, by reason of the death of any other person.

"(e) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this Act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the Act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Secretary of Labor, shall be refunded to the Department of Labor, to be paid into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to the Department of Labor the amount representing such computed payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this Act, which amount shall be transmitted to such Department for reimbursement to such Fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Secretary of Labor shall determine, whenever he finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding."

SEC. 38. Section 832 of such Act is amended to read as follows:

"SEC. 832. (a) In case a participant dies and no claim for annuity is payable under the provisions of this Act, his contributions to the Fund, with interest at the rates prescribed in sections 841(a) and 881(a), shall be paid in the order of precedence shown in section 841(b).

"(b) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a widow or a dependent widower, as defined in section 804, such widow or dependent widower shall be entitled to an annuity equal to 50 per centum of the annuity computed in accordance with the provisions of paragraph (e) of this section and of section 821(a). The annuity of such widow or dependent widower shall commence on the date following death of the participant and shall terminate upon death of the widow or dependent widower, or upon the dependent widower's becoming capable of self-support.

"(c) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a wife or a husband and a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(1). The child's annuity shall begin and be terminated in accordance with the provisions of section 821(e). Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though such wife or husband or child had not survived the participant.

"(d) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is not survived by a wife or husband, but by a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(2). The child's annuity shall begin and terminate in accordance with the provisions of section 821(e). Upon termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though that child had never been entitled to the benefit.

"(e) If, at the time of his or her death, the participant had less than twenty years of service credit toward retirement under the System, the annuities payable in accordance with paragraph (b) of this section shall be computed in accordance with the provisions of section 821 on the assumption he or she has had twenty years of service, but the additional service credit that may accrue to a deceased participant under this provision shall in no case exceed the difference between his or her age on the date of death and the mandatory retirement age applicable to his or her class in the Service. In all cases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be assumed that the deceased participant was qualified for retirement on the date of his death."

SEC. 39. A new section 834 is hereby added to such Act as follows:

"DISCONTINUED SERVICE RETIREMENT

"SEC. 834. (a) Any participant who voluntarily separates from the Service after obtain-

ing at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), may, upon separation from the Service or at any time prior to becoming eligible for an annuity, elect to have his contributions to the Fund returned to him in accordance with the provisions of section 841, or to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821, commencing at the age of sixty years.

"(b) If a participant who has qualified in accordance with the provisions of paragraph (a) of this section to receive a deferred annuity commencing at the age of sixty dies before reaching the age of sixty his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881."

SEC. 40. Section 841 of such Act is amended to read as follows:

"SEC. 841. (a) Whenever a participant becomes separated from the Service without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1959; semiannually as of December 31, 1959; annually thereafter as of December 31, and proportionately for the period served during the year of separation including all contributions made during or for such period, except as provided in section 881, shall be returned to him.

"(b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 881, with interest at 4 per centum per annum compounded annually as is provided in paragraph (a) of this section added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid in the following order of precedence, upon the establishment of a valid claim therefor, and such payment shall be a ban to recovery by any other person:

"(1) To the beneficiary or beneficiaries designated by the retired participant in writing to the Secretary;

"(2) If there be no such beneficiary, to the surviving wife or husband of such participant;

"(3) If none of the above, to the child or children of such participant and descendants of deceased children by representation;

"(4) If none of the above, to the parents of such participant or the survivor of them;

"(5) If none of the above, to the duly appointed executor or administrator of the estate of such participant;

"(6) If none of the above, to other next of kin of such participant as may be determined by the Secretary in his judgment to be legally entitled thereto.

"(c) No payment shall be made pursuant to paragraph (b)(6) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant."

SEC. 41. Section 851 of such Act is amended to read as follows:

"SEC. 851. For the purposes of this title, the period of service of a participant shall be computed from the effective date of appointment as a Foreign Service officer, or, if appointed prior to July 1, 1924, as an officer or employee of the Diplomatic or Consular Service of the United States, or from the date he becomes a participant under the provisions of this Act, as amended, but all periods of separation from the Service and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year shall be excluded, except leaves of absence while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended, and leaves of absence granted participants while performing active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States."

SEC. 42. (a) Paragraphs (a), (b), and (c) of section 852 of such Act are amended to read as follows:

"(a) A participant may, subject to the provisions of this section, include in his period of service—

"(1) civilian service in the executive, judicial, and legislative branches of the Federal Government and in the District of Columbia government, prior to becoming a participant; and

"(2) active and honorable military or naval service in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States.

"(b) A person may obtain prior civilian service credit in accordance with the provisions of paragraph (a)(1) of this section by making a special contribution to the Fund equal to 5 per centum of his basic annual salary for each year of service for which credit is sought subsequent to July 1, 1924, and prior to the effective date of the Foreign Service Act Amendments of of 1959, and at 6½ per centum thereafter with interest compounded annually at 4 per centum per annum to the date of payment. Any such person may, under such conditions as may be determined in each instance by the Secretary, pay such special contributions in installments.

"(c)(1) If an officer or employee under some other Government retirement system, becomes a participant in the System by direct transfer, such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to the Fund effective as of the date such officer or employee becomes a participant in the System. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the System.

"(2) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall be required to make contributions in addition to those transferred, for periods of service for which full contributions were made to the other Government retirement fund, nor shall any refund be made to any such officer or employee on account of contributions made during any period to the other Government retirement fund, at a higher rate than that fixed by section 811 of this Act for contributions to the Fund.

"(3) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall receive credit for periods of service subsequent to July 1, 1924, for which a refund of contributions has been made, or for which no contributions were made to the other Government retirement fund. A participant may, however, obtain credit for such prior service by making a special contribution to the Fund in accordance with the provisions of paragraph (b) of this section."

(b) Section 852 of such Act is further amended by adding at the end thereof new paragraphs (d) and (e) which shall read as follows:

"(d) No participant may obtain prior civilian service credit toward retirement under the System for any period of civilian service on the basis of which he is receiving or will in the future be entitled to receive any annuity under another retirement system covering personnel of the Government.

"(e) A participant may obtain prior military or naval service credit in accordance with the provisions of paragraph (a)(2) of this section by applying for it to the Secretary prior to retirement or spearation from the Service. However, in the case of a participant who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of a participant who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or caused by an instrumentality of war and incurred in line of duty during an enlistment or employment as provided in Veterans Regulation Numbered 1(a), part I, paragraph I, or is awarded under chapter 67 of title 10 of the United States Code, the period of such military or naval service shall be included. No contributions to the Fund shall be required in connection with military or naval service credited to a participant in accordance with the provisions of paragraph (a)(2) of this section."

SEC. 43. Such Act is amended by adding after section 854 a new section as follows:

"RECOMPUTATION OF ANNUITIES OF CERTAIN FORMER PARTICIPANTS

"SEC. 885. The annuity of each former participant under the System, who retired prior to July 28, 1956, and who at the time of his retirement had creditable service in excess of thirty years, shall be recomputed on the basis of actual years of creditable service not in excess of thirty-five years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, but no such recomputation or any other action taken pursuant to this section shall operate to reduce the rate of the annuity any such person is entitled to receive under the System."

SEC. 44. The heading "PART H—OFFICERS REINSTATED IN THE SERVICE" under title VIII of such Act is amended to read as follows: "PART H—ANNUITANTS RECALLED, REINSTATED OR REAPPOINTED IN THE SERVICE OR REEMPLOYED IN THE GOVERNMENT".

SEC. 45. Section 871 of such Act is amended and a heading is added thereto as follows:

"RECALL

"SEC. 871. Any annuitant recalled to duty in the Service in accordance with the provisions of section 520(b) or reinstated or reappointed in accordance with the provisions of section 831(b) shall, while so serving, be entitled in lieu of his annuity to the full salary of the class in which he is serving. During such service, he shall make contributions to the Fund in accordance with the provisions of section 811. The amount of his annuity when he reverts to his retired status shall be recomputed in accordance with the provisions of section 821."

SEC. 46. A new section 872 is hereby added to such Act as follows:

"REEMPLOYMENT

"SEC. 872. (a) Notwithstanding any other provision of law, any officer or employee of the Service, who has retired under this Act, as amended, and is receiving an annuity pursuant thereto, and who is reemployed in the Federal Government service in any appointive position either on a part-time or full-time basis, shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act, as amended, which when combined with such salary does not exceed

during any calendar year the highest basic salary such officer or employee was entitled to receive under sections 412 or 415 of the Act, as amended, on the date of his retirement from the Service. Any such reemployed officer or employee who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this paragraph shall be entitled to such salary in lieu of benefits hereunder.

"(b) When any such retired officer or employee of the Service is reemployed, the employer shall send a notice to the Department of State of such reemployment together with all pertinent information relating thereto and shall cause to be paid, by transfer or otherwise, to the Department of State funds necessary to cover gross salary, employer contributions, and gross lump sum leave payment relating to the employment of the reemployed officer or employee. The Department of State shall make to and on behalf of the reemployed officer or employee payments to which he is entitled under the provisions of paragraph (a) of this section, and shall make those withholding and deductions authorized and required by law.

"(c) In the event of any overpayment under this section the Secretary of State is authorized to withhold the amount of such overpayment from the salary payable to such reemployed officer or employee or from his annuity."

SEC. 47. (a) So much of paragraph (a) of section 881 of such Act as precedes subparagraph (1) thereof is amended to read as follows:

"(a) Any participant may, at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 per centum of his basic salary, but not in excess of 10 per centum of such salary, which amounts together with interest at 3 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1959; semiannually as of December 31, 1959; annually thereafter as of December 31, and proportionately for the period served during the year of his retirement, including all contributions made during or for such period, shall, at the date of his retirement and at his election, be—"

(b) Paragraph (c) of section 881 of such Act is amended by deleting the word "annually" and inserting in lieu thereof the phrase "as is provided in paragraph (a) of this section", and by changing the words "withdrawal from active service" at the end of such paragraph to "separation from the Service".

SEC. 48. Section 912 of such Act is amended by changing the heading thereto to read "LOAN OF HOUSEHOLD FURNISHINGS AND EQUIPMENT" and by inserting between the words "with household" the word "basic" and by inserting between the words "household equipment" the phrase "furnishings and".

SEC. 49. Section 913 of such Act and the heading thereto is amended to read as follows:

"TRANSPORTATION OF MOTOR VEHICLES

"SEC. 913. The Secretary may, notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Service, a privately owned motor vehicle or replacement thereof in any case where he shall determine that water, rail, or air transportation of the motor vehicle or replacement thereof is necessary or expedient for any part or of all the distance between points of origin and destination."

SEC. 50. (a) Section 1021 of such Act is amended by inserting the phrase "the Department including" immediately prior to the phrase "the Service" wherever it appears in this secton.

(b) Section 1021(a) is further amended by striking out the phrase "if recommended by the Director General" and inserting in lieu thereof the phrase "at the discretion of the Secretary".

SEC. 51. Foreign Service staff officers and employees receiving basic salary immediately prior to the effective date of this Act at one of the rates provided by section 415 of the Foreign Service Act of 1946, as amended, shall be transferred to the new classes established by section 415 of such Act, as amended, and shall receive basic salary on and after the effective date of this Act, as follows:

Present class and salary rate of sec. 415 of the Foreign Service Act of 1946, as amended (1958)			Corresponding new class and salary rate of sec. 415 of the Foreign Service Act of 1946, as amended by this act			Amount of adjustments
Class	Step	Rate	Class	Step	Rate	
FSS-1	5	$13,160	FSS-1	6	$13,310	$150
	4	12,830		5	12,980	150
	3	12,480		4	12,650	170
	2	12,120		3	12,320	200
	1	11,770		2	11,990	220
FSS-2	5	12,120	FSS-1	3	12,320	200
	4	11,770		2	11,990	220
	3	11,485	FSS-2	7	11,550	65
	2	11,205		6	11,275	70
	1	10,920		5	11,000	80
FSS-3	5	11,165	FSS-2	6	11,275	110
	4	10,885		5	11,000	115
	3	10,600		4	10,725	125
	2	10,320		3	10,450	130
	1	10,030		2	10,175	145
FSS-4	5	10,230	FSS-2	3	10,450	220
	4	9,945		2	10,175	230
	3	9,665	FSS-3	7	9,790	125
	2	9,380		6	9,515	135
	1	9,095		5	9,240	145
FSS-5	6	9,600	FSS-3	7	9,790	190
	5	9,315		6	9,515	200
	4	9,030		5	9,240	210
	3	8,815		4	8,965	150
	2	8,610		3	8,690	80
	1	8,395		2	8,415	20
FSS-6	6	8,755	FSS-3	4	8,965	210
	5	8,540		3	8,690	150
	4	8,325	FSS-4	7	8,350	25
	3	8,120		6	8,125	5
	2	7,905		6	8,125	220
	1	7,690		5	7,900	210
FSS-7	6	8,050	GSS-4	6	8,125	75
	5	7,840		5	7,900	60
	4	7,630		4	7,675	45
	3	7,415		3	7,450	35
	2	7,200		2	7,225	25
	1	6,990		1	7,000	10
FSS-8	6	7,350	FSS-5	7	7,350	----------
	5	7,140		6	7,150	10
FSS-8	4	6,925	FSS-5	5	6,950	25
	3	6,710		4	6,750	40
	2	6,495		3	6,550	55
	1	6,285		2	6,350	65

Present class and salary rate of sec. 415 of the Foreign Service Act of 1946, as amended (1958)			Corresponding new class and salary rate of sec. 415 of the Foreign Service Act of 1946, as amended by this act			Amount of adjustments
Class	Step	Rate	Class	Step	Rate	
FSS-9	6	$6,650	FSS-5	4	$6,750	$100
	5	6,435	FSS-6	7	6,500	65
	4	6,220		6	6,300	80
	3	6,005		5	6,100	95
	2	5,795		4	5,900	105
	1	5,585		3	5,700	115
FSS-10	7	6,175	FSS-6	6	6,300	125
	6	5,970		5	6,100	130
	5	5,755		4	5,900	145
	4	5,540	FSS-7	7	5,550	10
	3	5,400		6	5,400	----------
	2	5,260		6	5,400	140
	1	5,115		5	5,250	135
FSS-11	7	5,500	FSS-7	7	5,550	50
	6	5,355		6	5,400	45
	5	5,215		5	5,250	35
	4	5,070		4	5,100	30
	3	4,930		3	4,950	20
	2	4,790		2	4,800	10
	1	4,650		1	4,650	----------
FSS-12	7	5,025	FSS-8	7	5,100	75
	6	4,890		6	4,950	60
	5	4,745		5	4,800	55
	4	4,605		4	4,650	45
	3	4,460		3	4,500	40
	2	4,320		2	4,350	30
	1	4,180		1	4,200	20
FSS-13	7	4,580	FSS-9	7	4,650	70
	6	4,440		6	4,500	60
	5	4,295		5	4,350	55
	4	4,155		4	4,200	45
	3	4,010		3	4,050	40
	2	3,870		2	3,900	30
	1	3,730		1	3,750	20
FSS-14	7	4,155	FSS-9	4	4,200	45
	6	4,010	FSS-10	7	4,100	90
	5	3,870		5	3,900	30
	4	3,730		4	3,800	70
	3	3,585		2	3,600	15
	2	3,445		1	3,500	55
	1	3,300		1	3,500	200
FSS-15	All step rates and below.		FSS-10	1	3,500	5

SEC. 52. Section 11 of Public Law 885, Eighty-fourth Congress (70 Stat. 890), is hereby amended by inserting after the phrase "Government-owned vehicles" the phrase "or taxicabs" and by inserting after the phrase "public transportation facilities" the phrase "other than taxicabs".

SEC. 53. (a) Paragraph (4) of section 104(a) of the Internal Revenue Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion from gross income of compensation for injuries and sickness) is hereby amended to read as follows:

"(4) amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service, or as a disability annuity payable under the provisions of section 831 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021)."

(b)(1) Section 402(a) of the Internal Revenue Code of 1954 (relating to the taxability of a beneficiary of an employee's trust) is hereby amended as follows:

(a) By striking out in the first sentence of paragraph (1) thereof "paragraph (2)" and inserting in lieu thereof "paragraphs (2) and (3)", and

(b) By redesignating paragraph (3) thereof as paragraph (4) and by inserting after

paragraph (2) thereof the following new paragraph:

"(3) The amount includible under this subsection as the gross income of a nonresident alien individual with respect to a distribution made by the United States in respect of services performed by an employee of the United States shall not exceed an amount which bears the same ratio to the amount includible in gross income without regard to this paragraph as the aggregate compensation paid by the United States to such employee for such services and includible in gross income under this subtitle or prior income tax laws bears to the aggregate compensation paid by the United States to such individual whether or not includible in gross income."

(2) Subsection (d) of section 871 of the Internal Revenue Code of 1954 (relating to the tax imposed on nonresident alien individuals) is hereby amended to read as follows:

"(d) CROSS REFERENCE.—

"(1) For doubling of tax on citizens of certain foreign countries, see section 891.

"(2) For taxability of amounts paid by the United States to certain nonresident alien employees or their beneficiaries, see section 402(a)(3)."

SEC. 54. (a) Section 12 of the Act of June 26, 1884 (23 Stat. 56; 22 U.S.C. 1186), is hereby repealed.

(b) The second proviso of section 1 of chapter 223 of the Act of June 4, 1920, as amended (41 Stat. 750; 22 U.S.C. 214), is further amended by striking out the phrase "or to seamen,".

SEC. 55. Section 4 of the Foreign Service Buildings Act, 1926, as amended (22 U.S.C. 295), is amended by adding at the end thereof the following new subsection:

"(c) For the purpose of carrying into effect the provisions of this Act there is hereby authorized to be appropriated, in addition to amounts previously authorized, an amount not to exceed $100,000,000, of which $50,000,000 shall be available exclusively for payments representing the value in whole or in part, of property or credits in accordance with the provisions of the Act of July 25, 1946 (60 Stat. 663). Sums appropriated pursuant to this authorization shall remain available until expended."

SEC. 56. The following headings and sections in the Foreign Service Act of 1946, as amended, are hereby repealed:

(1) Section 442 of such Act and the heading thereto.

(2) Section 525 of such Act and the heading thereto.

(3) Section 576 of such Act and the heading thereto.

(4) Section 577 of such Act and the heading thereto.

(5) Sections 651 and 652 of such Act and the headings thereto, including Part F—Separation of Staff Officers and Employees.

SEC. 57. Notwithstanding the provisions of this Act, existing rules and regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of the Foreign Service Act of 1946, as amended by this Act, unless clearly inconsistent with the provisions of this Act or the provisions so amended.

SEC. 58. (a) The provisions of this Act shall become effective as of the first day of the first pay period which begins one month after the enactment of this Act, except as provided in paragraphs (b), (c), and (d) of this section.

(b) The provisions of paragraphs (c)(1) and (c)(2) of section 803 of the Foreign Service Act of 1946, as amended by section 33(b) of this Act, shall become effective on the first day of the first month which begins one year after the date of enactment of this Act, except that any Foreign Service staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service Retirement and Disability System, may elect to become a participant in the System before the mandatory provisions become effective. Such Foreign Service staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

(c) The amendments made by section 53 of this Act shall be effective with respect to taxable years ending after the date of enactment of this Act.

(d) The amendment made by section 43 of this Act shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. FULBRIGHT. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

REPORT OF THE COMMISSION ON CIVIL RIGHTS

Mr. SPARKMAN. Mr. President, has the morning hour been concluded?

The VICE PRESIDENT. No; the morning hour is only beginning.

Mr. SPARKMAN. Mr. President——

The VICE PRESIDENT. The Senator from Alabama.

Mr. SPARKMAN. Mr. President, have I been recognized, and do I now have the floor?

The VICE PRESIDENT. Yes.

Mr. SPARKMAN. Mr. President, just 2 years ago, upon the recommendation of President Eisenhower, and over the strong objections of a great number of Senators—among whom I am proud to be numbered—the so-called Civil Rights Act was passed.

This bill was conceived in antisouthern emotion; and, despite all its self-serving declarations of high principle and purpose, we who opposed it warned that its inevitable results would involve a threat to the very foundation of our Republic—the Constitution of the United States—and the principle upon which even the Constitution was framed—the sovereign rights of the several States. But our warnings went unheeded, Mr. President. However, subsequent events have vindicated our judgment.

We have seen the Federal Government endeavor to expand even the great powers granted it under the act, so as to have a sovereign State knuckle under to the preconceived notions of the Department of Justice in respect to the State's administration of its own laws.

We have seen the Executive add his fuel to a blazing fire of racial discord kindled by the iniquitous decision by the U.S. Supreme Court in May 1954.

We have seen a continued deterioration of race relations. Where there was cooperation, there is now conflict. Where there was progress, there is now destruction.

If this tragic circumstance does not convince the skeptic, then let him read the recommendations which the Civil Rights Commission created by the so-called Civil Rights Act released yesterday.

The Commission has advocated the enactment of a law whereby when nine people in a political subdivision of a State feel that they have not been registered to vote soon enough—without specifying when, or under what circumstances, the application shall be made—the President of the United States shall have authority to appoint a so-called temporary registrar to register persons to vote in Federal elections, and to continue in that office so long as the President shall desire.

Such a proposal is in direct conflict with the Constitution of the United States. It should be well known to the members of the Commission, and it certainly is well known to the Senate, that the States have long been held to have broad power to determine the conditions under which the right of suffrage may be exercised. *Lassiter* v. *North Hampton County Board of Education*, 360 U.S. 45; *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335.

Article I, section 2, of the Federal Constitution, in its provision for the election of the House of Representatives; and the 17th amendment, in its provision for the election of Senators, provide that officials shall be chosen by the people. Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Moreover, the right to vote "refers to the right to vote as established by the laws and constitution of the State."—*McPherson* v. *Blacker*, 146 U.S. 1, 39.

The members of this Commission would be well-advised to read the case of *Pope* v. *Williams*, 193 U.S. 621, 632:

> The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. * * * It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

Notwithstanding the clear wording and intent of the Federal Constitution as uniformly interpreted by the courts, this Commission seeks to have the Congress turn over to the Federal Government the process of registering voters in the various States for Federal elections. It seeks to undermine the entire fabric of our systems of government and asks this Congress to violate deliberately the Constitution.

It is no mere happenstance that the conduct of elections has been left to the States. The concept is basic, the one to serve as a check upon the other. The importance of this doctrine has been stressed by the Supreme Court in innumerable cases. It is well expressed in *Guinn* v. *United States*, 238 U.S., 347. There, the Supreme Court characterized the power of the State governments over suffrage as one "which has belonged to

those governments from the beginning and without the possession of which power the whole fabric upon the division of State and national authority under the Constitution and the organization of both governments would rest would be without support and both the authority of the Nation and the State would fall to the ground."

These are strong words. Unquestionably, they were not lightly spoken. The power of the States over suffrage, which must include the power to register voters, is undoubtedly, as the Supreme Court said it was, basic to the foundations of our Government.

These Commissioners ask us to destroy our system of government and to turn the matter of voter registration over to the President of the United States. No one could have imagined that even this Commission would have made such a proposal. To call it devastating is to use an understatement. For this proposal would allow nine temporarily frustrated applicants for registration to undermine the plenary power which the Constitution has accorded the States over all elections, State and Federal.

It is inconceivable that this Congress will continue in existence a Commission which operates in this fashion.

These Commissioners tell us that the Founding Fathers were wrong; that the Supreme Court has been wrong throughout our history in holding that the plenary powers of State governments over the suffrage was essential to the continued existence of both State and national authority under the Constitution; and that this Congress should overturn it all and allow complete Presidential control over the election machinery of the various States in Federal elections at the behest of nine frustrated applicants. As for me, I propose to abide by the Constitution and to leave suffrage, and the regulation of it, where it has always belonged. Nor can I in good conscience support the continued existence of a Commission which advocates that the Federal system be torpedoed.

CALL OF THE ROLL

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

Mr. BIBLE. Mr. President, would the Senator withhold that request to let me introduce a bill and make a short statement on it?

Mr. MORSE. I had an understanding with the acting majority leader that immediately following the passage of the foreign service bill, we would have a call for a quorum. The Senator from Alabama [Mr. SPARKMAN] was not aware of that, and he obtained the floor. I am sorry, but I am going to have a quorum call, as my understanding calls for.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Cannon	Johnson, Tex.
Bartlett	Engle	Keating
Bible	Fulbright	Kuchel
Byrd, W. Va.	Javits	Mansfield
Morse	Sparkman	Williams, Del.
Pastore	Talmadge	Yarborough
Proxmire	Thurmond	
Russell	Wiley	

Mr. MANSFIELD. I announce that the Senator from Missouri [Mr. HENNINGS] is absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Aaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Missouri [Mr. O'MAHONEY] are absent because of illness.

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.

The VICE PRESIDENT. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. BRIDGES, Mr. BUSH, Mr. BUTLER, Mr. BYRD of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DIRKSEN, Mr. DODD, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. ERVIN, Mr. FONG, Mr. FREAR, Mr. GOLDWATER, Mr. GORE, Mr. GREEN, Mr. HART, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HILL, Mr. HOLLAND, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. LANGER, Mr. LAUSCHE, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. PROUTY, Mr. RANDOLPH, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. YOUNG of North Dakota, Mr. YOUNG of Ohio entered the Chamber and answered to their names.

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

CONSTRUCTION OF FACILITIES FOR GORGAS MEMORIAL LABORATORY

Mr. HILL. Mr. President, a message has come from the House on Senate bill 2219, for the construction of facilities for the Gorgas Memorial Laboratory.

This bill is an administration bill, supported by the administration. I consulted with the distinguished majority leader, the Senator from Texas, about the bill at the time it was passed. He was very much interested in its passage.

This morning I consulted with the assistant minority leader, the Senator from California [Mr. KUCHEL], about the amendment which the House placed on the bill.

All those in favor of the bill are interested in having the amendment agreed to and that the bill may be passed and sent to the President for signature.

I ask that the Chair lay the message before the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2219) 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, which was, on page 2, lines 4 and 5, strike out "from time to time such sums as the Congress may find necessary" and insert "not to exceed $250,000".

Mr. MORSE. Mr. President, will the Senator from Alabama give a brief explanation of the amendment?

Mr. HILL. The bill as drafted and passed by the Senate provided that appropriations could be made by Congress for construction in connection with the Gorgas Memorial Laboratory. The House amendment placed a ceiling of $250,000 on the cost of construction.

I have consulted with the officials of the Gorgas Memorial Laboratory, more particularly former Representative Thatcher of Kentucky, the author of the bill in the House of Representatives, establishing the Gorgas Memorial Laboratory. The amendment is agreeable to him and to the representatives of the Gorgas Memorial Laboratory and to all those who are interested in passing the bill.

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

Mr. HILL. I yield.

Mr. MORSE. I understand that the officials and the interested parties with whom the Senator from Alabama has talked, have stated that an appropriation of $250,000 at this time would meet their immediate construction needs, and that in the future, as they might need more money, they would be in a position to ask Congress for additional money.

Mr. HILL. That would be so.

Mr. MORSE. I remember the bill. We discussed it in our committee. Will the Senator make a brief statement for the record as to what the bill proposes over and above providing funds for building additional facilities for this great Laboratory, which has already done such fine work?

Mr. HILL. It also raises the authorization for an appropriation for the maintenance and operation of the Laboratory from $150,000 a year to $250,000 a year. The House did not in any way change that provision of the bill.

Mr. MORSE. That is the point I wish to bring out. We are not in any way interfering with the authorization called for by the bill or for an increase in the operating funds of this Laboratory, because, as the work of our committee shows, that is also of immediate concern to the Laboratory, as is the need for additional facilities.

Mr. HILL. That was indeed of immediate concern. The House amendment

does not in any way affect the authorization for the funds for operation and maintenance. It deals only with this matter of construction, and it was thought that the $250,000 would meet the present and immediate needs, and then, as the Senator from Oregon has so well suggested, if there are additional needs, there can be further legislation.

Mr. MORSE. Mr. President, I wish to make this additional comment: I hope the Senate will concur in the House amendment. I think it should be said, in tribute to the Senator from Alabama, that this is another one of the bills dealing with the great health problems which confront this country. It is another monument to the record of the distinguished Senator from Alabama in the field of public health.

Mr. HILL. I thank the Senator from Oregon for his very kind remarks. No one has worked more closely or cooperated more fully with the Senator from Alabama than has the distinguished Senator from Oregon.

Mr. MORSE. I appreciate that remark.

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

The motion was agreed to.

CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, we do not have all the reports dealing with bills on the calendar. Today there will be a calendar call through Order No. 938. There will be other bills reported today and tomorrow, and I assume for the next several days.

I should like to inform the Senate that it is planned to have another calendar call tomorrow, and other calendar calls later this week and next week, if that is necessary.

Mr. President, I ask unanimous consent that there be a call of the calendar following the morning hour tomorrow, for the consideration of measures on the calendar to which there is no objection.

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

ORDER FOR TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour tomorrow, for the introduction of bills and the transaction of other routine business, with the usual limitation of 3 minutes on statements in connection therewith.

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

ORDER FOR RECESS TO 9:30 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate takes a recess today it stand in recess until 9:30 o'clock a.m. tomorrow.

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

AMERICA'S ECONOMIC ACHIEVEMENT

Mr. WILEY. Mr. President, according to many of the newspapers, and some of the mail, it appears that after the so-called labor reform bill was passed a considerable amount of abuse was heaped upon Members of Congress who voted for that bill. Previous to the vote I received probably two-thirds as many communications from labor as I received from management, and I am sure that I did not read more than 1 percent of them. This bill, as all legislation is, was a compromise. When you get Senators like KENNEDY and GOLDWATER to agree, the bill cannot be so bad. In fact, I feel it is a good bill, one that will be beneficial to both labor and management, but especially beneficial to the public. The national welfare needed this bill.

It is interesting to note that Senators who have been among the leading friends of labor have not replied to the abuse. I am sure the rank and file of labor remember how we were abused for the Taft-Hartley bill. Who gave us such abuse? I shall not spend much time on that question.

There is a great deal of misunderstanding abroad on many matters. I hold in my hand the monthly letter of the First National City Bank of New York. Beginning on page 104 there appears an article headed "The Hundred Largest Salesmen." The article refers to America's economic achievement as resting "on the initiative of entrepreneurs working under free institutions and seeking to discover and satisfy human wants."

I ask unanimous consent to have the article to which I have referred printed in the RECORD at this point as a part of my remarks.

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

THE HUNDRED LARGEST SALESMEN

America's economic achievement rests on the initiative of entrepreneurs working under free institutions and seeking to discover and satisfy human wants. Our method of progress has been to realize efficiencies of large-scale production and distribution. Ironically, the companies that succeed best and grow from small beginnings to great size frequently come under political attack. Yet it is the choice of the consumer that makes a company big and it is the ballot box in the marketplace that decides which firm is entitled to grow on the merits of its products.

Competition for the consumer's dollar covers the entire range of goods and services, and the American consumer has close to a billion dollars a day to spend. Market potentials become quite fabulous for well-designed new products, effectively promoted to attract the consumer's favor.

There are, on the basis of figures for 1958, 45 corporations with sales levels beyond the billion-dollar mark. The 100 largest nonfinancial corporations, as shown in the accompanying list, had sales or revenues of $142 billion.

Manufacturing companies make up 74 of the 100 largest and had combined sales of $107 billion. Among the 74 manufacturers are 14 petroleum producing and refining companies with sales of $27 billion and three automobile manufacturers with $16 billion.

Completing the group are 17 retail and wholesale trade companies with sales or revenues of $23 billion, 5 railroad systems with $4 billion, and 4 public utilities with $9 billion.

There are no life memberships in the "100 largest clubs." The members face the constant threat of being displaced by other organizations which are more aggressive or whose industries are growing faster. In a growing economy a company must go ahead to hold its place.

Numerous changes in the list over the years illustrate the dynamic character of American business. For example, even during the short space of 3 years since the previous similar tabulation in this letter (September 1956: "Where the Money Goes") there have been eight changes. Displaced from the list were producers of steel, glass, two aircraft, and four nonferrous metals. Their places were taken by producers of chemicals, soap, and petroleum, three food chains, and two public utilities.

Total sales or revenues, 100 largest U.S. nonfinancial corporations as reported for year 1958

[In millions of dollars]

MANUFACTURING	
Allied Chemical Corp	639
Allis-Chalmers Manufacturing Co	535
Aluminum Co. of America	758
American Can Co	1,038
American Cyanamid Co	539
American Metal Climax	542
American Tobacco Co	1,104
Armco Steel Corp	884
Armour & Co	1,853
Atlantic Refining Co	552
Bendix Aviation Corp	625
Bethlehem Steel Corp	2,024
Boeing Airplane Co	1,712
Borden Co	919
Borg-Warner Corp	535
Burlington Industries	653
Caterpillar Tractor Co	586
Chrysler Corp	2,175
Cities Service Co	1,030
Colgate-Palmolive Co	534
Continental Can Co	1,085
Continental Oil Co	602
Distillers Corp.—Seagrams	706
Douglas Aircraft Co	1,210
Dow Chemical Co	714
E. I. du Pont de Nemours & Co	2,003
Eastman Kodak Co	846
Firestone Tire & Rubber Co	1,065
Ford Motor Co	4,174
General Dynamics Corp	1,513
General Electric Co	4,156
General Foods Corp	1,056
General Mills	546
General Motors Corp	9,614
B. F. Goodrich Co	702
Goodyear Tire & Rubber Co	1,372
Gulf Oil Corp	2,793
Inland Steel Co	661
International Business Machine Corp	1,187
International Harvester Co	1,117
International Paper Co	920
International Telephone & Telegraph Corp	703
Jones & Laughlin Steel Corp	657
Liggett & Myers Tobacco Co	556
Lockheed Aircraft Corp	966
Monsanto Chemical Co	556
National Dairy Products Corp	1,457
National Distillers & Chemical Corp	526
National Steel Corp	545
North American Aviation	909
Olin Mathieson Chemical Corp	610
Phillips Petroleum Co	1,073
Procter & Gamble Co	1,299
Radio Corp. of America	1,176
Republic Steel Corp	918
R. J. Reynolds Tobacco Co	1,147
Shell Oil Co	1,674
Sinclair Oil Corp	1,202
Socony Mobil Oil Co	2,933
Sperry Rand Corp	995
Standard Oil Co. of California	1,689

Total sales or revenues, 100 largest U.S. nonfinancial corporations as reported for year 1958—Continued

[In millions of dollars]

MANUFACTURING—Continued	
Standard Oil Co. (Indiana)	1,882
Standard Oil Co. (New Jersey)	7,712
Sun Oil Co	724
Swift & Co	2,648
Texaco, Inc	2,476
Tidewater Oil Co	553
Union Carbide Corp	1,316
United Aircraft Corp	1,204
United States Rubber Co	871
United States Steel Corp	3,472
Western Electric Co	2,183
Westinghouse Electric Corp	1,913
Wilson & Co	685
TRADE	
Allied Stores Corp	645
American Stores Co	875
Anderson, Clayton & Co	797
Federated Department Stores	653
First National Stores	532
Food Fair Stores	736
Great A. & P. Tea Co	5,096
Kroger Co	1,776
McKesson & Robbins	615
May Department Stores Co	543
Montgomery Ward & Co	1,092
National Tea Co	794
J. C. Penney Co. (13 months)	1,411
Safeway Stores	2,226
Sears, Roebuck & Co	3,743
Winn-Dixie Stores	598
F. W. Woolworth Co	879
TRANSPORTATION	
Atchison, Topeka & Sante Fe	609
New York Central RR	772
Pennsylvania RR	905
Southern Pacific Co	673
Union Pacific RR	545
PUBLIC UTILITY	
American Telephone & Telegraph Co	6,917
Consolidated Edison Co. of New York	577
General Telephone & Electric Corp	552
Pacific Gas & Electric Co	536

TWENTY-ONE THOUSAND DOLLAR INVESTMENT PER EMPLOYEE

To develop $142 billion of sales, the 100 largest nonfinancial companies used men, machines, and money on a big scale. They employed some 6.5 million workers and used total assets of $136 billion. Net property account covering land, buildings, and equipment was carried at $77 billion (after deducting depreciation and depletion of $51 billion) while the remainder consisted mostly of current assets—receivables, inventories, cash, and marketable securities.

These assets made a capital investment of approximately $21,000 per employee as an overall average, but the industry figures vary widely. For manufacturing companies the average was $20,000, but ranged from as low as $7,000 for aircraft up to $60,000 for petroleum. For the largest trade companies the investment averaged $8,000, for the telephone systems $32,000, for railroads $38,000, and for electric and gas utilities $98,000.

Such heavy capital investment can be supplied only by pooling of resources by large numbers of investors, individual and institutional. The 100 largest companies report 10.2 million registered shareholders. There were more than 50,000 shareholders each reported by 57 companies, with the Bell Telephone System alone having 1,625,000. Crowded annual meetings attest the widening distribution of corporate ownership, as well as more active interest being shown by investors. More shareholders than employees are reported by 62 of these big companies, many of the employees are shareholders also.

These figures on registered shareholders for the group include duplication to the extent that the same person often holds stock in more than one company in the list. At the same time, however, many names are nominees or trustees acting for large numbers of individuals and for banks and brokers. A vast number of people have a beneficial interest in the stock of these enterprises through mutual fund investments and insurance and pension reserves.

These companies had 2.2 billion shares of common stock outstanding at the year end, while the book net assets or shareholders' equity, including preferred stock, aggregated $87 billion. Long-term debt amounted to $25 billion, while current liabilities stood at $23 billion.

SPENDING THE SALES DOLLAR

While the sales departments of the 100 largest companies last year were chalking up $142 billion of sales, other departments in the same companies were busy disposing of the receipts.

Disposition of receipts by the 100 largest U.S. nonfinancial corporations in the year 1958

	Total (millions)	Percent of receipts
Total receipts from sales, revenues, etc	$141,610	100.0
Costs:		
Costs of goods and services purchased from others, etc	77,009	54.4
Wages, salaries, and labor benefits [1]	37,682	26.6
Provision for depreciation and depletion	6,550	4.6
Interest paid	1,001	.7
Income taxes	5,942	4.2
Other Federal, State, local, and foreign taxes [2]	5,494	3.9
Total costs of operations	133,678	94.4
Net income	7,932	5.6
Preferred and common dividends paid	5,130	3.6
Retained in the business	2,802	2.0

[1] Partly estimated, on basis of payrolls reported by companies representing 82 percent of the total employment of the group.

[2] Tax figures charged as costs are exclusive of various sales and excise taxes collected from customers, such as gasoline and oil $3,527,000,000, automobiles $1,202,000,000, tires $220,000,000, and telephone messages $581,000,000.

Costs of goods and services purchased from others, the largest category of expense, amounted to $77 billion or 54 cents of the sales dollar.

Wages, salaries, and other employee benefits came to $38 billion. This was 27 cents of the sales dollar, and represented an average of $5,800 per employee.

Provision for depreciation and depletion of properties came to 4.6 cents per dollar of receipts, while interest on borrowed money took seven-tenths of 1 cent.

Federal and other income taxes totaled $5.9 billion, while other Federal, State, local, and foreign taxes came to $5.5 billion. Total direct taxes of $11.4 billion took, on the average, 8 cents out of every sales dollar. This illustrates what a major item taxes have become in the cost of doing business and therefore in everyone's cost of living.

In addition to tax figures charged as costs, there were, as indicated in the footnote to the table, various sales and excise taxes collected from customers amounting to over $5 billion.

Total expenses and taxes paid or accrued absorbed 94.4 cents of the sales dollar, leaving net profit of 5.6 cents.

PERCENTAGES OF TOTAL RECEIPTS OF 100 LARGEST NONFINANCIAL CORPORATIONS IN 1958 REMAINING AFTER DEDUCTIONS OF MAJOR EXPENSES AND DIVIDENDS

	Percent
After purchases	45.6
After payrolls	19.0
After interest and depreciation	13.7
After taxes	5.6
After dividends	2.0
Total receipts	100.0

Dividend payments to preferred and common shareholders amounted to 3.6 cents of the sales dollar.

This left a balance retained in the business for financing growth of only $2.8 billion or 2 cents per sales dollar. This was far short of covering the requirements of new capital absorbed by these companies last year. Outlays for new or expanded plant and equipment came to $10.7 billion, against which depreciation and depletion charges were $6.6 billion, making an increase in net property account of $4.1 billion. Other assets absorbed $2.6 billion, net.

To meet these capital demands required not only retained earnings and sale of some additional stock, but also increases in long-term debt to the tune of $1.9 billion.

Mr. WILEY. The article shows, among other things, that there is $21,000 invested for each employee. It shows also the percentage of the proceeds of sales which goes to the stockholder. This is all along the line of throwing light upon the situation, in order to avoid more misunderstanding.

I now turn to the consideration of another subject for the next 3 minutes, "The question of food spread." From time to time, public attention is directed to the fact that although the prices of farm products have come down a little, none of the decline has filtered through to the consumers. This particular statement shows that no one in particular is benefiting. The only problem is that the farmer is not getting his fair share. So I place this statement in the RECORD, because in the last days of our Senate session it is well that we consider some facts, so that when we get out on the hustings, and begin to talk, the people will be able to have the record and refer to what the actual facts are in this connection.

I may say that the particular facts which are cited are very illuminating.

Mr. President, I ask unanimous consent that that part starting at page 105 and continuing to page 107, where the subject "Depreciating Money" begins, also be printed as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. WILEY. Mr. President, the other subject, entitled "Depreciating Money," is also one which might very well be placed in the RECORD. I ask unanimous consent that it be printed following my remarks.

There being no objection, the article was ordered to be printed in the RECORD.

(See exhibit 2.)

EXHIBIT 1

FOOD PRICE SPREADS

From time to time public attention is directed to the fact that although prices of farm-produced foods have come down, little or none of this decline has filtered through to the consumer. A common complaint takes the form of a question: "Why can't the housewife benefit from the farmer's increased productivity and efficiency?" There is often the implication that somebody—usually the much-maligned middleman—is making too much money.

The old subject of "food price spreads"—the difference between what the farmer gets for his raw product and what the consumer pays at the grocery store—was revived early in June following release of a House Agriculture Committee report entitled "Food Cost Trends."

This report points out that retail food prices advanced 20 percent between 1947–49 and 1958 while farm prices declined 8 percent. It goes on to note that consumers purchased about 20 percent more farm-produced foods at retail last year than they did in 1947–49. But farmers received only 15 percent more income from the larger volume. During this same period, the amount consumers paid for food middlemen's marketing and processing charges rose 44 percent.

Citing the $15.9 billion increase in the retail store cost of farm produced food from 1947–49 to 1958, the report states that $13.5 billion, or 84 percent, was absorbed by marketing agencies and processors—the middlemen. Only $2.4 billion, or 16 percent, went to farmers.

Other evidence of widening food price spreads is provided by U.S. Department of Agriculture monthly estimates of the farm value and retail cost of a typical "market basket" of farm-food products purchased by an urban clerical worker's family.

In 1958 this family paid $1,065 for the same kinds and quantities of food purchased in the 1947–49 period for $940—an increase of 13 percent. Meanwhile, the farmer last year received only $427 of these expenditures, an 8-percent drop from the $466 received in the 1947–49 period.

In other words, the farmer's share of the consumer's food dollar fell from 50 percent in 1947–49 to 40 percent last year. So far this year his share has declined a bit more—to 39 percent.

CONVENIENCE FOODS

Before analyzing what's behind widening food spreads, it is important to note that spread performs useful marketing and service functions. As the Grocery Manufacturers of America, Inc., puts it: "Without spread, our steak would be standing in an Iowa feed lot, our cranberry sauce would be in a bog on Cape Cod, and our citrus juice would be on trees in Florida or California."

Today's consumer insists on a variety of fresh fruits and vegetables all year around. For example, if a Boston housewife wants to pay the price, she can get air-freighted fresh strawberries for her shortcake in December. In addition, there is the growing demand for groceries with built-in maid service. It is estimated that today's modern supermarket offers some 7,000 items—85 percent of which are processed and prepackaged.

The housewife wants her spinach chopped and frozen, her chicken cut upon and ready to fry, her beef steaks cubed, her sausage precooked, her potatoes sliced into french fries, her hams cooked and boneless, her rolls ready to pop into the oven. She demands a variety of prepared mixes which will produce everything from cakes and cookies to puddings and pie crusts just by adding water.

What makes these convenience foods so popular, of course, is that they transfer much of the time and work involved in meal preparation from the kitchen to the manufacturer's plant. It is estimated that a few years back it took 5½ hours a day to prepare meals for a family of four. Today, using convenient foods, the job can be done in only 1½ hours.

Some observers, including farm leaders, food industry people, and Government officials, have attributed widening price spreads, in large measure, to the increasing use of convenience foods. For instance, a 1953 study by the Agriculture Department showed that 1 day's fully home-prepared meals for a family of four cost $4.90 while the same meals from fully prepared, ready-to-serve foods cost $6.70—37 percent more.

In July 1958, however, an Agriculture Department survey showed that food servicing conveniences increase the consumer's food bill by only a little over one-half of 1 percent. Specifically, for each $100 spent for groceries, the consumer paid only 61 cents for built-in maid service.

Surveying 52 unserviced foods and the equivalent quantity of serviced foods in Washington, D.C., the Department's researchers found that 28 of the highly processed foods cost more than the unprocessed items. For six items the cost was the same. For 18 foods, the highly processed forms—e.g., shelled and frozen shrimp, chopped and frozen spinach, instant tea—the cost was less than for the unprocessed ones.

Processing in some cases gives foods longer life, shrinks their bulk, prevents waste, and cuts costs of shipping, handling, and storage. An outstanding example is concentrated orange juice which the Department analysts found priced at a little over half as much as the equivalent of orange juice in whole oranges. Moreover, servicing increases demand for some foods and the greater volume permits lower prices.

Thus, the Agriculture Department concludes in its recent survey, "* * * the growth of the processed and prepared foods industry does not appear to have been the major factor in the increase in the marketing bill."

ARE PROFITS TO BLAME?

If the Agriculture Department's contention that convenience items generally add little to grocery bills is accepted, why have food prices risen so sharply during the past decade in the face of falling prices for farm products?

Middlemen's profiteering often gets the blame. If this were the case, however, the big profits would show up in earnings reports.

The table below, based on public reports, shows the net profit margins in cents per sales dollar of leading food corporations for the past decade. Except for meatpacking, which is unchanged, every category showed a smaller profit margin in 1958 than in 1949. Among food producers and processors, sugar shows the highest average for the decade—4.1 percent profit on sales. Retail grocery chains' profit amounted to 1.3 percent. These compare with the 10-year average for all reporting manufacturing corporations of 6.1 percent.

Net profit margins [1] as percentage of sales of leading food corporations

Year	Food producing or processing						Retail grocery chains
	Baking	Dairy products	Meatpacking	Sugar	Other food	Total	
1949	5.2	3.2	0.5	4.4	4.8	2.5	1.6
1950	5.0	3.0	.8	5.5	5.1	2.8	1.7
1951	3.5	2.2	.6	6.2	3.6	2.1	1.1
1952	3.6	2.1	.4	4.4	3.1	1.9	1.0
1953	3.5	2.2	.7	2.3	3.3	2.0	1.1
1954	3.3	2.5	.4	2.9	3.7	2.2	1.2
1955	3.4	2.5	.8	3.2	4.0	2.5	1.2
1956	3.3	2.6	.9	3.7	4.2	2.7	1.4
1957	3.4	2.5	.5	4.9	3.9	2.6	1.4
1958	3.2	2.6	.5	3.5	4.2	2.6	1.4
Av.	3.7	2.5	.6	4.1	4.0	2.4	1.3

[1] Net profit margins after taxes include income from investments and other sources as well as from sales.

In view of the middlemen's profit record, it is necessary to look elsewhere for the causes of rising food prices. Most important is the steady increase in costs of moving crops from the farm to the dinner table. Labor, transportation, supplies, equipment, fuel and power, taxes, advertising and the like have all gone up.

The following table shows how the major costs making up the farm-retail spread in the Agriculture Department's market basket have increased:

Breakdown of farm food market basket

Item	1947–49	1958	Change
Retail value	$940	$1,065	+$124
Farm value	466	427	−39
Farm-retail spread	474	638	+164
Components of spread:			
Labor cost	211	295	+84
Rail and truck transportation	53	80	+27
Other business expenses	179	223	+44
Federal corporate income taxes	12	20	+8
After-tax profits of processors and distributors	19	20	+1

Source: Calculated from U.S. Department of Agriculture reports.

In any consideration of food prices one final point remains to be noted: the cost of Federal farm programs. For these, the citizen pays in two ways. He pays in higher prices for food. He pays again in Federal taxes. These are a real part of the grocery bill even though they don't show up on the tape at the supermarket.

EXHIBIT 2

DEPRECIATING MONEY

Continuing our practice of recent years, we present below a table showing the depreciation of money in 35 countries over the period 1948–58.[1] The decline in buying power is measured in each case by the rise in the official cost of living or consumer price index.

Depreciation of money

	Indexes of value of money [1]			Annual rate of depreciation (compounded)		
	1948	1953	1958	1948–53	1953–58	1948–58
				Pct.	Pct.	Pct.
Portugal	100	99	94	.2	1.0	.6
Switzerland	100	96	90	.8	1.3	1.1
Belgium	100	94	87	1.2	1.5	1.3
Ecuador	100	89	86	2.2	.8	1.5
Germany	100	93	84	1.5	1.9	1.7
India	100	92	84	1.7	1.7	1.7
United States	100	90	83	2.1	1.5	1.8
Venezuela	100	85	83	3.1	.6	1.8
Pakistan	100	89	81	2.2	1.9	2.1
Canada	100	84	78	3.4	1.5	2.5
Italy	100	85	76	3.1	2.4	2.8
Denmark	100	81	69	4.1	3.1	3.6
South Africa	100	77	67	5.1	2.6	3.9
The Netherlands	100	78	66	5.0	3.1	4.0
Sweden	100	77	65	5.1	3.4	4.3
United Kingdom	100	77	65	5.1	3.4	4.3
Norway	100	74	63	5.8	3.1	4.5
New Zealand	100	75	63	5.7	3.4	4.6
Japan	100	63	57	9.0	1.7	5.4
Spain	100	79	56	4.7	6.5	5.6
Turkey	100	88	51	2.4	10.3	6.4
Finland	100	64	50	8.6	4.7	6.7
France	100	60	49	9.7	3.8	6.8
Australia	100	56	49	10.8	2.8	6.9
Greece	100	63	48	8.9	5.3	7.1
Mexico	100	71	47	6.6	7.8	7.2
Colombia	100	68	45	7.4	7.9	7.7
Peru	100	60	44	9.7	5.8	7.8
Austria	100	49	43	13.2	2.6	8.1
Uruguay	100	71	41	6.6	10.6	8.6
Brazil	100	62	26	9.2	15.9	12.6
Argentina	100	31	14	20.9	14.4	17.7
Chile	100	39	5	17.1	33.2	25.6
Paraguay	100	8	4	39.0	14.7	27.9
Bolivia	100	23	1	25.6	47.5	37.6

[1] Measured by rise in official cost of living or Consumer Price Index.

NOTE.—Depreciation computed from unrounded data.

This year, for the first time, the 10-year span is subdivided into 5-year periods. It is

[1] See p. 143 of the December 1956 issue of this letter for the 1946–56 record and p. 71 of the June 1958 issue for the 1947–57 experience.

interesting to note that two out of three countries experienced a slower rate of depreciation during 1953–58 than in the earlier 5-year period. This reflects more normal conditions (the earlier years included the Korean war); a growing awareness of the dangers of accepting inflation as a way of life; and the increasing effectiveness of restrictive monetary and fiscal policies in preventing inflationary excesses.

FORTHCOMING VISIT OF PREMIER NIKITA KHRUSHCHEV TO THE UNITED STATES

Mr. JOHNSTON of South Carolina. Mr. President, last month, when it was announced that the President of the United States and the Premier of Soviet Russia would exchange visits to this country and Russia, I asked President Eisenhower to make certain that Mr. Khrushchev would be shown the greatest military armada ever displayed by this Nation. The reason I suggested this was that I know, and every other American knows, that Mr. Khrushchev, or any other Russian leader, understands nothing but force.

Mr. President, since that time I have pondered the question, and I still believe that Mr. Khrushchev should be shown this display of military might. Actually, I oppose the Russian Premier's visit in toto. However, I believe there is something extremely important that President Eisenhower can show Mr. Khrushchev when he comes to America, in addition to showing him our military strength.

Mr. President, that other thing is the religious side of the American way of living. I deeply believe that Mr. Khrushchev should be taken to church with President Eisenhower and his family in order that he may understand that we Americans realize and appreciate the fact that our strength, our fascinating standard of living, our joys, and our pleasures, are gifts of God Almighty and that we go to church to thank Him for these blessings.

I think if Mr. Khrushchev realizes that Americans do not believe themselves to be total masters of their own destiny, but that we are children of God trying, as best we can, to bring about God's will on this earth, which primarily is brotherly love and peace, then Mr. Khrushchev will have learned something which neither he nor any other dictator has ever been able to understand about America.

Mr. President, it is never too late for any sinner to repent, and if a visit to some church in America would disturb Mr. Khrushchev's conscience to the point that he would even question the wrongs of his past acts, then we may really accomplish something for world peace. I know there are skeptics among us who would say it would be a "waste of time" or that it would be "an insult to the church" to have Mr. Khrushchev attend Sunday services, but we must remember that the lowly struggling Christians converted some of the most hardened Roman Caesars.

Le us give Mr. Khrushchev some light when he is here. Perhaps he will see that the light of God will always project over might, although at times the road may be rough.

Mr. President, I sincerely hope the President of the United States will take Mr. Khrushchev to church when he is here.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. HUMPHREY. I commend the Senator from South Carolina for the constructive and, I believe, very hopeful suggestion which he has made. The record should show that Mr. Khrushchev's parents were brought up in the faith of the Russian Orthodox Church. In fact, during my visit with the Soviet dictator, he reminded me of that. Khrushchev says he is a confirmed atheist. I guess he is. But I surely agree with the Senator from South Carolina that if Mr. Khrushchev really wants to see the United States of America, and see it all, he should attend a service in a church.

I read in the newspaper the other day that Khrushchev would like to see not only the beautiful buildings in Washington, but also the slums. It is expected that he will see our farms and factories. Some persons have suggested that he see our military installations. I join with the Senator from South Carolina in saying that the strength of our Nation is not merely in its factories, fields, and military installations; the strength of America is to be found in the deep, abiding faith of our millions of people who worship and believe in God, and who take their religion seriously.

I do not think Mr. Khrushchev would really have a picture of America without at least coming in contact with the spiritual power which is a fundamental part of our strength. Whether it will do any good or not, no one can predict. But as the Senator from South Carolina has said, the great Caesars of the Roman era were just as dictatorial, just as tyrannical, and exercised the same degree of power. Yet they were, some of them, finally brought under the influence of the great Christian church and were moved by the religious spirit.

Mr. JOHNSTON of South Carolina. I am glad to have the remarks of the Senator from Minnesota, because I truly believe that if we trust in God, we will win.

PROPOSAL FOR YEAR-LONG SESSIONS OF CONGRESS

Mr. MORSE. Mr. President, on September 3 an Associated Press dispatch was published in the newspapers of my State, setting forth some views expressed by the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. Not only do I find myself in complete agreement with the statement of the Senator from Minnesota, but in view of the position which I have taken parliamentarywise in the Senate in recent days, this article, published in the Oregon press, in recent days, is of great interest to me. The article, I am pleased to report, was called to my attention by several of my friends and supporters in Oregon.

I shall read a paragraph or two of it under the 3-minute rule, with appropriate deletions in accordance with the rules. It is a very fine statement, and I commented on it to the Senator from Minnesota last night. He assured me he would have no objection to my placing this very sound position, as I believe it to be, of the Senator from Minnesota in the RECORD. I told him I would like to do so; he did not suggest it to me. The article reads, in part:

Opposing a leadership drive for an early adjournment, Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, said today Congress ought to "grow up" and hold yearlong sessions.

HUMPHREY, an aspirant for the 1960 Democratic presidential nomination, said he is against a proposal for unusual Saturday and Labor Day sessions in a drive to get Congress out of town by September 12.

"My view is that Congress ought to grow up to its responsibilities and recognize that the times demand that it stay on the job throughout the year," HUMPHREY said in an interview.

"We could provide opportunities at stated periods for members to go home without missing rollcall votes and we could give them an opportunity to live at least a few weeks of family life.

"This would avoid the annual rush for adjournment, when a lot of bad legislation gets passed that wouldn't have a chance at any other time. If Senators can spend more than 7 days discussing a bill for the diversion of Lake Michigan water, we can stay around long enough to take sensible action on needed legislation."

HUMPHREY said that if JOHNSON hopes to get Senate action next week on a stripped down civil rights bill, he is entertaining "a vain hope." HUMPHREY said he will be ready with controversial amendments any time the issue is brought to the floor.

I only say "Amen" to the sentiments expressed by the senior Senator from Minnesota.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time available to the Senator from Oregon, under the 3-minute limitation, has expired.

Mr. HUMPHREY. Mr. President, let me say that not only did I make the statements as reported in the article, but I wish to compliment the reporter, for his report is thoroughly accurate. The leadership asked me what I thought about weekend sessions. I said I was opposed to them. I bowed to the will of the majority, but I expressed my point of view.

In the 3 minutes available to me, let me state that I feel it is time Congress reexamined its procedures in terms of its sessions. Every 2 years there is a congressional election, so it is quite obvious the congressional session cannot continue all year, every year. But every other year, between election years, Congress, after convening in January, can continue in session, according to the Reorganization Act, to July 31, and at that time Congress would take a recess to September 15, or whatever date might be decided upon. Then, during the recess, we would have an opportunity to visit with our constituents. That would not

be a vacation but would be part of our work. We could then take a vacation, and thereafter could reconvene, to complete our legislative program.

As a family man, I find our present procedure a little discomforting, I represent the State of Minnesota, not the District of Columbia. Some of the Humphreys ought to be back in Minnesota occasionally; so, Mrs. Humphrey and the children go home, for the purpose of at least maintaining a homestead in our State. They remain there until September, then return here in September—at which time I go to Minnesota. Certainly this is a poor way to promote family life; and I do not believe it makes for good legislation. Quite frankly, I get ornery when Mom is away that long.

So, Mr. President, I think we should revise our schedule. My children are growing up, and I am getting old in this job. Furthermore, there are younger Members of the Senate and they are deserving of a program which will enable them to work here, then have a vacation and do a little traveling, and then return here for further legislative work.

I so suggest, and I am prepared to support such a move.

COMMUNIST ATTACKS ON LAOS

Mr. LAUSCHE. Mr. President, my purpose is to make a few remarks about the Lao situation, in the hope that they will reach the Russian people.

The President of the United States, in working toward the achievement of peace, extended to Khrushchev an invitation to come to our country. There has been wide divergence of opinion on the merits of the invitation. There are many, however, who felt that no stone should be left unturned in working to achieve peace.

We now are confronted with the shocking situation that while Khrushchev is figuratively on his way to the United States, there are rather clear evidences that the Communists have provoked the disorders and the attacks which have been foisted upon the Lao people.

It appears that, on August 30, at five different points, attacks were made from the North Vietnamese border into Laos; and the evidences show that some months before those attacks were made, the head of the Lao Government visited Khrushchev. From that time on, there began a dissemination of propaganda provoking trouble in Laos.

Now we have seen a shocking spectacle at the United Nations: When a motion was made to send investigators to Laos, with a view to establishing the facts in regard to what provoked the disorders, the Soviet Government's representatives voted against the motion.

The great difficulty lies in the fact that we are a member of the SEATO agreement, and under that agreement we have an obligation to Laos—namely, if we are called upon to protect Laos against attack or invasion, we are obligated to do so.

My plea is made now to the Russian people. We should let them know that, in this instance, while Khrushchev is figuratively on his way to the United States, and is professing to promote peace, he is actively engaged in disturbance and in provocation that might lead to world disorder. It is meaningless for us to make this plea to the Soviet government; but I believe that the Soviet people, the Russians, who are good in purpose, and want peace, should know of this betrayal.

The PRESIDING OFFICER. The 3 minutes available to the Senator from Ohio have expired.

Mr. LAUSCHE. May I have an additional 2 minutes? I so request.

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

Mr. LAUSCHE. Mr. President, throughout the satellite nations and throughout Soviet Russia, word is circulated about Khrushchev's professions of devotion to the attainment of peace. The Russian people probably do not know what has been done in Laos, but they should know. It is my hope that, in some way, through the available means of communication, there will be delivered to the people of the satellite countries and to the Russian people this message of the betrayal of the honest efforts to achieve peace.

It is one thing to talk about peace; it is another to work and act for it. I submit that Khrushchev's acts are completely contradictory of his words.

As I have stated, I hope that this message will in some way reach the people of Soviet Russia.

STEPPING UP POLICIES THAT GO "OVER THE HEADS" OF OBSTRUCTIONIST COMMUNIST LEADERS TO DOMINATED PEOPLE

Mr. WILEY. Mr. President, in view of the remarks of my distinguished friend from Ohio [Mr. LAUSCHE] and in view of the forthcoming visit of Premier Khrushchev, I believe it is time to take a brief look at Communist activities and policies around the world. I am sure when Khrushchev comes here, the President and he are going to have a showdown. That is the very purpose of their having the proposed talks.

As an example of the strangely contradictory policies of the Communist nations, we find that they are temporarily holding aloft the "dove of peace" in Europe; by contrast, they are brandishing the sword of aggression in Asia.

The question, then, is how we can most effectively deal with such a twisting tortuous Communist policy line.

Overall, I believe the East-West struggle—a complex one—will be won by a many-faceted approach to the challenges, including an effective presentation to the "mind" of the world of free ideas, ideals, and goals.

Unfortunately, the Iron and the Bamboo Curtains have acted as a wall against greater understanding and accommodation of views between the Western World and the people under Communist domination.

Recent events, however, provide strong evidence that a most effective way to reduce East-West tensions may well be stepped-up effort for more direct contacts on the people-to-people level. From all indications, those under Communist domination are hungering for a closer look at, and better understanding of, our way of life.

During the Nixon-to-Moscow trip, for example, the Vice President received warm greetings from the Soviet people. The U.S. exhibit in Moscow, according to reliable reports, also made a tremendous impression upon the millions of visitors who viewed the display of exhibits delineating the U.S. way of life. For whatever its value, even Tass, the Soviet News Agency, expressed approval of our exhibit.

Perhaps the greatest obstruction to easing East-West tensions continues to be the Communist leadership itself. For a variety of self-serving reasons, the Communist ruling clique—only 4 to 6 percent of the population in the Soviet Union, and about 2 percent in Red China—continues to stir up trouble, create tension, and act in ways that threaten war, whereas peace could otherwise be accomplished policywise. Those engaged in the Communist conspiracy appear to find it necessary to foster chaotic, strife-riddled, high-tension conditions, rather that a peaceful climate—in which they may fear—and rightly so, I believe—that their military, economic, social and political theories would "die on the vine."

From a review of the growth of communism in the world, it is apparent that people do not accept it voluntarily; rather, it is imposed upon them either by coups, revolutions, or military aggression, after which control is maintained by military force.

In view of that background, it still appears to be extremely doubtful that the Communists are likely to adhere to peaceful policies, except for temporary periods in which they may serve their own purposes.

In negotiations with the Communists, however, the free world has the right—in fact, it is a necessity—to require that the protestations of "peace" by such leaders as Khrushchev be "backed up" by their acts.

The recent aggressions in Asia—including the invasion of Tibet, the violation of the India-Chinese border, aggression in Laos—provide more evidence that, while Communist leaders spout "words of peace" in one part of the world, they embark on troublemaking campaigns in other areas that threaten peace.

Because of this kind of policy line by the ruling Communists, it would appear to be of special value to expand, wherever possible, the direct contacts with people behind the Iron and Bamboo Curtains.

In effect, this would "take us over the heads" of the Communist leaders, directly to the people. In the long run, such action may accomplish more than long - winded, unfruitful discussions around a conference table. Insofar as such conferences serve to stave off greater tensions or war itself, however, we must continue to meet with the Communists to discuss issues with them and try to reach agreements, if at all possible, that will prevent existing differences

from "swelling," and perhaps eventually erupting into a world conflagration.

As a major example of people-to-people contacts, the upcoming exchange of visits by President Eisenhower and Premier Khrushchev will provide a significant opportunity for the President—respected, admired, and beloved abroad, as well as at home—to be directly in touch with the Russian people. The Eisenhower trip, if taken, I believe, will demonstrate that, despite the barrage of misleading Communist propaganda, during the post-World War II era, the Russian people still are friendly to the United States; that they are interested in our way of life; that they want more consumer goods for better living for more people—as we have them—and that they, themselves, are sincerely dedicated to peace, not war.

On the opposite side of the coin, I am confident that Khrushchev will have relatively little persuasive impact on the American people.

Consequently, our policies and programs, insofar as possible, can, and should, I believe, be directed to more effective people-to-people contacts with the masses under Communist domination. In the long run, the effort may make a valuable contribution to a peaceful solution to world problems.

Illustrating the interest of the Russian people in learning of our way of life, recently, there have been significant reviews published of the effectiveness of the U.S. exhibit, for example, in portraying our way of life to the Russian people. These included the following articles: First, from the Milwaukee Journal, "U.S. Exhibit Did Well in Reaching Soviets," and second, "Tass Calls U.S. Show in Moscow Success," from the Christian Science Monitor.

I request unanimous consent to have the articles printed at this point in the body of the RECORD.

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

[From the Milwaukee Journal, Sept. 6, 1959]

U.S. EXHIBIT DID WELL IN REACHING SOVIETS—STUDY OF REACTIONS OF VISITORS TO THE SHOW FINDS IT GOT ACROSS AMERICAN IDEAS

Moscow, U.S.S.R.—The U.S. Government has given itself a B-plus in popularity and an A-plus in communicating ideas to the Russians at the American national exhibition in Moscow, which closed last week.

This is the verdict of a critical report card on the exhibit, which will be studied by Washington. The analysis rates the effectiveness of the many displays and also analyzes the feelings and reactions of Russians to the first direct American propaganda effort inside the Soviet Union.

The critique, conducted since the opening of the fair on July 25, has been prepared under supervision of Ralph K. White, Chief of the Communism Analysis Division of the Office of Research and Analysis of the U.S. Information Agency. White is a psychologist who has specialized in public opinion and psychological causes of war.

WATCHED THE CROWDS

He interviewed the guides and workers at the exhibit, watched the crowds, analyzed comment on books, studied Russians' preferences on voting machines and questions asked of the electronic answering machine and collected hundreds of random comments overheard on the fairgrounds.

His report and additions that will be made by General Manager Harold C. McClellan can be fairly summarized as follows:

The exhibit enjoyed a "moderate success" in popularity with 2,700,000 visitors. But in communicating the ideas the Americans would like to communicate to the Russian people its success was "simply tremendous."

GUIDES HELPED CAUSE

The 75 guides and other Russian-speaking specialists who spoke daily to Russian visitors and answered their questions about the exhibit were lauded by White. Their personal presentations considerably increased the good will of the United States. While not all they said was believed, their presence offered many Russians their first chance to hear the American side of things.

The exhibit successfully suggested that the United States was a middle-of-the-road country with elements of social security, unemployment benefits, and educational opportunities for ambitious youngsters of all strata.

The "Family of Man" photograph exhibition was first in total impact. The intelligent young Russians whom Americans want most to reach favored this exhibit. (The picture exhibit, a camera testament to mankind, was created from 503 photographs by Edward Steichen, famed New York photographer and a former Milwaukeean.)

PHOTOS MOVED STUDENTS

There is evidence that while the general public was most taken with color television and automobiles, students preferred the "Family of Man." The photo show had a quality of depth that moved the Russians, whereas cars and television caused more impersonal admiration.

Washington will receive the following advice about future exhibitions in the Soviet Union:

1. At a similar exhibit the number of guides ought to be doubled.

2. Circarama, the 360° film travelog, satisfied the Russians' evident desire for travel abroad. There should be at least two or more such films to satisfy the greater proportion of visitors.

MORE TECHNICAL DISPLAY

3. Russians' expectations of more technical displays might be met by having three or four times as many machines in motion, providing much more technical information about existing displays, such as air conditioners and business machines, displaying scientific demonstrations and showing films of American industrial processes.

4. There should be clear dual emphasis on luxury and average items instead of the equivocal in-between approach of the first show.

5. There should be just as much emphasis on consumer goods but a half dozen instead of two dozen cars might be sufficient. The architecture display should be dropped or drastically improved and half the number of toys and sporting goods would suffice.

6. While abstract paintings were important to demonstrate freedom of expression, nearly all abstract sculpture encountered disinterest or hostility.

[From the Christian Science Monitor, Sept. 5, 1959]

TASS CALLS U.S. SHOW IN MOSCOW SUCCESS

Moscow.—The U.S. national exhibition in Moscow closed September 4 after a popular and sometimes controversial summer showing of American wares and ways of living. Among other things, it was the scene of the famous Nixon-Khrushchev kitchen debate.

The Soviet news agency Tass called the exhibit a success. It reported more than 2 million persons visited the show during its 43 days. An American official put the attendance at 2,700,000 Soviet citizens.

Closing ceremonies included the lowering of the United States and Soviet flags at the exhibit's main entrance in Sokolniki Park, 15 minutes by subway from downtown Moscow.

The Soviet press has sharply criticized the exhibition in its opening stages and Soviet officials banned some of the books put on display.

SHOW'S EMPHASIS CRITICIZED

Other Soviet critics said the show put too much emphasis on consumer goods and everyday living and not enough on industrial and scientific accomplishments. A cement floor pulverized into dust storms under the tramping of thousands of feet and had to be replaced.

But the criticism simmered down and kind words began to appear. Tass even expressed the hope this would not be the last such exhibit.

Harold C. McClellan, a San Marino, Calif., paint company executive, who directed the exhibition, said he is happy at what has been accomplished.

"No one at this point can realize the exhibit's impact, but the fact that 2,700,000 Russians crowded the area and got their first look at the American people and their accomplishments must have had an important result," he declared.

CONGRESSMEN TAKE TOUR

Scores of thousands of visitors jammed the exhibition grounds on the last day despite bad weather.

They paid special attention to a model of an American earth satellite, cars, radios, and electrical equipment.

The exhibition staff expressed hope that this exhibit, the first of its kind, would be followed by others.

After the exhibition closed it was toured by a group of U.S. Congressmen who had arrived in Moscow earlier in the day. The exhibit was opened July 24 by Vice President RICHARD M. NIXON. It was on opening day that Mr. NIXON and Soviet Premier Nikita S. Khrushchev had their running verbal duel—part of it caught on TV sound tape—in the kitchen of the American model home.

Mr. Khrushchev paid another visit to the show September 3. On his earlier visit he had expressed praise for some parts of the show and criticized others.

On the last tour, the Soviet leader declared it would have been a better exhibit if U.S. officials had asked him what to display.

Work crews will refurbish the golden aluminum dome, the center of the exhibition, and the glass display pavilion.

They will be turned over to Soviet officials September 15 under an agreement that brought the exhibit here in exchange for the recent Soviet display in New York.

Soviet and American officials are negotiating the disposition of other parts of the display, including the model American home.

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 bill (S. 2504) to authorize the sale at market prices 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, with amendments, in which it requested the concurrence of the Senate.

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

H.R. 1540. An act for the relief of the estate of John Steve;

H.R. 4965. An act for the relief of Pioneer Air Lines, Inc.;

H.R. 6712. An act for the relief of Sam J. Buzzanca;

H.R. 6885. An act for the relief of Neal E. Andersen;

H.R. 7260. An act for the relief of John Napoli;

H.R. 7758. An act to improve the administration of overseas activities of the Government of the United States, and for other purposes;

H.R. 7932. An act for the relief of William E. Dulin;

H.R. 8110. An act for the relief of Miss Elsie Robey;

H.R. 8761. An act for the relief of the estate of Charles H. Biederman; and

H.R. 9069. An act to provide standards for the issuance of passports, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 9105) 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, and it was signed by the Vice President.

HOUSE BILLS REFERRED

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

H.R. 1540. An act for the relief of the estate of John Steve;

H.R. 4965. An act for the relief of Pioneer Air Lines, Inc.;

H.R. 6712. An act for the relief of Sam J. Buzzanca;

H.R. 6885. An act for the relief of Neal E. Andersen;

H.R. 7260. An act for the relief of John Napoli;

H.R. 7932. An act for the relief of William E. Dulin;

H.R. 8110. An act for the relief of Miss Elsie Robey; and

H.R. 8761. An act for the relief of the estate of Charles H. Biederman; to the Committee on the Judiciary.

H.R. 7758. An act to improve the administration of overseas activities of the Government of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9069. An act to provide standards for the issuance of passports, and for other purposes; to the Committee on Foreign Relations.

CRACKING DOWN ON OBSCENE MAIL

Mr. KEATING. Mr. President, the abuse of the mails by certain entrepreneurs in pornographic material has aroused the proper ire of a great many Americans. Postmaster General Summerfield has mounted a great offensive against the barons of obscenity, and his efforts have drawn strong support all over the country.

Effective and laudable as may be the Post Office Department's vigorous efforts to rid our mails of offensive material, that crusade is not enough. Congress also must play a part. I am confident Congress will, before long, enact sound and reasonable laws to help the Government crack down on those who would contaminate the minds of our young people with filthy material.

The newspapers of America and their columnists deserve a great deal of credit for the manner in which they have publicized the dangers of obscene mail and the magnitude of the problem. In a syndicated article published this morning, Roscoe Drummond, the able student of government and public morality, has pointed up some of the outstanding facets of the pornography business. Since this is the first of several columns, I look forward to reading its supplements.

I hope Mr. Drummond's comments will be read carefully by every Member of the Senate and the House, as well as many Americans. I ask unanimous consent that his column be printed in the RECORD.

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

OBSCENITY IN MAILS—OFFENSE AGAINST SOCIETY COMPOUNDED THREEFOLD

(By Roscoe Drummond)

There is good reason to be wrathfully aroused by the massive abuse of the mails to sell obscenity to teenage boys and girls.

Let's not allow ourselves to be distracted from the main problem by a side debate on "Lady Chatterly's Lover." The courts have ruled it mailable and most people, I think, will be willing to go the extra mile to guard against capricious Government censorship.

But there is no issue of capricious Government censorship in dealing with the calculated commercial corruption of youth by the mail-order filth racket.

It is no valid use of free speech to yell "fire" in a theater.

It is no valid use of free speech to engage in a conspiracy to teach the overthrow of the Government by force.

It is no valid use of free speech to promote for profit the overthrow of the morals and moral fiber of the Nation's young people.

Have no doubt about it, today the mail-order sales of pornographic literature, obscene pictures, and erotic equipment have become big business and is helping to produce big crime.

The purpose of this column is to show something of the magnitude of this offensive, corrupt and corrupting enterprise. Later columns will deal with what is being done and what more can be done to destroy it.

By conservative estimate the gross revenue from this filthy business runs to half a billion dollars a year—and probably much more.

The Inspection Service of the Post Office Department estimates that as many as 1 million children this year will be on the receiving end of this terrible racket—at least 1 of every 35 children in the country.

The obscenity business focuses its attention more and more on the Nation's children—teenage boys and girls mostly, but even younger. They flush this pornographic material into the unsuspecting hands of many young people through the family mailbox.

At first it reaches most children unsolicited. The pornographic peddlers are like dope peddlers. First, they slyly get the young people hooked with the drug—the obscenity drug—and then work to make them regular customers.

It is the purveyors who seek out the children, not the children who first seek out the purveyors. They buy lists from standard sources. They advertise innocent items, like model airplane parts, toys, stamps. The child sends for these things and the dealer in obscenity has the name to use for his evil traffic. Soon the child is receiving solicitations through the mails.

All this adds up to an offense against society compounded threefold. There is the baited trap to catch young people. There is the pattern of progression by which children are lured to increase their depravity. And later it becomes an addiction which leads to and increases juvenile delinquency.

And when crime becomes profitable business, the racketeers begin to take over as they are now elbowing into the merchandising of obscenity.

Thus, criminals are begetting criminals, nurturing and nourishing them. All these are the reasons why Postmaster General Arthur Summerfield needs and deserves the support of every church organization, every parent, every civic leader to help smother this awful business.

THOUGHTFUL EDITORIALS FROM THE SPORTING NEWS

Mr. KEATING. Mr. President, the August 26, 1959, edition of the Sporting News—that great publication which is must reading for dyed-in-the-wool sports lovers—contains two thoughtful editorials dealing with recent developments involving our national pastime of baseball.

In the first editorial the Sporting News points out the great challenge which lies ahead of Branch Rickey and his partners as they attempt to get the Continental League off the ground and into operation. Although I do not entirely share the paper's pessimism about the chances for success of the third major league, its comments deserve study by all who are concerned with this latest forward step in baseball.

I certainly share the Sporting News' high regard for Mr. Rickey, and wish him well as he faces the toughest task of his illustrious career.

In another editorial, the Sporting News incisively points out the great shortcoming of the sports bill recently reported by the Antitrust Subcommittee to the Senate Judiciary Committee. I agree that any such measure, if it is to be fair and complete, must include baseball within its purview.

I call attention particularly to the last paragraph, which reads as follows:

Baseball needs specific congressional exemption from the antitrust laws—not necessarily a blanket exemption, but assurance that those rules without which it could not survive as a unique sport business are beyond attack. We hope the friends of the game will keep pressing for that type of legislation.

Mr. President, I assure the lovers of baseball that I am their friend and I shall continue to work for legislation which will recognize the fine record and necessary practices of our national pastime. I will continue to strive for a bill which will do equal justice to all our great professional team sports.

Mr. President, I hope the thoughtful comments of the Sporting News, par-

ticularly in the light of the high regard held for this publication and the expertise it brings to these issues, will be read very carefully by a wide audience. I ask unanimous consent to have these two editorials printed in the RECORD.

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

[From the Sporting News, Aug. 26, 1959]

TRAILBLAZER RICKEY FACES TOUGHEST TASK

Branch Rickey will be 78 years old in December, but the club owners of the newly-organized third major, the Continental League, obviously believe the Mahatma is young enough to cope with at least one more challenge before he calls it a career.

Certainly nobody could have brought to the office of president of the fledgling circuit a record of longer experience or greater resourcefulness in dealing with baseball problems. Even the all-important question confronting the newcomers—where will they find their players?—hardly can be expected to unnerve the man who founded the farm system as we know it.

The St. Louis Cardinals of Branch's younger days were in a similar quandary. They couldn't outbid the wealthy owners for young talent. But their astute front-office chief hit on the most satisfactory of all replacement plans. He grew his own future stars, setting an example which was widely followed, in spite of the opposition of the first commissioner, Kenesaw M. Landis.

Sticking firmly to his proven methods, he moved to Brooklyn and established another dynasty. During this span, he also broke baseball's unofficial but effective color line, thus opening the big league gates for scores of athletes who needed only the opportunity to prove themselves as talented as any others in the game.

Rickey's youth movement at Pittsburgh was not a quick success, but he provided the nucleus of the club which no longer is the doormat of the National League. And all the while he remained one of baseball's most profound students, one of its most eloquent orators, one of its stanchest defenders against attack or criticism.

Rickey is a great name in baseball. We do not share his optimism about the future of the Continental League, but we hope his presidency of that circuit will bring new distinction to an already impressive list of honors.

[From the Sporting News, Aug. 26, 1959]

KEFAUVER PROPOSAL FALLS SHORT

Senator ESTES KEFAUVER and fellow sponsors of the measure which would exempt professional football, basketball, and hockey from the antitrust laws may have valid reasons for omitting baseball from their suggested legislation.

It is true the national pastime has territorial and television complications which do not affect the fall and winter sports. Since KEFAUVER'S committee could not devise a bill which it believed would cover all sports fairly, the Tennessean left baseball under the famous umbrella of the Holmes and subsequent Supreme Court rulings and moved for corresponding protection of the others.

As far as baseball is concerned, however, the new proposal solves no problems. The Sporting News hoped for a law which would spell out antitrust exemptions for such structural features as the reserve clause and any others necessary to prevent a jungle struggle for survival.

We believed such action not only would answer many troublesome questions, but would end for all time the necessity of baseball going into court to defend itself against expensive antitrust suits.

Oh yes, there were such suits in spite of that Holmes precedent and later findings which declined to overthrow it. The simple fact is that the game's top executives lived for years in almost paralyzing fear of the day when another set of Justices might overthrow their favored status.

Presumably, they still must struggle with such worries. As long as there is one disgruntled player and one lawyer willing to present his case, there will be one attempt to test the durability of that umbrella. Baseball could win a thousand favorable decisions, and still be distressed, if not ruined, by the costs.

Baseball needs specific congressional exemption from the antitrust laws—not necessarily a blanket exemption, but assurance that those rules without which it could not survive as a unique sport-business are beyond attack. We hope the friends of the game will keep pressing for that type of legislation.

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

Mr. KEATING. I yield.

Mr. LAUSCHE. Can the Senator tell us the situation as to S. 2425, to which the Senator from New York [Mr. KEATING] has offered an amendment?

Mr. KEATING. The bill came before the Committee on the Judiciary at its last meeting, and was put over until the next meeting.

Mr. LAUSCHE. The Senator from New York is offering an amendment to that bill which will give some protection to the minor leagues——

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time of the Senator has expired.

Mr. KEATING. Mr. President, I ask unanimous consent to have 1 additional minute.

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

Mr. KEATING. The Senator from New York has faced the possibility that no bill will come out of the committee if his amendment is offered in the committee. Therefore it is his plan to discuss his amendment, and not press it in the committee, but bring it up on the floor when the bill comes before the Senate.

Mr. LAUSCHE. I thank the Senator very much.

VISIT BY PREMIER KRUSHCHEV

Mr. ALLOTT. Mr. President, in a few days Mr. Khrushchev, from Russia, will be in this country. No one knows at the present time what the dispositions will be. Various questions have been raised by Mr. Khrushchev's intended entrance into this country.

First of all, regardless of how bitter people may feel, or how people may feel about Mr. Khrushchev, I hope that he will be treated with decorum and outward courtesy at all times while he is a guest of our country.

What I fear more than anything else with respect to the Khrushchev visit is that the people of America will forget essentially what kind of a man he is. He is a clever man, as all those who have talked with him say over and over. I think we should not forget this.

Even though many people would like to believe there is a cleavage developing between Red China and Russia, we should not forget there is nothing yet to prove this is a cleavage of any distinction.

The Lao situation today follows the complete pattern which Russia has followed since World War II, in putting on a bit of pressure at one point, going as far as it can, releasing the pressure there, and putting on pressure at another point. All I have to do to remind Senators of this is to recall the successive incidents in the Near East, the successive Quemoy incidents, and the successive pressures in Vietnam and in the Far East.

So while we will greet this man formally and give him all the courtesies due a head of state, let us not forget what he is. Let us not permit the American people to forget for a moment what kind of man he is. Let us not forget we are not going to change his character, and we are not going to change the course of history by his visit, except in a very small perceptible degree, perhaps.

Only if the American people become "starry eyed" about this visit do we have anything to fear from the visit. If we keep realities about us and remember what kind of man Mr. Khrushchev is, if we remember what communism stands for, and if we remember the history of the last 15 years, we have nothing to fear from the visit.

Mr. President, I desire to address myself to another subject.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes on another subject.

PORNOGRAPHIC LITERATURE

Mr. ALLOTT. Mr. President, last week I went to the office of the Postmaster General and saw some of the very modern machines which are being used to speed up our postal system. While I was at the office I went into a room, at the Postmaster General's insistence, which he had locked off, in which he had collected various pornographic materials which are sent through the mails.

I cannot say that I was simply shocked, for I was disgusted. In fact, I felt like retching in that room where the materials were contained.

This experience has been so recent for me that I do not know exactly what we can do about the matter. I will say one thing: If we have to have a special session of the Senate, or an executive session of the Senate, next January, we ought to have it and we ought to make every Member of the Senate look at that filth which is being purveyed to the children of this country, as well as to grownups. If we do not find a way of putting real teeth in the laws concerning this material, there is something wrong with us as Americans and as Members of the Senate.

Mr. KEATING. Mr. President, will my distinguished friend yield to me?

Mr. ALLOTT. I yield.

Mr. KEATING. My friend probably knows that by a conservative estimate the gross revenue from this filthy traffic has reached the amount of a half billion dollars a year. This filth is being poured into the homes of our children, when they write for some toy, or model airplane or other item, which though legitimately advertised, merely serves as bait to attract an inquiry. Then these "characters" send the children this scum. It is simply flooding the homes of this country. The Post Office Department estimates that a million children will receive this rotten material this year. That amounts to 1 of every 35 children in the country.

Mr. ALLOTT. I agree with the Senator entirely. He is correct. The business is quite big. I appreciate the Senator's comments.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. It seems to me there would be no objection whatsoever to legislation in this field, if the Senator would introduce a bill.

The PRESIDING OFFICER. The Senator from Colorado has 1 minute remaining.

Mr. LONG of Louisiana. I would be happy to vote for such a bill. My guess is that whatever the Senator thinks should be done to tighten up the law in this matter would receive a unanimous vote of the Senate.

Mr. ALLOTT. I know the Members will not enjoy it, but I hope every Member of the Senate will see this material.

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

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes on another subject.

Mr. NEUBERGER subsequently said: Mr. President, I was present in the Chamber earlier today when the distinguished Senator from New York [Mr. KEATING] and the distinguished Senator from Colorado [Mr. ALLOTT] made some references to the very unfortunate, shabby, and shocking purveyance of pornographic and obscene literature through the U.S. mails.

As a member of the Committee on Post Office and Civil Service I went with the chairman of that committee—and the very able ranking member of the committee [Mr. CARLSON], who is now present in the Chamber, for the purpose of viewing some of the disgraceful exhibits. They were disgusting. I share the views of the Senator from New York and the Senator from Colorado.

I had intended to place in the RECORD the very excellent column by Roscoe Drummond in the Washington Post of September 9, which commends the Postmaster General for his efforts to tighten the laws so as to make possible—we hope—driving much of this material from the mails, and particularly from the hands of children, who can be adversely influenced by it psychologically for the rest of their lives.

I wish to add one further word. A great deal of this material, particularly the very disgraceful and degrading films, is purchased by some very important organizations in the United States for so-called "smokers," and such materials are displayed to some of the leading adults in many communities in the United States.

Thus, this traffic is also the problem of local law enforcement officers, as well as of the Postmaster General, the Congress, and the executive arm of Government. Once again it is demonstrated that we in the Congress will not be able to accomplish our goal of eliminating these obscene materials unless we have effective local law enforcement.

The problem is somewhat similar to some of the situations developed by the McClellan committee. They were not problems peculiar to trade unions, in many essentials. They were problems involving arson, murder, assault, and other dreadful crimes, which have been prohibited by the criminal codes of our States and country for many decades, and by civilized society all over the world for centuries.

Unless we have better local law enforcement, both by U.S. attorneys and local district attorneys, we shall not be able to accomplish our purposes in this respect.

SENATE RULES

Mr. ALLOTT. Mr. President, the Senator from Minnesota [Mr. HUMPHREY] a few minutes ago spoke about methods of reforming, perhaps, the times and occasions when the Senate would meet. I can join in regard to much of what the Senator says, because, the way the Senate meets, those who have families are placed in a very serious situation, where they are separated from their families and families are broken up. I think we should take a very good look at the way the sessions are handled.

I also wish to suggest, Mr. President, that the occasions of the last few days have brought forth to me very clearly and plainly that the rules of the Senate—particularly rule XXII, with respect to the closing off of debate—which were adopted many years ago, which were amended in 1949, and again amended in 1959, need to be reconsidered. There has now come a time in the Senate of the United States when the entire business of the Senate, the whole will of the Senate, the will of the overwhelming majority of the Senate—even the will of the American people—can be thwarted by the delaying tactics which are available to an individual Member under the rules.

I have been one of those who has fought against a too strict cloture rule. I shall continue to do so, and I shall fight for rules which will protect minorities in the Senate. But I am no longer going to fight for a rule—and I will fight to change the rule—which permits the entire Senate to be abused by one man.

TRIBUTE TO CONGRESS

Mr. CHAVEZ. Mr. President, I hope the Members of this body who are present will listen carefully. In New Mexico we have a television station, KOAT-TV, channel 7. On September 15 Mr. Phil Close closed the night television broadcast with the following editorial concerning Congress:

> In closing tonight, this food for thought. Along about this time of the year, the people as a group, and the press in general, begin to get a little impatient with Congress. Senators are accused of dragging their feet, Congressmen are often accused of clamping the lid on important legislation. However, if for just 1 day, every person in the Nation could read the complete CONGRESSIONAL RECORD, it would make one thing clear. The boys in Washington may take a while to get things accomplished, but a great deal of research and thinking goes into their final decrees. The RECORD is full of very enlightening reasoning by men supporting both sides of any controversy. And the choice of which side to take can sometimes be tough. Generally speaking, though, Congress as a body does an excellent job in keeping the wheels of Government going. The proof of this is that the wheels have never stopped, and look good for the next three or four centuries, at least.

THE RAILROAD SITUATION AND THE TRANSPORTATION ACT OF 1958

Mr. CAPEHART. Mr. President, a few days ago the senior Senator from New Hampshire [Mr. BRIDGES] delivered a significant and timely speech in the Senate about the railroad situation and the failure of the Transportation Act of 1958 to remedy the ills that beset the hard-pressed railroad industry.

I fear that the old saw about the weather, that is, "Everyone talks about it, but no one does anything about it," might well apply to the railroad situation.

I had hoped, as I am sure other Senators did, when in 1958 we passed the bill known as the Transportation Act of 1958, to which subject the Senator from Florida [Mr. SMATHERS], the Senator from Kansas [Mr. SCHOEPPEL], and the other Senators had given so much thought and attention, that we had at least made one step forward toward the relief of the railroads. Perhaps that is not so.

Studies of transportation problems are now being made under the direction of the Committee on Interstate and Foreign Commerce, and by the Department of Commerce, at the request of the President. It is hoped that out of these studies will come further recommendations to assure the Nation of adequate transportation facilities.

Few industries have had more to do with the development of America, and with welding the States together, than the transportation industry. As said by the Senator from New Hampshire the other day, we began to regulate the railroads many years ago when it was believed they had a monopoly of transportation. Not so today. In this year of our Lord, 1959, the railroads are handling less than 4 percent of the intercity passenger miles, and less than 50 percent of the intercity ton miles of freight. The erosion process has been aided and abetted by billions of dollars spent by the Federal Government, the States and municipalities on the devel-

opment of water, air and highway transportation. We have continued to impose more and more regulations on the railroads and more and more taxes, until the twin burden, regulations and taxes, has in some instances become almost unbearable. Fortunately, under the able leadership of the Governor of New York, that State is trying to do something about the tax burden. So is its sister State of New Jersey.

There are, however, a dozen or more bills pending in the Senate and the House to impose more and more regulations upon the railroad industry. Bills to regulate hours of service, the operation of track motor cars, the making of accident reports, to give the Interstate Commerce Commission more power to prescribe standards of maintenance for track, equipment, signals, and the like are pending. Another bill, S. 1789, would give the Commission more power over per diem charges—the rental paid one railroad to another for the use of freight cars. Congress, earlier this year, enacted legislation imposing an additional burden of more than $100 million a year on the industry in the way of increased railroad retirement and unemployment insurance taxes for railroad employees. That burden under the sliding scale of increasing those taxes, will eventually rise to more than one quarter billion dollars per year. How long can this go on? This Nation in World War I and again in World War II, saw how vital are the railroads in wartime. Members of the subcommittee of the House Armed Services Committee, after hearings recently held, have expressed concern about the ability of the railroads to do another such fine job as they did in World War II, if we should have another emergency.

The time has come, Mr. President, when we must stop imposing more and more burdens upon the railroad industry. The time has come when we must give the able men who run the railroads more freedom to operate their railroads as other businesses are operated. The railroad industry is one of our largest employers of labor, one of the Nation's largest taxpayers, one of the largest purchasers of the products of American industry and agriculture. The time has come when we must stop treating the railroads as the stepchild of American industry. True, in days when the railroad industry was growing, when ribbons of steel were being laid across the prairies of my native Middle West to link the industrial East with the golden West to make America, there may have been a few robber barons. Those days are long since past. Let us not continue to heap coals upon the heads of the men who run America's railroads today, for the sins of those in the industry perpetrated long before anyone within the sound of my voice sat here.

I join the Senator from New Hampshire in expressing the hope that out of the studies currently under way, will come recommendations for legislation that will more nearly equalize the competition between our agencies of transportation. I hope for legislation that will give to the railroads a plain, old-fashioned, American, square deal to which every man and woman, yes, every industry, is entitled, and with less than which no one should be satisfied. We need the railroads in peacetime and in time of war. Let us stop imposing further regulations upon them. What the railroad industry needs now is less regulation, not more.

THE LABOR-MANAGEMENT REFORM BILL

Mr. GOLDWATER. Mr. President, I ask unanimous consent that a summary of the action taken by the conference on the labor reform legislation which appears on pages 17326 and 17327 of the CONGRESSIONAL RECORD of August 28, 1959, which I had inserted, and which is a comparison of the first of six titles of the Landrum-Griffin bill, be reprinted in the body of the RECORD, and that there be added thereto a summary analysis of the conference agreement on title VII.

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

SUMMARY OF THE ACTION TAKEN BY THE CONFEREES ON LABOR REFORM LEGISLATION

Definitions: Adopted the House language, which includes definitions of "Secretary," "officer, agent, shop steward, or other representative," and "district court of the United States," not contained in the Senate bill.

Title I—Bill of rights for union members: Senate bill required the union member to exhaust reasonable hearing procedures within the union not exceeding a period of 6 months before instituting legal or administrative proceedings against the union or its officers. House provision required only a 4 months' waiting period. Conference adopted House provision.

Right to copies of collective bargaining agreements: Failure to make copies available to employees and members covered by collective bargaining agreements made a crime by Senate bill. House provision enforced by injunction actions brought by Secretary of Labor in Federal courts. Conference adopted House provision.

Title II—Reporting by unions: Both bills require detailed union organizational and financial reports. Conference adopted House language which required every union to adopt a constitution and bylaws and which contained no exemption for small unions. Conference also adopted Senate provision requiring union financial reports to be in such categories as the Secretary of Labor may prescribe.

Union officers and employees conflict-of-interest reports: Senate bill required conflict-of-interest reports from every officer and employee receiving more than $5,000 a year in wages, salary, expenses, and allowances from the union. House provision required filing of conflict-of-interest reports from union officers and employees regardless of amount received from the union. Conference adopted House provision.

Reporting by employers: Senate bill required reports from employers and labor relations consultants on certain payments or loans to unions or union officers and employees and on expenditures for activities designed to persuade employees to exercise or not to exercise their rights. House bill would require these reports where the expenditures were for the purpose of interfering with, coercing or restraining employees in the exercise of their rights. Conference adopted compromise language requiring: (1) a report from an employer of any expenditure where an object thereof is to interfere with, restrain, or coerce employees in the exercise of their rights; (2) a report from an employer and a labor relations consultant of any agreement or arrangement whereby the labor relations consultant undertakes activities to persuade employees in the exercise of their rights.

Attorney-client communications: House provision gave both attorney and client an exemption from reporting any privileged communication. Senate bill gave this exemption to the attorney. Conference adopted Senate provision.

Reports made public information: House bill made reports public information whereas Senate bill also gave Secretary authority to use reports as basis for compilation of studies and statistical reports. Conference adopted Senate provision.

Criminal provision: House bill made violations of title II a crime whereas Senate bill also made violations of rules and regulations issued by Secretary a crime. Conference adopted House provision.

Commissioner of Labor reports: Senate bill provided for Commissioner of Labor reports. No provision in House bill. Conference adopted House provision.

Non-Communist affidavits: Senate bill requires affidavits to be filed by employers and union officers. No provision in House bill. Conference adopted House provision.

Title III—Trusteeships: Both bills substantially the same. Trusteeships under House provision presumed valid for period of 18 months whereas Senate bill provided only 12 months. Conference adopted House provision.

Title IV—Elections: Senate bill required union to comply with reasonable requests of candidates for union office to mail campaign literature under union auspices at candidates expense, but preserved privacy of membership lists. House provision gave candidates right to inspect and copy list of members where there is a union shop. Conference adopted Senate provisions and House provision with respect to inspection.

Removal of union officers: House bill provides removal procedures where union constitution does not provide an adequate procedure for removal of union officers guilty of serious misconduct. Senate bill provides removal procedures even where there is an adequate procedure in union constitution but it is not being followed. Conference adopted Senate provision.

Title V—Codes of ethical practices: Senate bill contains such a code. Not in House bill. Conference adopted House provision.

Title V—Safeguards for unions: Both bills impose a fiduciary responsibility upon union officers. House bill also gives union member right to sue union officer for breach of fiduciary responsibility. Not contained in Senate bill. Conference adopted House provision.

Bonding: Senate bill provides for blanket bonding of union officers and employees handling union funds with a maximum bond of $250,000. House bill required personal bonding not to exceed $500,000 and prohibited placing of bond with surety company in which any officer or employee had an interest. Conference adopted House provision.

Loans to union officers: Senate bill prohibited unions from making loans to its officers in excess of $1,500, whereas House had $2,500. Conference adopted $2,000.

Holding union office: Senate bill prohibited convicts and persons violating titles II and III from holding union office. House bill extended prohibition to Communists and ex-Communists, but disqualification removed if citizen's rights restored or Justice Department Parole Board approves such person's service as an officer. House bill also extends prohibition to labor relations consultants and employer associations. Conference adopted House provision.

Summary analysis of conference agreement as to title VII, Taft-Hartley amendments

	House bill (Landrum-Griffin)	Senate bill (Kennedy-Ervin)	Conference agreement
I. No man's land	State labor boards and courts could assume jurisdiction and apply State law as to cases declined by NLRB. (Administration recommendation.)	State boards only (12 States) could take jurisdiction—and apply Federal law—to cases declined by NLRB.	Adopts House provision in full. Adds provision to assure that NLRB will continue to take cases falling under its standards as of Aug. 1, 1959; and allows Board to delegate to its regional directors certain powers in representation cases.
II. Hot cargo agreements	Bans all hot cargo agreements	Bans only hot cargo agreements with motor carriers subject to pt. II of Interstate Commerce Act.	Adopts House provision with modification as to application in garment and construction industries.
III. Other secondary boycotts	1. Closes loophole which permitted secondary boycott through coercion applied directly against secondary employer (instead of his employees).	No provision	Adopts House provision.
	2. Closes loophole which permitted secondary boycott by inducing employees individually (rather than in concert).	do	Do.
	3. Closes loophole which permitted secondary boycotts involving railroads, municipalities, and governmental agencies because their employees were not "employees" under definition in the act.	do	Do.
	4. Prohibits secondary customer picketing at retail store which happens to sell product produced by manufacturer with whom union has dispute.	do	Adopts House provision with clarification that other forms of publicity are not prohibited; also clarification that picketing at primary site is not secondary boycott.
IV. Organizational picketing	1. After an election, bans picketing for 12 months.	Same, except 9 months	Adopts House provision.
	2. Bans picketing when another union certified or lawfully recognized.	Same	Same.
	3. Before election, restricts picketing to reasonable time not to exceed 30 days.	No provision	Adopts House provision.
	4. Before election, restricted picketing unless union could show 30 percent interest among employees.	do	Substitutes mandatory election procedure. Informational picketing which does not affect deliveries or service is not banned.
	5. Provides for enforcement through mandatory injunction obtained through NLRB, and/or suit for damages.	Discretionary injunction by NLRB. Union could delay issuance of injunction and continue picketing by charging employer with unfair labor practices.	Mandatory injunction; no damage suit; union can charge unfair practices but cannot block injunction except in limited situations under sec. 8(a)(2).
V. Other provisions:			
1. Voting by economic strikers	Employer could not petition during economic strike for election for 1 year.	Economic strikers could vote without limitation.	Can vote during period of 1 year after strike commences.
2. Prehire, building and construction industry.	Sec. 702. Administration provision	Broader provision. Sec. 702	Adopts Senate provision.
3. General Counsel, vacancy	Sec. 704	Same	Same.
4. Priority handling of certain unfair labor charges.	Sec. 706	Same	Same.
5. Common situs, building and construction industry.	No provision	No provision	Dropped.

TRIBUTE TO SENATOR MARGARET CHASE SMITH, OF MAINE

Mr. BRIDGES. Mr. President, unfortunately I was not present on the floor of the Senate recently when the acting minority leader [Mr. KUCHEL] paid a most highly deserved tribute to our gallant and gracious senior Senator from Maine [Mrs. SMITH]. On Monday evening, September 7, the senior Senator from California commemorated MARGARET CHASE SMITH's accomplishment of participating, that day, in her 700th consecutive yea-and-nay vote.

I wish to join in tribute to this remarkable demonstration of public service. Any Senator in this body would treasure such a record of steady, industrious service; and I am sure the people of Maine themselves are pleased and grateful for being so well represented.

Although a Senator from the State of New Hampshire, which I am proud to serve, I was born, reared, and educated in Maine, and I am happy that my home State is represented in the Senate in this conscientious, able manner.

All of us in the Senate express our appreciation for Mrs. SMITH's presence and her labors on behalf of the people of the State of Maine and our Nation, which, with high-principled devotion, she so effectively serves.

The PRESIDING OFFICER. Is there further morning business?

WORLD PEACE

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon is recognized for 3 minutes in the morning hour.

Mr. MORSE. Mr. President, I have received a letter from the pastor of the Trinity Methodist Church of Toledo, Oreg., dated August 17, 1959. I shall read only the first paragraph of the letter, and then I ask unanimous consent that the entire letter and the resolutions appertaining thereto be printed in the RECORD:

I write to inform you of the resolutions on world peace made by the annual Oregon Conference of the Methodist Church which met May 26–31 of this year in Medford, Oreg. This conference consisted mainly of one ministerial and one lay delegate from 170 churches representing approximately 50,000 members. The statements were developed in the following way.

The Conference Committee on World Peace which meets throughout the year studied, wrote and proposed a number of resolutions. These were printed in a study booklet which was sent out about 6 weeks preceding the conference meeting to all delegates to be studied. The conference when it met was divided into sections, one of which discussed and amended these proposed resolutions. They were then taken before the total conference for any further discussion and voted upon. As a result of this process, the following resolutions were made and we request that you give them your careful consideration.

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

TRINITY METHODIST CHURCH,
Toledo, Oreg., August 17, 1959.

Hon. WAYNE MORSE,
Senate Office Building, Washington, D.C.

MY DEAR MR. MORSE: I write to inform you of the resolution on world peace made by the annual Oregon conference of the Methodist Church which met May 26–31 of this year in Medford, Oreg. This conference consisted mainly of one ministerial and one lay delegate from 170 churches representing approximately 50,000 members. The statements were developed in the following way. The conference committee on world peace which meets throughout the year studied, wrote, and proposed a number of resolutions. These were printed in a study booklet which was sent out about 6 weeks preceding the conference meeting to all delegates to be studied. The conference when it met was divided into sections, one of which discussed and amended these proposed resolutions. They were then taken before the total conference for any further discussion and voted upon. As a result of this process, the following resolutions were made and we request that you give them your careful consideration:

"War is absurd. It is absurd politically because modern weapons assure the annihilation of the human community. War is irrational for it never solves the problems of the race; it compounds them. War is indefensible. God's action in Christ is to reconcile men with each other and with Him, and war tears apart the human community and alienates man from God.

"Though the cry of the human community is universal in the demand that war be ended and peace be spread across the face of the earth, there is little agreement as to method of accomplishment.

"Our faith teaches us that security is not to be found in postures of defense, no matter how powerful, but in constructive relationships with our fellow man and with God. Therefore, we say "no" to all who flout the love of Christ, to the defender of injustice in the name of order, to those who sow the seeds of war or urge war as inevitable. We say "yes" to all that conforms to the love of Christ, to those who are the peacemakers and who hope, struggle, and suffer for the cause of men.

"From this perspective we offer the following resolutions:

"1. The United Nations: We believe that the United Nations and its agencies should be supported, strengthened, and improved. Moreover, if these facilities are to become most effective, the United Nations, with membership open to all nations must be given sufficient authority to enact, interpret, and enforce world law against aggression and war.

"2. United Nations membership: We believe that the United Nations in its work for peace and disarmament is weakened by the absence of any government. We, therefore, urge the State Department of the United States, the Oregon annual conference, and the national board of world peace of the Methodist Church to seek interchange of ideas with all governments and nations including encouragement of trade and passage of press and church representatives both ways behind all curtains, and we urge our U.S. State Department to support the admission of any nation into the United Nations that meets the requirements of the charter of the United Nations.

"3. Political freedom: We believe in self-government, and the participation in political processes by all persons within a nation.

"4. Disarmament: The United States should assume greater initiative toward bringing national armaments under U.N. inspection and control in a process directed toward their consequent reduction, limitation and eventual abolition.

"5. Nuclear power: We are totally opposed to the resumption of nuclear-weapon testing under any circumstances. We take this stand for the following reasons:

"Nuclear testing can continue only if we accept the proposition that some genetic and somatic damage from radiation is socially tolerable. We believe that Christian love means that any damage to any persons is socially intolerable. Particularly is this true when it appears that much of this damage would occur in persons who are not citizens of the testing nations. The argument that damage may occur to a small percentage (0.01 percent to 0.04 percent) of world population is irrelevant. Such a percentage means 125,000 to 4 million people, many of whom will suffer 100 to 200 years from now. To continue testing is to perpetrate a 'folly in thoughtlessness' and in irresponsibility. (Source of statistical information: The U.N. Scientific Committee on the Effects of Atomic Radiation quoted in Consumers Report, March 1959, vol. 24, No. 3.)

"We are gratified by progress that is being made in the development of nuclear energy for peaceful purposes and urge its further development.

"6. Peacetime conscription: We urge the abolition of peacetime conscription.

"7. World economic development: We support the statement of the Council of Bishops (Cincinnati, Nov. 13, 1958): 'To lay firm foundations of peace, we give hearty endorsement to such foreign policy endeavor as the Hoover European program of relief, the Marshall plan, atoms for peace, a lowering of trade barriers, a strengthening of such other mutual aid programs as those dealing with technical assistance and the development of natural resources for nations in rapid social and economic change and urge that we labor untiringly for the independence of colonies and satellite nations.'

"8. Military support or dictatorship: Since the Methodist Church has been a strong supporter of democracy and freedom, and since other nations of the world interested in democracy and freedom, have looked to the United States of America as an example, we urge our Congressmen and our State Department to discontinue military support of dictatorships."

Sincerely,

The Reverend VERNON A. GROVES,
Secretary of Committee on World Peace, Oregon Conference of the Methodist Church.

EDITORIAL COMMENT ON SENATOR MORSE

Mr. MORSE. Mr. President, we are so accustomed as Senators to welcome the introduction of material into the RECORD which may be favorable to us that seldom are we fair enough to grant the same consideration to material that is not very favorable. Therefore, I ask unanimous consent that there be printed in the RECORD as a part of my remarks an editorial which appeared in the Washington Post of September 8, 1959, entitled "Hair Shirt," which is none too complimentary to the senior Senator from Oregon.

I have no intention of commenting upon the editor's value judgments. I am perfectly willing to let my record speak for itself and leave them to their own opinion.

I ask unanimous consent that the editorial may appear at this point in my remarks.

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

HAIR SHIRT

Senator MORSE droned on yesterday while the Senate fumed. Until he relented to permit work on the surplus crop disposal bill, about the only point of agreement between him and the leadership was his statement that he is "not a candidate for a popularity contest in the Senate." Yet the Oregon maverick's harassing tactics did serve to demonstrate graphically his essential point: the absurdity of the congressional rush to get out of town before Mr. Khrushchev arrives.

It would be unthinkable for Congress to adjourn before completing action on badly needed legislation apart from the surplus disposal bill; civil rights, including extension of the Civil Rights Commission; the gasoline tax increase; a new public works bill; the foreign aid appropriation; stopgap housing authority; at least a minimal corrective on bond interest rates. These measures are too important for lick-and-promise consideration.

A perfectly simple remedy has long been advocated. That is for Congress to recess in July, permit Members to take a well-earned vacation with their families, and then reconvene for a cleanup session in October. It is too late, of course, for such a solution this year. The next best thing would be to adopt Senator SMATHERS' suggestion of a recess now, with a further session in the fall. This would at least give Members an excuse to get away before Mr. Khrushchev descends, if they are determined to run from him; and it would permit interested legislators to remain and meet with Mr. Khrushchev in the Senate Foreign Relations Committee.

In his annoying way Senator MORSE has been pricking the Senate's conscience. If Senators are exasperated with him, they ought to be even more exasperated with themselves.

Mr. MORSE. Mr. President, the editorial was the basis for some press inquiry this morning as to my course of action in view of certain comments that have already been made on the floor.

Let me say to the Senate that I still stand ready and willing at all times to vote to adopt the Morse antifilibuster resolution in the Senate. This would return the Senate to true majority rule with full protection of minority rights. I have never varied from that.

Mr. President, my course of action in the parliamentary situation which has confronted us in recent days has been to follow the rules, and to follow the rules in no way that, in my judgment, would impede the giving of consideration to legislation that is ready for action. I have demonstrated that time and time again. However, Mr. President, I insist that the whole Senate give consideration to such legislation.

As I said to the press this morning and repeat now, I intend to continue to do what I can to apply the rules of the Senate in a way that I believe will assure the careful consideration of legislation in these closing days of the session.

As an old horseman I know that it is impossible to lead a horse to water and make him drink, but it is possible to lead a horse to water. All I propose to do is to make available to the Senate its own rules if it wishes to drink the nourishment thereof.

I will always be found on the side of those who desire to improve these rules because they sorely need improving. I hope that by calling attention to their application it may be helpful in improving them.

Let me make one thing very clear, as I did to the press this morning. The press used the word "relenting." It is not my word. I have no intention of relenting in my opposition to unanimous-consent agreements to limit debate and fixing the time to vote, now or next year or any other time. On some rather extraordinary occasion when it is demonstrated to me that the public interest dictates agreement to such a request, I will agree.

Mr. President, I am convinced that the practice we have adopted in the Senate of doing most of our business by way of unanimous-consent agreements limiting debate and fixing the time to vote is not in the public interest, and as long as the rules are what they are, I intend to object to any such request.

RESUMPTION OF DISARMAMENT NEGOTIATIONS

Mr. HUMPHREY. Mr. President, reports in the press on September 8 indicate that general disarmament negotiations will be resumed within the next few

months. A four-power communique issued by the United States, the United Kingdom, France, and the Soviet Union states that a special disarmament committee will be established as—

"A useful means of exploring through mutual consultation avenues of possible progress toward such agreements and recommendations on the limitation and reduction of all types of armaments and armed forces under effective international controls."

I believe that this move on the part of the four powers is to be heralded and praised. Disarmament negotiations have been suspended since 1957 and their resumption as indicated by this announcement is an opportunity to make progress toward a dimunition of the pace of the armaments race in which the major powers of the world are now engaged.

The new disarmament committee will be composed of 10 nations, 5 of which will be Western nations and 5 of which will be Soviet bloc nations. The Western Powers will consist of the United States, the United Kingdom, France, Canada, and Italy. The Soviet bloc nations will be represented by the Soviet Union, Poland, Czechoslovakia, Bulgaria, and Rumania.

With the exception of the United States and Canada all of the nations on the new disarmament committee are European or are partly European. This may appear to give the membership of the committee an unbalanced geographical composition. But this composition, with the exception of the exclusion of Red China, does reflect the existing power situation in the world today. If there is to be any progress in the field of arms control these are the nations that will be primarily involved. I do not wish to dwell long on the subject of the exclusion of Red China from these talks. But I wish to warn my colleagues that if we are to make substantial progress in the area of arms control, particularly in the area of the control and reduction of conventional weapons and manpower, it will be dangerous for the free world if prohibitions and limitations on the Western Powers and the Soviet Union do not also apply to Red China.

The announcement of the resumption of the disarmament negotiations has brought some criticism to the effect that the United Nations has been bypassed as the proper forum through which disarmament negotiations should be conducted. I sympathize with the concern expressed by many of my friends that the United Nations must not be ignored, but instead must eventually be brought into the disarmament picture. The four-power communique, however, recognizes the role of the United Nations. The communique states:

> The United Nations Charter recognizes that disarmament matters are of worldwide interest and concern. Accordingly, ultimate responsibility for general disarmament measures rests with the United Nations.
>
> The setting up of the disarmament committee in no way diminishes or encroaches upon the United Nations responsibilities in this field.

Furthermore, the Secretary General of the United Nations in his report on the work of the United Nations for the past year also indicated that the new disarmament committee was not necessarily a bypassing of the United Nations. His report recognized that ultimate responsibility for disarmament measures continues to rest with the United Nations, but that a committee outside of the United Nations could deal with the problem. The committee should report its findings and its recommendations, if any, to the United Nations Disarmament Commission.

The new disarmament committee contains an equal number of Western and Soviet nations. It has been feared by some that the granting of equal representation to the Soviet bloc sets an unfortunate precedent. I believe, Mr. President, that the composition of the new committee, with the exception I have noted above, reflects the power situation existing in the world today.

Questions of proper procedures and the appropriate number of nations to be represented are not of primary concern. The most important question is: Can progress be made? Can some accomplishment derive from this procedure? I believe the world does not wish to have procedures block the possibility of progress in the field of arms control. At the same time I would not wish to have my remarks interpreted as favoring in all cases negotiations based on the principle of parity, that is an equal number of Soviet bloc and Western nations.

There will be many questions, indeed there are many questions, in which the parity concept would be false. There are 82 members of the United Nations. In many cases their interests cannot be divided into two main groups: that of interests of the Soviet bloc and interests of the free Western Powers. In many cases the interests will be more diverse than this and the negotiations involved must reflect this diversity. In fact many of the important disputes existing in the world today and pending before the United Nations stem from problems of the Middle East, Africa, and southeast Asia. If arms control proposals were to be considered as solutions or partial solutions for some of these disputes the nations of Asia, Africa, and the Middle East would have to be represented.

Considering all these factors I continue to believe that we must rejoice in the decisions to resume general disarmament negotiations. Let us hope that the proposals advanced and the spirit in which negotiations are conducted will be conducive to producing harmonious and positive results.

In conclusion, Mr. President, I wish to make one further point. This is the need for proper preparation on the part of our Government as we proceed to enter into these negotiations. I have introduced an amendment to the mutual security appropriation bill, which will probably be before us tomorrow, which would enable the Government to be better prepared in the area of arms control. I regret that the amendment was not accepted in committee, although I appeared and testified on it. This amendment would provide the Department of State with $400,000 to make or contract for special studies in the field of arms control.

These studies would be concerned to a large degree with problems of control and inspection to accompany specific arms control proposals. Many of these studies could not be completed prior to the resumption of the disarmament negotiations shortly after the first of the year. But, they would help the Government in its preparation for the continuing negotiations that would undoubtedly follow.

I wish to take this opportunity to thank those Senators who have seen fit to cosponsor this amendment with me. They are Senators HART, CLARK, MURRAY, MANSFIELD, MOSS, CHURCH, NEUBERGER, DOUGLAS, ENGLE, CASE of South Dakota, and BUSH. Many other Senators wrote me their intentions of support for the amendment although for various reasons they did not ask to be cosponsors.

By adopting this amendment the Senate can emphasize the need to make progress in the arms control area. We can demonstrate our conviction that the Government must be well prepared for the negotiations and discussions to be held in the months ahead.

ADEQUATE REGULATIONS TO PROTECT THE PUBLIC AGAINST TRANSPORTATION OF HIGH EXPLOSIVES

Mr. NEUBERGER. Mr. President, passage of S. 1806, which I hope will occur today, is of special significance to my State. On August 7, 1959, a truckload of explosives was accidently detonated in the heart of the city of Roseburg, Oreg. Thirteen persons died in that explosion and property damage has been estimated at $12 million.

The people of Roseburg are now rebuilding their shattered city, repairing the twisted and torn structures which housed their families and their businesses. This bill will not help them replace their lost loved ones or their homes. But it may help prevent another community from suffering a similar tragedy.

Mr. President, I publicly urged enactment of this bill on August 8, 1959, the day immediately following the Roseburg catastrophe.

Following the action of the Senate Committee on Interstate and Foreign Commerce in reporting the bill, I wrote Senate Majority Leader LYNDON B. JOHNSON asking his cooperation to insure early consideration of S. 1806 so that both Houses of Congress might have an opportunity to act upon it during this session. The majority leader assured me of his full support.

I believe that it is the minimum step which Congress should take to protect Americans against the obvious dangers involved in movement of explosives by motor carriers. I know other members of the Oregon delegation feel the same way.

The Interstate Commerce Commission is currently holding hearings in Roseburg as part of its investigation of that disaster. I am pleased that the ICC is

carrying out a thorough study of this incident. On the day of the explosion I wired Mr. Kenneth H. Tuggle, Chairman of the Interstate Commerce Commission, asking for a complete investigation. From such a review may come facts which will aid in further protecting the general public.

In this connection, I recently wrote to Mr. Tuggle to suggest that the ICC embark on a study of the degree of risk to public safety involved in movement of explosives by truck versus other forms of transportation. I ask unanimous consent that the text of my letter, together with a portion of the Senate report summarizing the provisions of S. 1806, be printed in the RECORD at the conclusion of my remarks.

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

U.S. SENATE, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
September 2, 1959.

Hon. KENNETH H. TUGGLE,
Chairman, Interstate Commerce Commission, Washington, D.C.

DEAR MR. CHAIRMAN: The recent disaster in Roseburg, Oreg., has again focused public attention on the dangers inherent in transportation of explosives. While we cannot alter the result of that catastrophe, the knowledge of what occurred there should serve as a goad to action to help prevent such a future happening.

In this connection, I announced publicly on August 8 my support of S. 1806, which would strengthen legislation designed to protect the public against hazards involved in transportation of explosives and other dangerous substances. I am hopeful that the 86th Congress will approve this bill.

However, it seems to me that several other areas should be investigated to determine whether or not congressional action might be desirable to increase public safety with respect to movement of explosives. Two points come to mind:

1. It has been suggested to me that the Roseburg incident dramatizes the special risk connected with the conveyance of explosives by motor vehicle. While it is not clear that the extent of the loss of life and property damage caused by the Roseburg explosion would have been substantially less if the explosives had been loaded on a railroad car sided at a local spur, it has been pointed out to me that it is nevertheless true that transportation of explosives by highway exposes the general public to greater danger through proximity than does transportation by rail, water, or air.

The argument advanced is this:

Trucks share the highways and streets with the general public, including passenger cars, buses, and pedestrians. Alongside these byways are hotels, schools, hospitals, stores, and homes occupied by people. An accident to an explosives-laden truck is likely automatically to involve other motor vehicles or bystanders along the highway right-of-way.

On the other hand, railroads possess their own private rights-of-way. Tugs and barges travel on rivers and streams which rarely are close to buildings or structures occupied by large numbers of people. Neither form of transportation rubs hubcaps with cars and trucks.

Trucks are subject only to the control of their drivers. They are exposed to normal road hazards and the vagaries of other drivers and motor vehicles. The fuel which propels trucks is immediately adjacent to its cargo.

An analogy is suggested between a freight elevator and a passenger elevator in a hotel or office building. Where would a lethal cargo of live explosives be transported? The answer is obvious: the freight elevator. This might not be complete insurance against a tragedy, because an explosion in a freight elevator could do great damage. Yet it is evident that the explosion would be far more perilous to human life if it occurred in a loaded passenger elevator.

From this reasoning it follows that limitation of movement of explosives by motor vehicle would be in the public interest.

In reviewing this general suggestion, I have noted several general objections. For instance, prohibition of conveyance of explosives by truck would mean that areas served by no other form of transportation would have no way of obtaining needed shipments of this commodity. Restriction of movement of trucks would necessitate detailed consideration of each shipment and situation to determine availability of other forms of transportation, route to be followed, travel time, and other factors. Limitation of amounts carried in a single load, to decrease the magnitude of risk, runs into the difficulty of coping with the varying nature of different explosives whose efficacy cannot be judged by a single simple uniform weight or size standard, in addition to raising the question of the value in terms of safety of numerous small loads with increased exposure versus one large load with greater destructive potential.

Despite these factors, it seems to me that it would be a beneficial project for the Commission to review the question of method of transportation of explosives with a view to advising Congress as to whether or not it would be desirable for the Federal Government to enact legislation dealing with the type of conveyance employed to carry explosives.

Such a study might include examination of feasibility and desirability of such ideas as prohibition of transportation of explosives on highways except where other appropriate transportation is not available, use of escort vehicles preceding and following trucks, designation of specific routes, regulation of the hours during which explosives might be trucked most safely, prior notification of route and time schedules, outlawing of mixed cargoes, limitation of amounts of explosives which may be carried in a single load, restriction of trucking of explosives to short hauls, and other methods which might increase safety.

I am aware of the fact that the proposal which I advance is not based on a new suggestion. The Commission has, of course, received similar appeals in the past. However, I am convinced that a detailed study in depth is called for, and I hope that the Commission will see fit to embark upon such an investigation.

2. It has been suggested to me that increased authority in the area of regulation, inspection, and enforcement, with addition of personnel necessary to carry out such enlarged functions, could be a significant aid to prevention of incidents involving loss of life and property due to accidental detonation of explosives in transit by motor vehicle.

I would be most interested in learning from the Commission of any areas, other than those covered in S. 1806, where the ICC believes that further grants of authority would accomplish this purpose, and the extent to which available personnel should be increased so as to insure that existing laws and regulations and any recommended additions are efficiently and effectively implemented.

I trust that the Commission will give the two points which I have raised serious consideration and that I will receive a report from the ICC supplying me with pertinent data related to this request and indicating the views of the organization with respect to amendment of Federal law which might appear advisable in the public interest.

With best wishes, I am

Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator.

SUMMARY OF PROVISIONS OF S. 1806

I. INTRODUCTION

The purpose of this bill is to revise and bring up to date the provisions of the Transportation of Explosives Act (18 U.S.C. 831–835). The bill would bring the transportation of radioactive materials and etiologic agents under the jurisdiction of the Interstate Commerce Commission and would extend the penalties for violations of the Transportation of Explosives Act, now applicable only to common carriers, to private and contract carriers. The bill is similar to S. 1491, 85th Congress, which was passed by the Senate in 1957. Exhaustive hearings were held by the Surface Transportation Subcommittee on S. 1491.

II. PURPOSES OF THE BILL

The Transportation of Explosives Act was enacted in 1908 and while it has served its purpose well, it now needs revision in many respects. There has been a tremendous increase in the transportation of dangerous articles following the increase in the production of radioactive materials and etiologic agents. This act in its present form does not provide for regulations for the transportation of etiologic agents; neither does the act specifically cover radioactive materials. The Interstate Commerce Commission has prescribed regulations for such materials by classifying them as poisons. Etiologic agents such as live viruses, bacteria, and the like are not poisons, so there is some question as to whether the Commission has the authority to prescribe regulations on such commodities. This bill would correct this situation and would place the transportation of these articles squarely within the jurisdiction of the Commission.

As justification for enactment of a bill which would promote safety in the transportation of explosives and dangerous articles, one has only to compare the change in traffic conditions since passage of the Transportation of Explosives Act. In 1900, or about the time this act was passed, there were only about 8,000 motor vehicle registrations within the United States. Today there are over 68 million such registrations. The Institute of Makers of Explosives estimated that in 1957 about 612 million pounds of commercial explosives moved by motor vehicles in long-distance hauls from manufacturing plants.

In its present form the Transportation of Explosives Act applies to common carriers only and violations of its provisions are subject to maximum penalties of $10,000 or 10 years imprisonment or both. On the other hand, the very same violations when committed by private or contract carriers are prosecuted under section 222(a) of the Interstate Commerce Act which carries a maximum penalty of only $500. The bill would therefore remove this anomaly and would extend the provisions of the Explosives Act to include contract and private carriers.

The dangers inherent in explosives and other dangerous articles transported in intrastate commerce are equally as great as when transported in interstate commerce. To meet this fact, the bill would extend the present provisions relating to packing, marking, and so forth, to shippers tendering such articles to interstate carriers irrespective of whether the shipments are destined for movement in interstate, intrastate, or foreign commerce, and to all shipments of dangerous articles including intrastate shipments handled on interstate vehicles or commingled

with interstate traffic. The bill would further extend the provisions of this act to include all for-hire carriers of passengers by land, and the present exemption of specific quantities of various articles would be changed so as to authorize the Commission to prescribe the kind, amounts, and conditions under which such articles may be so transported.

The bill would amend present provisions of the act relating to the marking of packages to include the tendering of such articles to any carrier by land or water and to any person carrying such articles upon any interstate carrier by land, including private as well as common and contract carriers.

The Explosives Act prohibits the transportation of nitroglycerin or other like explosives by common carriers but there is no such prohibition against the transportation of such commodities by contract or private motor carriers. This bill would not restrict to any particular class of carriers or persons the transportation of these dangerous commodities or of radioactive materials or etiologic agents, but would strictly limit and regulate their transportation by providing that they shall not be transported except under such rules and regulations as the Commission shall prescribe. This restriction or limitation is needed in view of the heavy traffic conditions and the increased volume of explosives being transported.

Prosecution for violations of the Commission's transportation of explosives regulations has been extremely difficult because of the requirement in section 835 of the act that violators must have knowledge that they violated the Commission's regulations. While the committee believes that every reasonable precaution should be taken to provide for punishing those violating a statute whose purpose is to promote safety, the creation of an absolute liability is deemed too stringent. These violations often do not arise from any affirmative intent but result more from neglect when the law requires care, or from inaction or indifference when the law imposes a duty to act (*Boyce Motor Lines* v. *U.S.*, 342 U.S. 337).

Whatever the intent of the violator, the potential danger to society remains the same whether the violation is brought about by haphazard indifference, careless conduct, or is prompted by an evil purpose. Certainly a person standing in responsible relation to a public danger should be charged with the knowledge if he is aware that certain rules and regulations exist for the furtherance of safety. A plea of ignorance of the terms of these regulations, if an awareness of the existence of the regulations exists, should not permit him to escape responsibility for failure to observe rules established to promote safety in the handling of dangerous articles.

Your committee, therefore, rather than establishing absolute liability in this instance prefers to somewhat limit the liability by amending section 834(f) of the bill so as to provide that any person "being aware that the Interstate Commerce Commission has formulated regulations for the safe transportation of explosives and other dangerous articles," who violates such regulations shall be subject to the penalties of fine or imprisonment as provided in the act. Thus, those who are in a position to be on notice that Interstate Commerce Commission regulations should be observed for the handling of explosives and other dangerous articles are made subject to penalties for failure to observe such regulations.

This bill would include in the definition of "person" a partnership, thus bringing a partnership within the provisions of the Commission's explosives regulations. This change is considered necessary because the Supreme Court has sustained a lower court's holding that a partnership is not a legal entity for the purposes of criminal liability under regulations of the Interstate Commerce Commission (*U.S.* v. *American Freightways Co.*, 352 U.S. 1020, decided Mar. 4, 1957).

INTEREST RATES ON E AND H SAVINGS BONDS

Mr. BYRD of Virginia. Mr. President, in connection with House bill 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, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. BIBLE in the chair) appointed Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

THE NEW WEST

Mr. McGEE. Mr. President, most of us are mindful of the ever-growing interest in questions which affect the West. I mean the Western States of the United States. This is reflected, sometimes unfortunately, on the TV screens. It is reflected in the political uprising which has been sweeping the West in recent years. It is reflected in the economy as it concerns resource development in the West.

On August 29, 1959, the Washington Post and Times Herald published another interesting article on the new West. This is becoming a popular subject for writers, particularly in the East. I found this particular article, entitled "Magnolias Losing Out to Sagebrush," written by Malvina Lindsay, to be so interesting that I shared it with my colleagues nearby at the time, letting them read it for themselves. Apparently they found the article so intriguing that they passed it around to others. It has come back to my desk only this morning, some two weeks later.

Because of their interest in it, as well as my own, I thought that perhaps the few Senators who had not seen the article firsthand might enjoy reading it. Therefore, Mr. President, I ask unanimous consent that the article, entitled "Magnolias Losing Out to Sagebrush," written by Malvina Lindsay, and published in the Washington Post and Times Herald of August 29, 1959, be printed at this point in the RECORD.

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

MAGNOLIAS LOSING OUT TO SAGEBRUSH

(By Malvina Lindsay)

"You know, I like the West." The remark may have seemed a little patronizing to me, a former midwesterner, but there were stars in the eyes of the returned easterner who made it.

One meets such persons everywhere. They have been on vacation to see in reality the open plains, the towering mountains, the winding trails along hazardous gorges that have become familiar to them through television Westerns. In the wake of recent earthquakes, new tourists were trooping into Yellowstone Park as others left.

The West has been a constant magnet to Americans through the years as a source of fortune and adventure. "Lem Hayes," my grandmother would exclaim. "Oh, yes, I remember him. When I was a young girl he came by our house one night to say goodby. He was going west. He brought his fiddle and he played and sang, 'My Little Maggie May' ". She would then sigh. "So many of the young men used to go west."

In more recent years the older people have been going west, seeking havens for retirement. And families, rather than young men, have struck out for western areas where things are on the move.

Now the West is also a growing source of nostalgia. Its dramatization on stage (one New York musical had four Buffalo Bills), on screen, above all, on television; its dominance in magazine pictures and print; its lure for vacationists, including those from overseas, indicate it may be displacing the ante bellum South as the main front of this country's golden age folklore.

I once asked a French writer who had been connected with the translation and publication in France of "Gone With the Wind" how she accounted for the popularity there of this Civil War novel. "One reason," she said, "is because it portrays a favorite American golden age—your ante bellum period—that is somewhat similar to one of ours, the romantic and colorful era of Louis XIV. We always identify ourselves with the fortunate, leisured people of such times."

But recently I have wondered if the ante bellum picture—despite all the Civil War interest—wasn't beginning to fade a little. Like many other Americans I have long felt its emotional grip. Portrayals of white pillared mansions among live oaks with dripping Spanish moss swaying in the wind, still do things to me. But an imagined vista of the Rockies does more. I think an even greater number of Americans have the same experience, especially if they must fight traffic in car or on foot and listen to the din of juke boxes or of neighbors' televisions.

Historian Walter Prescott Webb may contend that the history and culture of the West have been scant and arid because of the dominance of the desert. But to today's Americans its adventure, its quietude and, above all, its elbow room have become a precious treasure of the imagination.

One main reason for this is that, as the 20th Century Fund pointed out in a recent report, the "feeling of being crowded * * * is the almost universal experience of today's citizen." The American especially clings to his dream of open country and clear land. This, according to the fund, has resulted in our big urban sprawl, and is causing a sad waste of the land that is left to us.

As population, technology, industry, and modern living impinge further on our space, we will cling all the more to our idealized home on the range. As our lives become outwardly more uniform, we will cherish the more the freewheeling, adventurous days of the Old West. In our inner eye the sagebrush may crowd out the magnolia.

It is frequently said that the West has been ruined. It is true that in some overcrowded national parks natural beauty has been despoiled by tourists on wheels and by commercial exploitation. And two-gun cowboys on bucking broncos may have given place to cavalcades of motor cars. But at least the landscape is still there with its open, beckoning sense of space. There is much beauty left, but if Americans want to retain this in other forms than home movies, memory and folklore, they will need to see that their Government is vigilant in its protection.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8678) 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.

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

H.R. 4546. An act for the relief of Margaret P. Copin;

H.R. 5196. An act to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes;

H.R. 7036. An act for the relief of William J. Barbiero;

H.R. 7935. An act for the relief of Fr. Kenneth M. Rizer;

H.R. 8801. An act for the relief of the Maco Warehouse Co.; and

H.J. Res. 352. Joint resolution to authorize preliminary study and review in connection with proposed additional building for the Library of Congress.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

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

H.R. 4546. An act for the relief of Margaret P. Copin; to the Committee on Post Office and Civil Service.

H.R. 5196. An act to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes; to the Committee on Government Operations.

H.R. 7036. An act for the relief of William J. Barbiero;

H.R. 7935. An act for the relief of Fr. Kenneth M. Rizer; and

H.R. 8801. An act for the relief of the Maco Warehouse Co.; to the Committee on the Judiciary.

H.J. Res. 352. Joint resolution to authorize preliminary study and review in connection with proposed additional building for the Library of Congress; to the Committee on Public Works.

CALL OF THE CALENDAR

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I ask that there now be the call of the calendar heretofore ordered by the Senate.

The PRESIDING OFFICER. Under the order previously entered, the call of the calendar will take place automatically as the next business of the Senate.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Beall	Bush
Allott	Bennett	Butler
Anderson	Bible	Byrd, Va.
Bartlett	Bridges	Byrd, W. Va.
Cannon	Holland	Mundt
Capehart	Hruska	Murray
Carlson	Humphrey	Muskie
Carroll	Jackson	Neuberger
Case, N.J.	Javits	Pastore
Chavez	Johnson, Tex.	Prouty
Clark	Johnston, S.C.	Proxmire
Cooper	Jordan	Randolph
Cotton	Keating	Robertson
Curtis	Kefauver	Russell
Dirksen	Kennedy	Saltonstall
Dodd	Kerr	Schoeppel
Douglas	Kuchel	Scott
Dworshak	Langer	Smathers
Eastland	Lausche	Smith
Ellender	Long, Hawaii	Sparkman
Engle	Long, La.	Stennis
Ervin	McCarthy	Symington
Fong	McClellan	Talmadge
Frear	McGee	Thurmond
Fulbright	McNamara	Wiley
Goldwater	Magnuson	Williams, N.J.
Gore	Mansfield	Williams, Del.
Green	Martin	Yarborough
Hart	Monroney	Young, N. Dak.
Hayden	Morse	Young, Ohio
Hickenlooper	Morton	
Hill	Moss	

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

THE CALENDAR

The PRESIDING OFFICER. Under the order, the Senate will now proceed to the call of the calendar; and the first measure on the calendar will be stated.

MEDALS IN COMMEMORATION OF THE FOUNDING OF THE PONY EXPRESS

The bill (S. 2454) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the pony express was announced as next in order.

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

CONFEREES ON THE GOVERNMENT BONDS INTEREST RATE BILL

Mr. LONG of Louisiana. Mr. President, reserving the right to object—and I shall not object to consideration of this bill—let me say that last night I made the point that I thought the conferees on the interest rate bill should represent the majority view of the Senate on the Anderson amendment on the interest rates.

I have discussed this matter with the Senator from New Mexico [Mr. ANDERSON] and the other members of the committee. The Senator from New Mexico is satisfied with the conferees, in connection with the amendment; and, therefore, I shall not raise the point I mentioned last night.

MEDALS IN COMMEMORATION OF THE FOUNDING OF THE PONY EXPRESS

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 812, Senate bill 2454?

There being no objection, the bill (S. 2454) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the pony express was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the commemoration of the one hundredth anniversary of the founding of the Pony Express, which was founded and operated by the Russell, Majors, and Waddell Company between Saint Joseph, Missouri, and Sacramento, California, in the years 1860–1861, the Secretary of the Treasury is authorized and directed to strike and furnish to the National Pony Express Centennial Association not more than five hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the National Pony Express Centennial Association subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the Association in quantities of not less than two thousand, but no medals shall be made after December 31, 1961. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such Association.

MEDALS IN COMMEMORATION OF THE 100TH ANNIVERSARY OF STATEHOOD OF KANSAS

The bill (S. 2431) to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of statehood of Kansas, the Secretary of the Treasury is authorized and directed to strike and furnish to the Kansas Centennial Commission not more than twenty thousand medals of either silver or bronze or both, of a suitable size and with suitable emblems, devices, and inscriptions to be determined solely by the Secretary of the Treasury. The medals shall be made and delivered at such times as may be requested by the commission in quantities of not less than twenty-five hundred, but no medals shall be made after December 31, 1961. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at no less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

(b) Upon authorization from the Kansas Centennial Commission, the Secretary of the Treasury shall cause duplicates in silver or bronze or both of such medal to be coined and sold, under such regulations as he may prescribe at a price sufficient to cover the cost thereof (including labor).

BILL PASSED OVER

The bill (S. 2578) to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF FEDERAL HOME LOAN BANK ACT

The bill (S. 2517) to amend section 7 of the Federal Home Loan Bank Act, as amended, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. ENGLE obtained the floor.

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

Mr. ENGLE. I yield.

Mr. ROBERTSON. The law provides that the new States of Alaska and Hawaii, as would all other States, each would have one representative on the Board of the Home Loan Bank of San Francisco. This bill would provide additional members so as not to deprive the State of California of its present representation.

We understand there is no objection in San Francisco to this provision; and no objection in regard to the bill was voiced in our committee.

Mr. MORSE. Mr. President, will the Senator from California yield?

Mr. ENGLE. I yield.

Mr. MORSE. I understand that the entire purpose of the bill is to provide Alaska and Hawaii with representation on the Board. Is that correct?

Mr. ROBERTSON. The present law provides for at least one representative from each State, but it was felt that California, which has approximately two-thirds of the share accounts, should not be deprived of any of its present representation, which would be the result of Alaskan and Hawaiian statehood, if this bill does not pass.

Mr. MORSE. Very well; I have no objection.

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

There being no objection, the bill (S. 2517) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 7 of the Federal Home Loan Bank Act, as amended, is hereby amended by striking out the language in the first sentence after the first colon and inserting in lieu of the matter so stricken the following: "*Provided,* That the Board may by regulation increase the number of elective directors of any Federal home loan bank having a district which includes five or more States to a number not exceeding thirteen, but any additional elective directors shall be apportioned as nearly as may be practicable in the same manner and order as is provided for the apportionment of elective directors under subsections (c) and (d) hereof: *Provided further,* That there shall not be less than one nor more than three elective directors from any of the States in any district in which the number of elective directors is increased."

SEC. 2. Subsection (b) of said section 7 is hereby amended by adding thereto at the end thereof the following sentence: "In the case of any district in which the Board has by regulation increased the number of elective directors pursuant to subsection (a) the Board may by regulation provide for an additional number of directors to be appointed and to hold office as provided in the first sentence of this subsection, but the total number of appointive directors shall not exceed one-half the total number of elective directors in such district: *Provided,* That the term of the initial incumbent of any office established pursuant to this sentence shall expire at the end of the fourth calendar year beginning with the calendar year current at the time of his appointment, except that the Board may provide for any such initial incumbent a shorter term expiring at the end of a calendar year."

BILL PASSED OVER

The bill (S. 2402) to clarify the authority of the Postmaster General to provide for the expeditious, efficient, and economical transportation of mail, and for other purposes, was announced as next in order.

Mr. ENGLE. Over as not calendar business.

The PRESIDING OFFICER. The bill will go over.

JUVENILE DELINQUENCY CONTROL PROBLEMS—BILL PASSED OVER

The bill (S. 694) 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 was announced as next in order.

Mr. KEATING. Mr. President, I am personally in favor of this measure, but I feel it may be open to certain amendments and therefore should go over as not being proper calendar business.

The PRESIDING OFFICER. The bill will go over as not being proper calendar business.

Mr. MORSE subsequently said: I agree with the Senator from California that Calendar No. 819, S. 694, is not appropriate calendar business on unanimous consent; but it is very important business, in my judgment, for the Senate to transact before it adjourns, and I hope that the leadership of the Senate will schedule the bill for treatment by motion.

This morning, in the morning hour, there was considerable amount of discussion about some of the problems relating to the youth of our country. I think the pornographic material that is being fed into the channels of mail transportation in this country is polluting the minds of our youth. I happened to sit on the committee that handled the juvenile delinquency bill. I give assurance to my colleagues here in the Senate that this bill has nationwide support from juvenile delinquency authorities. We would like to have a broader bill than this. It is a bill that has been cut down considerably. But even this bill is better than nothing. We ought to get started on this program.

I certainly hope, before we adjourn, this juvenile delinquency bill will be brought up by motion, and if objection be made, that it be voted up or down.

Mr. JAVITS subsequently said: Mr. President, I wish to join my colleague from Oregon in everything he has said, and to emphasize the vital struggle we are having in our large cities, like my city of New York, to deal with juvenile delinquency and the need to have national leadership in this struggle. I hope very much the leadership will give us a chance to act on this bill before we adjourn.

BILL PASSED OVER

A bill (H.R. 7244) to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies was announced as next in order.

Mr. ENGLE. Over as not calendar business.

The PRESIDING OFFICER. The bill will go over.

AMENDMENT OF FEDERAL CREDIT UNION ACT

A bill (H.R. 8305) to amend the Federal Credit Union Act was announced as next in order.

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

Mr. KEATING. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. SPARKMAN. Mr. President, H.R. 8305 would rewrite the entire Federal Credit Union Act. In doing so, it would make a number of changes in the act in order to bring it up to date and to reflect the current status of the credit union movement.

In the committee's report on H.R. 8305 we pointed out the phenomenal growth in credit unions, particularly Federal credit unions, during the 25 years since Senator Morris Sheppard appeared before the Banking and Currency Committee and successfully urged the enactment of the Federal Credit Union Act. As the report shows, in 1935 savings in all credit unions were less than $50 million. Now the figure is $3.9 billion. Federal credit unions have grown from 772, with 119,000 members and $2 million of assets at the end of 1935, to 9,030 credit unions, with 5,209,912 members and over $2 billion of assets.

This growth proves beyond question that credit unions have found an important and significant place in the Nation's financial structure. They have performed the function of providing a convenient, safe, and remunerative form of savings; and they have also provided a convenient and economical form of borrowing for their members.

This demonstration of their ability to handle savings and loans effectively makes it appropriate to consider a further expansion of their lending functions, and it also makes it appropriate

to consider whether rearrangements in their administrative procedures could make them even more effective than they now are.

It was because of these developments that on April 23 of this year I introduced S. 1786, which would have revised the Federal Credit Union Act extensively. When the House of Representatives passed H.R. 8305, the Senate took that bill under consideration, held hearings on it and on Senator McCARTHY's S. 1985 and my S. 1786. After careful consideration the committee reported out H.R. 8305. H.R. 8305 would make a number of changes in the present law:

First. It would increase the maximum maturity of a loan from 3 years to 5 years. The Director of the Bureau of Federal Credit Unions would be authorized to require that loans be amortized. He could not, however, require by regulation more frequent amortization than once a year. This would not, of course, prevent the credit union itself from requiring quarterly or monthly amortization if it saw fit.

Second. It would increase the unsecured loan limit from $400 to $750. The House had recommended the unsecured loan limit be increased to $1,000, but the committee felt that an increase from $400 to $750 was sufficient for the time being.

Third. It would authorize Federal credit unions to cash checks or to write checks and money orders, and to charge reasonable fees for doing so. These services would, however, be limited to members.

Fourth. It would permit space in a Federal building to be used by State or Federal credit unions if 95 percent of the members are or were at the time of joining Federal employees and members of their families.

Fifth. It would include Federal credit unions within the criminal laws, prohibiting robbery and related crimes.

In addition, H.R. 8305 would make a number of changes in the administrative provisions of the Federal Credit Union Act in order to enable them to operate more effectively. The supervisory committee would be chosen and might be suspended by the board of directors instead of by the members. The credit committee might appoint loan officers, who might be paid. The board of directors might appoint an executive committee to handle some of its activities and it might appoint a membership officer. The board of directors, rather than the members, would declare dividends.

The committee made two changes in the bill as it passed the House. One of these I have already mentioned—changing the maximum unsecured loan limit to $750. The other change made by the committee relates to the question of central credit unions. The Credit Union National Association urged that the Federal Credit Union Act authorize the establishment of Federal central credit unions, which Federal credit unions and their officers might join. This was opposed by the Bureau of Federal Credit Unions and the administration generally. The House did not approve the proposal, but instructed the Director of the Bureau of Federal Credit Unions to submit a draft of legislation providing for such unions. Under the circumstances, the Senate committee felt that it was inappropriate to ask for a draft of legislation. Instead, the committee amended the bill to instruct the Director to make a study of the desirability of these central credit unions and to submit a report of this study by April 15, 1960, along with its recommendations for legislation.

H.R. 8305, as amended by the committee, is a sound and effective bill. It will enable the Federal credit unions to perform their functions even more effectively than they are now doing. I urge that it be enacted this session.

Mr. KEATING. I thank the distinguished Senator from Alabama for the explanation. I have no objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments on page 15, line 8, after the word "of", to strike out "$1,000" and insert "$750"; in line 9, after the word "over", to strike out "$1,000" and insert "$750", and on page 30, after line 2, to strike out:

SEC. 3. The Director of the Bureau of Federal Credit Unions shall submit to the Congress on or before January 15, 1960, a draft of legislation providing for federally chartered central credit unions.

And, in lieu thereof, to insert:

SEC. 3. The Director of the Bureau of Federal Credit Unions shall make a study of the desirability of providing for federally chartered central credit unions, and shall submit to the Secretary of Health, Education, and Welfare, for transmission to the Congress on or before April 15, 1960, a report of the results thereof and such recommendations for legislation thereon as the Director deems appropriate.

The amendments were agreed to.

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

The bill was read the third time and passed.

AMENDMENT OF TARIFF ACT OF 1930

The bill (H.R. 6579) to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning was considered, ordered to a third reading, read the third time, and passed.

PLACING OF CERTAIN PUMICE STONE ON FREE LIST

The bill (H.R. 6368) to amend the Tariff Act of 1930 to place certain pumice stone on the free list was considered, ordered to a third reading, read the third time, and passed.

DISCHARGE OF JUDICIARY COMMITTEE FROM CONSIDERATION OF S. 2391, THE CIVIL RIGHTS BILL—RESOLUTION PASSED OVER

The resolution (S. Res. 174) to discharge the Committee on the Judiciary from the further consideration of the bill (S. 2391) to extend the Commission on Civil Rights and to provide further means for securing and protecting the right to vote, was announced as next in order.

Mr. THURMOND. I object.

The PRESIDING OFFICER. The resolution will go over.

Mr. JAVITS. Mr. President, I wish to make a short statement on Senate Resolution 174, Calendar No. 825.

The PRESIDING OFFICER. If the Senator will reserve his right to object on the next bill, he will be able to make a statement on Senate Resolution 174, which will appear at that place in the RECORD.

The bill (H.R. 6733) for the relief of Paul & Beekman, Inc., and others was announced as next in order.

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

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, reserving the right to object, I wish to make a statement with respect to Calendar No. 825, Senate Resolution 174, to discharge the Judiciary Committee from further consideration of S. 2391, which was submitted by me and the Senator from New Jersey [Mr. CASE] on August 25.

There was no hidden motive behind this resolution on our part. The plain fact was, and is, that with the discharge resolution pending on the Calendar, the Senate and the leadership is armed with one more legitimate method it can utilize, should it wish, to call up the civil rights bill.

I believe the right to consider a civil rights bill should be afforded, although doing it may require unusual procedure in the days ahead, just as it did in 1957.

On January 20, 1959, I think the majority leader himself sounded the note, at least for me, and I think for many others who feel as I do, when he said the Senate will provide in the civil rights field the leadership that the American people yearn for.

Mr. President, there are several courses which are open to the majority leadership. The resolution which has been passed over on the call of the calendar can be taken up by motion. I refer to the discharge resolution.

In addition, a bill as to which civil rights amendments have been printed can be taken up by motion. There are two such bills which are now on the calendar. Amendments have been offered by the Senator from Missouri [Mr. HENNINGS] and by my colleague [Mr. KEATING].

Third, if the House passes a civil rights bill and sends it to the Senate, the bill can be taken up for immediate consideration by motion, as was done in 1957.

Mr. President, I do not know which of these alternatives the Senate majority leadership will choose. Should none of these be chosen, then those of us who are pledged to the passage of meaningful and adequate civil rights legislation will have available to us two courses of action.

First, we can propose a civil rights amendment to any bill which may be pending before the Senate. We can move to set aside whatever business is pending before the Senate and to replace it with the discharge resolution.

There has been a great deal of speculation about the calling up of a civil rights bill at this session of Congress. I would say that the speculation is premature. A number of things will have to happen before the situation can be clear.

For one thing, the life of the Civil Rights Commission needs to be extended. This opportunity will come before the Senate in regard to consideration of the Mutual Security appropriation bill. The Senator from Arizona (Mr. HAYDEN) has already given notice that he will make a motion to suspend the rules.

I wish to point out that while it is a highly desirable thing to extend the life of the Civil Rights Commission, that is not, in and of itself, meaningful civil rights legislation.

For another thing, those of us who favor a meaningful civil rights bill—and such a bill should now give effective weight to the findings of the Federal Civil Rights Commission, which have recently been published—must determine what is the best plan for obtaining our objective.

Neither of these two things which I have mentioned is as yet clarified. One thing is clear to me, however. The specter of extended debate has now been pretty well exorcised from these proceedings, because those of us who favor a civil rights bill, in common with many other Senators, have already lost the time for summer vacations with our children and families, because of the sheer volume of work of the calendar. If the circumstances dictate that we must remain in session for some more weeks or months in the cause of an equal opportunity for all citizens, I believe that will be cheerfully accepted by a majority of the Senate.

Mr. MORSE. Mr. President, I wish to associate myself with the remarks of the Senator from New York [Mr. JAVITS] in regard to the course of action he recommends to the Senate with respect to proposed civil rights legislation.

Mr. President, I ask unanimous consent that the remarks which I made during the morning hour in regard to the Civil Rights Commission be transposed for printing at this point in the RECORD, in connection with the discussion of Calendar No. 825.

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

REPORT OF THE CIVIL RIGHTS COMMISSION

Mr. MORSE. Mr. President, in view of the comments which have been made in the Senate and in the press with regard to the Civil Rights Commission, I wish to raise my voice briefly today in high commendation of the work of the Civil Rights Commission, and the report just filed with the President of the United States.

We will have an adequate opportunity, I believe, before this session adjourns sine die, for a rather full discussion of the legislative future of the Civil Rights Commission. I think it is particularly proper, in defense of the Civil Rights Commission and its report, to place at this point in the RECORD section 4 of Article I of the Constitution of the United States, which reads:

> The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

I think that is particularly apropos in view of another section of the Constitution, which I shall read in a moment. Before doing that, I shall read from Article II, section 1 of the Constitution, the second paragraph of which reads:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The fifth paragraph of section 1, article II, reads:

> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

Then, we have that great protection of the right of franchise in the United States emblazoned to the glory of this Republic in the 15th amendment, section 1, which reads as follows:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2 of the 15th amendment reads:

> The Congress shall have power to enforce this article by appropriate legislation.

Mr. President, I commend the Civil Rights Commission for taking the sound constitutional stand it in effect has taken by pointing out to the American people once again that the Constitution means exactly what it says and that the 15th amendment means exactly what it says, namely, that in this country there shall be no denial of full voting privileges to anyone in Federal elections because of race, color, or creed. Congress has not only the constitutional right but also the clear duty to pass such legislation as may be necessary and appropriate to guarantee first-class voting privileges to all citizens of the United States.

Mr. KEATING. Mr. President, I shall not detain the Senate long. I spoke on this subject in the morning hour, pointing out the fear or the suspicion which was growing in the minds of some that the extension of the Civil Rights Commission might be considered a civil rights bill. It would be nothing of the kind. It would not be a compliance with the representations made that we would have an opportunity to pass on a meaningful civil rights bill at this session of Congress.

Mr. President, I ask unanimous consent that my earlier remarks, made in the morning hour, may be printed in the RECORD at this point, since it is a more appropriate spot.

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

Mr. KEATING. Mr. President, on a final subject, the distinguished Senator from Alabama [Mr. SPARKMAN] is as good a friend, I hope, as I have in this body. I admire him. I respect him. I often find myself in agreement with him.

I, however, am in violent disagreement with the statements which he made here this morning with regard to the report of the Civil Rights Commission. I was distressed to hear these statements made by such an able and influential Senator and one who has been honored by the majority party with the second highest gift within their power to bestow.

I have a high regard for every sovereign State of this Nation. I would feel very bad were I to violate the rules of the Senate which require that no Senator shall speak ill of another sovereign State. The records, however, of the Civil Rights Commission have revealed that in one of the counties in the Senator's State 25 Negroes claimed that the board of registrars had unlawfully refused to put their names on the voting lists. The registrars refused to testify when inquiry was made. They resigned when the Attorney General sued to compel the registration of apparently qualified Negroes under the Civil Rights Act of 1957. As a result, there was nobody to sue. New registrars were named, and they have refused to serve out of fear that they would have to register Negroes.

Mr. President, as I view it, that is a situation which requires legislative correction. This report of the Civil Rights Commission is not an extreme document. It is, in fact, moderate and balanced. In some respects it had unanimous approval. In several important respects it had the approval of five of the six members. Yet it is now being subjected to violent and unbridled attack.

This morning's Washington Post had an excellent editorial on this subject entitled "Conscience of the Nation." There was only one sentence in it which disturbed me. It stated:

> For the moment, however, the effect of the report is to relieve the pressure on Congress for a comprehensive civil rights bill.

It is my hope that it will not be considered that we are getting a civil rights bill this session if we do nothing more than extend the life of the Commission. That should follow as a matter of course. It is not, in my judgment, any compliance with the representations that were made to us, that a bill to protect the voting and other rights of our citizens would be brought before us in this session, simply to give us an opportunity to vote on the extension of the Civil Rights Commission.

There is a very great furor being built up, and I may be forgiven, I hope, Mr. President, if I voice a suspicion that in some quarters it may be felt that the extension of the Commission may be made a big enough issue to stop any further action in this field; and to that I protest.

Mr. President, I ask unanimous consent to have printed in the RECORD, fol-

lowing my remarks, the editorial to which I referred, entitled "Conscience of the Nation."

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

CONSCIENCE OF THE NATION

One striking effect of the Civil Rights Commission report is to make the House and Senate bills to bolster civil rights look pallid by comparison. Both houses have been balking over mild, narrow, and halting steps toward the elimination of discriminatory treatment on grounds of race. The Commission which Congress created to act as a sort of conscience to the Nation in this sphere has looked at the problem objectively and come in with sweeping proposals that would go far toward wiping out the disfranchisement of minorities instead of inching toward improvements.

We doubt that either the recommended constitutional amendment or the drastic proposals for temporary Federal registration officials in localities where state or local officials fail in their duty can be enacted at the present time. But they serve to focus national attention on the problem. The report itself gives further extended emphasis to the fact that the Negro is disfranchised in many parts of the South. By inaction the country has brought about "a partial repudiation of our faith in the democratic system."

The proposed constitutional amendment would wipe out all state control over voter qualifications, except age, and length of local residence. In effect it would establish universal suffrage, except for persons legally confined, without any educational or other requirements that could be twisted into discriminatory devices in administration. This is open to the familiar objection of Federal encroachment on state prerogatives; moreover, it won the support of only three of the Commission's six members. It would, of course, require a two-thirds vote in Congress.

As a practical matter, therefore, attention is likely to be centered on the proposal for temporary Federal registration of voters where that becomes necessary to prevent inexcusable disfranchisement. This suggestion grew out of the actual situation that has developed in some counties since the Commission began its work, and it is given additional cogency by the fact that five of the six members support it.

In Macon County, Ala., the CRC heard 25 Negroes who claimed that the board of registrars had unlawfully refused to put their names on the voting rolls. The registrars refused to testify. They also resigned so that when the Attorney General sued to compel the registration of apparently qualified Negroes, under the Civil Rights Act of 1957, there was no one to sue. New registrars were named and refused to serve out of fear that they would have to register Negroes.

Obviously this situation, and others like it, are intolerable. The result is not merely to deny Negroes the right to vote in Alabama and some other Southern States but also to taint elections for the Presidency and Members of Congress. In these circumstances temporary Federal registration of voters would be perhaps the most potent lever by which to induce local officials to put their own houses in order.

For the moment, however, the effect of the report is to relieve the pressure on Congress for a comprehensive civil rights bill. New legislation must now be shaped in the light of the Commission's findings and recommendations in the fields of education and housing as well as voting. The imperative for this session is to continue the work of the Commission. Without action, the CRC would be a dead duck in 60 days, and Congress would be in the position of having stopped its investigative work because it has been forthright in its findings and recommendations. Regardless of how much opposition arises, therefore, continuation of the CRC as a going concern seems to us imperative.

Mr. SPARKMAN subsequently said: Mr. President, I ask for the attention of the distinguished Senator from New York [Mr. KEATING], the acting minority leader.

A few minutes ago the Senator made reference to a situation in one of the counties in Alabama—specifically Macon County, Ala.—in which persons resigned from positions as registrars and other persons declined to serve.

Mr. President, the situation was brought about by the actions of the Civil Rights Commission and by their effort to have a ruling in court that a person serving as registrar could not resign, or if he attempted to resign, that he would continue to be liable for the acts of the board during the time he was a member of the board of registrars, and continuing through the future.

Let it be said that in every decision—and there were several of them in the Federal courts of the United States—the contentions of the Civil Rights Commission were turned down and decisions were made upholding the State of Alabama.

It is because of such decisions that the Civil Rights Commission now is trying to have Federal registrars go down into the States to register voters—commissars sent out from Washington into the distant provinces to serve as registrars at the grassroots where basic democracy lies. I say it is not only time to scorn such recommendations of the Commission, but it is time to kill that Commission. I shall certainly do my best to bring that about.

Mr. DOUGLAS subsequently said: Mr. President, I ask that the statement I am about to make be printed in the RECORD at the point where the comments of other Senators on Calendar No. 825, Senate Resolution 174, are reported.

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

Mr. DOUGLAS. I hope the Committee on the Judiciary will report, in the concluding days of the session, a substantial civil rights bill.

I remind the Senate and the country that both political parties and a substantial majority of the individual Members of both the House and the Senate are committed to some effective action; and certainly the Judiciary Committee should give to the Senate the benefit of its study and recommendations.

The Judiciary Committee has certainly had an adequate time to do this. Bills on civil rights have been under consideration by the Judiciary Committee for at least 6 months. The Senator from Missouri [Mr. HENNINGS] has reported the dilatory action of the Judiciary Committee in considering various civil rights measures; and in default of action by the Judiciary Committee the Senate has not only the right, but the duty, by some such step as the Senator from New York [Mr. JAVITS] proposed, to bring such civil rights legislation to the floor for action.

I will support Senate Resolution 174, submitted by the Senator from New York [Mr. JAVITS] and the Senior Senator from New Jersey [Mr. CASE] to discharge the Committee on the Judiciary from further consideration of Senate bill 2391, a bill to extend the Commission on Civil Rights, and to provide further for securing the protection of the right to vote.

I hope that a large majority of the Senate will support such a move, and I hope the necessary action—either in the form of the Senator's discharge resolution or by the other routes outlined by him in his remarks—will be taken at the appropriate time.

I emphasize, however, that we cannot fulfill our obligations to the American people in this field by the passage of any watered-down, token legislation, which fails to deal with the most grievous denials, of constitutional rights today.

I have read the report of the President's Commission on Civil Rights, which was issued yesterday, and which appeared in the press this morning. I was pleasantly surprised by the report. I had not had very high expectations for the work of the Commission up to that time. In my judgment the report is an excellent one.

I wish to call attention to a few points in that report which tend to be neglected. The first point is that the Commission finds that the Voting Rights Act of 1957, which we passed 2 years ago, has not resulted in the addition of a single vote by the Negro population of the country. It has been a complete dead letter, and the Department of Justice has failed to enforce the act.

The second point I wish to emphasize is that the Commission points out that compliance with public school desegregation decisions of the Supreme Court has distinctly slowed. There has been very little progress in the past year; and the report which has just been issued analyzing developments when schools opened this fall, which report comes from a responsible reporting service in Nashville, Tenn., shows that there has been very little progress this September.

The Civil Rights Commission points out what some of us have been contending for a long time, namely, that the job of obtaining compliance with the principles of the 14th and 15th amendments should not be left entirely to the courts, but that the Congress and the President, and the whole executive branch have a responsibility in this field.

I feel this most intensely. I believe that the recommendations of the Commission are sound and well established.

The discharge resolution submitted by the Senator from New York and the Senator from New Jersey relates to Senate bill 2391, which, with pending amendments submitted by the Senator from Missouri [Mr. HENNINGS], includes the constructive proposals of Senate bill 810, which was sponsored by 17 Members of this body, and was designed to help give effect to the decisions of the Supreme Court relating to public education. It

also contains other significant proposals to protect the voting rights and other constitutional rights of American citizens. The bill and pending amendments thus constitute meaningful legislation that would deal constructively with major problems I have mentioned.

Mr. President, the conscience of our Nation and the conscience of the Senate should not allow us to ignore the pressing need to protect human rights and human dignity today. Therefore, let us resolve that at the earliest possible date we shall grasp this nettle, this opportunity, to help our country to carry out its constitutional guarantees of equal justice for all our citizens.

We can do this either by the discharge route, proposed by the Senator from New York [Mr. JAVITS], or by other available means to bring such a measure to the floor of the Senate.

I hope very much that the leaders of both political parties in this body will agree to a date certain when these matters may be raised, debated, and voted upon by the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "A Hopeful Approach," which was originally printed in Progressive magazine for June 1959 and which cogently points out the need for the passage of legislation like that proposed in S. 810.

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

A HOPEFUL APPROACH

Few issues confronting the 86th Congress carry so great a challenge to advance our well-being at home and our stature abroad as the issue of civil rights. The whole world—a majority of whose inhabitants are colored—will be watching this month and next as the legislative body of the most powerful democracy on earth seeks to forge new legal instruments designed to open the doors of equal opportunity to the one-tenth of its people currently consigned to the status of second-class citizens.

There will be skirmishes in Congress in many sectors of the field of civil rights, but none will be so important as the major battle to provide legislative direction and executive leadership in the struggle to integrate the public schools of the land.

It is now 5 years since the U.S. Supreme Court, by unanimous judgment, outlawed segregation in the public schools. The latest survey by the reliable Southern Education Reporting Service showed that in the 17 Southern and border States and the District of Columbia about 473,000 Negro pupils—of whom 75 percent are in Missouri, Maryland, and the District of Columbia—are in districts where some desegregation at least has been started in elementary or high schools. But only 148,500 of these are reported to be attending mixed schools.

In a fair number of communities, ranging from larger cities, like Louisville, Baltimore, and Washington, to tiny towns in Texas there has been a heartening effort to live up to constitutional obligations with speed, efficiency, and good will. Perhaps the most dramatic recent advance occurred in Virginia. The crumbling of massive resistance in the face of court decisions resulted in the desegregation of a dozen schools, but the number of Negro children admitted to previously all-white schools—17 in Norfolk, 9 in Alexandria, 4 in Arlington, and 21 in Warren County (with no white pupils)—was disappointingly small.

The rate of progress on the college level has been somewhat more encouraging. As of last fall, 114 of the 202 formerly all-white public colleges in 13 of the 17 Southern and border States were willing to accept Negroes. More than 2,000 Negroes were reported to be enrolled in these schools.

All this adds up to a measure of progress, but a pitifully small one 5 years after the Supreme Court's celebrated decisions. It would be comforting to count these as gains toward a goal if they were part of a continuing process. But this is not the case. In substantially more than two-thirds of the 2,900 biracial school districts in the South there has been no progress at all. Ten million children, Negro and white, go to school in the 2,100 districts in which there has been no start whatever toward desegregation. In six States—Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina—there has been no desegregation, and the advances in North Carolina, Tennessee, and Virginia have been quite feeble.

All in all, the South's record of compliance with the mandate of the Supreme Court has been a dismal one. No one, of course, expected integration to become an accomplished fact in 5 years, but it was not too much to hope that a reasonable start would be made in most of the southern school districts. Instead there has been open defiance, violence, and the enactment of scores of measures designed to make enforcement of the Court order impossible.

Hearings before congressional committees on a variety of civil rights bills have disclosed a shocking lawlessness in official circles. Southern governors, attorneys general, and other State officials refused, without exception, to acknowledge that the 14th amendment, as interpreted in the Supreme Court's school desegregation cases, is the law of the land. They came before the committees of Congress not to plead for time to effectuate an orderly transition to integration without Federal pressure, but to defy the law and to insist they would never comply. Typical was the testimony of Gov. John Patterson, of Alabama. "The citizens of Alabama," he said, "will not tolerate or support an integrated school system. They will scrap their public school system rather than submit to the integration of the races."

Southern State officials have sought to nurture among their constituents the belief that decisions of the Supreme Court are not the law of the land and can be disobeyed with impunity. They have succeeded in large measure because the other two branches of Federal Government have failed completely to support the judiciary. The Eisenhower administration, fatally weakened by the President's commitment to inaction, has done virtually nothing to enforce the law. Congress, paralyzed by the power of its southern bloc, has made no contribution toward winning southern acceptance of the rulings of the judiciary.

The pressure for congressional action to promote compliance in the face of increasing official southern arrogance has been growing steadily in recent years. The result has been the introduction of three sets of bills in this session of Congress—one by the administration, another by Senator Majority Leader LYNDON JOHNSON, and the third by Senator PAUL H. DOUGLAS, Illinois Democrat, and 16 other Senators from both parties.

The Eisenhower and Johnson proposals seem to us pitifully inadequate. The heart of the President's program is a provision that would make it a criminal offense to use force or threats of force to interfere with court orders in school cases. This, surely, is a worthy purpose, but it deals only with interference by force or threats, not in any way with the simple refusal of State and local officials to comply with the law. Moreover, it applies only to such use of force in situations where there are court orders, not to situations where mob leaders are acting against school authorities seeking peaceful desegregation on their own initiative without benefit of a court ruling. And finally, the President's proposal contains no provision empowering the Attorney General of the United States to seek injunctions against those who would deny the equal protection of laws.

The legislation advanced by Senator JOHNSON, the Senate's chief apostle of that curious kind of surrender known by its disciples as moderation, seems to us an even more timorous approach to the problem. The Johnson measure would establish a Community Relations Service dedicated to conciliation of racial disputes. Here, again, is a worthy purpose, but there is nothing in the record to suggest that Southern State officials are prepared to exchange defiance for conciliation. Nor is there anything in the Johnson measure to indicate that it seeks more than the restoration of peaceful relations. There is nothing, for example, to indicate that peaceful relations should be restored in accordance with the law of the land. In fact, there is nothing in the Johnson proposal to suggest that the Supreme Court decision is the law of the land; on the contrary, its principal provisions seem to say that one can haggle with the law in pursuit of a bargain that settles for something less than the letter and spirit of the law.

Far different from the administration and Johnson bills in outlook and approach is the measure sponsored by Senator DOUGLAS and 16 of his colleagues. This bill, S. 810, would go a long way toward ranging Congress and the Executive alongside the Supreme Court in accepting the legal and moral responsibility for upholding the constitutional rights enunciated in the 14th amendment. Moreover, by providing Government with the tools of technical, financial, and legal assistance, the Douglas measure would no longer leave the sole burden of initiating the moves to sustain the constitutional right to integrated education upon the shoulders of relatively poor, weak, and increasingly hard-pressed individuals, who must act in the face of hostile threats and unyielding local resistance.

The principal provisions of the Douglas bill are:

1. The declaration that the Federal Government accepts the legal and moral responsibility for implementing the constitutional requirements for desegregation.

2. Provision is made for vitally needed Federal technical and financial assistance and Federal leadership to States and local communities whose schools are still segregated. Primary emphasis is placed on such affirmative aids as the gathering and distribution of helpful data and surveys, the holding of conferences, the establishment of advisory councils, and the making available of specialists' services, with authorized appropriations up to $2,500,000 per year for 5 years.

The bill also authorizes grants to State and local units of government to meet the costs of additional measures required by desegregation while at the same time assisting in the maintenance of existing educational standards, including grants for employment of additional teachers, inservice or short-course teacher training, construction or enlargement of school facilities, and replacement of withdrawn State funds. Appropriations of up to $40 million a year for 5 years are authorized for these purposes.

Moreover, by an extended procedure requiring local consultation and participation,

the Secretary of Health, Education, and Welfare is also authorized to propose desegregation plans.

There is no blackjack in S. 810. The bill's authorized assistance provisions can operate only if the local community agrees and requests aid, and the desegregation plan sections can be effective, short of lengthy court proceedings, only if the community accepts them.

3. The most controversial feature of the Douglas bill is its provision for Federal legal assistance in securing equal protection of the laws, especially where private parties are unable to vindicate the constitutional rights of school children. This part of the bill seeks to enact the principle of part III stricken from last year's civil rights bill after a bitter battle. It would authorize the Attorney General to file civil suits to prevent denials in equal protection cases because of race, color, religion, or national origin.

This last provision is urgently needed, Senator DOUGLAS pointed out, "because without it the weakest, the poorest, and those most subject to intimidation or coercion are required to fight their case with their own resources against the legal talent, power, legislation, and economic resources which a State opposed to desegregation can throw into the breach. Because of the antibarratry laws [which make it a penal offense in some Southern States for anyone to offer financial or legal assistance for court actions to interested parties suing to protect their constitutional rights], the anti-NAACP laws, school placement laws, and the multitude of other barriers thrown up to resist the law of the land, the scales of justice can only be evenly balanced if these legal and economic burdens of enforcement are borne in part by the Federal Government, whose duty it is to enforce the law.

"To require, as is now the case, that this burden be placed solely on the backs of the fathers and mothers of Negro children in areas which are overwhelmingly hostile to them is to apply that concept of justice made famous by Anatole France's remark that the 'law in its majestic equality forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread.' "

The Douglas bill's authorization for the Attorney General to seek injunctive relief is hemmed in with a variety of safeguards designed to provide recalcitrant southern communities with their day in court—and more. Moreover, there is nothing novel about the use of the injunction to secure compliance with law. Unfair labor practices, national emergency strikes, antitrust law violations, wage-and-hour law infractions, defense production act violations, and scores of others affecting both personal and public rights—more than 45 in all—are reached by similar actions under existing laws.

Here, in the Douglas bill, are the ingredients of a hopeful approach to one of the most compelling problems facing our country. The measure recognizes the deep roots of resistance in the South, in social custom and practice. That is why its emphasis is on a transition to compliance with the law in a reasonable, conciliatory, and affirmative manner, with special stress placed on a maximum of cooperation and agreement between Federal and local governments and a considerable measure of Federal aid for communities bent on adhering to the law with a minimum of dislocation. Assistance and prevention are the keynote themes of the bill, not penalties and restrictions. In fact, there is no criminal section in the bill.

Here, in the Douglas bill, is an opportunity for Americans of good will to join together in working toward a creative solution to a controversy which has produced bitterness and despair for so many years. It is no cure-all, to be sure, but it represents a helpful beginning which would advance our well-being here at home and our honor and stature throughout the world. We urge readers of the Progressive who share our judgment to do everything in their power to support S. 810—by notifying their Senators and Representatives, by writing letters to their local newspapers, and by mobilizing the organizations to which they belong in support of this measure.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD excerpts from a very excellent report on school desegregation by the Southern Regional Council, a fine body in the South, having as members citizens from both races.

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

EXCERPTS FROM A BACKGROUND REPORT ON SCHOOL DESEGREGATION FOR 1959–60 BY THE SOUTHERN REGIONAL COUNCIL, ATLANTA, GA.

Nineteen hundred and fifty-eight-nineteen hundred and fifty-nine was a year in which a steadily growing body of southerners discovered that the old slogans and old passions were inadequate for the present needs of southern society. While the political spokesmen of the South kept up the attack on school desegregation by saying the familiar things about racial differences and States rights, new issues appeared more meaningful to many of their constituents. For them, the basic issue had become the defense of the public schools. As was demonstrated in both Little Rock and Virginia, this was a cause which for a large number of southerners transcended in importance the question of segregation versus desegregation.

The closing of schools in Little Rock, Charlottesville, Front Royal, and Norfolk affected 16,300 youths. Through hastily organized private schools, correspondence courses, and the generosity of other public-school systems, the majority of these were educated in some fashion. About 1,800, however, got no schooling.[1]

Looking back on 1958–59, the fifth school year after the Supreme Court's decision in the School Segregation cases, one can take note of the major developments and in doing so raise the question as to which of them were the most significant of the future. The educational derailment of the 16,000 young people will certainly have consequences, but they are of the kind about which one can only conjecture. To the minds of some, the fact that southerners showed enough firmness of resolve to shut down schools will seem the crucial revelation of the year. Others will believe that the capitulation of the Virginia State government and the reopening of the schools there in February 1959 was a more prophetic indication of the South's next direction. There must be still other observers who think that the primary fact about 1958–59 was that for the first year in three there was no violence around the schools, no use of troops.

1. THE PRESENT SITUATION

At the end of the 1958–59 school year no desegregation had occurred in the public schools of six States. These were Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina.

In the remaining five States of the old Confederacy varying degrees of resistance had been manifested in the years after 1954 and by 1959 had held desegregation to minimal levels. The record was as follows:

	Desegregated districts [1]	Negroes in desegregated schools
Arkansas	8 of 228	80
North Carolina	4 of 174	14
Tennessee	3 of 142	82
Texas	[2] 125 of 722	[2] 3,250
Virginia	4 of 128	30

[1] The number given is the total number of districts with biracial populations; the full number of school districts in Arkansas is 422; in Tennessee, 153; in Texas, 1,646; in Virginia, 129. All of North Carolina's school districts are biracial. Throughout the discussion here and in the next several pages, statistics are derived, principally, from the Statistical Summary of the Southern Education Reporting Service, 6th printing, May 15, 1959.
[2] Estimated.

Excepting Texas, only 206 Negro youths were, in 1958–59, in attendance with white pupils in the 11 States of the South; 45 of these were in the federally owned schools of Oak Ridge (Tennessee). An additional 21 Negroes attended the high school of Front Royal (Virginia); as no white pupils were with them, they are not included in the Virginia count.

In the District of Columbia and in the other States where segregation was legally practiced in the schools prior to 1954, official policies, supported by decisive elements of public opinion, have assisted desegregation. Over the first 5 years, the principal, if less publicized, accomplishment of the Supreme Court's decision is the thousands of children of these areas whose education has been without racial separation.

	Desegregated districts [1]	Negroes in desegregated schools
Delaware	12 of 51	5,727
District of Columbia	1 of 1	67,020
Kentucky	123 of 175	11,492
Maryland	21 of 23	24,089
Missouri	211 of 243 [2]	[3]
Oklahoma	170 of 250	[2] 7,000
West Virginia	43 of 43	[2] 10,000

[1] Biracial in population. Since 1954, Missouri has not kept statistics by race. The estimate of the number of Negroes in desegregated schools in Oklahoma is from the "Statistical Summary," 5th printing, Oct. 15, 1958.
[2] Estimated.
[3] Not available.

In these places, officials have given leadership to desegregation. In North Carolina, Tennessee, Texas, sometimes in Arkansas, and now in Virginia, officials and governments have dedicated themselves to as little desegregation as is legally necessary. In the six States of the deep South, the governmental policy has been one of complete defiance. There is good evidence that Florida is not as adamant as the other deep South States, no one of which, for that matter, has yet had to face the legal crisis which induced Virginia to accept some desegregation, and which has brought 2 years of turmoil to Little Rock.

These 11 States—those which have complied under duress and those which are as yet completely segregated—began in the interval between the 1954 decision of the Supreme Court and the 1955 implementing order to erect their legislative defenses. Indeed, some law-making had begun earlier than 1954. It has continued into 1959. By 1959, however, it had become apparent which legislative measures might reasonably be expected to avoid or limit desegregation, and which ones were clearly useless or merely ebullient, blustering diversions. Although a legislature might, even in 1959, appropriate $500,000 for an advertising campaign to sell the southern way of life (vetoed by the

[1] The figures given in this paragraph are those of Mr. Arthur S. Flemming, Secretary of Health, Education, and Welfare, June 22, 1959.

Governor, Collins of Florida), most efforts to maintain segregation were more serious. The days of interposition, of resolutions demanding the impeachment of Supreme Court justices, of nullification of the 14th and 15th amendments, of bold claims for the States' police powers, were ended, though their fruits will remain on the statute books as memorials of the times: future generations of South Carolinians will, in all likelihood, continue subject to the law of 1958 which requires for the Confederate flag the same sanctity of treatment as for the Stars and Stripes.

But these things have been the fuss and feathers of the resistance. By 1959, four legislative policies had been selected, or had survived, as the principal opposition to desegregation. The further or more rapid advance of educational equality will encounter these, and the decisive legal cases and political contests of the next year or more will revolve about them. They are:

1. Pupil placement laws: These are intended to prevent or minimize desegregation through assigning children to particular schools on the basis of social and psychological criteria, which do not include race. That the result may be little different is demonstrated by the record of the Virginia Pupil Placement Board, which has assigned nearly 420,000 children during 30 months, without sending even one to a school attended by the other race. Some form of pupil placement law has been enacted by Alabama, Arkansas, Florida, Mississippi, North Carolina, Tennessee, Texas, and Virginia.[2] The Supreme Court would not declare the Alabama law unconstitutional on its face, though it stated that the application of the law could make it so. North Carolina's administration of the law has so far survived two challenges in Federal courts. The Virginia law is being disregarded in Arlington, Charlottesville, and Norfolk.

Georgia and South Carolina have no pupil placement laws; the Louisiana placement law was voided by a Federal court in 1956.

2. School closing laws: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia have statutes which require or authorize the closing of schools, either by State or local authorities, to prevent their desegregation; Texas (as do Florida and Virginia) has a so-called Little Rock statute providing for school closure in the event of the use of Federal force. Only Tennessee has refrained from setting up any legal machinery for an educational shutdown. The decision of the three-man Federal district court in Virginia last January made the price of schoolclosing extremely high. In effect, the court ruled that a State could not shut the schools in one locality while leaving open other schools in the State (*James* v. *Almond*). The June decision in Little Rock (*Aaron* v. *McKinley*), is to much the same point: the laws under which the Little Rock high schools closed were ruled to be an evasion of constitutional rights.

Still to be decided is the legality of a complete, statewide abandonment of public education. Needless to say, it is a decision which all can hope will never have to be reached.

3. Private school plans: Private schools have two possible uses in the segregationists' strategy: (a) to assume the whole function of education if the public schools are closed; (b) to provide a segregated education for some, most, or all white children if the public schools are desegregated. There seems to be general agreement that (a) a large-scale private school plan cannot work without State financial aid; and (b) the only form such aid might legally take would be direct tuition grants to the students.

Some sort of private school plan, with tuition grants, has been enacted in Alabama, Arkansas,[3] Georgia, Louisiana, North Carolina and Virginia.

4. Harassment of the NAACP: A mass of legislation has been passed to curb the activities of the NAACP. Old barratry laws have been reinvigorated, membership and financial statements have been required, legislative investigating committees and special commissions have been created and set to work. One important result has been that, for the first time in our history, the Supreme Court has declared and affirmed the freedom of association as a constitutional right (*NAACP* v. *Alabama,* 357 U.S. 449).

Though certainly there have been differences of degree of vigor with which the legislatures have enacted, the committees have investigated, and the executives have prosecuted, 10 of the Southern States have sought by legislative action to cripple the NAACP's ability to operate within their boundaries. The one exception is North Carolina. The aim of this legislation has been to block Negro entrance to the courts by enfeeblement of the NAACP; regardless of whether this has been achieved, much of the NAACP's energies and money have been diverted to defending itself rather than combating segregation.

These four devices—pupil placement, school closings, private schools, and NAACP harassment—are the chosen last defense of segregation. One of them, school closing, is so destructive in its potential consequences as to represent an immediate threat to the national interest.

In the main, southern public opinion has acquiesced in these actions.

This, however, must be said with clear explanation. The official policies of defiance and obstruction have been, beyond any doubt, almost unanimously opposed by one-quarter of the South's citizens; i.e., the Negroes. They have likewise been publicly combated by a small group of white liberals, by many clergymen, and by a small but distinguished group of editors. Especially during the past year, a large and still growing number of white southerners—often called moderates—who had previously been silent, have voiced their dislike of the consequences of the resistance measures, although so far their protests have been confined largely to the school closing laws.

With these qualifications, it can be said that the Governors and legislators of the Southern States have, since 1954, acted with the endorsement of effective public opinion. The climate of opinion in the South between early 1955 and the fall of 1958, and the southern political spokesmen, reciprocally reenforced each other and fashioned something akin to a regional conformity of speech. Massive resistance created, and in turn was sustained by, a massive orthodoxy, first broken by the reaction of Virginians to the school closings of September 1958. Throughout the South, the spectacle of closed schools has been a catalyst to dissent and protest; as a result, open public discussion of the wisdom of resistance now exists and grows, in every State of the South with the possible exceptions of Alabama, Mississippi, and South Carolina.

2. DEVELOPMENTS OF 1958–59

For a long time, poeple have spoken and written of the "process of desegregation." The word "process" implies change that more or less moves from its own momentum, that keeps going unless it is stopped. The year 1958–59, as have the other since 1954, showed that the word does not describe what is happening in the South. The political and social leaders of the region have demonstrated again, as in the past, that they will not succumb, in their racial policies, to a "process." Desegregation is not a change which—at least in this generation—will spread through its own momentum; it is not a "process," but a "campaign" which has to be continuously reenforced. Like any campaign, desegregation has had and will have its "battles," which will be determined by the relative strength of the parties.

Events in Arkansas and Virginia dominated the news in 1958–59. No historian will dispute the newspapers' judgment of their importance. If, as seems likely, they can be gaged as defeats for southern resistance to national authority, there is still the question of whether the Arkansas and Virginia struggles represent Gettysburg and Vicksburg—turning points midway through a long fight—or whether they were episodes in a Wilderness Campaign, just before Appomattox. Probably the realistic answer is that they were Gettysburg and Vicksburg, and that the southern crisis has still a long course to run.

The point is worth making because many persons outside the South have not understood it, and consequently have anticipated too much too soon. The breakdown of the massive structure of resistance in Virginia, despite all the careful planning of Senator BYRD and his political associates, will not mean the end of the South's travail. What happened in Virginia last year is of the greatest importance, probably even larger in impact than the dispatch of troops to Little Rock in 1957. But it does not mark the end of a crisis which has tired the spirits of a region and rubbed raw the nerves of its people, both white and colored. With or without the valued leadership of Virginia, other States will undoubtedly employ the statutory devices described in the last section: pupil placement, school closings, and tuition grants. Furthermore, the segregationists can be expected to maintain and to enlarge a counterattack on the sources of strength of those who are trying to bring about a reform of southern racial policies.

In short, reform did not proceed automatically when the cork of "separate but equal" was pulled from the constitutional bottle. It will now proceed automatically because the State government in Virginia made a strategic retreat.

The segregationists have another hope that reform will not go forward at all. From any realistic view it is a last-straw yearning. But the South has always included a lot of people who can recognize a straw for what it is, and still trust all their weight to it. The events of 1958–59 in Arkansas and Virginia forced the recognition that for the South there are only three alternatives; desegregation; the abolition of public schools; or the near miracle of a disintegration of the pressures for reform.

By counter-offensive against the supporters of desegregation, the present southern political and social leadership will do what it can to bring off the miracle. Unless the signs of the time are in mad disarray, it will not succeed. But the endeavor will bring damage to many persons and institutions, and values which stand in its path, and Americans of all sections ought to be alert to the threat.

To date, the attack by Negroes on legally compelled segregation has been supported strongly by the Federal courts, by American public opinion outside the South, and by religious leaders. Without these allies, the campaign for desegregation would not have progressed. Were these supports to be sufficiently weakened, desegregation would halt.

The southern political and social leadership has shown its awareness of these facts

[2] After Mar. 1, 1960, localities in Virginia may choose to be independent of the State pupil placement board.

[3] Declared unconstitutional by a U.S. district court on June 18, 1959. Governor Faubus has announced that the State will appeal.

by (a) joining every move in Congress to limit the power of the Supreme Court; (b) using whatever propaganda means it can find to reach northern public opinion (e.g. the Carleton Putnam letter reprinted in scores of nonsouthern newspapers) and to disparage the NAACP; and (c) strong local resistance to the social ministry of the clergy, including in too many places outright persecution. The first two of these counter-moves received special employment during 1958–59, and the third continued in unabated force. Were any to succeed, the pace of desegregation would be measurably slowed. Were they all to succeed, desegregation would stop; this is an unlikely prospect, but not an impossible one, and it is the one last, faintly realistic hope which the segregation leaders have, after the happenings of 1958–59 in Arkansas and Virgina.

Little Rock

The chief results of the past year in Arkansas are (1) a stronger, more explicit statement of law by the Supreme Court; (2) a growing disenchantment in the city of Little Rock with extremist leadership; and (3) a quiet but widespread resolve in communities throughout the South that "Little Rock will not happen here."

Increasingly, people in the South spoke and thought of the Little Rock situation as a "mess"; from the viewpoint of the conservative segregationists, Little Rock came to seem a botch; moderates were discovering in it a stern, and chastening, object lesson. Arkansas could never, in the white southerner's manner of looking at his society and its traditions, occupy the place of authoritative leadership which Virginia has filled. Massive resistance there was led by the sort of men whom a conservative region feels honored to follow. The point is worth emphasizing, because in a controversy which is in large measure an issue of emotions, white southerners lost another emotional reassurance when Virginia abdicated its leadership. The void could not be filled by Arkansas, where, as a matter of fact, by May Governor Faubus was appealing over television to the "good, honest, hard-working people of the lower and middle classes" to support him against the "charge of the Cadillac brigade of wealthy and prominent leaders."

As in Virginia, the harassment of the NAACP ramified in Arkansas into threats against the civil liberties of some white persons, particularly teachers. The Arkansas tendency here, as in other respects, however, was to run to extremes, and the result was the first clear electoral defeat for Governor Faubus. On May 5, his three adherents on the Little Rock School Board, in the absence of the three moderate members, purged 44 teachers from the Little Rock schools. The reaction was swift and pained. The Council of Parent-Teacher Associations (white) was followed by the Committee To Stop This Outrageous Purge (STOP), formed by 179 prominent businessmen, in petitioning for the recall of the three officers. Segregationists promptly petitioned for the recall of the other three board members, and the election was held May 25. The Governor publicly and repeatedly asked for the retention of his three friends, all of whom were recalled, while the other three were retained: the voting was close in all six elections.

The recall was the first clearcut instance of popular unwillingness to follow the Governor. During the preceding 10 months, Arkansas had demonstrated to the rest of the South—and the region was not wholly inattentive—that defiance of national law and the bitter-end defense of segregation carried with it the potential for one-man rule. Mr. Faubus had been renominated for an unprecedented third term on July 29, 1958, in the Democratic primary. From the largest turnout in Arkansas' history, he carried 70 percent of the vote and all 75 counties. In the special session of the legislature in late August, his legislative program of stronger resistance was passed as he presented it, with only one dissenting vote. In the election of September 27, a plebiscite held to approve or disapprove his closing of the schools, the second largest vote in Little Rock's history gave its endorsement by better than 2½ to 1. And in the congressional election in November, Representative Brooks Hays, who in the July primary had been renominated easily, was unseated by the write-in candidacy of the Governor's choice, Dr. DALE ALFORD. Although Representative Hays carried 4 of the 6 counties in the district, he lost Little Rock by 1,400 votes and the whole of Pulaski County by 5,500; even if allegations which have been made of irregularities are subsequently verified, the ALFORD write-in vote was startlingly impressive against a man of Hays' popularity and prestige.

The election of Representative ALFORD may have been, however, the high point of the Governor's success. On November 7, in one of the first serious local challenges he had received since he closed Central High in September 1957, the Arkansas Education Association passed a strong resolution, concluding with the statement "the public school system is not expendable." (Immediately, the legislative council, an interim group of the State legislature, ordered its Committee on Subversion in Education to "investigate.") Even earlier, prior to the September plebiscite, the Women's Emergency Committee To Open Our Schools had been formed, and 63 Little Rock lawyers had publicly advised the people that the Governor's plan to operate private schools with public money was probably unconstitutional.

After the ALFORD triumph, the uninterrupted ascendancy began to be checked. In the Little Rock school board election in December, required because of the resignation of the besieged and frustrated old board, a slate of moderates sponsored by businessmen ran against a slate of uncompromising segregationists. Three of each were elected, creating the impasse which led to the recall election 6 months later. The Governor had publicly attacked the whole moderate ticket. Beginning early in 1959, first through their chamber of commerce, and then through STOP, Little Rock businessmen took a stand for an open, free public school system. And in the regular legislative session in the spring of 1959, the Governor got almost, but this time not quite, all he asked for, and in contrast to the special session in August, was actually turned down on one measure.

The stiffening of local opposition was caused in part by the growing feeling that the administration was irresponsible and oppressive; but there were other reasons as well. The business community especially had become apprehensive over the effects of the controversy on the local economy. Not a single new business had located in Little Rock since the first school closing in September 1957, and reports of economic stagnation were frequent. The whole city, moreover, grew tired of the wearying load of its own notoriety, and concerned with the hardship being imposed on its children. And finally, there were the Federal courts, and a spreading popular awareness that they, and not the Governor, represented the "immovable object".

This had been put into some doubt when, on June 20, 1958, Judge Lemley of the U.S. District Court allowed the resegregation of Little Rock schools until January 1961. Within two months he had been overruled by a higher court; and when that decision was appealed to the Supreme Court, the judgment, on September 12 and 29, was the firmest statement of law yet read to the South. The Court held that neither violence nor its threat were sufficient grounds for postponing desegregation; and it made clear that all State officers were legally bound to uphold the Constitution as the Supreme Court interpreted it.

"The constitutional rights of respondents are not to be sacrificed or yielded to the violence and disorder which have followed upon the actions of the Governor and legislature. As this Court said some 41 years ago in a unanimous opinion in a case involving another aspect of racial segregation: "It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution." *Buchanan* v. *Warley* (245 U.S. 60, 81). Thus law and order are not here to be preserved by depriving the Negro children of their constitutional rights. The record before us clearly establishes that the growth of the Board's difficulties to a magnitude beyond its unaided power to control is the product of State action. Those difficulties, as counsel for the Board forthrightly conceded on the oral argument in this Court, can also be brought under control by State action.

* * * * *

"In short, the constitutional rights of children not to be discriminated against in school admission on grounds of race or color declared by this Court in the Brown case can neither be nullified openly and directly by State legislators or State executives or judicial officers, nor nullified indirectly by them through evasive schemes for segregation whether attempted "ingeniously or ingenuously." (*Smith* v. *Texas*, 311 U.S. 128, 132.)

* * * * *

"It follows that the interpretation of the 14th amendment enunciated by this Court in the Brown case is the supreme law of the land, and article VI of the Constitution makes it of binding effect on the States 'anything in the constitution or laws of any State to the contrary notwithstanding.' Every State legislator and executive and judicial officer is solemnly committed by oath taken pursuant to article VI, 3 'to support this constitution.'

"No State legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.

"It is, of course, quite true that the responsibility for public education is primarily the concern of the States, but it is equally true that such responsibilities, like all other State activity, must be exercised consistently with Federal constitutional requirements as they apply to State action. * * * State support of segregated schools through any arrangement, management, funds, or property cannot be squared with the amendment's command that no State shall deny to any person within its jurisdiction the equal protection of the laws. The right of a student not to be segregated on racial grounds in schools so maintained is indeed so fundamental and pervasive that it is embraced in the concept of due process of law."

Two further Federal decisions have deepened the Little Rock dilemma. An injunction, issued March 7, ended the distribution of State money to the private schools which had been established after Governor Faubus, on September 12, 1958, closed the city's four high schools. On June 18, 1959, a three judge district court declared unconstitutional the school closing and tuition grant laws.

For Governor Faubus, a year which had begun grandly, with a thundering reelection and a judicial retreat, had ended with frustration. There was no discernible next move which he could take without jeopardizing his administration. But the rules of chess do not apply in politics, and the stalemate in which the Governor had been put by the Federal courts and the voters of Little Rock

did not mean for him a drawn game, but the prelude to either surrender or reckless defiance. On June 24, Governor Faubus stated that the Federal Government would need "live ammunition" to carry out the desegregation orders in Little Rock, and that he would do nothing to curb mob violence if it came. From an unpredictable man, responsible southerners might still hope for a soberer second thought.

Virginia

In Virginia also, the most obvious result of the State's legislative resistance to the Supreme Court was the strengthening of the Federal judicial commands.

The white senior and junior high schools of Norfolk were closed by Governor Almond September 27, 1958 after the last litigious gambit against the admission of 17 Negroes had been played. Along with other closed schools of the State, they reopened on February 2, following decisions on January 19 by both Federal and State courts. The Virginia Supreme Court of Appeals ruled that the State was obligated by its own constitution to maintain a public school system. A three judge Federal district court held that Virginia, by operating schools throughout most of the State while not so doing in Norfolk, was unconstitutionally discriminating against the people—white and colored—of Norfolk. On January 27, a Federal district court prevented the city council from cutting off local funds for the schools.

Lane High and Venable Elementary Schools in Charlottesville were closed by the Governor on September 19, 1958, in the face of a court order to desegregate. An order the next month laid down the principle that public school teachers could not teach in private segregated schools. The schools reopened on February 2, 1959, on a segregated basis, but after approval by the Federal judge (and endorsement by the NAACP) of a plan for desegregation in September.

In Warren County, 1 of 17 Virginia counties with no Negro secondary school, the Federal court enjoined segregation and the high school was closed under the massive resistance laws on September 12. When it reopened, the white pupils were kept away by their parents and 21 Negro youths were the entire student body.

On September 27, 1958, the Arlington County schools were directed to admit four Negroes in February. They entered in that month, as did nine Negroes in the city of Alexandria, which had been ordered in February 1959 to desegregate. In March, the county school board was ordered to reexamine other applications which had been denied. The court of appeals found that Negro applicants were being subjected to placement tests not applicable to the white children; on July 25, in a further stage of the same litigation, a district court ordered 12 rejected applicants admitted because they met the criteria in effect for white children. No violence or disorder has accompanied any instance of desegregation in Virginia.

A Federal district court decision on August 4, 1958, postponing desegregation in Prince Edward County until 1965, was overruled on May 5, 1959, and desegration ordered for September. The county has since decided to close its schools and end all local educational functions.

For Virginia, 1958–59 meant a hardening of the Federal judicial stand. There were two other results of potentially equal importance. One was the emergence of popular protest against the consequences of massive resistance. A second was the dramatic change in the State's executive and legislative policies.

In June 1958 the Arlington (County) Organizing Committee to Preserve Public Schools was formed. Similar committees appeared in the other troubled localities; they merged in November into the Virginia Committee for Public Schools, with chapters throughout the State. Its membership rose to 25,000 and it came to exert a pronounced influence on public policy. The membership of the Virginia Council on Human Relations, a prosegregation organization associated with the Southern Regional Council, grew to 1,400.

The indignation and uneasiness which these groups felt was working also in other quarters. November 11, 1958, is an important date in the chronicle of the past year, because on that day Mr. James J. Kilpatrick, editor of the Richmond News-Leader, and the intellectual champion of massive resistance, made a speech in which he recommended "new weapons and new tactics," recognized that there might be some desegregation, and endorsed local option. The next morning the influential Richmond Times-Dispatch urged the Governor to appoint a commission to plot a new policy for the State.

More spectacular was the change of Governor Almond. On January 20, the day following the Federal and State court decisions, he spoke over radio and television, calling upon Virginians "to stand firmly with me in this struggle."

"The people of Virginia through their elected representatives and by registering their convictions in the exercise of their franchise have repeatedly made it crystal clear that they cannot and will not support a system of public education on a racially integrated basis. I make it equally clear that I cannot and that I will not break faith with them."

A week later, on January 28, Governor Almond addressed the special session of the General Assembly. He appeared then as the leader in "new tactics," which turned out to be the old principles of law compliance, public education, and local option. A commission was appointed, chaired by Senator Perrow. New policies for the State were set and, by the narrowest of margins, enacted in May 1958 by the legislature. The recent State elections in Virginia have somewhat improved the legislative majority of a governor who within a few days changed from one of the South's most articulate voices of resistance to the acknowledged political leader of moderate opinion.

The general shape of the new legislation in Virginia, resulting from the Perrow Commission recommendations, may be described as local option, which means that only the locality through its own initiative and decision can close its schools; by the same token, no locality can be forced by the State to do so. Tuition grants are now available for any child desiring for any reason to attend a private school.

Thus did Virginia in February change course. The results of the old were tougher Federal judicial decrees, the loneliness of defeat, and chaotic schooling for the children of Charlottesville, Front Royal, and Norfolk. The results of the new course, tried since February, have been quiet, more or less normal, schools. The new course may also provide for the traditional South new leadership and a new but recognizable image of itself as it ought to be; if so, the Virginia experience will have been of incalculable importance.

PAUL & BEEKMAN, INC.

The bill (H.R. 6733) for the relief of Paul & Beekman, Inc., and others was considered, ordered to a third reading, read the third time, and passed.

NINETEEN HUNDRED AND FIFTY-NINE PACIFIC FESTIVAL

The joint resolution (H.J. Res. 281) authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 169) concerning the desirability of holding an international exposition in the United States, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

SALARY INCREASES FOR POLICE OF NATIONAL ZOOLOGICAL PARK—BILL PASSED OVER

The bill (H.R. 8464) to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park, was announced as next in order.

Mr. KEATING. Over by request, Mr. President

The PRESIDING OFFICER. The bill will be passed over, by request.

Mr. MORSE. Mr. President, I should like to speak for a moment regarding Calendar No. 829. I appreciate the fact that the Senator from New York objected to consideration of the bill by request. I hope that in some way, somehow, any differences in respect to the bill can be ironed out before adjournment of the Congress.

So long as we assume the obligation which we assume of functioning as the Government of the District of Columbia, we have an obligation to see to it that we are fair and decent to the people who do not have any representation, except our representation by proxy, so to speak.

This is not a monumental piece of proposed legislation The bill does not involve great sums of money. However, it does involve a question of being fair to a few policemen at the National Zoological Park who have only us to look to in getting fair treatment.

I trust, Mr. President, that we shall, on another call of the calendar, or, if necessary, by motion, pass the bill, because, Mr. President, we should never overlook the fact that we have the duty to do the right thing by the people who find themselves in the position of these policemen.

Mr. KEATING. Mr. President, will the distinguished Senator yield to me?

Mr. MORSE. I have finished.

Mr. KEATING. I assure the distinguished Senator I have no personal objection to the bill. My objection was made solely in my representative capacity as chairman of the Republican calendar committee. My preferences as to places to visit are: First, the Senate of the United States; second, the ball park; third, the zoo. I enjoy the zoo very much. I wish to be protected properly while I am at the zoo, and I will support the bill when it is considered by the Senate.

Mr. MORSE. I do not think the Senator from New York heard my comment that I recognized he made the objection by request.

COMPUTATION OF TELEPHONE AND TELEGRAPH SERVICE ON A UNIT BASIS FOR MEMBERS OF THE HOUSE

The bill (H.R. 8593) to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis was considered, ordered to a third reading, read the third time, and passed.

PRINTING OF ADDITIONAL COPIES OF HEARING ENTITLED "ORGANIZATION AND MANAGEMENT OF MISSILE PROGRAMS"

The concurrent resolution (H. Con. Res. 234) authorizing the printing of additional copies of the hearing entitled "Organization and Management of Missile Programs," was considered and agreed to.

PRINTING AS HOUSE DOCUMENT 16TH REPORT OF COMMISSION OF FINE ARTS

The concurrent resolution (H. Con. Res. 378) authorizing the printing of the 16th report of the Commission of Fine Arts as a House document was considered and agreed to.

INCREASE OF FUNDS FOR THE COMMITTEE ON THE JUDICIARY

The resolution (S. Res. 170) to increase the amount of funds for the Committee on the Judiciary was considered and agreed to, as follows:

Resolved, That S. Res. 59, Eighty-sixth Congress, agreed to February 2, 1959 (authorizing an investigation of the administration of the national security law and matters relating to espionage), is hereby amended by striking out "$224,000" and inserting in lieu thereof "$239,000".

PRINTING AS SENATE DOCUMENT LETTER TO THE PRESIDENT FROM THE PRESIDENT'S COMMITTEE TO STUDY THE U.S. MILITARY ASSISTANCE PROGRAM

The resolution (S. Res. 171) authorizing the printing as a Senate document a "Letter to the President of the United States From the President's Committee To Study the U.S. Military Assistance Program" was considered and agreed to, as follows:

Resolved, That a "Letter to the President of the United States From the President's Committee To Study the United States Military Assistance Program and the Committee's Final Report," and the President's letter of transmittal of that report, dated August 20, 1959, be printed with illustrations as a Senate document.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT ON "THE STATUS OF WORLD HEALTH"

The resolution (S. Res. 175) to print additional copies of Senate report on "The Status of World Health," was announced as next in order.

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. PROUTY subsequently said: I ask unanimous consent that the Senate return to the consideration of Calendar No. 835, Senate Resolution 175. Inadvertently, I believe, I objected to its consideration when it was called previously. I did not intend to have it go over.

The PRESIDING OFFICER. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 175) to print additional copies of Senate report on "The Status of World Health."

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

There being no objection, the resolution (S. Res. 175) was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of Senate Report Numbered 161, Eighty-sixth Congress, first session, entitled "The Status of World Health."

ADDITIONAL FUNDS FOR INVESTIGATION OF HEALTH AND MEDICAL RESEARCH FACILITIES

The resolution (S. Res. 176) providing additional funds for the investigation of health and medical research facilities was considered and agreed to, as follows:

Resolved, That S. Res. 42, Eighty-sixth Congress, agreed to February 3, 1959 (authorizing the Committee on Government Operations to make a complete study of all matters pertaining to international activities of Federal executive branch departments and agencies in the field of health and medical research), is hereby amended by striking out "$45,000" and inserting in lieu thereof "$55,000".

ADDITIONAL FUNDS FOR THE SELECT COMMITTEE ON SMALL BUSINESS

The resolution (S. Res. 177) providing additional funds for the Select Committee on Small Business was considered and agreed to, as follows:

Resolved, That in discharging the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, the Select Committee on Small Business is authorized to expend the sum of $10,000 from the contingent fund of the Senate in addition to any other moneys available to the committee for such purpose. The authority contained in this resolution shall expire January 31, 1960.

PRINTING OF REPORT ENTITLED "FACILITY NEEDS—SOIL AND WATER CONSERVATION RESEARCH" AS SENATE DOCUMENT

The resolution (S. Res. 178) authorizing the printing of the report entitled "Facility Needs—Soil and Water Conservation Research" as a Senate document was considered and agreed to, as follows:

Resolved, That the report of the findings of the working group appointed by the Secretary of Agriculture, entitled "Facility Needs—Soil and Water Conservation Research," be printed as a Senate document.

CONVEYANCE OF CERTAIN LANDS TO THE CITY OF CHEYENNE, WYO.—BILL PASSED OVER

The bill (S. 857) to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo., was announced as next in order.

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over, by request.

Mr. MORSE. Mr. President, I should like to make a request with regard to the objection to consideration of the bill. I should like to ask that the objection be withheld long enough for me to make a brief statement on the bill, so that it will be in the RECORD for future consideration.

The PRESIDING OFFICER. Does the Senator from New York withhold his objection?

Mr. KEATING. I am glad to withhold my objection, Mr. President.

Mr. MORSE. Mr. President, S. 857 would authorize the Administrator of the General Services Administration to convey certain veterans hospital lands in the city of Cheyenne to the State of Wyoming without consideration.

The land proposed to be conveyed was originally given to the Veterans' Administration by the city of Cheyenne without consideration in order that a veterans' hospital might be constructed on the site. The original conveyance consisted of a 600-acre tract.

In 1948, 431 acres was reconveyed to the city of Cheyenne without consideration because the additional acres were determined not to be necessary for hospital purposes.

In July 1955 the Veterans' Administration reported an additional 90.2 acres as excess property. Sixty and two-tenths acres of the surplus land were reconveyed to the city for airport purposes.

S. 857 covers the remaining 30 acres that had been declared excess property in 1955. Cheyenne city officials have stated that the 30 acres would be utilized for park and recreational facilities.

Mr. President, I have no objection to this bill because the Morse formula is inapplicable. This bill falls squarely within the principle of the Roseburg Veterans Hospital case which I discussed in the Senate last August in connection with the dispute over the Lillie Moore land transfer. My discussion of the Roseburg Veterans Hospital reconveyance appears in the RECORD, volume 104, part 12, on page 16214.

Inasmuch as the city conveyed the land in question to the Federal Government without consideration, it is only fair that the Federal Government should reconvey any lands that are no longer necessary for the purposes for which the original conveyance to the Government was made.

Mr. President, I hope the bill will eventually pass.

The PRESIDING OFFICER. Does the Senator from New York renew his objection?

Mr. KEATING. Mr. President, I ask that the bill go over, by request.

The PRESIDING OFFICER. The bill will be passed over, by request.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF MOBILE, ALA.

The bill (S. 47) to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land was announced as next in order.

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

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 877, H.R. 2386, an identical bill.

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

The LEGISLATIVE CLERK. A bill (H.R. 2386) to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land.

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

Mr. MORSE. Mr. President, in 1939, the United States conveyed the customhouse property to the city of Mobile, Ala., for public purposes at 50 percent of appraised value.

The city of Mobile now desires to obtain the property free of any Federal reversionary interest.

S. 47 as originally introduced called for a gratuitous conveyance of the remaining interest of the United States. However, as reported by the Senate Government Operations Committee, the bill directs the Administrator of the General Services Administration to convey to the city of Mobile, at the current fair market value, all the right, title and interest of the United States in this property.

The committee amendment eliminates any Morse formula problem. I have no objection to the passage of the bill.

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

There being no objection, the bill (H.R. 2386) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Senate bill S. 74 will be indefinitely postponed.

USE OF CERTAIN REAL PROPERTY FOR GENERAL EDUCATIONAL PURPOSE, LOUISIANA UNIVERSITY

The joint resolution (S.J. Res. 121) to permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University to be used for general educational purposes was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 878, H.R. 6669, an identical bill.

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

The LEGISLATIVE CLERK. A bill (H.R. 6669) to amend the act of July 14, 1945, to provide that the Louisiana State University may use certain real property heretofore conveyed to it.

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

Mr. MORSE. In the interest of saving time, I ask unanimous consent that there be printed at this point in the RECORD a statement of mine with respect to this bill and an explanation of the fact that it does not violate the Morse formula.

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

STATEMENT BY SENATOR MORSE

The Louisiana Rural Rehabilitation Corporation was the owner of 3,113 acres which was subsequently transferred to the Secretary of Agriculture, as trustee, pursuant to an agreement of 1937 between the corporation and the United States. The agreement obligated the Secretary of Agriculture to administer the assets of the corporation "for rural rehabilitation purposes in the State of Louisiana."

Public Law 41 of the 82d Congress authorized the conveyance of the entire tract to Louisiana State University for general educational purposes. However, Public Law 41 provided that 25 acres should be transferred to the parish of Rapides for use in holding livestock and agricultural expositions.

Senate Joint Resolution 121 would authorize release of the 25-acre restriction so that the entire tract would be restored to the State university for educational purposes in accordance with the proposal contained in Public Law 41.

The resolution does not violate the Morse formula because it merely implements the trust arrangement for the benefit of the cestui of the trust.

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

There being no objection, the bill (H.R. 6669) was considered, ordered to a third reading, read the third time, and passed.

DONATION OF SURPLUS PROPERTY TO CERTAIN AGENCIES

The bill (S. 1018) to authorize the donation of surplus property to certain agencies engaged in cooperative agricultural extension work, and for other purposes, was announced as next in order.

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

Mr. PROUTY. Mr. President, I wonder if we could have an explanation of the bill.

The PRESIDING OFFICER. An explanation is called for. The Chair recognizes the Senator from Mississippi.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. Before the Senator from Mississippi proceeds, the Chair will again insist that the Senate be in order. We make much better progress in going through a lengthy calendar if we have order. The Senator will not proceed until we do have order.

The Senator from Mississippi may proceed.

Mr. STENNIS. I thank the Presiding Officer.

Mr. President, the Senator from Alaska [Mr. GRUENING] presided at the hearings on this bill. He is detained somewhere. I would rather have him make the explanation.

However, the actual operation of the bill as presented by the committee is very limited and covers only a situation in which the Post Office Department has excess furniture, and similar supplies, and when it has already permitted the Extension Service located in that post office building to have the use of the surplus property.

In such a case the bill permits the Post Office Department to transfer the ownership and title of that property now in use and in the possession of the Extension Service to the Extension Service.

The only reason why legislation on the subject is necessary is that the Extension Service does not qualify as a Federal agency; otherwise, they could receive this property under present law.

The bill itself is limited to the narrow confines of furniture or utilities of that kind already being used in the post office building; in other words, it confirms the loan and the title.

A more far-reaching effect is coming into being in a ruling of the executive branch of the Government, qualifying the Extension Service as an agency being engaged in educational work, and thus making it eligible for certain limited amounts of furniture.

The committee unanimously reported the bill. The subcommittee also was unanimous in its report.

Mr. PROUTY. Has the Senator any estimate of the cost involved?

Mr. STENNIS. I do not know that there is available any particular estimate of cost or value. Only secondhand property is involved. It is already out of use by the Post Office Department. It is located in the post office building and it is being used by the Extension Service. Technically, it cannot be transferred to the Extension Service. The bill would permit such a transfer.

Mr. PROUTY. I thank the Senator for his explanation. I have no objection.

Mr. MORSE. Will the Senator yield for a question?

Mr. STENNIS. I am glad to yield.

Mr. MORSE. In my opinion, this is a good bill. That opinion is based on an understanding which I wish the Senator to check. As I understand, the bill would have uniform application. It does not single out any particular town or any particular beneficiary, but is to be a uniform policy.

Mr. STENNIS. Yes; it is nationwide in its application, but it applies only to transfers or loans of the property concerned which have already been made.

Mr. MORSE. The uniform principle makes it a very sound piece of legislation. Next, I understand it is to apply to the future as well as to the past. Is that correct?

Mr. STENNIS. The bill itself will have no application to the future. As I understand, under a new policy in the executive department, the Extension Service is made eligible for the transfer of such property to it in the future, as an educational institution or agency. That will dispense with the need for legislation on the subject in the future.

Mr. MORSE. That is the point I wish to make.

Mr. STENNIS. That policy is more far reaching than the bill.

Mr. MORSE. I approve of the bill.

Mr. STENNIS. I thank the Senator.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding any provision of the Federal Property and Administrative Services Act of 1949, as amended, or any other law, the Postmaster General and the Administrator of General Services are hereby authorized and directed to transfer, as soon as practicable after date of enactment hereof, without cost, to any State or county agency engaged in cooperative agricultural extension work pursuant to the Act of May 8, 1914, as amended (7 U.S.C. 341–348), for the use of such agency, all right, title, and interest in and to any office equipment, materials, books, or other supplies (whether or not capitalized in a working capital fund established under section 405 of the National Security Act of 1947, as amended, or any similar fund) which have heretofore been assigned for use to any such State or county agency by the Post Office Department or the General Services Administration, respectively.

The amendment was agreed to.

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

The title was amended so as to read: "A bill to authorize and direct the transfer of certain personal property to State and county agencies engaged in cooperative agricultural extension work."

ISSUANCE OF GOLD MEDAL IN HONOR OF THE LATE PROFESSOR ROBERT H. GODDARD

The joint resolution (H.J. Res. 19) to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard was announced as next in order.

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

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

Mr. ROBERTSON. Mr. President, the Senate Banking and Currency Committee was unanimous in reporting House Joint Resolution 19, to authorize the Congress to present an appropriate gold medal to the family of the late Dr. Robert H. Goddard. For this purpose the Secretary of the Treasury is authorized and directed to strike the medal. The selection of suitable emblems and inscriptions for the medal, and the presentation to Dr. Goddard's family, would be made by the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences, in behalf of the Congress.

Duplicate medals in bronze would be coined and sold by the Secretary of the Treasury.

Mr. President, it is entirely fitting that we should thus honor the memory of this American genius. His pioneering work in the development of rockets laid the basic groundwork for all of today's missiles and satellites.

It should be a great inspiration to all Americans—and especially our young boys and girls—that this dedicated man, working virtually alone and unnoticed, through sheer determination and devotion to his country, built the foundation for developments which are having, and will have a profound effect on the history of the world.

Mr. President, I ask unanimous consent to have placed in the RECORD at this point a biography of Dr. Goddard and a summary of his achievements.

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

BIOGRAPHY OF ROBERT HUTCHINGS GODDARD

Physicist; born in Worcester, Mass., October 5, 1882. Education: bachelor of science degree, Worcester Polytechnic Institute, 1908; master of arts degree, Clark University, 1910, doctor of philosophy degree, 1911, doctor of science degree, 1945. Married Esther Christine Kisk, June 21, 1924. Instructor, Worcester Polytechnic Institute, 1909–11, Princeton University, 1912–13; instructor and fellow in physics, 1914–15, assistant professor, 1915–19, professor, 1919–43, Clark University, also director of the physical laboratories. Leave of absence, 1930–32 and 1934–42, engaged in rocket research, under Daniel and Florence Guggenheim Foundation grants; director of research, Bureau of Aeronautics, Navy Department, 1942–45; consulting engineer, Curtiss-Wright Corp., 1943–45. Served as director of research, U.S. Signal Corps, Worcester Polytechnic Institute, and Mount Wilson Observatory, Calif., World War, 1918. Member of board of directors, American Rocket Society; fellow of the American Association for the Advancement of Science; member of the American Physical Society, American Meteorological Society, Institute of the Aeronautical Sciences, National Aeronautic Association, Geophysical Union, Sigma Xi, Sigma Alpha Epsilon. Home: Mescalero Ranch, Roswell, N. Mex., and Worcester, Mass. Died August 10, 1945.

SUMMARY OF ACHIEVEMENTS OF DR. ROBERT HUTCHINGS GODDARD

1. Dr. Robert Hutchings Goddard is the man whose 30 years of almost singlehanded research launched the age of rockets and guided missiles as surely as the Wright brothers launched the age of aircraft.

2. He left around 200 patents, many of them basic, in the field of rocketry and jet propulsion. There were also 22 volumes of painstaking records of his experiments and theories.

3. Dr. Goddard was the first and only rocket pioneer who was American and he was the first to undertake rocket research in the concrete sense.

4. As early as 1907 Dr. Goddard made what is believed to be the first suggestion for a gyrostabilizer for airplanes, a form of stabilizer which proved effective and was generally adopted.

5. During his early years he developed the mathematical principles of rocket motors and flight, and built and shot the world's first gyrocontrolled rocket.

6. In 1912 he began serious development of a problem which proved a lifelong interest, that of the theory and construction of single and multiple charge rockets, using dry and liquid fuel, for attainment of high altitudes.

7. Dr. Goddard was the first to develop a general theory of rocket action, including the important optimum velocity principle, showing that a rocket is not only a projectile but a motor of highest efficiency and greatest potentialities.

8. In 1914 he was granted two U.S. patents which are still basic to rocketry; the rocket nozzle designed for maximum thrust, and a combustion chamber and fuel system which covered the step-rocket principle. He used smokeless powder in the new nozzle and combustion chamber design, which burned at a high efficiency of 60 percent with exhaust velocity of over 6,000 feet per second. Thirty-five years after the firing of the test step-rocket the U.S. Army applied the same principles in a two-stage rocket which reached 250 miles above White Sands Proving Grounds.

9. By 1918 progress was such that he devised an exhaust jet designed so as to practically eliminate inefficiency in functioning, and in test shots a jet of burning exhaust gas achieved a velocity of 7,920 feet per second.

10. On the verge of World War I he offered the military a rocket weapon, new and adaptable. Dr. Goddard was working on the problem of housing the fuel for the rocket and methods to feed the fuel into the combustion chamber. Early in 1918 he demonstrated rockets at the Aberdeen Proving Grounds, showing a novel recoilless rocket launcher. The first successful military rocket was 1 inch in diameter and 18 inches long, propelled by a stick of solid nitroglycerine one-half inch in diameter, launched from a light tube about 4½ feet long. The military lost interest when World War I ended before the rockets could be put into mass production and the plans and models were safely stored away, to be reclaimed and launched as the bazooka in the Second World War.

11. About 6 months after leaving the military missile work Dr. Goddard reported on his work, and included tables of starting weights of rockets designed to attain altitudes of over 400 miles. The report was completed in May 1919 and published by Smithsonian Institute late in 1919 as a report on a "Method of Reaching Extreme Altitudes."

12. On March 16, 1926, with a few experts from Smithsonian watching, he tested a motor and rocket. The rocket went up and covered 184 feet at a speed of about 60 miles per hour. Historically this feat was without equal as it was the world's first liquid-fuel rocket ascent.

13. July 17, 1929, he set a rocket on a 60-foot launching tower he had constructed near Auburn, Mass. In the rocket nose, the instrument section, he had placed a barometer, a thermometer and a camera focused on the two measuring instruments, with the shutter release attached to a tripping device that would eject a parachute when the rocket reached its peak altitude and the camera would record the instrument readings at the highest flight point. The rocket rose 90 feet and nosed over and traveled horizonally 171 feet and returned to earth, the instruments unbroken and safe.

14. He was one of the great pioneers of rocketry, beginning when almost nobody had an inkling of the potentials of rockets and by the end of his career he had completed the groundwork on all essential features of

modern aerodynamically shaped liquid-propelled rockets. Almost singlehandedly he developed rocketry from a vague dream to one of the most significant branches of modern engineering. His scientific writings include "A Method of Reaching Extreme Altitudes" (1919), "On the Efficient Utilization of Solar Energy" (1929), and "Liquid-Propellent Rocket Development" (1936), as well as several articles for scientific publications.

In the course of his pioneering work, Dr. Goddard—

Was first to develop a rocket motor using liquid fuels (liquid oxygen and gasoline), anticipating the German V–2's about 15 years.

Was first to develop and shoot a liquid-fuel rocket (March 16, 1926, at Auburn, Mass.).

Was first to shoot a liquid-fuel rocket faster than the speed of sound (1935, near Roswell, N. Mex.)

First developed gyro steering apparatus for rockets, about 10 years before the Germans did it.

First used vanes in the blast of the rocket motor for steering rockets.

Received the first U.S. patent on the idea of multistage rockets.

First explored mathematically the practicality of using rocket power to reach high altitudes, and to shoot to the moon.

Was first to develop in detail the mathematical theory of rocket propulsion and rocket flight.

First proved, by actual test, that a rocket will work in a vacuum; that it needs no air to push against.

Developed and demonstrated the basic idea of the bazooka during World War I (1918), though his plans lay unused in the U.S. Army files until they were put to use in World War II.

First developed pumps suitable for rocket fuels, self-cooling rocket motors, variable-thrust rocket motors, practical rocket landing devices, and scientifically forecast jet-driven airplanes, rocketborne mail and express, and travel in space.

Mr. ENGLE. Mr. President, on behalf of the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], I ask unanimous consent to have printed in the RECORD at this point a statement prepared by him.

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

STATEMENT BY SENATOR JOHNSON OF TEXAS

As chairman of the Aeronautical and Space Sciences Committee, I heartily concur in the recommendation of my good friend from Virginia, the distinguished chairman of the Banking and Currency Committee, to authorize the issuance of a gold medal in honor of the late Dr. Robert Hutchings Goddard.

This award would honor the memory of the man whose 30 years of dedicated research developed rocketry from a vague dream to one of the most significant branches of modern science.

Dr. Goddard's almost singlehanded research launched the age of rockets and guided missiles as surely as the Wright brothers launched the age of aircraft. The accomplishments of this American pioneer are a mirror image of the development of rocketry.

Dr. Goddard left a priceless heritage of scientific achievement to his fellowmen, holding almost 200 patents in the field of rocketry and jet propulsion, including the first U.S. patent on the idea of multistage rockets. He left 22 volumes of painstaking records of his experiments and mathematical theories of rocket propulsion and rocket flight.

A few examples will serve to illustrate Dr. Goddard's foresight and accomplishment. In 1918 he demonstrated the first successful military rocket—which was to become decades later the famed bazooka of World War II. In 1926 he launched the world's first liquid-fuel rocket. He was the first to develop a rocket motor using liquid fuels, anticipating the German V–2 rockets of World War II by about 15 years. In 1935 he was the first to shoot a liquid-fuel rocket faster than the speed of sound.

Dr. Goddard served his country with distinction with the Signal Corps in World War I and with the Navy in World War II.

It is indeed fitting that the recognition now given to Dr. Goddard's work by scientists the world over should also be publicly acknowledged by his country.

I commend the distinguished chairman and members of the Banking and Currency Committee for their recommendation that this recognition should take place.

I join them in their belief that a gold medal to honor Dr. Goddard would be a fitting recognition.

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 19) was ordered to a third reading, was read the third time, and passed.

CORRECTION OF SECTION 5136 OF THE REVISED STATUTES

The joint resolution (H.J. Res. 493) making a technical correction in section 5136 of the Revised Statutes (relating to national banks) was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The bill (H.R. 163) to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. Commissioners for purposes of such act was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, the Civil Service Retirement Act extends coverage to U.S. Commissioners whose fees total $3,000 in each of 3 consecutive years.

Prior to July 1, 1945, the Government was on a 6-day week. U.S. Commissioners who have no fixed hours or days of duty were required to work 313 days to obtain 1 year of credit for retirement purposes—365 days minus 52 Sundays equals 313.

H.R. 163 provides that since July 1, 1945, U.S. Commissioners will receive credit at the rate of 1 year for each 260 days of service—52 weeks times 5 days each equals 260.

The effect of this change in law is to place the few U.S. Commissioners who qualify for credit on essentially the same basis as other Federal employees who since 1945 have been on a basic 5-day week or a 260-day year.

ABSENCE FROM DUTY BY CIVILIAN OFFICERS AND EMPLOYEES ON CERTAIN DAYS

The bill (H.R. 5752) to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes, was announced as next in order.

Mr. PROUTY. Mr. President, I wonder if we may have an explanation of the bill by the distinguished Senator from South Carolina [Mr. JOHNSTON].

Mr. JOHNSTON of South Carolina. Mr. President, this legislation does not establish any new or additional legal holidays. It does not give any Federal employee any right, privilege, or benefit not clearly intended under existing law. It will cause no interference or delay in the operations or services of any Government department or agency. The bill merely closes a gap in the law which has continued largely due to oversight and has been brought to special attention because, under existing law, hundreds of thousands of Federal employees would have received, except for a Presidential Executive order, only 6 days off to observe legal holidays in 1959 instead of the eight legal holidays which they had a right to expect and which many other Federal workers received because of variations in their workweeks and without the Presidential Executive order. Similar loss of holiday time off will recur in later years from time to time, by reason of the calendar days on which certain holidays happen to fall in such years. In short, the loss of holidays may be said to be due to accident of the calendar which was not taken into consideration when the Congress laid down the policy of eight legal holidays each year for Federal employees.

This legislation is recommended by the committee with full recognition that certain essential Government services must be provided for the workdays on which employees will be excused to observe legal holidays. Service to business and the public by the postal establishment, for instance, must be maintained, not only as a matter of public convenience and necessity but, also, to prevent the disruption of orderly and expeditious movement of the mails and overloading of storage facilities which would result were post offices and other facilities to be closed down on such days. These and similar necessary Government functions will not be interrupted as a result of this legislation. Management, of course, will take all possible measures to provide adequate service at a minimum cost through appropriate assignment of employees, the granting of compensatory time off where suitable, and careful planning of work schedules.

Mr. PROUTY. In other words, this measure would place in the law what the President already has authority to do?

Mr. JOHNSTON of South Carolina. Yes. He did it this year. There will not be another such instance for about 2 years.

Mr. PROUTY. I have no objection.

The PRESIDING OFFICER. Is there objection to present consideration of House bill 5752?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

INCREASE IN LIMITATION ON BASIC COMPENSATION OF CIVILIAN KEEPERS OF LIGHTHOUSES

The bill (H.R. 2245) to amend subsection 432(g) of title 14, United States

Code, to increase the limitation on basic compensation of civilian keepers of lighthouses was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2612) to amend the Small Business Act was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8599) to amend the Small Business Act, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2611) to amend the Small Business Investment Act of 1958, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

APPLICATION OF MERCHANT MARINE ACT OF 1936 TO CERTAIN FUNCTIONS RELATING TO FISHING VESSELS

The bill (S. 2481) to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit the efficient execution of functions relating to the issuance of Federal ship mortgage insurance on fishing vessels, pursuant to the Merchant Marine Act of June 29, 1936, as amended (49 Stat. 1985; 46 U.S.C., 1952 edition, sec. 1271 and the following), which functions relating to fishing vessels have been transferred to the Secretary of the Interior pursuant to the Fish and Wildlife Act of 1956, the Secretary of the Interior hereafter may exercise authority comparable to the authority of the Secretary of Commerce under the said Merchant Marine Act of 1936, including, but not limited to, the authority contained in the amendment to such Act of July 15, 1958 (72 Stat. 358).

Mr. LAUSCHE subsequently said: Mr. President, I ask unanimous consent that the Senate return to a discussion of Calendar No. 852, S. 2481.

The PRESIDING OFFICER. Without objection, the Senate will return to the consideration of Calendar No. 852, S. 2481.

Mr. LAUSCHE. Mr. President, is this the bill in which it is intended to give to the fishing industry subsidies provided by the Merchant Marine Act?

Mr. ENGLE. Mr. President, that is not the purpose of this bill. Another bill on the calendar has that purpose, and that bill was passed over.

Mr. LAUSCHE. I thank the Senator from California.

Mr. KEATING. Mr. President, I suggest, since the Senate has returned to the consideration of Calendar No. 852, S. 2481, that I did not object to its consideration. But I do have a request from the Senator that it go over for the purpose of being taken up on motion, on the ground that it is not calendar business. So I ask unanimous consent that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be placed on the calendar.

BILLS PASSED OVER

The bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and for other purposes, was announced as next in order.

Mr. KEATING. Over, not Consent Calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 155) to amend the Federal Property and Administrative Service Act of 1949, so as to permit donations of surplus property to libraries which are tax supported or publicly owned and operated, was announced as next in order.

Mr. KEATING. Over, not Consent Calendar business.

The PRESIDING OFFICER. The bill will be passed over.

ADJUSTMENTS IN ANNUITIES UNDER THE FOREIGN SERVICE RETIREMENT SYSTEM

The Senate proceeded to consider the bill (S. 1502) to provide for adjustments in the annuities under the Foreign Service retirement and disability system, which had been reported from the Committee on Foreign Relations, with an amendment, to strike out all after the enacting clause and insert:

That (a) The annuity of each retired officer who, on August 1, 1959, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or before July 31, 1959, shall be increased by 10 per centum.

(b) The annuity otherwise payable from the Foreign Service Retirement and Disability Fund to each survivor annuitant who, on August 1, 1959, is receiving or entitled to receive an annuity based on service which terminated on or before July 31, 1959, shall be increased by 10 per centum.

(c) The increases provided by subsections (a) and (b) of this section shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

SEC. 2. The annuity of each retired officer who, on or after August 1, 1959, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or after August 1, 1959, shall be increased on the first day of the first month which begins more than thirty days after the date of enactment of this Act or on the commencing date of annuity, whichever is later, in accordance with the following schedule:

If annuity commences between:	Annuity shall be increased by—
September 1, 1959 and June 30, 1960	6 per centum
July 1, 1960 and June 30, 1961	4 per centum
July 1, 1961 and June 30, 1962	2 per centum

SEC. 3. The annuity of any survivor annuitant who, on or after August 1, 1959, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or after August 1, 1959, shall be increased on the first day of the first month which begins more than thirty days after the date of enactment of this Act or on the commencing date of annuity, whichever is later, in accordance with the following schedule:

If annuity commences between:	Annuity shall be increased by—
September 1, 1959 and June 30, 1960	6 per centum
July 1, 1960 and June 30, 1961	4 per centum
July 1, 1961 and June 30, 1962	2 per centum

SEC. 4. No increase provided by the foregoing provisions of this Act shall be computed on any additional annuity purchased with voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

SEC. 5. Nothing contained in Public Law 85-882 shall operate to increase any annuity which commences on or after September 1, 1959.

SEC. 6. Section 5 of Public Law 503, Eighty-fourth Congress, is amended to read as follows:

"SEC. 5. In any case where a participant under the Foreign Service retirement and disability system died before August 29, 1954, leaving a widow who is not entitled to receive an annuity under the system and who is not receiving benefits under the Federal Employees' Compensation Act, the Secretary of State is authorized and directed to grant such widow an annuity of not to exceed $2,400 per annum."

The amendment was agreed to.

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

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement in support of the bill.

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

STATEMENT BY SENATOR SPARKMAN

S. 1502 seeks to do two things. First, it would provide a 10-percent increase in the annuities of retired Foreign Service officers and their survivors. Second, it would increase from $1,200 to $2,400 per year the amount of a gratuity which the Secretary of State is authorized to pay to widows of Foreign Service officers who have died leaving such widows without annuities under the Foreign Service retirement system, provided such widows are not receiving benefits under the Federal Employment Compensation Act.

Mr. President, this bill is very much needed. We are all aware of the adverse effect which inflation has upon retired people generally. Retired Government employees are no exception. Several cost-of-living increases in annuities of retired Government personnel have been made during the last few years. Retired Foreign Service officers have sometimes shared in these cost-of-living increases and sometimes not. At the moment retired Foreign Service personnel lag some 10 percent behind other civilian retired people in the receipt of these cost-of-living increases. S. 1502 will place retired Foreign Service personnel and their survivors in the same relative position as retired civil service employees. Mr. President, I regret that this bill will not fully

carry out the intent of Congress when it enacted the Foreign Service retirement and disability system. That system aimed at providing comfortable pensions for retired Foreign Service personnel. Inflation has frustrated that legislation objective and the 10-percent increase obtained in this bill will not fully undo the damage.

The original version of this 1502 would have gone a long way toward meeting the objective of the Foreign Service retirement system because it would have tied annuities of persons who have already retired to the annuities of those retiring now. There was objection to this and we have had to settle for less. The 10-percent across-the-board increase is fully supported by the administration.

I shall conclude, Mr. President, in quoting from the recommendation from the Committee on Foreign Relations on S. 1502.

"The Committee on Foreign Relations recommends that the Senate move to repair some of the damage done by inflation to the orderly and adequate retirement system previously established by law for Foreign Service personnel. Upward adjustment of 10 percent in Foreign Service annuities will place retired Foreign Service officers on a par with retired civil service employees. The committee accordingly recommends that the Senate approve S. 1502, as amended."

WONG SUE CHEE

The bill (S. 1696) for the relief of Wong Sue Chee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Strike out all after the enacting clause and insert: "That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Wong Sue Chee shall be held and considered to be the minor alien child of Eddie Huie, a citizen of the United States."

The amendment was agreed to.

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

HIRSH MARINSKI

The bill (S. 1822) for the relief of Hirsh Marinski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hirsh Marinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MILEVA LOVRIC

The bill (S. 2129) for the relief of Mileva Lovric was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mileva Lovric shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

SERGIUSZ RUDCZENKO

The Senate proceeded to consider the bill (S. 2319) for the relief of Sergiusz Rudczenko.

Mr. MORSE. Mr. President, I should like to have the attention of my junior colleague. I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On the first page, line 3, strike out "section 212 (a)(6)" and insert in lieu thereof "sections 212(a)(6) and 212(a)(15)".

On page 2, lines 3 and 4, strike out "this exemption shall apply only to a ground" and insert in lieu thereof the following: "these exemptions shall apply only to grounds".

At the end of the bill add the following new section:

"SEC. 2. Notwithstanding any other provisions of law, any condition or control which the Attorney General may deem necessary to impose pursuant to the provisions of the first section of this Act shall not be grounds for precluding the classification of Sergiusz Rudczenko as an immigrant under section 203(a)(1) of the Immigration and Nationality Act.

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

Mr. MORSE. I yield.

Mr. EASTLAND The amendment is acceptable, but the Immigration Service informs me that the bill is adequate as it is, and that the amendment would serve no purpose.

Mr. MORSE. The communications which I have received are to the effect that the bill is not adequate as it stands.

Mr. EASTLAND. The Immigration Service has informed the Immigration Subcommittee that the bill is adequate.

Mr. MORSE. Let me read to the Senator an excerpt from a letter which I have received from the Immigration and Naturalization Service, dated September 8, 1959.

The American Ambassador to Poland informed you on July 10, 1959, that an immigrant visa under the first preference portion of the quota for Poland will not be issued because of the beneficiary's inability to go to work at his profession while hospitalized, plus the possibility that the beneficiary may be excludable as likely to become a public charge. Therefore, it appears that the enactment of S. 2319 in its present form will not assure the beneficiary's admission to this country. As the son of a U.S. citizen, the beneficiary is entitled to fourth preference quota status under the quota for Poland with a registration date of November 12, 1958. According to the latest available information, immigrant visas are being issued to such aliens with a registration date prior to January 1, 1958. The district director of this Service at Portland, Oreg., has been instructed to advise and assist Mr. Rudczenko's father in filing a fourth preference visa petition for the beneficiary.

I shall ask to have placed in the RECORD a letter from the man's counsel, who asks for such an amendment. I am offering it only by request.

I wish now to read a paragraph from another communication, from the Ambassador to Poland:

If a private bill were passed in his behalf with the understanding that he would have to enter a sanitarium upon his arrival in the United States, he would no longer be entitled to first preference status since he would be unable to go to work.

The amendment which I have been asked to offer would cover this problem. The immigration authorities have told me that the amendment would clear up the entire situation.

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

Mr. MORSE. I yield.

Mr. EASTLAND. I should like to have the record show that the Immigration Service has informed the subcommittee of the letter which the Senator has received from the Ambassador to Poland. When the bill was reported on the 31st of August, the subcommittee was informed officially that the bill was adequate. We will accept the amendment, but I think the record should show that the subcommittee was informed officially on the 31st of August that the bill was adequate as it was.

Mr. MORSE. I do not question that. I only point out that, as of September 8, the Immigration authorities expressed to me a completely contrary position, and suggested that the amendment would help.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter dated July 10, which I received from the Ambassador to Poland; my letter to the chairman of the committee, dated July 30; my letter to the attorney for the individual involved, dated July 30; a letter which I received from the attorney, dated September 5; and a letter which I received from the Commissioner of Immigration dated September 8, in support of my amendment.

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

AMERICAN EMBASSY,
Warsaw, Poland, July 10, 1959.

The Honorable WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: I refer to your letter of July 1, 1959, regarding the immigrant visa case of Mr. Sergiusz Rudczenko, son of Mr. and Mrs. Mileti Rudczenko, of Portland. Mr. Rudczenko and his family are applicants under the first-preference portion of the Polish quota and they are being sponsored by Gotteland & Koczarski, architects, 325 Second and Cherry Building, Seattle, Wash.

Mr. Rudczenko was born in Brzesc nad Bugiem, Poland, on August 16, 1930. He is presently residing at Narutowicza 35/8, Lodz, Poland. On January 26, 1955, he married Irena Markiewicz, who was born in Pruzana, Poland, on October 1, 1933. They have a daughter, Malgorzata, who was born in Lodz, Poland, on January 21, 1956. Neither Mr. Rudczenko nor his wife were previously married.

Mr. Rudczenko is a building engineer and he graduated from the Evening School of

Engineering in Lodz, Poland, in 1955. He was found ineligible to receive a visa to the United States as of January 2, 1959, under section 212(a)(6) of the Immigration and Nationality Act because of pulmonary tuberculosis. His application can be reconsidered in January 1960.

If a private bill were passed in his behalf with the understanding that he would have to enter a sanatorium upon his arrival in the United States, he would no longer be entitled to first-preference status, since he would be unable to go to work. He and his family would then have to be considered under the nonpreference portion of the Polish quota, with a registration date of November 12, 1958, the date on which the first-preference visa petition was filed in their behalf. At the present time, the nonpreference portion of the Polish quota is heavily oversubscribed and the Embassy is unable to issue visas to applicants in this category who were registered after June 30, 1947.

If the private bill authorizes the issuance of visas to this family ahead of their turn on the quota waiting list, the possibility would still arise as to their ineligibility under section 212(a)(15) of the Immigration and Nationality Act as persons who are likely to become public charges, since no information has been submitted to the Embassy as to how Mr. Rudczenko's sanatorium expenses would be met and how his wife and child would be supported until such time as he would be released from the sanatorium and would be able to work to support his family.

I wish to assure you that if a private bill is passed which takes care of all the disqualifications mentioned above, the Embassy would process this family's visa application as expeditiously as possible.

Your continued interest has been noted.

Very truly yours,

JACOB D. BEAM,
Ambassador.

JULY 30, 1959.

Re S. 2319.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: In June of this year Mr. Samuel M. Suwol, an attorney of Portland, Oreg., discussed with me the problems that have been experienced by Mr. Sergiusz Rudczenko in obtaining admission for permanent residence in the United States.

On July 1, I wrote to Mr. Suwol advising of my interest in the matter and informing him that before taking further action I would await the report from the American Consul at Warsaw, as well as the receipt of affidavits to be supplied by Mr. Rudczenko's sponsors. However, on the same date—July 1, 1959—Senator NEUBERGER introduced a bill for the relief of Sergiusz Rudczenko, S. 2319.

In response to my request, Ambassador Beam replied to my inquiry concerning the status of Mr. Rudczenko's case. A copy of the Ambassador's letter, dated July 10, is enclosed.

The statement appearing on page 2 of the Ambassador's report, with reference to possible ineligibility of Mr. Rudczenko and his family under section 212(a)(15) of the Immigration and Nationality Act, caused me a great deal of concern. For this reason, I discussed the case with legislative counsel. After thoroughly reviewing the matter legislative counsel advised that the adoption of the enclosed amendment to the bill S. 2319 would eliminate any obstacle that might exist under section 212(a)(15) if the proposed relief bill should be enacted.

I urge your serious consideration to the inclusion of the amendment set forth on the attached page.

Sincerely yours,

WAYNE MORSE.

JULY 30, 1959.

Re S. 2319.
Mr. SAMUEL M. SUWOL,
Attorney at Law,
Portland, Oreg.

DEAR MR. SUWOL: Supplementing my letter of July 10, I enclose a copy of a report addressed to me by Ambassador Beam with respect to the immigration status of Mr. Sergiusz Rudczenko.

You will note that on page 2 of the Ambassador's report, the possible application of section 212(a)(15) of the Immigration and Nationality Act is discussed. I was concerned over the possibility that, if the bill was not amended to correct the specific matter, a problem of some consequence might confront Mr. Rudczenko at some time in the future. Therefore, after consultation with legislative counsel, I wrote to Senator EASTLAND suggesting the inclusion of my amendment to S. 2319. A copy of my letter to Senator EASTLAND and a copy of the proposed amendment are enclosed.

If you have any questions or comments concerning the amendment, I shall be glad to hear from you. In the meantime, I shall be pleased to do everything possible to obtain speedy enactment of legislation to assist Mr. Rudczenko and his family.

With kindest regards,

Sincerely,

WAYNE MORSE.

PORTLAND, OREG., *September 5, 1959.*
Re Sergiusz Rudczenko, S. 2319.
Hon. WAYNE MORSE,
U.S. Senator from Oregon,
Washington, D.C.

DEAR MR. SENATOR: Thank you for your kind letter and copy of Report No. 842 of Senate Judiciary Committee on S. 2319.

The thing that troubles me is the following: "Reports favorably thereon without amendment."

As you have written me and the memo from Ambassador Beam indicates, the effect of the passage of the bill without the amendment you proposed would forfeit the first preference status of this young man.

Would you then be so kind as to submit the amendment on the floor of the Senate so that this young man will not lose his first preference? If he loses his first preference he won't be able to come in.

Cordially,

SAM SUWOL.

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND
NATURALIZATION SERVICE,
Washington, D.C., September 8, 1959.
Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This refers to your interest in the case of Sergiusz Rudczenko, beneficiary of S. 2319, 86th Congress.

S. 2319 would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who are afflicted with tuberculosis in any form, or with leprosy, or any dangerous contagious disease, and would authorize the issuance of a visa and the beneficiary's admission into the United States for permanent residence, if he is otherwise admissible under that act. It would also direct that his admission be under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the U.S. Public Health Service, Department of Health, Education, and Welfare, may deem necesary to impose. The bill would further require that a bond be deposited to insure that the beneficiary shall not become a public charge. It limits the exemption granted the beneficiary to a ground for exclusion known to the Department of State or the Department of Justice prior to the date of its enactment.

The American Ambassador to Poland informed you on July 10, 1959, that an immigrant visa under the first preference portion of the quota for Poland will not be issued because of the beneficiary's inability to go to work at his profession while hospitalized, plus the possibility that the beneficiary may be excludable as likely to become a public charge. Therefore, it appears that the enactment of S. 2319 in its present form will not assure the beneficiary's admission to this country. As the son of a U.S. citizen, the beneficiary is entitled to fourth preference quota status under the quota for Poland with a registration date of November 12, 1958. According to the latest available information, immigrant visas are being issued to such aliens with a registration date prior to January 1, 1958. The district director of this Service at Portland, Oreg., has been instructed to advise and assist Mr. Rudczenko's father in filing a fourth preference visa petition for the beneficiary.

Sincerely,

J. M. SWING,
Commissioner.

Mr. EASTLAND. We accept the amendment.

Mr. NEUBERGER. Mr. President, like the distinguished chairman of the Judiciary Committee, I was also informed by the Immigration Service that the amendment offered by my colleague was not necessary to the purposes of the bill. However, like the chairman of the committee, I have no objection whatsoever to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of sections 212(a)(6) and 212(a)(15) of the Immigration and Nationality Act, Sergiusz Rudczenko may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *Provided further,* That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

SEC. 2. Notwithstanding any other provisions of law, any condition or control which the Attorney General may deem necessary to impose pursuant to the provisions of the first section of this Act shall not be grounds for precluding the classification of Sergiusz Rudczenko as an immigrant under section 203(a)(1) of the Immigration and Nationality Act.

ACQUISITION OF LAND IN VICINITY OF ANY FEDERAL PENAL INSTITUTION

The bill (S. 2347) to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f) to authorize the Attorney General to acquire land in

the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f) is amended by inserting the words "or in the vicinity of" immediately following the words "adjacent to".

Mr. ENGLE subsequently said: Mr. President, I ask unanimous consent that the Senate reconsider the vote by which Calendar No. 860, S. 2347, was passed, for the purpose of considering the House bill.

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

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

The PRESIDING OFFICER. The Chair informs the Senator from California that the House bill is not at the desk. The Parliamentarian has advised the Chair that there is no House bill on this subject at the desk.

Mr. ENGLE. I withdraw my request.

The PRESIDING OFFICER. The Senator from California withdraws his request.

The bill (S. 2347) was ordered to be engrossed for a third reading, read the third time, and passed.

BERNARDINE LOVSE (NADICA LOVSE)

The Senate proceeded to consider the bill (S. 2321) for the relief of Bernardine Lovse (Nadica Lovse), which had been reported from the Committee on the Judiciary, with an amendment in line 8, after the word "natural", to strike out "parents" and insert "mother", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Bernardine Lovse (Nadica Lovse), shall be held and considered to be the natural-born alien child of Andy Hocevar and Jennie Hocevar, citizens of the United States: *Provided,* That the natural mother of the said Bernardine Lovse (Nadica Lovse) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

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

RICHARD PETER GUSTAV BREDEE AND GEORGE EDWARD BREDEE

The Senate proceeded to consider the bill (S. 231) for the relief of Richard Peter Gustav Bredee and George Edward Bredee, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the immigration and nationality laws, Patricia Crouse Bredee shall be held and considered to have resided in and to have been physically present in the United States for a period of five years after she had attained the age of sixteen years.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill for the relief of Patricia Crouse Bredee."

BILL PASSED OVER

The bill (H.R. 1665) for the relief of Mrs. Vassiliki P. Theodorou was announced as next in order.

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PROUTY subsequently said: Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 863, H.R. 1665, which was previously passed over.

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

The CHIEF CLERK. A bill (H.R. 1665) for the relief of Mrs. Vassiliki P. Theodorou.

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

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

Mr. PROUTY. Mr. President, I have no objection to the bill.

The PRESIDING OFFICER. The objection is withdrawn.

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

CECIL E. FINLEY

The bill (H.R. 2946) for the relief of Cecil E. Finley was considered, ordered to a third reading, read the third time, and passed.

Mr. PROUTY subsequently said: Mr. President, I ask unanimous consent that the Senate reconsider the vote by which Calendar No. 864, H.R. 2946, was passed.

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

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ADDITIONAL PEREMPTORY CHALLENGES IN CIVIL CASES

The bill (H.R. 2978) to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants was considered, ordered to a third reading, read the third time, and passed.

HARRY AND LILY STOPNITSKY

The bill (H.R. 3801) for the relief of Harry and Lily Stopnitsky was considered, ordered to a third reading, read the third time, and passed.

MUKHTAR MOHAMMED

The bill (H.R. 3816) for the relief of Mukhtar Mohammed was considered, ordered to a third reading, read the third time, and passed.

SCOTTY JAMES, OF SITKA, ALASKA

The bill (H.R. 4134) to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine and render judgment upon the claim, or claims, of Scotty James, of Sitka, Alaska, was considered, ordered to a third reading, read the third time, and passed.

CLARA H. HALL

The bill (H.R. 5873) for the relief of Clara H. Hall was considered, ordered to a third reading, read the third time, and passed.

MRS. WILLIE SOHER

The bill (H.R. 7745) for the relief of Mrs. Willie Soher was considered, ordered to a third reading, read the third time, and passed.

HAROLD WILLIAM ABBOTT AND OTHERS

The Senate proceeded to consider the bill (H.R. 8277) for the relief of Harold William Abbott and others, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 10, after the initials "A. D.", to strike out "Smith" and insert "Smirch".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 182) referring to S. 2496 to the Court of Claims was announced as next in order.

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

SYLVESTER L. GARDNER

The Senate proceeded to consider the bill (H.R. 7225) for the relief of Sylvester L. Gardner, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 15, after the word "Act", to strike out "in excess of 10 per centum thereof".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ADVISORY COMMITTEE ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

The bill (H.R. 8461) to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on

International Rules of Judicial Procedure was considered, ordered to a third reading, read the third time, and passed.

ADJUSTMENT OF CERTAIN IRRIGATION CHARGES AGAINST NON-INDIAN-OWNED LANDS

The bill (H.R. 839) to approve an order of the Secretary of the Interior adjusting certain irrigation charges against non-Indian-owned lands under the Wapato Indian Irrigation project, Washington, was considered, ordered to a third reading, read the third time, and passed.

DONATION OF CERTAIN LAND TO THE NEZ PERCE TRIBE OF IDAHO

The Senate proceeded to consider the bill (S. 2379) to donate to the Nez Perce Tribe of Idaho, 11.25 acres of Federal land in Idaho County, Idaho, which had been reported from the Committee on Interior and Insular Affairs, with an amendment in line 4, after the word "land", to insert "and improvements thereon", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following-described land and improvements thereon, formerly known as the Kamiah Day School Reserve, is hereby declared to be held by the United States of America in trust for the Nez Perce Tribe: South half east half north half, east half south half, east half west half south half of lot 11, section 7, township 33 north, range 4 east, Boise meridian, in Idaho County, Idaho, containing 11.25 acres.

The amendment was agreed to.

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

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me on Calendar No. 880, Senate bill 2379.

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

STATEMENT BY SENATOR MORSE

S. 2379 would authorize the gratuitous conveyance of 11.25 acres of Federal land situated in what is known as the Kamiah Reserve.

The property would be used by the Indians for the benefit of the tribal membership.

The conveyance is not subject to objection under the Morse Formula; it represents a carrying out of trust obligations with respect to our American Indians.

EQUALIZATION OF ALLOTMENTS ON THE AGUA CALIENTE RESERVATION, CALIF.

The bill (H.R. 8587) to provide for the equalization of allotments on the Agua Caliente Reservation in California, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF TRUST INTERESTS IN TRIBAL LANDS

The Senate proceeded to consider the bill (S. 1352) to authorize enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., to acquire trust interests in tribal lands of the reservation, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, at the beginning of line 4, to strike out "Fort Berthold"; in line 6, after the word "authorized", to insert "notwithstanding the provisions of the constitution of the Three Affiliated Tribes", and on page 2, line 4, after the word "owner", to insert "or in the name of the individual Indian owner without restriction, as determined by the Secretary of the Interior"; so as to make the bill read:

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, with the consent of the Tribal Business Council, of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota, is hereby authorized, notwithstanding the provisions of the constitution of the Three Affiliated Tribes, to dispose of tribal lands within the boundaries of such reservation to any enrolled member of the Three Affiliated Tribes of the Fort Berthold Reservation upon such terms and conditions as the Secretary may prescribe. Title to any land conveyed under this Act shall be taken in the name of the United States in trust for the individual Indian owner, or in the name of the individual Indian owner without restriction, as determined by the Secretary of the Interior.

The amendments were agreed to.

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

The title was amended so as to read: "A bill to authorize enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota, to acquire tribal lands of the reservation, and for other purposes."

USE OF FUNDS IN FAVOR OF THE KIOW, COMANCHE, AND APACHE TRIBES IN OKLAHOMA

The bill (S. 2085) to authorize the use of funds arising from a judgment in favor of the Kiow, Comanche, and Apache tribes of Indians in Oklahoma, for the purposes, was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 891, H.R. 7437, an identical House bill.

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

The CHIEF CLERK. A bill (H.R. 7437) to authorize the use of funds arising from a judgment in favor of the Kiow, Comanche, and Arapaho Tribes of Indians of Oklahoma, and for other purposes.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2085 is indefinitely postponed.

SALE OF CERTAIN LAND OWNED BY THE CREEK TRIBE OF INDIANS

The bill (S. 2485) to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 892, H.R. 8514, an identical bill.

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

The CHIEF CLERK. A bill (H.R. 8514) to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2485 is indefinitely postponed.

DIVISION OF TRIBAL ASSETS OF THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA

The bill (S. 2596) to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the Tribe and for the purposes, was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 895, H.R. 6128, an identical bill.

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

The CHIEF CLERK. A bill (H.R. 6128) to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe, and for other purposes.

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

There being no objection, the bill was considered, ordered to third reading, read the third time, and passed.

The PRESIDING OFFICER. Senate bill 2596 is indefinitely postponed.

LEASING OF INDIAN LANDS

The bill (S. 2565) to amend the act of August 9, 1955 (69 Stat. 539), relating to leases of Indian lands, was announced as next in order.

Mr. ANDERSON. Mr. President, on the calendar, as No. 940, is the bill, H.R. 6672, which includes subject matter in S. 2565. I ask unanimous consent that the Senate proceed to consider H.R. 6672, and that the language in H.R. 6672 be stricken and that the language of S. 2565 be substituted therefor, and that the Senate pass the House bill as thus amended.

Mr. KEATING. Mr. President, may I inquire of the distinguished Senator from New Mexico whether calendar 940, H.R. 6672, is an identical bill?

Mr. ANDERSON. It is not.

Mr. KEATING. It has been represented to us that the call of the calendar

would be terminated at No. 938. Therefore, the bills following that number are bills which we have not had an opportunity to consider. Another calendar call will be held tomorrow morning, and if it would be satisfactory to the Senator from New Mexico, I suggest that we take the House bill up at that time.

Mr. ANDERSON. I prefer to pass the Senate bill. I was merely trying to expedite matters in the final few days. If we could pass the House bill as amended by the Senate language, we could immediately go to conference.

Mr. KEATING. I have no objection to the Senate bill. If the Senator does not intend to object in any way, I think that would be satisfactory.

Mr. ANDERSON. I think it fair to say that I thought the decision to terminate the call of the calendar at No. 938 was based upon the fact that reports on bills following that number were not available. The House report on Calendar No. 940, H.R. 6672, is available.

Calendar No. 940, House bill 6672, is available. The House bill relates to only one tribe, whereas the Senate bill relates to three tribes.

Mr. KEATING. The House bill is available; but the members of the calendar committee have not had an opportunity to examine it—or, more properly, I should say the staff has not had an opportunity to do so. Therefore, I did not wish to pass on a measure which I should have examined.

Mr. ANDERSON. I only wish to make plain that I believe we should strike out all after the enacting clause of the House bill, and substitute the language of the Senate bill, so that the language of Calendar No. 886, Senate bill 2565, will be before the Senate.

Mr. KEATING. In other words, use the House bill number, but the Senate bill text; is that the Senator's proposal?

Mr. ANDERSON. Exactly.

Mr. ENGLE. Mr. President, reserving the right to object, let me inquire of the Senator from New Mexico whether he intends to ask that the language of the House bill be inserted in the Senate bill, in lieu of the present text of the Senate bill.

Mr. ANDERSON. No; I intend to move that all after the enacting clause of the House bill be stricken out, and that the text of the Senate bill be inserted, in lieu thereof.

Mr. ENGLE. Then I object.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 940, House bill 6672; and if that consent is given, I shall ask that all after the enacting clause of the bill be stricken out, and that the text of Senate bill 2565, Calendar No. 886, as proposed to be amended, be inserted, in lieu thereof.

Mr. ENGLE. However, the Senate bill relates to three tribes, whereas the House bill relates to only one tribe.

I understand that the chairman of the House Committee on Indian Affairs wishes to hold hearings on the Seminole Tribe, which is covered by the Senate bill.

I do not wish to obstruct the taking of action on the Senate bill, but I do not want to see the House bill included in the package and then have the entire package fail of enactment. I make this statement because the chairman of the House committee has given us to understand that he will not be willing to have the House proceed with the package bill until his committee has held hearings on the Seminole Tribe.

Mr. ANDERSON. The Senator from California was formerly, when he was a Member of the House, chairman of the House Committee on Indian Affairs. He was its chairman for a long time, and he is familiar with the practice there.

Our purpose is to have both bills go to conference and then see what the conferees will do.

The chairman of the House committee certainly would be a member of the conference committee, and at that time he could make such suggestions as he might wish to make.

Mr. ENGLE. That is true. However, inasmuch as the chairman of the House Committee on Indian Affairs has already said he would not be willing to proceed with the bill relating to the Seminoles without holding hearings, we would make a conference on that bill impossible, and, in that event, we would have lost our opportunity to have a bill on this subject enacted into law.

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

Mr. ENGLE. I yield.

Mr. KEATING. Apparently the Senator from New Mexico is a three-tribe man, not a one-tribe man.

I believe I share his views in regard to being a three-tribe man, not a one-tribe man.

I prefer the language of the Senate bill, and I have no objection to that bill.

Mr. ENGLE. I have no objection, either.

Mr. KEATING. Then why not have the Senate pass the Senate bill, and have it go to conference; and if the conference breaks up, that will not be our problem.

Mr. ANDERSON. Precisely.

I merely say that in the conference there may be objection to including in the bill the provisions in regard to the Seminole Tribe.

But I understand there was no objection to the position taken here in regard to House bill 6672; and I certainly have no objection to it.

Then we would succeed with respect to taking action in regard to two of the tribes, even though we might not succeed in taking action in regard to the Seminoles.

Mr. KEATING. Mr. President, the Senator from New Mexico is always a strong conferee, and it would not be likely that he would recede from the position taken by the Senate. But if he found that he had to do so, we would still succeed in taking action in regard to two of the three tribes.

Mr. ENGLE. I understand there is no objection insofar as the Navajos are concerned.

Mr. ANDERSON. That is correct.

Of course, my interest in having a conference in this connection is that in the conference the conferees might succeed in taking action in regard to two of the three tribes, whereas otherwise, at this late date, we might not accomplish anything in this connection.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of Calendar No. 940, House bill 6672.

Mr. ENGLE. I withdraw my objection.

Mr. ANDERSON. Mr. President, a parliamentary inquiry: Is it understood that the action we propose is that all after the enacting clause of House bill 6672 be stricken out, and that there be inserted, in lieu thereof, the text of Senate bill 2565, Calendar No. 886? I do not wish there to be any misunderstanding by my good friend, the Senator from California.

Mr. ENGLE. That is what I understood.

Mr. ANDERSON. And my request is to strike out all after the enacting clause of the House bill, and to insert, in lieu thereof, the text of Senate bill 2565, as proposed to be amended.

Mr. ENGLE. That is my understanding. I also understand that if the bill goes to conference and if there is objection to the inclusion of the provisions in regard to the Seminoles, the Senator from New Mexico, as one of the conferees, will be willing to drop out the provisions in regard to the Seminoles, and to include only the provisions in regard to the Navajos and the Agua Calientes, and to have the bill with the inclusion of those provisions go to the White House.

Mr. ANDERSON. That is my agreement; I have made that statement publicly, and I will stand by it.

Mr. ENGLE. Very well; I have no objection.

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

There being no objection, the Senate proceeded to consider the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation.

Mr. ANDERSON. Mr. President, I ask unanimous consent that all after the enacting clause of House bill 6672 be stricken out, and that the text of Calendar No. 886, Senate bill 2565, as proposed to be amended by the committee, be inserted in lieu thereof.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 6672) was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2565 will be indefinitely postponed.

MINUTE MAN NATIONAL HISTORICAL PARK, MASS.—BILL PASSED OVER

The bill, H.R. 5892, to provide for the establishment of Minute Man National

Historical Park, in Massachusetts, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. ENGLE subsequently said: Mr. President, I ask unanimous consent that the vote by which House bill 5892 was passed be reconsidered; and that the Senate return to the consideration of that bill.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. ENGLE. Mr. President, I interpose objection to consideration of the bill at this time; and I ask that the bill go over, as not being calendar business.

Mr. SALTONSTALL. Mr. President, I have talked to the Senator from California. I understand that he will not object if the bill is brought up by motion, following the calendar.

Mr. ENGLE. That is correct. Personally, I have no objection at all to the bill.

Mr. SALTONSTALL. Very well.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

ACQUISITION OF CERTAIN PROPERTY TO BE INCLUDED IN THE INDEPENDENCE NATIONAL HISTORICAL PARK

The bill (H.R. 6781) to authorize the Secretary of the Interior to acquire certain additional property to be included in the Independence National Historical Park was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN PROPERTY TO W. A. NOLEN AND WILEY W. WALKER IN YALOBUSHA COUNTY, MISS.

The bill (H.R. 1735) to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker was announced as next in order.

Mr. MORSE. Mr. President, reserving the right to object—although I shall not object—I ask unanimous consent that a statement which I have prepared in regard to the bill, in connection with the Morse formula, be printed at this point in the RECORD.

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

STATEMENT BY SENATOR MORSE

H.R. 1735 is designed to do equity on behalf of persons in possession of certain public lands under color of title.

According to Senate Report No. 858, the 40-acre tract in question was taken by the State of Mississippi for alleged delinquent taxes in 1933, and was deeded by the State to predecessors in interest of Messrs. Nolen and Walker.

Nolen and Walker have been in possession and have improved the property, particularly through the planting of pine seedlings.

The report of the Department of the Interior indicates it has no objection to the proposed conveyance, provided the claimants meet the terms and conditions of the Color of Title Act.

H.R. 1735, as passed by the House of Representatives, contains the color of title provision.

In view of the fact that the bill is designed to do equity and to bring the case within the provisions of the color of title law, the proposed transfer is not objectionable under the Morse formula.

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

There being no objection, the bill (H.R. 1735) was considered, ordered to a third reading, read the third time, and passed.

QUIET TITLE AND POSSESSION TO CERTAIN REAL PROPERTY

The bill (H.R. 4714) to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo., was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared on this bill, in regard to the relationship of the bill to the Morse formula.

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

STATEMENT BY SENATOR MORSE

This bill is designed to remove a cloud on a title of 10 acres of land inadventently included by the United States in a declaration of taking of certain land in the 1940's for use as the Rocky Mountain Arsenal, Colo.

In view of the fact that the Government has no interest in this land, no violation of the Morse formula is involved.

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

There being no objection, the bill (H.R. 4714) was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 910) 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, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with Calendar No. 893, Senate bill 910, four letters which I have received from county judges in Oregon, in support of the bill.

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

YAMHILL COUNTY,
COUNTY COURT,
McMinnville, Oreg., August 27, 1959.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: I would like to take this opportunity to urge your support of S. 910 dealing with payment in lieu of taxes and urge you to contact the following members of the Senate Government Operations Committee: MCCLELLAN, of Arkansas, chairman; JACKSON, of Washington; ERVIN, of North Carolina; HUMPHREY, of Minnesota; GRUENING, of Alaska; MUNDT, of South Dakota; CURTIS, of Nebraska; CAPEHART, of Indiana; and MUSKIE, of Maine.

Sincerely yours,

GUY SHUMWAY,
Commissioner.

JOSEPHINE COUNTY, OREG.,
COUNTY COURT,
Grants Pass, Oreg., March 3, 1959.

Hon. WAYNE MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: It has been called to the attention of the Josephine County Court that Senator HUMPHREY, of Minnesota, has introduced Senate bill 910 which provides for payment in lieu of taxes on Government property at the local level.

We have discussed this bill and are certainly in favor of the provisions of the bill. I am sure that you are fully aware of the problems that local government have when called upon to give the ordinary local services—school, road, street lighting, sewage disposal, local law enforcement—all that are necessary at the local level with only part of the property on the local tax base.

We hope that you will see fit to actively support this bill and see that it is passed at this session of Congress.

With kindest personal regards.

Very truly yours,

RAYMOND A. LATHROP,
County Judge.

HOOD RIVER COUNTY COURT,
Hood River, Oreg., February 13, 1959.

The Honorable WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: We need all the support we can get on Senate bill 910. Any assistance you can give will be appreciated.

Sincerely yours,

GEORGE W. KRIEG,
County Commissioner.

BAKER COUNTY,
Baker, Oreg., February 10, 1959.

Hon. WAYNE MORSE,
U.S. Senator for Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I would appreciate very much if you would take a few minutes of your time and look at S. 910 bill. This is the bill that has to do with payments in lieu of taxes.

The Association of Oregon Counties has been the leader in trying to get a payments-in-lieu-of-taxes bill enacted. In recent years the National Association of County Officials has also supported this measure.

If this bill is one that you could support, I would appreciate if you would do so. If this bill is to your liking, I am sure it will lend tremendous influence to it if you cosponsor it.

Any help that you could give us in this matter would be greatly appreciated.

Sincerely,

LLOYD REA,
County Judge.

BILLS INDEFINITELY POSTPONED

The bill (H.R. 6249) to liberalize the tariff laws for works of art and other exhibition material, and for other purposes, was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. ENGLE. Mr. President, will the Senator from New York yield to me?

Mr. KEATING. I yield.

Mr. ENGLE. The language of this bill is already covered by a bill which presently is at the White House, and we understand it will be signed by the President.

I would ask unanimous consent that this bill be indefinitely postponed, and also that Calendar No. 765, which deals with a similar matter, likewise be indefinitely postponed.

Mr. KEATING. Is this the bill which was discussed at such length and with such vigor and enthusiastic oratory, in connection with the subject of wood moldings?

Mr. ENGLE. Yes; and the Senator from New Mexico also participated in that debate.

Let me say that our meritorious provision in that bill was stricken out by means of an amendment of the distinguished Senator from Texas [Mr. YARBOROUGH], although over our vigorous protests. Nevertheless, that provision was stricken out of the bill.

The bill is now at the White House. Therefore, this bill is unnecessary.

The PRESIDING OFFICER. Without objection, House bill 6249 will be indefinitely postponed.

Mr. ENGLE. I make the same request in regard to Calendar No. 765.

The PRESIDING OFFICER. Without objection, Calendar No. 765, House bill 4576, to suspend for a temporary period the duty on book bindings and covers imported by certain institutions, will likewise be indefinitely postponed.

BILL PASSED OVER

The bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States, was announced as next in order.

Mr. ENGLE. By request, I ask that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. ANDERSON. Mr. President, let me say that I think I concur with the position of the Senator from California, in that the bill may not be calendar business.

The able Senator from Iowa [Mr. HICKENLOOPER], formerly a member of the Joint Committee on Atomic Energy, and I have discussed this matter many times. The Senator from Iowa thought it might be possible to have the bill passed during the call of the Consent Calendar.

I have no objection to the attitude taken by the able Senator from California. I only suggest that there might be some question whether the next measure on the calendar would also need to go over.

Mr. ENGLE. I have no personal objection; but I have received from another Senator a request that the bill go over.

Mr. ANDERSON. I recognize that; and I have no criticism of the action taken.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

The Senate proceeded to consider the bill (S. 2569) to amend the Atomic Energy Act of 1954, as amended, which had been reported from the Committee on Atomic Energy, with amendments, on page 1, line 3, after the word "That", to strike out "section 91 of the Atomic Energy Act of 1954, as amended, is amended by adding the following subsection d.:

"'d. Notwithstanding any other provision of this Act, in the event there is a delivery to the Department of Defense, pursuant to subsection b. (1) of this section, or manufacture, production, or acquisition by the Department of Defense, pursuant to subsection b. (2) of this section, in accordance with a directive issued by the President under subsection b. of this section, the President may, to the extent he deems necessary in the national interest, authorize the Department of Defense to establish and prescribe standards or instructions applicable to special nuclear material or atomic weapons so delivered or atomic weapons or utilization facilities so manufactured, produced, or acquired, in order to protect health and minimize danger to life or property.'"; on page 2, at the beginning of line 7, to strike out "SEC. 2. Subsection" and insert "subsection", and at the beginning of line 11, to change the section number from "3" to "2"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 161 m. of the Atomic Energy Act of 1954, as amended, is amended by striking out "Section 103 or 104" and inserting in lieu thereof "Section 103, 104, 53 a. (4), or 63 a. (4)".

SEC. 2. Section 163 of the Atomic Energy Act of 1954, as amended, is amended by inserting after the words "from receiving compensation" the following words "from a source other than a nonprofit educational institution".

The amendments were agreed to.

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

Mr. ANDERSON. Mr. President, I ask unanimous consent that I may file a statement in connection with this bill, which may be helpful in understanding it, and I ask unanimous consent that it may be printed in the RECORD at this point.

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

AMENDMENTS TO SECTION 161 AND SECTION 163—STATEMENT BY SENATOR ANDERSON

S. 2569 is a bill recommended by the Joint Committee on Atomic Energy to make two minor amendments to the Atomic Energy Act of 1954, as amended. The purpose of the amendments is explained in the committee report (S. Rept. No. 871) which also includes as an appendix, a statement by AEC Chairman John A. McCone, indicating the reasons why the AEC had requested these amendments.

As indicated by the committee amendments, the Joint Committee deleted section 1 of the bill because the committee concluded that more consideration is needed by the AEC and the Department of Defense on the subject matter covered by the original section 1. The two agencies have been requested to review the subject of their respective responsibilities for safety of nuclear materials, atomic weapons, and military reactors under the control of the Department of Defense and to present a report to the Joint Committee for further consideration during the next session of Congress.

Section 1 of the bill as reported out (original sec. 2) amends subsection 161m of the Atomic Energy Act to authorize the Commission to enter into agreements for the performance of certain services by the Commission with material licensees, as well as with facility licensees, as presently authorized by the act. Mr. McCone testified that it would be a convenience both to the industry and to the Commission if the Commission could enter into such agreements with material licensees, or fuel suppliers.

Section 2 of the bill as reported out (sec. 3 of the original bill) amends section 163 of the act to provide that members of AEC advisory committees, particularly the General Advisory Committee, will not be subject to conflict of interest statutes merely because of compensation received from nonprofit educational institutions.

The reasons for the recommended amendments, as well as the AEC statement in support thereof, are set forth in the committee report.

Mr. President, I urge all members to pass this bill, as amended by the Joint Committee.

BILL PASSED OVER

The bill (S. 1892) to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma, was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF RECLAMATION PROJECT ACT OF 1939—BILL PASSED OVER

The bill (H.R. 1778) to amend section 17(b) of the Reclamation Project Act of 1939 was announced as next in order.

Mr. KEATING. Over.

Mr. ANDERSON. Mr. President, I wonder if the Senator from New York will withhold his objection for just a moment. This bill may not be calendar business. I merely desire to say that year after year after year, time after time after time, we have presented this measure, every 2 or 3 years. This is certainly as nonpolitical a bill as I have seen. We have trusted Secretaries of the Interior and, without exception, they have handled the trust in admirable fashion. I will not question the Senator from New York if he thinks it is not calendar business. I only say we do this every 2 or 3 years. It occurred to the Committee on Interior and Insular Affairs it might be well to do this once and for all, and forget it. The Secretary concurs in that viewpoint. The Bureau of the Budget concurs in that viewpoint. I hope the Senator from New York will not be constrained to object, although I would agree with him in advance this might not be regarded as calendar business.

Mr. KEATING. I simply want to say I do not feel too strongly, personally, about it, and I know that this is legislation requested by the Department of the Interior, but it would make permanent the 1939 statute, which has been extended from time to time, the latest extension expiring December 31, 1960.

By taking this action to make it permanent, a measure of control over the Interior Department in exercising its present temporary authority may well be lost. Therefore, it seems to me that serious consideration should be given to an amendment to provide a simple extension of authority up to a further fixed period of time.

If the Senator from New Mexico felt disposed to amend the bill before us for a 2- or 3-year extension, I would have no objection. Otherwise I feel it is a measure which should have discussion by being called up by motion, which is not possible at this stage of the proceedings.

Mr. ANDERSON. Of course the Senator from New York is well within his rights in objecting. We tried to short-circuit the time on the floor by making this proposal. I have no authority to change the terms of the bill. I therefore recognize the objection of the Senator as being valid.

Mr. KEATING. I have no objection to the measure being called up for consideration by motion today or any other time, but I do not think it is proper calendar business.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

AMENDMENT OF FEDERAL BOATING ACT OF 1958

The Senate proceeded to consider the bill (S. 2598) 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, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments, on page 1, line 5, after the word "thereof", to strike out "January 1, 1961" and insert "April 1, 1961"; in line 9, after the word "thereof", to strike out "January 1, 1961" and insert "April 1, 1961", and on page 2, line 3, after the word "thereof", to strike out "January 1, 1961" and insert "April 1, 1961"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (8) of subsection (c) of section 3 of the Federal Boating Act of 1958 is amended by striking out "April 1, 1960," and inserting in lieu thereof "April 1, 1961,".

(b) Subsection (b) of section 11 of the Federal Boating Act of 1958 is amended by striking out "April 1, 1960." and inserting in lieu thereof "April 1, 1961.".

(c) Section 12 of the Federal Boating Act of 1958 is amended by striking out "April 1, 1960," and inserting in lieu thereof "April 1, 1961.".

The amendments were agreed to.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 901, H.R. 8728, which is a similar House bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8728) to amend the Federal Boating Act of 1958, to extend for an additional year the period when certain provisions of that act will take effect.

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

There being no objection, the Senate proceeded to consider the bill (H.R. 8728).

Mr. ENGLE. Mr. President, I move to amend H.R. 8728 by striking out all after the enacting clause and inserting in lieu thereof the language of S. 2598 as amended. I do that because, although they are practically identical bills, an error was made in the House bill, and for that reason we want to pass the House bill with the Senate language.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time. The bill (H.R. 8728) was passed.

The PRESIDING OFFICER. Without objection, Senate bill S. 2598 is indefinitely postponed.

AIR POLLUTION

The Senate proceeded to consider the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution.

Mr. KUCHEL. Mr. President, there is an amendment at the desk which represents the text of the air-pollution legislation as it passed the Senate several months ago. The amendment is offered on behalf of the able senior Senator from New Mexico, the able senior Senator from Oklahoma, and myself, all of whom desire, if there is no objection by the calendar committees, to substitute the language of the previously passed Senate bill for the language of the House bill. I shall be glad to discuss it.

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

Mr. KUCHEL. I yield.

Mr. ENGLE. I desire to join my colleague in this amendment. The House passed a simple extension of the act. The Senate bill is a much more comprehensive and a much better worked-out piece of legislation. We desire to substitute the language of the Senate bill which previously passed the Senate, and send the bill back to conference.

Mr. KUCHEL. I thank the Senator.

Mr. President, all of us recognize the merit of the Air Pollution Control Act which was enacted in 1955. This act authorized a program for research and technical assistance to obtain data and to devise and develop methods for control and abatement of air pollution. The Secretary of Health, Education, and Welfare, and the Surgeon General of the Public Health Service, were charged with the responsibility of its administration.

In April of this year, this body approved Senate bill 441, as amended, extending the present 5-year act for a period of 4 years and increased the authorization for annual appropriations from $5 million to $7.5 million. A short time ago the other body approved H.R. 7476, extending the act 2 additional years with no change in the authorized appropriations of $5 million a year.

Both committees clearly recognized that air pollution is a national problem and, as yet, still unsolved. While substantial progress toward solution has been made on all levels of government and industry, the committees were fully aware that the problem of air pollution will remain with us for a good many years to come, notwithstanding the effective and outstanding work already accomplished under the auspices of this act.

Mr. President, I believe there is no doubt in this body that it is in the national interest to continue the Air Pollution Control Act. Both committees after intensive study were of this opinion. The only question remaining then is the term of this continuance.

This is not a partisan issue. This is not a sectional nor an economic issue. This is in the nature of a scientific problem. We must look to the scientists, the air pollution experts, if we are to arrive at a reasoned logical answer.

What say the scientists? Dr. Theodore Bauer, of the Department of Health, Education, and Welfare, in his testimony before a subcommittee of the Interstate and Foreign Commerce Committee of the House of Representatives on May 19, 1959, made the following observations:

1. That, to date, the development of air pollution problems has outpaced the accumulation of scientific knowledge needed to deal with them.

2. In the future it appears inevitable, in addition to increasing urbanization, that new technology will produce greater potential for total air pollution, both in quantity and in variety.

3. Continued research and application of its results will be needed to keep abreast of these problems.

4. The air pollution program authorization should be extended without any specific termination date.

I am not a scientist, but these observations and recommendations of the Department of Health, Education, and Welfare make good sense. Research in any field should not be unduly hampered if it is to be of maximum effectiveness. Some types of projects take years to complete. By definition, basic, original research is incompatible with a time boundary. The breakthrough may come tomorrow, next year, 5 years, 50 years, or never. Air pollution and its solution involves this type of research and study.

Therefore, it follows that we should use a "maximum" type of approach rather than a "minimum" type in extending this act. If the Congress desires reports from time to time, this can be accomplished by other means.

It would be most foolish, and contrary to the national interest, to force the Department of Health, Education, and Welfare and the Surgeon General to observe a 2-year deadline in planning and executing research and study projects.

Likewise with the trend towards greater urbanization of our population and the increasing incidence of air pollution we should liberalize the amount of funds to be expended toward the solution of one of modern civilization's most vexing problems. The Senate Public Works

Committee and the Senate as a body recognized this need. In addition, the increase provided by S. 441 acknowledged the fact that our dollar buys less today than it did 5 years ago.

Mr. President, at the very least we should insist upon the enactment of S. 441. To do less would be a tragic disservice to the great majority of our people who live and work in the cities of America.

The PRESIDING OFFICER. The amendment offered by the Senator from California for himself and other Senators will be stated.

The CHIEF CLERK. It is proposed on page 1 to strike out lines 3 through 8 and insert in lieu thereof the following:

That section 5 of the Act of July 14, 1955 (42 U.S.C. 1857(d)), is amended—

(1) by striking out "(a)" after "SEC. 5.",

(2) after $5,000,000 in the first sentence insert a comma and the following "and for each of the four fiscal years during the period beginning July 1, 1960, and ending June 30, 1964, not to exceed $7,500,000",

(3) by inserting "for surveys and studies and" before "for research" in clauses (1) and (2) of such first sentence, and

(4) by striking out "by the Surgeon General" in the last sentence.

SEC. 2. Such Act is further amended by adding at the end thereof the following new section:

"SEC. 8. It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations cooperate with the Department of Health, Education, and Welfare, and with any interstate agency or any State or local government air pollution control agency in preventing or controlling the pollution of the air in any area insofar as the discharge of any matter from or by such property may cause or contribute to pollution of the air in such area."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time. The bill was read the third time, and passed.

The title was amended so as to read: "An act to extend the duration of the Federal air pollution control law, and for other purposes."

LEASING OF LAND ON THE COLORADO RIVER INDIAN RESERVATION, ARIZ. AND CALIF.

The Senate proceeded to consider the bill (S. 2286) to authorize the leasing of land on the Colorado River Indian Reservation, Ariz. and Calif., and for other purposes.

Mr. KUCHEL. Mr. President, I have an amendment pending at the desk, which I should like to call up.

The PRESIDING OFFICER. The amendment offered by the Senator from California will be stated.

The CHIEF CLERK. It is proposed on page 1, line 8, immediately after the word "reservation", to insert "which are located within Arizona".

Mr. GOLDWATER. Mr. President——

Mr. KUCHEL. I shall be glad to make a brief explanation of the bill.

Mr. GOLDWATER. I think the Senator should.

Mr. KUCHEL. The able junior Senator from Arizona has sponsored the bill now before us to authorize the Secretary of the Interior to execute leases on the lands of the Colorado River Indian Reservation in both Arizona and California.

The Colorado River apparently, over the years, has meandered from one location to another, and I think it is probably true there is a question of what property constitutes Government-owned land and what properties constitute privately owned land.

The Palo Verdi Irrigation District, located on the California side of the Colorado River, objects to that part of the bill dealing with the land located in California and urges that in those instances where there may be a dispute as to the ownership of the property involved simply quieting title by legal action is available to the Government and the private landowners to resolve the dispute.

I have spoken to my friend from Arizona. He will accept the amendment.

Mr. GOLDWATER. Mr. President, there is some dispute over the ownership of the land. In fact, there is an intimation that the owners will go to the Supreme Court on a question concerning the waters of the river. I have no objection to accepting the amendment. While the land is Indian land, it is not too close to the river and not much of it has been developed. It will be very helpful if the bill is passed by both Houses.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until a determination has been made of the beneficial ownership of the lands on the Colorado River Reservation, Arizona and California, that were set apart by the United States for the Indians of the Colorado River and its tributaries, the Secretary of the Interior is authorized to lease any unassigned lands on the reservation which are located within Arizona and to approve leases made by the holders of assignments heretofore made, for such uses and terms as are authorized by the Act of August 9, 1955 (59 Stat. 539), and by the Act of May 11, 1938 (52 Stat. 347). Income received from such leases of unassigned lands may be expended or advanced by the Secretary for the benefit of the Colorado River Indian tribes and their members. Income received from such leases of assigned lands may be expended or advanced by the Secretary for the benefit of the assignee.

The title was amended so as to read: "An Act to authorize the leasing of certain land in Arizona which comprises a part of the Colorado River Indian Reservation, and for other purposes."

EXEMPTIONS FROM ADMISSIONS TAX BENEFITING CRIPPLED CHILDREN

The bill (H.R. 4857) 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, was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of H.R. 4857.

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

EXPLANATION OF H.R. 4857

This bill amends two of the exemptions from the admissions tax to provide that in determining whether an athletic game is played between students from elementary or secondary schools, or colleges, where the proceeds inure to a hospital for crippled children, or an exempt organization operated exclusively for the benefit of retarded children, the term "student" is to include anyone who was a student at the school or college within the 8 months immediately before the athletic game. This will make the exemption available for all-star and other similar benefit games even though the game is played shortly after the end of the school or college year. This is to be effective for amounts paid on or after the date of enactment. The bill, which is favored by the Treasury Department, was reported unanimously by your committee.

CHANGES IN CERTAIN EXCISE TAX LAWS

The bill (H.R. 8725) to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes, was announced as next in order.

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

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of H.R. 8725.

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

EXPLANATION OF H.R. 8725 WHICH MAKES TECHNICAL CHANGES IN CERTAIN EXCISE TAX LAWS

(1) It deletes from the tax on jewelry "coral" when sold as a stone and not as a part of a piece of mounted jewelry.

(2) It makes it clear that the exemptions from the retailers, manufacturers, communications, and transportation-of-persons taxes for nonprofit educational organizations include parochial schools which are merely an activity of a church as well as those which are separate educational organizations. It also makes a similar modification in the case of the exemption for nonprofit educational organizations in the case of the admissions tax.

(3) It modifies the exemption from the club dues tax presently available in the case of capital improvements. This exemption is to be available for payments for capital

improvements, whether made in connection with the dues tax or the initiation tax, which are spent for the construction or reconstruction within the 3 year period after the club receives the amount from the member. In addition, the exemption is to be available with respect to furnishings and fixtures for the use of the facility constructed or reconstructed.

(4) It restores the exemption, in the case of the communications taxes, formerly provided for common carriers and communication companies in the case of leased wires now classified as general telephone service which connect two stations for which a toll charge would otherwise be made.

(5) It modifies the documentary stamp tax applicable to transfers to make it apply in the case of stock rights or warrants on the basis of the value of the rights or warrants rather than on the basis of the value of the underlying stock.

(6) It reduces from $250 to $10 the occupational tax applicable to so-called claw, crane, or digger machines used at carnivals or fairs where the charge is not in excess of 10 cents, the merchandise prizes provided have a value of not more than $1 and the machines are activated by a nonelectrical mechanism.

FURTHER DETAILED EXPLANATION OF H.R. 8725 WHICH MAKES TECHNICAL CHANGES IN CERTAIN EXCISE TAX LAWS

1. Deletion of coral from the list of semiprecious stones subject to the 10 percent jewelry tax

Before the enactment of the Excise Tax Technical Changes Act of 1958 there was included in the base of the 10 percent retail tax on jewelry and related items "pearls, precious and semiprecious stones, and imitations thereof." However, the Excise Tax Technical Changes Act of 1958 deleted the reference to "precious and semiprecious stones, and imitations thereof" and substituted a specific list of stones which are subject to tax.

Among the stones specifically listed in the 1958 act was coral. However, it has been found that although some coral is sold for use as a gem, most of it is sold as ornamentation of fish bowls. In addition, coral has a relatively small value unless combined with mountings or settings. In view of this the Ways and Means Committee omitted coral from the list of stones subject to tax.

Necklaces, or other articles of adornment, containing coral, will continue to be taxable, however, under another provision of the tax on jewelry.

This change is to become effective as of the beginning of the first month starting more than 10 days after the date of enactment of this bill.

2. Certain nonprofit educational organizations

The Excise Tax Technical Changes Act of 1958 provided an exemption for nonprofit educational organizations in the case of retailers' excises, manufacturers' excises, the taxes on communications services and the tax on the transportation of persons.

Under the 1958 act these exempt nonprofit educational organizations were defined as educational organizations described in section 503(b)(2) of the code which are exempt from income tax under section 501(a). Section 503(b)(2) of the code refers to "an educational organization which normally maintains a regular faculty and curriculum and normally has a regular enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on."

Questions have been raised as to whether the reference to educational organizations in this definition covers parochial schools which are merely an activity of a church and not separate corporate entities. In accord with the general view of the intent of Congress, the Treasury took the position that the exemption for nonprofit educational organizations did cover these parochial schools. The bill amends the code on this point so that it clearly reflects this position.

The code also contains an exemption from the admissions taxes for educational institutions described in section 503(b)(2) which are exempt from income tax under section 501(a). Although this was not provided by the 1958 act, the Ways and Means Committee, for purposes of consistency and uniformity in excise tax administration, added a clause specifically including within this exemption schools carried on as an activity of other exempt religious, educational, charitable, etc., organizations, in the same manner as in the case of the other taxes.

The amendments relating to the changes made by the Technical Changes Act of 1958 are made as of the general effective date for title I of that act, namely, January 1, 1959.

The amendment to the admissions tax exemption is to be effective as of the beginning of the first month starting more than 10 days after the date of enactment of this bill.

3. Exemption for capital improvement in the case of the club dues tax

In the case of the 20 percent club dues tax, the Excise Tax Technical Changes Act of 1958 provided an exemption for assessments for capital improvements. Operating experience under this exemption has suggested to the Treasury the desirability of several refinements in this exemption.

First, reference to exemptions only for assessments for capital improvements has limited the application of the exemption to dues, since the term "dues" is defined as including any assessment. This prevents an exemption for initiation fees, even though the amounts collected are used for the construction or reconstruction of otherwise qualifying capital improvements. As a result, the bill provides an exemption for amounts paid for dues or membership fees or as initiation fees (instead of referring only to assessments since this only covers dues).

Second, the exemption is not available in the case of assessments for furnishings and equipment since such amounts are not the facility being constructed or reconstructed. This has presented problems to the Treasury in trying to allocate assessments between the nontaxable portion for construction and the taxable portion for furnishings and fixtures, particularly when the club itself does not know in advance how the assessment will be divided. Therefore, the bill provides an exemption, not only in the case of the construction or reconstruction of a facility, but also for furnishings or equipment (including installation charges) for such a facility. To qualify, the furnishings or equipment must be necessary for use of the facility upon the completion of the work. For example, this would include required furniture, drapes, carpeting, refrigerators, etc., for a new facility, or for any portion of an existing facility which is reconstructed.

Third, there is no indication in the present exemption as to how long after the payment of the assessment the construction or reconstruction may occur, or how specific the plans must be for this construction or reconstruction. As a result, the exemption is limited by the bill to amounts spent within 3 years after the date of payment by the club member. The tax on amounts not so spent becomes payable immediately after the expiration of the 3-year period, and in this case is payable by the club rather than the member. The shift in the incidence of the tax is provided because of the problem which would otherwise be presented in attempting to trace back to members of the club 3 years earlier.

These changes are made effective for amounts paid on or after the first day of the first month beginning more than 10 days after the date of enactment of this bill.

4. Exemption for certain telephone lines used by common carriers, or communications companies

The Excise Tax Technical Changes Act of 1958 made a major revision in the terminology and definitions of the taxable types of communications services.

One of the former taxable categories was "leased wire, teletypewriter, or talking circuit special service." Most of this old category is now in what is called wire mileage service. However, a portion now appears in the category known as general telephone service.

Formerly, leased wires were included in local telephone service when they were entirely within a local exchange area. The 1958 act, however, dropped this distinction and instead included in general telephone service, service which may be connected to a telephone exchange. As a result, "general telephone service" now includes some of the leased wire services beyond a local exchange area.

The problem with which the bill is concerned relates to the exemption previously provided for "leased wire, teletypewriter, or talking circuit special services" in the case of common carriers (such as the railroads, airlines, and trucking companies) and telephone, telegraph, and radio broadcasting companies. The exemption for these carriers or communication companies was continued by the 1958 act for those services classified as "wire mileage service." It is not available, however, for the wire services classified as general telephone services. The denial of this existing exemption was not intended in the 1958 act and the bill therefore corrects this oversight.

The bill deals with this problem by providing an exemption for any telephone line constituting general telephone service used by a common carrier, telephone or telegraph company, or radio company in the conduct of its business. However, this new exemption is available only if the telephone line connects stations between any two of which there would be a toll charge in the case of the usual telephone service. This limitation is in lieu of the former restriction to the effect that not all of the leased wire could be in a local exchange area for the exemption to be available.

These changes are made effective as if they had been enacted as a part of the Excise Tax Technical Changes Act of 1958 at the time of its enactment and thus is effective back to January 1, 1959. This will assure continuity of the exemption applicable to leased wire services.

5. Measure for documentary stamp transfer tax in the case of stock rights on warrants

Before the passage of the Excise Tax Technical Changes Act of 1958, the documentary stamp transfer tax in the case of stock was based primarily on the par or face value of the certificates or shares. The 1958 act changed this to a tax of 4 cents per $100 based on the actual value of the shares.

A problem has arisen with this "actual value" tax in the case of stock rights and warrants. The statute imposes a tax on the "rights to subscribe for or to receive" shares or certificates of stock. However, the only tax base referred to in the statute is the actual value of the certificates or of the shares. As a result, the Treasury has held that in the case of the transfer of rights to

subscribe for, or to receive, stock, the tax is based, not on the value of the rights sold, but rather on the value of the underlying shares of stock to be acquired upon the exercise of the rights. Thus, the tax imposed in the case of stock rights or warrants may be several times the tax which would result from taxing the value of the rights or warrants.

The discrimination referred to can be illustrated by an example. Assume a person sells for $1,000 a block of 100 warrants to buy a specific stock at $20 a share. Assume further that the stock is then selling for $29 a share with the result that the 100 shares of stock underlying the warrants have a value of $2,900. Under present law at a rate of 4 cents per $100 of this value, this means a stamp tax of $1.16 on the block of 100 warrants. However, if the tax were based on the value of the warrants, namely, the $1,000, rather than the value of the stock, the tax would be 40 cents or about a third of the tax now imposed.

The bill corrects this problem by basing the tax in the case of "rights to subscribe for or to receive" shares or certificates on the actual value of the "rights" rather than on the actual value of the shares or certificates.

This change is to be effective as of the first day of the first month beginning more than 10 days after the date of enactment of this bill.

6. Gaming devices commonly known as claw, crane, and digger machines

Under present law an occupational tax of $10 per year is levied with respect to a music or amusement machine or with respect to certain 1-cent vending machines dispensing merchandise prizes with a retail value of not more than 5 cents. Other slot or gaming machines are subject to an occupational tax of $250 per year per machine.

Included in with the gaming machines are certain so-called claw, crane, and digger machines. The bill provides that these claw, crane, or digger machines are to be subject to a $10 a year tax, instead of the regular $250 gaming machine tax, if the following four conditions are met:

(1) The charge for each operation of the machine is not more than 10 cents;

(2) The prizes dispensed by the machine are merchandise with a retail value of not more than $1, there is no advertisement to the effect that any prize other than that dispensed by the machine is offered, and no such other prize is given;

(3) The device is activated by a crank and has a nonelectrical mechanism; and

(4) The device is not operated other than in connection with carnivals or county or State fairs.

This amendment is made effective for periods beginning after June 30, 1960.

Mr. JAVITS. Mr. President, with regard to Calendar No. 905, I have an amendment at the desk which proposes to allow a tax exemption, as a charitable contribution, for contributions made privately to the United Nations Children's Emergency Fund, provided that the contributions were actually used for the Fund's purposes in the United States or any of its possessions.

Mr. President, this has no relation, obviously, to the text of the bill. It was hoped, in view of the lateness of the session, that the amendment might be attached to the bill in order to carry the idea over to the House of Representatives.

Mr. President, we have been unable to obtain reports from the appropriate Government departments, particularly the Treasury Department. I am informed by the chairman of the Committee on Finance that this is a desirable and needed bill, and hence I shall not press my amendment and I shall not press any objection.

Mr. President, I wish to invite to the attention of the Senate what is really a pretty shameful proposition. If an individual American makes a contribution to the United Nations Children's Emergency Fund, one of the most humanitarian and heartfelt causes on earth, that contribution is not tax deductible because the law does not cover the Fund.

Mr. President, the entire amount involved is estimated at about $10,000 a year. The reason why we have not yet heard from the Treasury Department is that the Treasury Department is troubled about various charitable contributions which go for eleemosynary and philanthropic purposes abroad. I do not know how the Treasury Department is going to resolve that problem.

There are a great number of extremely desirable causes to which Americans ought to be permitted to contribute, which do good work abroad. However, I point out with respect to UNICEF, the contributions are to be used in the United States. It would be sheer "mumbo jumbo" to say that UNICEF ought to organize an American charitable corporation. In addition, that might discourage gifts which would go from Americans directly to UNICEF.

Mr. President, I shall not seek to hold up action on Calendar No. 905. That would be unfair. My great affection for the chairman of the committee and my great reliance on his views dictate that I not do so. I simply want to have this matter before the Senate. I believe I shall have the cooperation of a great many members of the Committee on Finance, and I hope of the Treasury Department, in order to be able to do this highly desirable thing at the earliest possible date.

The PRESIDING OFFICER. Is there objection to the consideration of H.R. 8725?

There being no objection, the bill (H.R. 8725) was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF PROSPECTING PERMITS FOR PHOSPHATE

The bill (S. 2061) to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States, was announced as next in order.

Mr. HOLLAND. Mr. President, I have no objection whatever to passage of the bill. In fact, I think it is a good thing for prospecting for phosphate to go forward on the public lands of the United States, particularly in the Western areas where there are great deposits and where the deposits ought to be better utilized for the service of our whole Nation.

However, we have problems in our State not on the public lands but on lands which at one time belonged to the United States, as to which reservations have been made of phosphate and mineral rights. Those problems are of various kinds. For instance, in some cases there have been residential developments on those lands, and there is still no easy method of getting quitclaim deeds or any surrender of the phosphate rights of the United States. In other cases, there have been relatively small acreages which have been mined all the way around. There is no chance to return to them, so the phosphate values have been lost. There are other problems which I shall not take the time of the Senate to relate for the record.

I understand that the Committee on Interior and Insular Affairs is quite conversant with the fact that we have these problems and has every intention of making a special study of them early next year, with the hope of reporting proposed legislation which will make possible various solutions, as the facts may require.

I have conferred on this matter with my distinguished friend the junior Senator from Utah [Mr. Moss], one of the authors of the pending bill, and I should like to ask the Senator for the record whether my understanding is correct that his able committee is instigating a study of the subject which I have mentioned, the subject of phosphate and mineral reservations in Florida, with the hope of bringing forward early next year proposed legislation which will make it possible for us to solve those problems to the advantage both of the Nation and of the private owners of the surface rights?

Mr. MOSS. Mr. President, I assure the distinguished Senator from Florida that the Committee on Interior and Insular Affairs does intend to conduct a study early next year in an attempt to find a solution for the problems presented by the Senator from Florida.

The bill presently under consideration applies only to public lands, and would not affect the situation described by the distinguished Senator. We recognize that there is a problem because of the reservation of the mineral rights by the Federal Government in many lands in Florida and in other areas. I assure the Senator we will go forward with hearings and find a solution to that problem as soon as possible.

Mr. HOLLAND. Mr. President, I thank my distinguished friend. I am thoroughly satisfied with the bill. I want to make it clear that we in Florida are in support of the pending measure.

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

There being no objection, the Senate proceeded to consider the bill (S. 2061) to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That (a) section 9 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 440), as amended (30 U.S.C. 211), is further amended by the insertion of an (a) at the beginning of the section and by the addition of the two following subsections:

"(b) Where prospecting or exploratory work is necessary to determine the existence or workability of phosphate deposits in any

unclaimed, undeveloped area, the Secretary of the Interior is authorized to issue, to any applicant qualified under this Act, a prospecting permit which shall give the exclusive right to prospect for phosphate deposits, including associated minerals, for a period of two years, for not more than two thousand five hundred and sixty acres; and if prior to the expiration of the permit the permittee shows to the Secretary that valuable deposits of phosphate have been discovered within the area covered by his permit, the permittee shall be entitled to a lease for any or all of the land embraced in the prospecting permit.

"(c) Any phosphate permit issued under this section may be extended by the Secretary for such an additional period, not in excess of four years, as he deems advisable, if he finds that the permittee has been unable, with reasonable diligence, to determine the existence or workability of phosphate deposits in the area covered by the permit and desires to prosecute further prospecting or exploration, or for other reasons warranting such an extension in the opinion of the Secretary."

(b) Section 12 of the Mineral Leasing Act (41 Stat. 437, 441), as amended (30 U.S.C., sec. 214), is further amended by the insertion of the words "or permit" immediately after the word "lease" wherever it appears.

(c) The ninth sentence of section 27 of the Mineral Leasing Act (41 Stat. 437, 448), as amended (30 U.S.C., sec. 184), is further amended by the insertion of the words "or permits" immediately after the words "phosphate leases".

The amendment was agreed to.

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

BILLS PASSED OVER

The bill (S. 1431) to provide for the establishment of a Commission on Metropolitan Problems, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The PRESIDING OFFICER (Mr. Moss in the chair). The bill will be passed over.

The bill (H.R. 6059) to provide additional civilian employees for the Department of Defense for purposes of scientific research and development, and for other purposes, was announced as next in order.

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

MRS. GLADYS M. ELLISON

The bill (H.R. 2301) for the relief of Mrs. Gladys M. Ellison was considered, ordered to a third reading, read the third time, and passed.

LORETTA F. OSSORIO

The bill (H.R. 5357) for the relief of Loretta F. Ossorio was considered, ordered to a third reading, read the third time, and passed.

MRS. LOURENE O. ESTES

The bill (H.R. 6335) for the relief of Mrs. Lourene O. Estes was considered, ordered to a third reading, read the third time, and passed.

NANCY MAE FLOOR

The bill (H.R. 6546) for the relief of Nancy Mae Floor was considered, ordered to a third reading, read the third time, and passed.

JOHN I. STRONG

The bill (H.R. 7744) for the relief of John I. Strong was considered, ordered to a third reading, read the third time, and passed.

RICHARD C. LONG

The bill (H.R. 7857) for the relief of Richard C. Long was considered, ordered to a third reading, read the third time, and passed.

EVERET BUMGARDNER

The bill (H.R. 8196) for the relief of Everet Bumgardner was considered, ordered to a third reading, read the third time, and passed.

LAWRENCE M. FURTADO

The bill (H.R. 8197) for the relief of Lawrence M. Furtado was considered, ordered to a third reading, read the third time, and passed.

MARTIN ACKERMAN

The bill (H.R. 8198) for the relief of Martin Ackerman was considered, ordered to a third reading, read the third time, and passed.

JAMES J. MANNING

The bill (H.R. 8199) for the relief of James J. Manning was considered, ordered to a third reading, read the third time, and passed.

JOSEPH H. CORNELL

The bill (H.R. 8310) for the relief of Joseph H. Cornell was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2168) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine, was announced as next in order.

Mr. ENGLE. Over, Mr. President, by request.

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

LEASING A PORTION OF TWIN CITIES ARSENAL, MINN.—BILL PASSED OVER

The bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota, was announced as next in order.

Mr. ENGLE. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE. Mr. President, will the Senator withhold his request for a moment?

Mr. ENGLE. Mr. President, I withhold the request.

Mr. MORSE. Mr. President, I send to the desk an amendment and ask to have it printed and lie on the table, for consideration when the bill is considered by the Senate.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the desk.

Mr. MORSE. Mr. President, I wish to make a brief statement about the bill.

Mr. President, H.R. 2449 would authorize the Secretary of the Army to lease, without consideration and for a 2-year period, to Independent School District No. 16, Minnesota, certain space in one of the buildings at the Twin Cities Arsenal, Minneapolis.

In 1950, the Army leased the building for $12,000 per annum, less $1,000 estimated for maintenance. The building is now occupied by the district on a 5-year lease beginning July 1, 1958, revocable at will by the Secretary of the Army.

The Senate Armed Services Committee has been advised that the district cannot afford the present rent payment. In fact, a letter from the Secretary of the Army to the chairman of the House Armed Services Committee, dated May 8, 1959, indicates that the school district concluded the most it could pay was $2,500 per annum.

The Secretary of the Army opposes H.R. 2449 since it would provide relief for one school district alone.

H.R. 2449, as reported by the Senate Armed Services Committee, violates the Morse formula.

My amendment would provide for the payment of 50 percent of the fair market value of the leasehold interest.

I think that is fair, Mr. President. If it is legislative assistance which is needed in order to pay the rent, which is a fair rent, Mr. President—particularly made more fair by my amendment, which would provide for only 50 percent of the value of the leasehold interest—I suggest they should turn to legislative bodies in the State of Minnesota and not to the Federal legislative body.

The PRESIDING OFFICER. Does the Senator from California renew his request?

Mr. ENGLE. Mr. President, I ask that the bill be passed over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN PROPERTY TO THE COUNTY OF SACRAMENTO, CALIF.

The bill (H.R. 2247) to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif., was announced as next in order.

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

Mr. MORSE. Mr. President, I ask unanimous consent that a brief statement on the bill be printed in the RECORD at this point.

I wish to point out that the bill involves, in a way, the exchange of services. I am satisfied from the financial accounting which has been submitted to me that the Federal Government will get a fair trade out of the proposed exchange. If the Federal Government had to build the sewage facilities which the county proposes to give it in this exchange, the Federal Government would have to pay much more than it could possibly get from the sale of the Government facilities. I am satisfied, after having made very careful search into the money values involved that the Federal Government is not losing by this exchange.

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

STATEMENT BY SENATOR MORSE

This bill would authorize the Secretary of the Air Force to convey the Camp Kohler sewage treatment plant to Sacramento County without consideration.

Senate Report No. 896 indicates that the plant was constructed during World War II at a cost of $128,770 to the Government.

The report does not clearly indicate the Federal benefits involved in this gratuitous transfer, other than the agreement of the county (sec. 3 of H.R. 2247) to process without charge to the Government all sewage and waste water from two installations at the Camp Kohler Annex.

No monetary value is placed on this service.

The Department of the Air Force advised me in a telephone conversation today that the value of the sewage service to be rendered by the county is $1,100 per annum.

Inasmuch as a public use is involved, the Morse formula would require payment of 50 percent of fair appraised market value of the property to be transferred.

The depreciated value of the facility that originally cost $128,770 would be offset in a relatively short period of time by the $1,100 annual sewage service to be rendered by the county. This service would be of unlimited duration.

The $485,000 in improvements to the sewage plant was added by the county pursuant to the terms of a written lease entered into in 1955.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 8315) to authorize the Secretary of the Army to lease a part of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, was announced as next in order.

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

Mr. PROUTY. Over.

Mr. MORSE. If the Senator will withhold his objection for just a moment——

Mr. PROUTY. I withhold my objection.

Mr. MORSE. Mr. President, H.R. 8315, as reported by the Senate Armed Services Committee, would authorize the Secretary of the Army to lease, without consideration and for a period of 2 years, a portion of Fort Crowder, Mo., to the Stella Reorganized Schools R–I. The Fort Crowder space covered by the bill would be occupied by the school. The district is in the process of erecting a new school building to replace one that was destroyed by fire. The space would be used during the construction of the new building.

Report No. 897 indicates that the Army requires $6,200 a year rental and that this is fair market rental.

Regardless of the appealing circumstances, the bill, in its present form, violates the Morse formula. In view of the public purpose of the proposed lease arrangement, 50 percent of fair-appraised lease value should be paid by the district.

I submit an amendment at this time, so that it may be printed and be available when the bill comes up again.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. MORSE. Mr. President, my amendment offers a very fair adjustment. It means that all of us as Federal taxpayers would be contributing 50 percent of the fair lease rental value. I think that public bodies in the State of Missouri ought to be willing to contribute the other 50 percent.

Mr. PROUTY. I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

DISPOSAL OF DIAMONDS AND OTHER GEMS

The concurrent resolution (H. Con. Res. 166) providing the approval of the Congress under the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile, was considered and agreed to.

DEFINITION OF TERM "A MEMBER OF A RESERVE COMPONENT"

The bill (H.R. 6269) to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component was considered, ordered to a third reading, read the third time, and passed.

IMPROVEMENT OF ACTIVE DUTY PROMOTION OPPORTUNITY

The bill (H.R. 8189) to improve the active duty promotion of Air Force officers from the grade of captain to the grade of major, was announced as next in order.

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

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

Mr. PROUTY. Mr. President, I should like to have an explanation of the bill.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. CANNON. Mr. President, members of the Armed Services Committee, of which I have the honor to be a member, have unanimously recommended passage of this bill. Its purpose is to authorize an additional 3,000 majors by making an exception to the Officers Grade Limitation Act.

This proposed legislation will permit Reserve captains now on active duty to be promoted to the grade of major. Unless it is passed, the Air Force will be confronted with an imbalance and perhaps a sensitive morale problem by June 30, 1961, when there will be 6,400 Reserve captains who have completed 14 or more years of active duty.

There has been adequate testimony before the committee on the part of the Defense Department and the Air Force regarding the necessity for the men who would be granted relief through passage of this amendment. Most of the officers covered by this legislation are performing a vital mission in the Strategic Air Command. Others are serving on special air missions or as pilots in the Military Air Transport Service.

The Officers Grade Limitation Act permits the Air Force at this time to have only 23,000 officers serving in the grade of major. This has inhibited the promotion of many, many Reserve captains who have fully demonstrated that they have earned a promotion and who have many years of competent service behind them, yet are prevented from becoming majors because of the Limitation Act. The Air Force states that the situation would be corrected by the passage of this bill and that the additional number of majors is necessary and fully justified.

Since those officers who will be affected by this legislation now hold the grade of major in the Reserves, they will qualify for retirement pay in this grade. Therefore, there is no increased retirement cost envisioned under the terms of H.R. 8189.

The Air Force has estimated the cost for the next 2 years of this bill at approximately $3 million. While it is recommended by the Department of Defense, and the Bureau of the Budget has no objection, the intent of the bill will be accomplished within the present fiscal framework that the Air Force is operating under.

This is a simple act, Mr. President, and will operate only for 2 years. It has been given full hearing and full review by the members of the Armed Services Committee, and I respectfully urge its passage by the Senate.

I point out further that under the law as it now exists captains in the Regulars are required to be either advanced to the rank of major or released from the service at the end of 14 years. Therefore the Regulars are required to be advanced, while the regulation does not apply to the Reserves. As a result of the limitation, the Reserves are not eligible for promotion because of the limitation on numbers, even though they are eligible in every other respect. The pending bill would merely permit these 14-year service Reserve officers to be promoted to the grade of major, and would do away with an inequitable situation and satisfy a

need which the Air Force has testified exists.

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

Mr. CANNON. I yield.

Mr. SALTONSTALL. Is it not correct to say that the principal evidence before the committee was that this was an emergency situation because the Air Force had all these Reserve captains, and only 40 percent of them had any chance of being promoted to major? They testified that if the bill were passed and the act applied for 2 years, it would create 3,000 vacancies and would permit 80 percent, instead of 40 percent, of those Reserve captains to be given a chance to be promoted to major. We felt that it was a fair temporary measure and would clear up the situation in 2 years.

Mr. CANNON. The Senator is absolutely correct. Reserve officers now in the long-term 14-year captain category have only a 40 percent opportunity of promotion. The passage of the bill would raise that percentage opportunity to 80 percent. It is very important to note that the Defense Department and the Air Force say that these men are urgently needed. They are men who should not be released from the service.

Mr. SALTONSTALL. It is a question not only of fairness to the men involved but also a question of morale for the whole Reserve Air Force.

Mr. CANNON. The Senator is correct.

Mr. GOLDWATER. Mr. President, I am very glad that there is an opportunity to discuss this general problem briefly on the floor of the Senate. First I wish to commend the distinguished Senator from Nevada for the part he has played in the subcommittee on this matter.

Earlier, in August, I inspected two of my Air National Guard outfits. One of the most serious problems we face there is wrapped up in the problem presented by the bill. It must be met some day. In my outfits there are captains who have been flying since World War II. Groups are commanded by majors. They could not be promoted because of the Reserve Act.

Many of the captains we are talking about, as was brought out by evidence, are pilots of B–47's. This is a responsibility which calls for at least the grade of major. This subject applies very strongly to the morale of the Armed Services. It is not right to ask a man to assume responsibilities of higher command when he knows he will wind up as a captain doing that job.

I certainly hope that there will be no objection to this bill. This action is long overdue. I think the committee should pursue this question next year, with the idea of arriving at some solution of the problems which exist in the other grades in the commissioned ranks. This is a good step forward. As a Reserve officer, I thank my friend from Nevada [Mr. CANNON], who is also a Reserve officer, and will be interested in this measure.

Mr. CANNON. Mr. President, I thank the Senator for pointing up this very important problem. The chairman of the committee has already announced that hearings will be held next year on the problems which the Senator has specifically mentioned in connection with the Air National Guard officers.

Mr. PROUTY. Mr. President, I felt that an explanation should be placed in the RECORD. That was my only reason for asking for it. I have no objection to the passage of the bill.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 8189) was ordered to a third reading, read the third time, and passed.

EXPLOSIVES AND COMBUSTIBLES

The Senate proceeded to consider the bill (S. 1806) to revise title 18, chapter 39, United States Code, entitled "Explosives and Combustibles," which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 2, line 6, after the word "as", to strike out "defined" and insert "those terms are used"; in line 23, after the word "a", where it appears the second time, to strike out "Territorial" and insert "Territory"; in line 25, after the word "States.", to strike out "The term 'United States', as used herein means all the States and the District of Columbia. For the purpose of this Act, the District of Columbia shall be deemed to be a State." and insert "The term 'United States' means all the States and the District of Columbia."; on page 3, after line 4, to insert:

"State" includes the District of Columbia.

And in line 20, after the word "the", to insert "Interstate Commerce"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code, chapter 39, sections 831–835, inclusive, entitled "Explosives and Combustibles", as amended, is hereby amended to read as follows:

"CHAPTER 39—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

"§ 831. Definitions

"As used in this chapter—

"Unless otherwise indicated, 'carrier' means any person engaged in the transportation of passengers or property, by land, other than pipelines, as a common, contract, or private carrier, or freight forwarder as those terms are used in the Interstate Commerce Act, as amended, and officers, agents, and employees of such carriers.

" 'Person' means any individual, firm, copartnership, corporation, company, association, or joint-stock association, and includes any trustee, receiver, assignee, or personal representative thereof.

" 'For-hire carrier' includes common and contract carriers.

" 'Shipper' shall be construed to include officers, agents, and employees of shippers.

" 'Interstate and foreign commerce' means commerce between a point in one State and a point in another State, between points in the same State through another State or through a foreign country, between points in a foreign country or countries through the United States, and commerce between a point in the United States and a point in a foreign country or in a Territory or possession of the United States, but only insofar as such commerce takes place in the United States. The term 'United States' means all the States and the District of Columbia.

" 'State' includes the District of Columbia.

" 'Detonating fuzes' means fuzes used in military service to detonate the explosive charges of military projectiles, mines, bombs, or torpedoes.

" 'Fuzes' means devices used in igniting the explosive charges of projectiles.

" 'Fuses' means the slow-burning fuses used commercially to convey fire to an explosive combustible mass.

" 'Fusees' means the fusees ordinarily used on steamboats, railroads, and motor carriers as night signals.

" 'Radioactive materials' means any materials or combination of materials that spontaneously emit ionizing radiation.

" 'Etiologic agents' means the causative agent of such diseases as may from time to time be listed in regulations governing etiologic agents prescribed by the Interstate Commerce Commission under section 834 of this chapter.

"§ 832. Transportation of explosives, radioactive materials, etiologic agents, and other dangerous articles

"(a) Any person who knowingly transports, carries, or conveys within the United States any dangerous explosives, such as and including dynamite, blasting caps, detonating fuses, black powder, gunpowder, or other like explosive, or any radioactive materials, or etiologic agents, on or in any passenger car or passenger vehicle of any description operated in the transportation of passengers by any for-hire carrier engaged in interstate or foreign commerce, by land, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both: *Provided, however,* That such explosives, radioactive materials, or etiologic agents may be transported on or in such car or vehicle whenever the Interstate Commerce Commission finds that an emergency requires an expedited movement, in which case such emergency movements shall be made subject to such regulations as the Commission may deem necessary or desirable in the public interest in each instance: *Provided further,* That under this section it shall be lawful to transport, on or in any such car or vehicle, small quantities of explosives, radioactive materials, etiologic agents, or other dangerous commodities of the kinds, in such amounts, and under such conditions as may be determined by the Interstate Commerce Commission to involve no appreciable danger to persons or property: *And provided further,* That it shall be lawful to transport on or in any such car or vehicle such fusees, torpedoes, rockets, or other signal devices as may be essential to promote safety in the operation of any such car or vehicle on or in which transported. This section shall not prevent the transportation of military forces with their accompanying munitions of war on passenger-equipment cars or vehicles.

"(b) No person shall knowingly transport, carry, or convey within the United States liquid nitroglycerin, fulminate in bulk in dry condition, or other similarly dangerous explosives, or radioactive materials, or etiologic agents, on or in any car or vehicle of any description operated in the transportation of passengers or property by any carrier engaged in interstate or foreign commerce, by land, except under such rules

and regulations as the Commission shall specifically prescribe with respect to the safe transportation of such commodities. The Commission shall from time to time determine and prescribe what explosives are 'other similarly dangerous explosives', and may prescribe the route or routes over which such explosives, radioactive materials, or etiologic agents shall be transported. Any person who violates this provision, or any regulation prescribed hereunder by the Interstate Commerce Commission, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

"(c) Any shipment of radioactive materials made by or under the direction or supervision of the Atomic Energy Commission or the Department of Defense which is escorted by personnel specially designated by or under the authority of the Atomic Energy Commission or the Department of Defense, as the case may be, for the purpose of national security, shall be exempt from the requirements of sections 831–835 of this chapter and the rules and regulations prescribed thereunder. In the case of any shipment of radioactive materials made by or under the direction or supervision of the Atomic Energy Commission or the Department of Defense, which is not so escorted by specially designated personnel, certification upon the bill of lading by or under the authority of the Atomic Energy Commission or the Department of Defense, as the case may be, that the shipment contains radioactive materials shall be conclusive as to content, and no further description shall be necessary or required; but each package, receptacle, or other container in such unescorted shipment shall on the outside thereof be plainly marked 'radioactive materials,' and shall not be opened for inspection by the carrier.

"§ 833. Marking packages containing explosives and other dangerous articles

"Any person who knowingly delivers to any carrier engaged in interstate or foreign commerce by land or water, and any person who knowingly carries on or in any car or vehicle of any description operated in the transportation of passengers or property by any carrier engaged in interstate or foreign commerce, by land, any explosive, or other dangerous article, specified in or designated by the Interstate Commerce Commission pursuant to section 834 of this chapter, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or any person who so delivers any such article without informing such carrier in writing of the true character thereof, at the time such delivery is made, or without plainly marking on the outside of every package containing explosives or other dangerous articles the contents thereof, if such marking is required by regulations prescribed by the Interstate Commerce Commission, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from the violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"§ 834. Regulations by Interstate Commerce Commission

"(a) The Interstate Commerce Commission shall formulate regulations for the safe transportation within the United States of explosives and other dangerous articles, including radioactive materials, etiologic agents, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, which shall be binding upon all carriers engaged in interstate or foreign commerce which transport explosives or other dangerous articles by land, and upon all shippers making shipments of explosives or other dangerous articles via any carrier engaged in interstate or foreign commerce by land or water.

"(b) The Commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions. Before adopting any regulations relating to radioactive materials the Interstate Commerce Commission shall advise and consult with the Atomic Energy Commission.

"(c) Such regulations shall be in accord with the best-known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport.

"(d) Such regulations, as well as all changes or modifications thereof, shall, unless a shorter time is specified by the Commission, take effect ninety days after their formulation and publication by the Commission and shall be in effect until reversed, set aside, or modified.

"(e) In the execution of sections 831–835, inclusive, of this chapter the Commission may utilize the services of carrier and shipper associations and may avail itself of the advice and assistance of any department, commission, or board of the Federal Government, and of State and local governments, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law.

"(f) Any person who, being aware that the Interstate Commerce Commission has formulated regulations for the safe transportation of explosives and other dangerous articles, violates any such regulation shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from such violation, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"§ 835. Administration

"(a) The Interstate Commerce Commission is authorized and directed to administer, execute, and enforce all provisions of sections 831–835, inclusive, of this chapter, to make all necessary orders in connection therewith, and to prescribe rules, regulations, and procedure for such administration, and to employ such officers and employees as may be necessary to carry out these functions.

"(b) The Commission is authorized to make such studies and conduct such investigations, obtain such information, and hold such hearings as it may deem necessary or proper to assist it in exercising any authority provided in sections 831–835, inclusive, of this chapter. For such purposes the Commission is authorized to administer oaths and affirmations, and by subpena to require any person to appear and testify, or to appear and produce documents, or both, at any designated place. No person shall be excused from complying with any requirement under this paragraph because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893 (49 U.S.C. 46), shall apply with respect to any individual who specifically claims such privilege. Witnesses subpenaed under this subsection shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

"(c) In administering and enforcing the provisions of sections 831–835, inclusive, of this chapter and the regulations prescribed thereunder the Commission shall have and exercise all the powers conferred upon it by the Interstate Commerce Act, including procedural and investigative powers and the power to examine and inspect records and properties of carriers engaged in transporting explosives and other dangerous articles in interstate or foreign commerce and the records and properties of shippers to the extent that such records and properties pertain to the packing and shipping of explosives and other dangerous articles and the nature of such commodities."

The amendments were agreed to.

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

Mr. NEUBERGER. Mr. President, I am sure I speak for other Members of the Oregon delegation in expressing appreciation to the distinguished chairman of the Senate Committee on Interstate and Foreign Commerce [Mr. MAGNUSON] for reporting this bill so promptly, after a very tragic disaster occurred at Roseburg, Oreg., where a truck loaded with high explosives blew up in the heart of the city. It caused great loss of life and property.

The two Senators from Oregon and the Representative from the Fourth District of Oregon, the Honorable CHARLES O. PORTER, made a representation to the Senator from Washington [Mr. MAGNUSON] about the urgency of reporting this bill, to tighten the regulations of the Interstate Commerce Commission governing the transportation of high explosives, radioactive materials, viruses, and other cargoes which can be dangerous to human health and life.

The Senator from Washington acted promptly, and the result is the early passage of the bill.

I also desire to express my gratitude to the able majority leader, who, upon hearing from Members of the Oregon delegation, scheduled the bill for consideration so early.

While this bill will not accomplish miracles, I feel that it will add some protection to the American people, who are endangered when high explosives are carried on routes of transportation which are shared with the general traveling public.

However, I do believe that the Interstate Commerce Commission should give further thought to the possibility of encouraging the transportation of high explosives by such alternative means of transportation—particularly by barge and rail—as are not shared with private automobiles traveled in by the American public.

Mr. MORSE. Mr. President, I wish to join in the views expressed by my colleague.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter dated August 25, 1959, which I wrote to the chairman of the Committee on Interstate and Foreign Commerce [Mr. MAGNUSON].

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

AUGUST 25, 1959.

Re S. 1806.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate, Washington, D.C.

DEAR MAGGIE: Last Wednesday in the Senate I discussed in some detail the terrible

disaster that struck Roseburg, Oreg., in the early morning hours of August 7. Although the facts have not been formally compiled and announced by the Interstate Commerce Commission as yet, the reports I have received indicate that the Roseburg disaster was caused by the explosion of a dynamite and ammonium nitrate-laden truck which had been parked beside a building in the heart of the business section of Roseburg during the evening of August 6. A fire which broke out in the building adjacent to the truck is said to have caused the explosion.

Before I made my speech in the Senate on August 19, you will recall that I talked to you about the bill, S. 1806, to revise the Transportation of Explosives Act, which you introduced in the Senate on April 27, 1959. At that time, you indicated that you consider this legislative proposal to be of an urgent nature and that you would cooperate in obtaining its early consideration in the Senate Committee on Interstate and Foreign Commerce. Let me say to you that the people of Roseburg, Oreg., and residents of every city in the Nation owe you a deep debt of gratitude for having introduced S. 1806 and for expressing your willingness to obtain early action in committee.

In my opinion, this legislative proposal is one of the most important items now pending in the Congress. The safety of hundreds of thousands of people over the length and breadth of the Nation is closely related to the protection that will be afforded through the passage of this bill. Not for a moment would I disparage the excellent record made by the carriers who haul large quantities of explosives daily without causing loss of life or property, but I am firmly convinced that the amendment is required as a deterrent to the few who may be indifferent to the safety of others in the transportation of explosives.

S. 1806 contains a number of important provisions but the most significant, in my opinion, are those which make the full power and authority of the Interstate Commerce Commission under the Transportation of Explosives Act and the maximum penalties of the act applicable to contract and private carriers as well as to common carriers.

As pointed out in Senate Report No. 281 of the 85th Congress, the Transportation of Explosives Act, adopted nearly 50 years ago, needs revision in many respects in order that it may effectively and efficiently regulate the transportation of dangerous explosives and other materials of hazardous nature. Transportation media and systems of today are far more intricate and complicated than they were 50 years ago when the Transportation of Explosives Act was put on the statute books. But the point I wish to emphasize particularly is the fact that the transportation of explosives by contract and private carriers involves just as much potential danger to the people of our Nation as does the transportation of these materials by common carriers.

What was said in 1957 in Senate Report No. 281 with respect to the penalties for violations of the Transportation of Explosives Act is germane today. I quote from page 2 of that report:

"In its present form the Transportation of Explosives Act applies to common carriers only and violations of its provisions are subject to maximum penalties of $10,000 or 10 years imprisonment or both. On the other hand, the very same violations when committed by private or contract carriers are prosecuted under section 222(a) of the Interstate Commerce Act which carries a maximum penalty of only $100. The bill would therefore remove this anomaly and would extend the provisions of the Explosives Act to include contract and private carriers."

The above-quoted comments applied to the bill, S, 1491, which was reported favorably by the Senate Committee on Interstate and Foreign Commerce on May 2, 1957. S. 1806, which you introduced this year, seeks to accomplish the same objectives as S. 1491 of the 85th Congress.

As an aside, I should point out that you and Senator SMATHERS are to be commended for having brought S. 1491 to the floor of the Senate in 1957 and for having achieved its passage in the Senate. Had the House responded as did the Senate in 1957, the Roseburg disaster might never have occurred.

The facts as reported to me concerning the Roseburg explosion indicate that a truck operating as a private carrier by the Pacific Powder Co., of Tenino, Wash., was loaded with approximately 6 tons of high explosives consisting of dynamite and ammonium nitrate. The truck reached Roseburg early in the evening of August 6 and was parked for the night, with the brakes securely fixed and the cab locked. It was left unattended in the heart of the business district of Roseburg. The building near which the truck was parked caught fire, and the firemen who were called to the scene recognized immediately the danger inherent in a truckload of explosives standing beside a burning building. According to the story as it was told to me, the firemen tried to move the truck by the use of a jeep equipped with a winch but they were unable to tow the truck because of its firmly set brakes. The explosion which ensued almost immediately caused at least 16 deaths, resulted in more than 52 cases of severe injury, and brought about millions of dollars of property damage losses.

Had your amendment to the Transportation of Explosives Act, as envisaged in S. 1806, been on the statute books on August 7, 1959, the terrible Roseburg disaster of August 7 might never have occurred. I say this in all sincerity because the very effectve penalties applicable to common carriers instead of relatively minor penalties applicable to private and contract carriers would have had tremendous deterrent effects against the parking of the truck and its explosive contents unattended in the early hours of August 7. Had S. 1806 been on the statute books, the company shipping the explosives would have been subject to a potential maximum penalty of $10,000 and possible maximum imprisonment of 10 years for its officials instead of a relatively nominal penalty.

It is imperative that no time be lost in enacting S. 1806 because every day and every night in numerous parts of the United States private and contract carrier trucks are carrying explosives capable of inflicting enormous injury, such as that which was inflicted in the Roseburg case, and are endangering the people in heavily populated communities.

I would be the first to concede that the enactment of S. 1806 and the more rigid safety requirements it involves, may cost shippers of explosives more money than they now spend in shipping by private and common carriers. However, when human lives and enormous property values are at stake, I am not for a moment impressed by the so-called increased cost argument. The few pennies of additional cost that will be involved in the shipment of each unit of explosives will, in my opinion, be far outweighed by the savings of lives and property in consequence of the more rigid safety requirements inherent in S. 1806.

Bearing in mind the intense and prolonged suffering of scores of human beings who were injured in the Roseburg disaster; the anguish of those who perished in this catastrophe, and the distress of the surviving relatives and friends of those whose lives were lost, I have no patience with those who suggest that S. 1806 would involve some additional cost to shippers and users of explosives. Nor am I impressed with the arguments of those who insist that passage of S. 1806 will put them out of business. When human lives are at stake, I intend to work for the preservation of those lives even though higher transportation costs may be involved. I hope we are not at the point in America where we are placing the existence of certain types of business above the value of human lives.

For the foregoing reasons, I feel that the passage of S. 1806 is a "must" for this session of the Congress. The people of Roseburg, Oregon, the State of Oregon and, indeed, the entire Nation will be grateful to you for everything you can do to bring about the early passage in committee and in the Senate of S. 1806, which is of such great importance to the protection of human life.

With appreciation and best personal regards,

Sincerely,

WAYNE MORSE.

Mr. MORSE. I point out to the Senate that a bill in practically the same form was passed by the Senate in 1957. At that time action was not taken in the House; but I believe that in view of the tragic event which occurred in Roseburg, Oreg., with regard to the explosion of the truck loaded with high explosives, with great loss of life and property, the chances are that the bill will quickly pass the House. At least, I hope the leadership of the House will give it immediate attention.

INCLUSION OF CERTAIN NONMINERAL LANDS IN PATENTS

The Senate proceeded to consider the bill (S. 2033) to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 7, after the word "is", to strike out "used or occupied" and insert "needed"; in line 10, after the word "claim", to insert "and is used or occupied by the proprietor for such purposes"; on page 2, line 5, after the word "exceed", to strike out "ten" and insert "five", and, in the same line, after the word "acres", to strike out "for each individual claimant,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2337 of the Revised Statutes of the United States (30 U.S.C. 42) is amended (1) by adding "(a)" after "SEC. 2337.", and (2) by adding at the end thereof a new subsection as follows:

"(b) Where nonmineral land is needed by the proprietor of a placer claim for mining, milling, processing, beneficiation, or other operations in connection with such claim, and is used or occupied by the proprietor for such purposes, such land may be included in an application for a patent for such claim, and may be patented therewith subject to the same requirements as to survey and notice as are applicable to placers. No location made of such nonmineral land shall exceed five acres, and payment for the same shall be made at the rate applicable to placer claims which do not include a vein or lode."

The amendments were agreed to.

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

COOPERATION IN HEALTH AND RESEARCH ACTIVITIES

The Senate proceeded to consider the resolution (S. Res. 129) favoring continued efforts by all nations to strengthen cooperation in health and research activities, which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 3, after the word "welfare", to insert "and"; in line 4, after the word "Foundation", to strike out "the National Academy of Sciences and National Research Council,"; on page 3, line 1, after the word "and", to strike out "such" and insert "in cooperation with", and in line 2, after the word "bodies", to insert "such as the National Academy of Sciences and the National Research Council"; so as to make the resolution read:

Resolved, That it is the sense of the Senate that the President of the United States, acting through the Department of Health, Education, and Welfare, and the National Science Foundation, and in cooperation with other official and private bodies, such as the National Academy of Sciences and the National Research Council, as he deems appropriate, should (1) continue U.S. initiative in seeking to strengthen international cooperation in health and research efforts and, in connection therewith, (2) invite the medical profession of the United States, and other professions and organizations concerned with the healing arts and the life sciences, to develop plans and programs in cooperation with the scientific community of other nations toward declaration and observance of an International Public Health and Medical Research Year.

The amendments were agreed to.

The resolution, as amended, was agreed to.

The preamble was agreed to.

BILL PASSED OVER

The bill (H.R. 8437) to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500, was announced as next in order.

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

COMPACT BETWEEN NEW YORK AND NEW JERSEY FOR CREATION OF TRANSPORTATION AGENCY

The Senate proceeded to consider the joint resolution (H.J. Res. 403) granting the consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency, which had been reported from the Committee on the Judiciary with amendments on page 19, after line 10, to strike out:

(b) The consent of Congress granted under this resolution shall terminate not later than June 30, 1961.

After line 12, to strike out:

(c) All "concurrent legislation" amending or supplementing this compact, as that term is defined and understood in the compact shall be submitted to Congress for its consent before such legislation becomes effective.

After line 16, to insert:

(b) Any long-range plan, when adopted by concurrent legislation of the compacting states, shall be submitted to Congress for its consent before such long-range plan becomes effective.

And, after line 20, to insert:

(c) Any concurrent legislation enacted by the compacting states amending or supplementing this compact shall be submitted to Congress for its consent before such legislation becomes effective, except that this subsection shall not apply to article 4.6 of this compact.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The preamble was agreed to.

BILL PASSED OVER

The bill (S. 1886) to amend the Communication Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities was announced as next in order.

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MANSFIELD subsequently said: Mr. President, I desire to ask the Senator from Rhode Island [Mr. PASTORE] a question relative to Calendar No. 933, S. 1886, the bill to amend the Communications Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities, which was introduced by the distinguished Senator from Utah [Mr. Moss] and the distinguished senior Senator from Montana [Mr. MURRAY]. What has been the disposition of the bill?

Mr. PASTORE. So far as I know, it has been objected to by request. I think it is a bill which requires consideration as soon as the Senate can get to it. As a matter of fact, I should have thought the majority leader would give the bill some preference and call it up on motion.

Mr. MANSFIELD. Is there not a possibility that Calendar 950, S. 2653, a similar bill introduced by the distinguished Senator from Rhode Island [Mr. PASTORE] himself, could also be brought up at the same time, so that the various problems connected with the television industry in my own State of Montana, especially, and in the Rocky Mountain region generally, could be given the consideration which is their due, and to which the people of that area are entitled?

Mr. PASTORE. Originally, S. 1886 was introduced as an omnibus bill. We divided it into two bills, one to apply to the booster stations, in which I think the Senator from Montana is primarily interested. Then we reported as a separate bill the portion dealing with the so-called community antenna system which included consideration of S. 2303 dealing with the same subject. The booster bill is noncontroversial. I do not see how anyone could object to that. By this bill the Federal Communications Commission may grant licenses in cases where construction has already occurred. This is with reference to certain homemade booster stations to bring television reception where made difficult by the topography of the particular area.

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

Mr. PASTORE. I yield.

Mr. FULBRIGHT. The only question which has been raised was raised by me. I was requested to have the delay until the question could be resolved as to whether or not the bill requires the FCC to establish sound engineering standards to protect all other media of communications.

Mr. PASTORE. The Commission would be required to do so, but before they could act or would grant a license, they would have to make certain that there was conformance with certain standards and regulations which they themselves would promulgate.

Mr. FULBRIGHT. So as to prevent interference with other media of communications.

Mr. PASTORE. Naturally, if there was anything against the public interest or which created harmful interference, the Commission would not grant the license.

Mr. FULBRIGHT. The only reason I requested that the bill go over temporarily was so that we might establish the proper legislative history.

Mr. PASTORE. If that is the only objection, then we might simply call the bill up on motion and pass it, because, as I said before, it is a noncontroversial bill, so far as I know. But the other bill may be controversial.

I may say to the Senator from Montana that so far as the second bill is concerned, the bill having to do with community antenna systems, it could be controversial. I do not think it could be passed on the Consent Calendar.

Mr. MANSFIELD. But the Senator from Rhode Island and the other members of his committee are in favor of both bills, are they?

Mr. PASTORE. I am in favor of both bills.

Mr. MANSFIELD. Will the Senator and his committee do their best to get both bills before the Senate?

Mr. PASTORE. That is right. But I think we ought to pass the booster bill this afternoon.

Mr. MANSFIELD. I assume that with the leadership on both sides of the aisle concurring, and with the approval of the Senator from Arkansas, at the next call of the calendar, which may be tomorrow or the next day, at least one of the bills could be called up, and then the other could be called up at the earliest opportunity.

Mr. PASTORE. That is correct. I subscribe to that course of action.

PRESIDENT ADAMS PARKWAY

The bill (H.R. 7125) to provide for a study of the feasibility of establishing the President Adams Parkway was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 793) to amend Title 23 of the United States Code in order to increase the amount authorized for bridges over Federal dams was announced as next in order.

Mr. PROUTY. Mr. President, I ask that the bill go over, on the ground that it is not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LANDS AT THE JOHN DAY LOCK, OREGON

The bill (S. 2362) to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Secretary of the Army determines that any land within the corporate limits of the city of Arlington, Oregon, acquired for construction of the John Day lock and dam as authorized by the River and Harbor Act of May 17, 1950 (64 Stat. 163, 167), is no longer required for project purposes, he is authorized and directed, subject to the further provisions of this Act, to convey to the city of Arlington all right, title, and interest of the United States therein.

SEC. 2. Any conveyances made pursuant to this Act shall be (A) at market value as determined by the Secretary of the Army in accordance with the formula set forth in section 3 of this Act; (B) upon terms and conditions determined by the said Secretary to be in the public interest; and (C) subject to reservations and restrictions determined by the said Secretary to be necessary for the development, maintenance, or operation of the John Day lock and dam project.

SEC. 3. The market value of any property conveyed under this Act shall be equal to the price for which the land was acquired by the United States, adjusted to reflect (A) any increase in the value thereof resulting from improvements placed thereon by the United States, excluding, however, any enhancement in value resulting from the construction of the John Day lock and dam; or (B) any decrease in the value thereof resulting from (1) any reservation, exception, restriction, or condition to which the conveyance is made subject; and (2) any damage to the land caused by the United States.

SEC. 4. The Secretary of the Army may delegate any authority conferred upon him by this Act to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

SEC. 5. The proceeds from any conveyance made under this Act shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 6. This Act shall terminate six years after the date of its enactment.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a letter dated September 4, 1959, which I addressed to the distinguished Senator from New Mexico [Mr. CHAVEZ], chairman of the Committee on Public Works.

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

SEPTEMBER 4, 1959.

Hon. DENNIS CHAVEZ,
Chairman, Senate Public Works Committee, Washington, D.C.

DEAR DENNIS: It is my understanding that the Senate Public Works Committee will soon have under consideration S. 2362, to authorize the Secretary of the Army to convey certain lands within the John Day lock and dam project to the city of Arlington, Oreg.

I am pleased to be a sponsor of S. 2362 because for several years I have been working closely with Arlington in its efforts to bring about an orderly and efficient relocation of an important section of the city. This relocation is necessary because within a few years the reservoir of the John Day Dam will inundate a sizable portion of the present city of Arlington.

After extensive consultations with the Corps of Engineers, the general plan of relocation, as proposed by Mayor Harford, received the approval of the Chief of Engineers, and discussions concerning implementation of the plan were then undertaken with the District Engineer in Walla Walla, Wash.

According to Brigadier General Person, Assistant Chief of Engineers for Civil Works, the relocation plan is feasible and proper and constitutes a reasonable solution to the corps' land acquisition program at Arlington. I have studied this matter carefully and I agree fully with the views expressed by the corps concerning this project.

S. 2362 was introduced after thorough consultation with officials of the Department of the Army and staff members of the offices of the Oregon Senators and that of Congressman ULLMAN. The plan was modeled generally after a plan that passed the Senate and became law in August 1956. This bill to which I refer was H.R. 9770 of the 84th Congress, which became Public Law 902. It is, of course, reassuring to have a precedent of this type, but even if no precedent were in existence, it is my opinion that the merits of the proposed relocation plan to be undertaken by the city of Arlington are completely ample to justify prompt passage of S. 2362 by the Congress.

Passage of this bill will provide the legal means whereby Arlington, through repurchase of land and carefully planned development of an area adjacent to the Columbia River to be filled by the Corps of Engineers, can bring into being a waterfront area and other city developments that will be sources of pride to present future residents of the city.

The bill protects the taxpayer of the United States through assurance of payment of fair market value, as prescribed in the language of sections 2 and 3. Passage of the bill would be in the interest not only of the city of Arlington, but of the people of the United States.

With best personal regards.

Sincerely,

WAYNE MORSE.

Mr. MORSE. It will be noted, as I pointed out to the Senator from New Mexico in the letter, that the bill protects the taxpayers of the United States through assurance of payment of fair market value, as prescribed in the language of sections 2 and 3. The passage of the bill is in the interest not only of the city of Arlington, but of the people of the United States.

I wish to add, in behalf of the residents of the Arlington area, that I appreciate, as I know my colleague does, the passage of this bill, because it will be of great help to the people in that part of my State.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point pertinent excerpts from the report of our Committee on Public Works.

There being no objection, excerpts from the report (No. 912) were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., at market value as determined by the Secretary, any lands within the corporate limits of said city acquired for construction of John Day lock and dam and no longer required for project purposes.

GENERAL STATEMENT

The John Day lock and dam is located on the Columbia River about 215 miles above its mouth and 3 miles downstream from the mouth of John Day River. The project was authorized by the Flood Control Act approved May 17, 1950, in accordance with the plan presented in House Document No. 531, 81st Congress. The project provides for a dam, powerplant, fish ladders, navigation lock, and other necessary appurtenant facilities.

The project will provide 500,000 acre-feet of flood-control storage, a power installation consisting initially of 12 units of 109,000 kilowatts each, a total of 1,308,000 kilowatts, and will provide a slack water pool about 75 miles long extending upstream to McNary lock and dam. The total estimated cost is $387 million. The project is under construction.

Arlington, Oreg., is located on the left bank of the Columbia River at mile 242, on Alkali Canyon, a short tributary entering the Columbia River from the south. The Flood Control Act of 1944 authorized a flood-control project consisting of improvement of 3,000 feet of Alkali Canyon through the city and necessary bridges. The construction of the John Day lock and dam, with the level of the John Day Pool, eliminated the need for the flood-control project on Alkali Canyon. No work was done on the project, having an estimated cost of $513,000.

The plan for the John Day lock and dam contemplated either raising the level of a portion of the city of Arlington, or flooding and relocating it. The city has a population of about 1,000 persons, and is the commercial center for a large farming and ranching area. Because raising the city is considered more economical, the Corps of Engineers proposes to acquire fee title to all the lands within the project area, remove the improvements, place fill on those lands that will not be permanently inundated, and make the area available for reuse in place. Land acquisition is scheduled to commence in the fall of 1959.

The city of Arlington, in anticipation of the project accomplishment as outlined, has established protective zoning with the view to having the areas of the new city redeveloped. Land adjacent to the city is steep, inaccessible, and undesirable for municipal purposes. The Chief of Engineers will arrange with the city of Arlington for the preservation or replacement of city owned or operated structures or facilities, including roads and utilities. These relocated facilities will be installed after the level of the city has been raised by the filling operation and in accordance with the overall plan adopted by the city.

When all of the relocation work has been accomplished, the United States will no longer require fee title to the property, although flowage easements may be necessary

in some ports. In the absence of any other Federal agency requirement for the property, the remainder would be excess and reported to the General Services Administration for transfer or disposal. The city officials fear that if the property is disposed of by the GSA, other parties might obtain the property for a use not desired by the city.

S. 2362 would provide for conveyance of the property to the city of Arlington. The city could obtain all the property at one time, lay it out in lots of its desired size, and resell the lots in accordance with State laws.

The bill contains safeguards for the Federal Government by obtaining market value for the land and imposing necessary reservations and restrictions. The provisions of the act will terminate within 6 years, which provides assurance that there will be no large increase in market value between the time the land was acquired by the United States and the time of its sale to the city of Oregon.

The committee believes that enactment of S. 2362 would provide a means for the city of Arlington to participate in carrying out the more economical plan of the project authorization. It would require no additional funds, but rather would permit recovery of some Federal costs. The committee therefore recommends enactment of S. 2362.

The favorable comments of the Secretary of the Army on S. 2362 are as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works, U.S. Senate.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of the Army with respect to S. 2362, 86th Congress, a bill to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project.

The Department of the Army interposes no objection to the above-mentioned bill, the purpose of which is stated in its title.

The Chief of Engineers, under the supervision of the Secretary of the Army, initiated construction of the John Day lock and dam on the Columbia River as authorized by the River and Harbor Act of May 17, 1950 (64 Stat. 163, 167), as outlined in House Document 531, 81st Congress. The plan for this project, as set forth in the House document, contemplates either raising the level of the city of Arlington, Oreg., or flooding and relocating it. Because raising the city is considered to be more economical, the Corps of Engineers proposes to acquire fee title to all and lands that would be within the project area, remove the improvements, place fill on those lands that will not be permanently inundated, and make the area available for reuse in place. Land acquisition will commence in the fall of 1959.

The city of Arlington, in anticipation of project accomplishment as outlined above, has established protective zoning with the view to having the areas of the new city redeveloped. In accordance with the authority of section 2 of the Flood Control Act of June 26, 1938 (52 Stat. 1215, 1216), and of section 111 of the act of July 3, 1958 (72 Stat. 297, 303), the Chief of Engineers will arrange with the city of Arlington for the preservation or replacement of city owned or operated structures or facilities including roads and utilities. These relocated facilities will be installed after the level of the city has been raised by the filling operation and in accordance with the overall plan adopted by the city.

When all of the relocation work has been accomplished the United States will no longer require fee title to the property, although flowage easements may be necessary in some parts. In the absence of any other departmental requirement for the property, the remainder would be excess and reported to General Services Administration for transfer or disposal in accordance with the Federal Property and Administrative Services Act (63 Stat. 367). It is the purpose, however, of the above-mentioned bill to provide for the conveyance of the property to the city of Arlington.

If the entire city were being relocated, the municipality would have complete control of its redevelopment. City officials say that raising the city is actually the same as "relocating it in place" and that they should be afforded identical control in the redevelopment of the city after the fill has been put in place. They have expressed a fear that they would be unable to do this if the property is reported excess, for disposal through General Services Administration, inasmuch as others might intervene and obtain property for a use not desired by the city. The pending bill is designed, therefore, to permit the municipality to step in and acquire all of the land from the United States at one time. Thereafter, having laid it out in lot sizes of its own choosing, the city proposes to resell the property under conditions determined by it in accordance with Oregon law.

The bill contains sufficient safeguards for the benefit of the project by permitting the Secretary of the Army to impose necessary reservations and restrictions. In addition, the Government in the sale would obtain market value, which is defined by the bill as being the price which the United States paid for the property, adjusted to reflect any increase in value because of Government constructed improvements or any decrease in value caused by damage or the imposition of restrictions in the conveyance. Relative to this point, it is the opinion of the Department of the Army that the placement of the fill material on the land will not, in itself, constitute an improvement since the placement of the fill is required by the project as a project expense.

By providing, in section 6, that the act shall terminate 6 years after it is enacted, the bill contains necessary assurances, in the use of the valuation formula, that there will not have been any large increase in market value of the property between the time of its acquisition by the United States and its sale to the city. At the same time this provision precludes a situation in which the United States would be unable to dispose of the land in any other manner if agreement could not be reached with the city of Arlington in a reasonable time.

Inasmuch as the bill would provide a means for the city of Arlington to participate in carrying out the more economical plan envisioned by the project authorization, this Department interposes no objection to its enactment.

Enactment of this measure will have no effect on the budgetary requirements of the Department of the Army.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,
WILBER M. BRUCKER,
Secretary of the Army.

ACQUISITION OF LAND IN THE VICINITY OF FEDERAL PENAL INSTITUTIONS

Mr. ENGLE. Mr. President, I ask unanimous consent to revert to the consideration of Calendar No. 860, Senate bill 2347.

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

Mr. ENGLE. Mr. President, I ask unanimous consent that the vote by which Senate bill 2347 was passed be reconsidered.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ENGLE. Mr. President, since reporting S. 2347, a bill to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution, on Monday, August 31, 1959, the House has passed H.R. 7571, which has been referred to and is now pending before the Committee on the Judiciary.

An examination of the House-passed bill discloses that it is identical to the Senate bill.

Mr. President, I ask that the committee be discharged from further consideration of H.R. 7571 and that it be substituted for consideration in lieu of S. 2347.

The PRESIDING OFFICER. Without objection, the Committee on the Judiciary is discharged from the consideration of House bill 7571.

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

The LEGISLATIVE CLERK. A bill (H.R. 7571) to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 7571?

There being no objection, the Senate proceeded to consider the bill which was read twice by its title.

Mr. ENGLE. Mr. President, the bill authorizes the Attorney General to acquire land "in the vicinity of" any Federal penal or correctional institution when authorized in an appropriation or other law. The present law permits such acquisition only "adjacent to" such institution. The broadened authority is desirable particularly for the acquisition of prison farm land.

The bill has been requested by the Department of Justice.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 7571) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2347 will be indefinitely postponed.

LOWER RIO GRANDE REHABILITATION PROJECT, TEXAS, LA FERIA DIVISION

Mr. ANDERSON. Mr. President, I move that the Committee on Interior and Insular Affairs be discharged from the further consideration of House bill 4279 and Senate bill 1026.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Senate pro-

ceed to the consideration of House bill 4279.

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

The LEGISLATIVE CLERK. A 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.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill 4279?

There being no objection, the Senate proceeded to consider the bill; which was read twice by its title.

Mr. ANDERSON. Mr. President, H.R. 4279, as passed by the House with amendments, came before the Senate on a motion to discharge the Committee on Interior and Insular Affairs from further consideration of the measure. This proposal was logical since the committee on August 12 held an extended hearing on the companion bill, S. 1026, sponsored by the distinguished majority leader, Senator LYNDON JOHNSON, and endorsed by his colleague, Senator YARBOROUGH.

Because of the urgency of the authorization for the rehabilitation of the La Feria division of the lower Rio Grande rehabilitation project to save water and protect the system, it is felt that prompt authorization of the La Feria development is imperative. The chairman of the committee, the distinguished senior Senator from Montana [Mr. MURRAY], concurred in the motion to discharge the committee from further consideration of H.R. 4279.

The authorized cost of the La Feria development is $6 million repayable in 35 years—15 years less than the permissible period allowed under the Small Projects Act. The relatively small area in excess of 160 acres is required to pay interest on the acreage in excess. Only 11 farms in the district exceed 160 acres in area.

The district embraces 27,000 acres. The facilities require modernization and improvement in the interest of efficient, economical operation. Rehabilitation of the system will save, it is estimated, 15,000 acre-feet of water annually. Rehabilitation will also result in a saving of $65,000 annually in operation and maintenance costs.

The rehabilitation extends to the district's diversion, distribution, and drainage system. The benefit-cost ratio is 5 to 1.

A proposal for rehabilitation of the system was defeated at the first election. On reconsideration, the water users endorsed the proposal and the entire board of directors of the district appeared before our committee in support of the proposal. Full opportunity was given opponents to present their objections.

The La Feria development is also endorsed by the Department of the Interior and the Bureau of the Budget.

Mr. JOHNSON of Texas. Mr. President, H.R. 4279 is a companion and identical bill to the bill which I introduced, S. 1026, authorizing the rehabilitation under the reclamations laws of the facilities of the La Feria Water Control and Improvement District at La Feria, Tex. The proposed plan calls for rehabilitation of the existing irrigation and drainage works of the district, which, though capable of serving the entire 27,000 acre of irrigable land in the district, require modernization and improvement for efficient and economical operation.

The plan of rehabilitation is designed to permit more economical operation and maintenance of the district's irrigation works, to provide more efficient water deliveries, to reduce distribution system losses, and to reduce flooding of lands in some areas by repair and improvement of the district's irrigation and drainage system. It involves a small increase in water storage, repair or replacement of deteriorated existing canal lining, installation of concrete lining or pipes in most of the presently unlined laterals of the irrigation system, rehabilitation or replacement of deteriorated or inadequate irrigation and drainage structures, an increase in drainage pumping capacity, cleaning and clearing of all earth canals and drains, and construction of access roads for maintenance purposes along all open canals, laterals, and drains.

Mr. President, this rehabilitation work is urgently needed for the conservation of Texas' precious water resources, and the cooperation of the Senate in expediting the consideration of this bill will be greatly appreciated.

In view of the fact that there is no Senate committee report on this bill, I ask unanimous consent that the appropriate portions of the report of the House Committee on Interior and Insular Affairs be printed at this point in my remarks.

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

PURPOSE

H.R. 4279, introduced by Representative KILGORE, 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, thereby permitting more economical operation and maintenance of the district's irrigation works, providing more efficient water deliveries, reducing distribution system losses, and reducing the flooding of lands in some areas.

BACKGROUND AND NEED

The La Feria Water Control and Improvement District is one of the 37 water control and improvement districts in the lower Rio Grande Valley, a highly developed agricultural area where crop production is almost entirely dependent upon irrigation from flows of the Rio Grande. These flows are partially regulated by Falcon Dam which was constructed by the International Boundary and Water Commission under the terms of the 1945 treaty with Mexico. Most of the diversion and distribution system now serving lands in the La Feria division has been in continuous operation for over 40 years. These facilities, capable of serving the district's entire irrigable area of about 27,000 acres, require modernization and improvement for efficient economical operation and to save for beneficial use waters now being lost through the presently inefficient system.

It is estimated that rehabilitation of the works of the La Feria division will permit the saving of some 15,000 acre-feet of water annually that is now lost through seepage and other waste. The committee was advised that 2 acre-feet out of every 3 diverted into the system are lost. With the constantly increasing use of Rio Grande water for irrigation, this rehabilitation can be a vital factor in the future in assuring the La Feria division of an adequate supply of water. Rehabilitation of the works also will result in an annual saving of $64,000 in operation and maintenance costs.

PLAN OF DEVELOPMENT

The report of the Department of the Interior on the plan of rehabilitation for the La Feria division was transmitted to the Congress on May 4, 1959, and is being printed as House Document 128. The plan provides for a general rehabilitation of the district's diversion, distribution, and drainage systems. The river pumping plant and relift pumping plant would be completely overhauled. The plan also provides for repair or replacement of deteriorated existing canal lining, installation of concrete lining or pipes in most of the presently unlined laterals of the irrigation distribution system, rehabilitation or replacement of deteriorated or inadequate irrigation drainage structures, cleaning and clearing of all earth canals and drains, and construction of access roads for maintenance purposes along all open canals and drains.

COMMITTEE AMENDMENTS

As introduced, H.R. 4279 provided that the act of July 4, 1955, under which the construction of distribution systems may be undertaken by the contracting water users' organization with funds advanced by the Government, would apply to the La Feria division. Testimony before the committee brought out the fact that the local district actually wanted to do only part of the rehabilitation work and not the complete distribution system as provided in the abovementioned act. Therefore, at the request of the author of the bill and with the understanding that the Department of the Interior had no objection, the committee deleted the reference to the act of July 4, 1955, and cited instead the act of October 7, 1949, the Rehabilitation and Betterment Act, under which the local district can perform any part of the rehabilitation work. The committee also deleted language in the bill referring to a variable payment formula in connection with the repayment requirement. Legislation was enacted in the 85th Congress providing general authority for incorporating a variable repayment plan in repayment contracts and the inclusion of this language in specific project bills is undesirable.

ECONOMIC ASPECTS

The estimated construction cost of the rehabilitation work is $6 million and this full amount is allocated to irrigation. Under the provisions of the bill, the La Feria district would be required to repay the full amount within a 35-year period with interest on that part which is attributable to furnishing benefits to ownerships in excess of 160 acres. The district has agreed to these repayment arrangements.

Economic studies of the proposed rehabilitation project indicate that the benefits from this development would exceed the cost by a ratio of 5 to 1.

AGRICULTURAL ASPECTS

Fruits and vegetables and some cotton are the principal crops grown in the La Feria district. With respect to ownerships, the average size farm is approximately 80 acres. There are only 11 farms out of 1,868 with acreage exceeding 160 acres and the largest one is 361 acres.

COMMITTEE CONCLUSIONS AND RECOMMENDATION

The Committee on Interior and Insular Affairs concludes that the La Feria division has engineering and economic feasibility and

that the cost can be repaid by the district in the period specified. The committee also concludes that the rehabilitation work is needed immediately and recommends that H.R. 4279 be enacted.

DEPARTMENT'S REPORT

The report of the Department of the Interior recommending the enactment of H.R. 4279 follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 22, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: A report has been requested from this Department on H.R. 4279, a bill to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, La Feria division.

We recommend that H.R. 4279 be enacted with the amendment hereafter set out.

Our planning report on the La Feria division was transmitted to the Speaker of the House on May 4 and was referred to your committee. If enacted, H.R. 4279 would, in effect, provide the means of carrying out the recommendations made in that report.

The proposed plan calls for rehabilitation of the existing irrigation and drainage works of the La Feria Water Control and Improvement District, Cameron County No. 3. Those works, though capable of serving the entire 27,000 acres of irrigable land in the district, require modernization and improvement for efficient and economical operation.

The plan of rehabilitation, therefore, is designed to permit more economical operation and maintenance of the district's irrigation works, to provide more efficient water deliveries, to reduce distribution system losses, and to reduce flooding of lands in some areas by repair and improvement of the district's irrigation and drainage system. It involves a small increase in water storage, repair or replacement of deteriorated existing canal lining, installation of concerete lining or pipes in most of the presently unlined laterals of the irrigation system, rehabilitation or replacement of deteriorated or inadequate irrigation and drainage structures, an increase in drainage pumping capacity, cleaning and clearing of all earth canals and drains, and construction of access roads for maintenance purposes along all open canals, laterals, and drains. H.R. 4279 calls specifically for the applicability to the La Feria division of the act of July 4, 1955 (69 Stat. 244) under which the construction of distribution systems may be undertaken by the contracting water users' organization itself with funds advanced by the Government.

The total estimated construction cost of the proposed plan of rehabilitation for the La Feria division is about $6 million on the basis of January 1959 prices. The entire cost is allocable to irrigation and, with the exception of $9,500 already contributed by the district toward investigation costs, is reimbursable. Under the provisions of the bill the district would be required to repay this cost within a 35-year period. The amortization capacity of the district lands is ample for repayment of the estimated construction costs by the water users within a period of 35 years.

The proposed plan for rehabilitation of the La Feria division has engineering feasibility and is economically justified. On the basis of a 35-year period of analysis, the evaluated annual direct benefits were estimated to exceed annual costs in the ratio of about 1.4 to 1.

H.R. 4279 would provide, in lieu of the excess lands provisions of the Federal reclamation laws, for the payment of interest by the owners of excess land similar to the requirement of section 5(c)(2) of the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended. An identical provision is contained in the act of April 7, 1958 (72 Stat. 83), relating to the Mercedes division of this same lower Rio Grande rehabilitation project.

In view of the current construction cost estimate of $6 million, we recommend the substitution of the expression "the sum of $6 million (January 1959 costs)" for "the sum of $5,750,000 (July 1958 costs)" in line 13, page 3.

We should like at this time to bring to your attention a correction which ought to be made at an appropriate time in the act of April 7, 1958 (72 Stat. 82), the Mercedes division authorizing legislation. In section 1 of that act, reference is made to "the lower Rio Grande reclamation project." The proper reference, as it is correctly stated in the title of that act and in section 1 of H.R. 4279, is "lower Rio Grande rehabilitation project."

A statement of the information called for by Public Law 801, 84th Congress, is attached.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

FRED G. AANDAHL,
Assistant Secretary of the Interior.

Estimated additional man-years of civilian employment and expenditures for the 1st 5 years of proposed new or expanded programs

	1960	1961	1962	1963	1964
Estimated additional man-years of civilian employment:					
Executive direction:					
Executive	1	1	1	1	1
Clerical	1	1	1	1	1
Stenographic	1	1	1	1	1
Total, executive direction	3	3	3	3	3
Administrative services and support:					
Accountant	1	1	1	1	1
Clerical	2	3	3	3	3
Property management	1	1	1	1	1
Records maintenance	0	1	1	1	1
Total, administrative services and support	4	6	6	6	6
Substantive (program):					
Engineering aids	6	7	7	7	7
Engineers	12	15	18	20	18
Total, substantive	18	22	25	27	25
Total, estimated additional man-years of civilian employment	25	31	34	36	34
Estimated additional expenditures:					
Personal services	$155,000	$190,000	$210,000	$220,000	$210,000
All other	345,000	1,010,000	1,290,000	1,480,000	867,662
Total estimated additional expenditures	500,000	1,200,000	1,500,000	1,700,000	1,077,662

Mr. JOHNSON of Texas. Mr. President, I express gratitude to the distinguished Senator from New Mexico [Mr. ANDERSON] for his diligent work in connection with the La Feria bill, which has just been presented. Except for him, the committee would not have made the progress it has made. I am certain that the relief afforded by the bill would not have been forthcoming. I express the gratitude of myself, my colleague [Mr. YARBOROUGH], and the citizens of my State for the work which the Senator from New Mexico has done in this connection.

I urge that the bill be passed.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 4279) was ordered to a third reading, read the third time, and passed.

WRIGHT BROTHERS DAY

Mr. JOHNSON of Texas. Mr. President, I move that the Committee on the Judiciary be discharged from the further consideration of House Joint Resolution 513, designating the 17th day of December 1959, as Wright Brothers Day, and that the Senate proceed to consider it at this time.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is before the Senate and is open to amendment. If there be no amendment to be offered, the question is on the third reading, and passage of the joint resolution.

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

CONSTRUCTION OF NORMAN PROJECT, OKLAHOMA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 898, Senate bill 1892, and I call this motion to the attention of the Senator from New Mexico.

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

The LEGISLATIVE CLERK. A bill (S. 1892) to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs,

with amendments, on page 2, at the beginning of line 2, to strike out "preservation and propagation" and insert "conservation and development"; after line 7, to insert:

The Secretary may enter into suitable contracts with municipal organizations, or other organizations as defined in section 2, Reclamation Project Act of 1939 (38 Stat. 1187), to undertake with non-Federal financing the construction of pumping plants, pipelines, and other conduits, or of any of such works, for furnishing water for municipal, domestic, and industrial use, and to advance to such organizations during the construction period funds to cover an appropriate share of the costs thereof attributable to furnishing water to Tinker Air Force Base.

At the beginning of line 20, to strike out "thereof in accordance with the methods used in determining the allocations made on page XI and table 4, page 25, Document Numbered 420, Eighty-fifth Congress, second session, but with appropriate adjustments for changes in actual cost of construction, under the following conditions:" and insert "thereof in accordance with the following conditions:"; on page 3, at the beginning of line 2, to strike out "preservation and propagation" and insert "conservation and development"; at the beginning of line 12, to insert "under the provisions of the Federal reclamation laws, and to the extent appropriate, under the Water Supply Act of 1958"; in line 19, after the word "and", to insert "notwithstanding the provisions in the Water Supply Act of 1958 relating to the rate of interest"; on page 6, line 8, after the word "project", to strike out "for recreation, as set forth in House Document Numbered 420, Eighty-fifth Congress, second session" and insert "for minimum basic recreational facilities as determined by the Secretary", and after line 18, to insert a new section, as follows:

SEC. 9. The second sentence of section 5(f) of the Act entitled "An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes", approved April 11, 1956 (70 Stat. 109) is amended to read as follows: "Such interest rate shall not exceed the average rate of interest, computed as of the end of the calendar month next preceding the date on which such advance is made, borne by all outstanding interest-bearing marketable public debt obligations of the United States which mature fifteen or more years from the date of their issuance, and by adjusting such average rate of interest to the nearest one-eighth of 1 per centum."

So as to make the bill read:

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 authorized to construct, operate and maintain the Norman Federal reclamation project, Oklahoma, in accordance with the Federal reclamation laws (Act of June 17, 1902, and Acts amendatory thereof or supplemental thereto), except so far as those laws are inconsistent with this Act, for the principal purposes of storing, regulating, and furnishing water for municipal, domestic, and industrial use, and for controlling floods, and, as incidents to the foregoing for the additional purposes of regulating the flow of the Little River, providing for the conservation and development of fish and wildlife, and of enhancing recreational opportunities. The Norman project shall consist of the following principal work: A reservoir on Little River near Norman, Oklahoma, pumping plants, pipelines, and other conduits for furnishing water for municipal, domestic, and industrial use.

The Secretary may enter into suitable contracts with municipal organizatons, or other organizations as defined in section 2, Reclamation Project Act of 1939 (38 Stat. 1187), to undertake with non-Federal financing the construction of pumping plants, pipelines, and other conduits, or of any of such works, for furnishing water for municipal, domestic, and industrial use, and to advance to such organizations during the construction period funds to cover an appropriate share of the costs thereof attributable to furnishing water to Tinker Air Force Base.

SEC. 2. In constructing, operating, and maintaining the Norman project, the Secretary shall allocate proper costs thereof in accordance with the following conditions:

(a) Allocations to flood control, recreation, and the conservation and development of fish and wildlife and water supply for Tinker Air Force Base shall be nonreturnable.

(b) Allocations to municipal water supply, including domestic, manufacturing, and industrial uses, with the exception of that for Tinker Air Force Base, shall be repayable to the United States by the water users through contracts with municipal corporations, or other organizations as defined by section 2, Reclamation Project Act of 1939 (53 Stat. 1187), and title III of the Flood Control Act of 1958 under the provisions of the Federal reclamation laws, and to the extent appropriate, under the Water Supply Act of 1958. Such contracts shall be precedent to the commencement of construction of any project unit affecting the individual municipalities, and shall provide for repayment of constructon costs allocated to municipal water supply in not to exceed fifty years from the date water is first delivered for that purpose, and notwithstanding the provisions in the Water Supply Act of 1958 relating to the rate of interest, payments of said construction cost shall include interest on unamortized balances of that allocation at a rate equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum: *Provided,* That the water users' organization be responsible for the disposal and sale of all water surplus to its requirements, and that the revenues therefrom shall be used by the organization for the retirement of project debt payment, payment of interest, and payment of operation and maintenance cost.

(c) Upon the completion of the payment of the water users' construction cost obligation, together with the interest thereon, the water users shall have a permanent right to the use of that portion of the project allocable to municipal water supply purposes.

SEC. 3. Contracts may be entered into with the water users' organization pursuant to the provisions of this Act without regard to the last sentence of subsection (c) of section 9 of the Reclamation Project Act of 1939.

SEC. 4. The Secretary is authorized to transfer to the project water users the care, operation, and maintenance of the works herein authorized, and, if such transfer is made, to deduct from the obligation of the water users the reasonable capitalized equivalent of that portion of the estimated operation and maintenance cost of the undertaking which, if the United States continues to operate the project, would be allocated to flood control and fish and wildlife purposes. Prior to taking over the care, operation, and maintenance of said works, the water users' organization shall obligate itself to operate them in accordance with criteria specified by the Secretary of the Army with respect to flood control and the Secretary of the Interior with respect to fish and wildlife: *Provided,* That operation and maintenance and replacement cost of furnishing water supply to Tinker Air Force Base, as contemplated in the plan of development, shall be provided by an appropriate agreement between the Secretary of Defense and the water users' organization.

SEC. 5. Construction of the Norman project herein authorized may be undertaken in such units or stages as in the opinion of the Secretary best serves the project requirements and the relative needs for water of the several municipal users. Repayment contracts negotiated in connection with each unit or stage of construction shall be subject to the terms and conditions of section 2 of this Act.

SEC. 6. The Secretary may, upon conclusion of a suitable agreement with any qualified agency of the State of Oklahoma or a political subdivision thereof for assumption of the administration, operation, and maintenance thereof at the earliest practicable date, construct or permit the construction of public park and recreational facilities on lands owned by the United States adjacent to the reservoirs of the Norman project, when such use is determined by the Secretary not to be contrary to the public interest, all under such rules and regulations as the Secretary may prescribe. No recreational use of any area to which this section applies shall be permitted which is inconsistent with the laws of the State of Oklahoma for the protection of fish and game and the protection of the public health, safety, and welfare. The Federal costs of constructing the facilities authorized by this section shall be limited to the nonreimbursable costs of the Norman project for minimum basic recreational facilities as determined by the Secretary.

SEC. 7. Expenditures for the Norman Reservoir may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act, 1954 (43 U.S.C. 390a).

SEC. 8. There are hereby authorized to be appropriated such sums as may be required to carry out the purposes of this Act.

SEC. 9. The second sentence of section 5(f) of the Act entitled "An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes", approved April 11, 1956 (70 Stat. 109) is amended to read as follows: "Such interest rate shall not exceed the average rate of interest, computed as of the end of the calendar month next preceding the date on which such advance is made, borne by all outstanding interest-bearing marketable public debt obligations of the United States which mature fifteen or more years from the date of their issuance, and by adjusting such average rate of interest to the nearest one-eighth of 1 per centum."

Mr. ANDERSON. Mr. President, I wish to suggest that the Senator from Oklahoma [Mr. KERR] also can make an explanation of the bill. However, I may say that this is a project which has been very carefully considered by the Subcommittee on Reclamation and by the full Committee on Interior and Insular Affairs. It relates to a municipal water supply project. The benefit-cost ratio is extremely attractive. The committee was happy to report the bill favorably at the request of the Senator from Oklahoma.

Mr. KERR. Mr. President, the bill provides for the construction of a multiple-purpose project in the area of Oklahoma City, Norman, Midwest City, Del City, and Tinker Air Force Base.

The bill provides for the allocation of costs, and sets out that the reimbursable costs will be repaid in 50 years with interest to the Federal Government.

The fish and wildlife benefits and flood control projects will be nonreimbursable.

Tinker Air Force Base, which is one of the largest installations the Air Force has in the world, is set up on the basis that more than half of the cost will be reimbursable by the water industry.

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

The amendments were agreed to.

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

The title was amended, so as to read: "A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma, and for other purposes."

CLAIMS FOR CERTAIN MOVING COSTS RESULTING FROM ANY PUBLIC WORKS PROJECT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 718, H.R. 4656.

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

The LEGISLATIVE CLERK. A bill (H.R. 4656) to amend section 401(b) of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

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

Mr. BIBLE. Mr. President, I have an amendment at the desk which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 2. The amendment made by this Act shall take effect as of January 1, 1959.

Mr. BIBLE. Mr. President, I have discussed the bill with the distinguished Senator from Washington [Mr. JACKSON], who signed the report from the Committee on Armed Services. The bill was unanimously reported by that committee. Likewise, I discussed the bill with the distinguished Senator from Mississippi [Mr. STENNIS], and the chairman of the full Committee on Armed Services, the distinguished Senator from Georgia [Mr. RUSSELL].

The bill concerns a matter of interest to the two Senators from Kentucky. I have discussed it with both of them. They have assured me that the amendment is agreeable to them. It is simply to correct an inequity which was called to our attention after the bill had been considered in committee.

Mr. COOPER. Mr. President, I ask unanimous consent to insert in the body of the RECORD, at a point before the vote by which the Senate agreed to H.R. 4656, a statement on the bill.

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

STATEMENT OF SENATOR COOPER ON H.R. 4656

I wish to comment briefly on H.R. 4656 which is identical to S. 1100 which was introduced by my colleague, Senator MARTIN, and myself. This bill would extend the time within which the Federal Government may pay the moving expenses of owners and tenants of land acquired for public works projects. Under existing law application must be made within 1 year following the date of acquisition of title to the property by the Federal Government. H.R. 4656 would require application for moving expenses to be made within 1 year following the date of acquisition or 1 year following the date the property is vacated, whichever is later.

This bill is, of course, of general applicability to all projects undertaken by the military departments. I must say, however, that it has been brought to my attention as a result of the relocation problems arising out of the construction of Barkley Dam and Reservoir in western Kentucky. The normally difficult problem of relocation has been aggravated in this instance by the fact that in the case of two communities—Kuttawa and Eddyville—parts of both communities will be under water. A part of the population must leave their homes; the remainder will stay. Because of the Barkley construction schedule it is obvious that there will be a long period of time between the date the Government acquires title to the property and the date present occupants are required to leave. The Government's normal policy of permitting occupancy of property acquired for reservoir purposes on a nominal rental basis, makes it almost certain that most of the displaced people in these two communities will not vacate the property within 1 year after the date the Government has acquired title to the property. This bill would permit the Federal Government to pay the moving costs (up to 25 percent of the value of the property acquired) as it presently is authorized to do, but would not require the displaced people to vacate their property within a year after acquisition of title to the property in order to be reimbursed for the cost of moving. All of us recognize that there are immeasurable benefits to the Nation, to a river valley and to the immediate area, whenever a large reservoir is constructed on one of our Nation's great rivers. However, it is equally clear that many landowners whose property is taken, who are forced to abandon a community in which their families have lived for generations, and whose businesses are shattered, can never be adequately compensated for their loss. As I have said, the situation in these two communities is particularly acute and I am hopeful that at least this small measure of relief can be afforded these citizens of Kuttawa and Eddyville in western Kentucky, and those who presently or in the future find themselves in similar situations.

I understand that the distinguished senior Senator from Nevada, Mr. BIBLE'S, amendment to the bill has been cleared with the chairman of the Armed Services Committee and the chairman of the subcommittee which handled this bill, and that there is no objection to it. Certainly I have no objection to the amendment proposed by the Senator from Nevada and I hope that the bill, as amended, will be approved by the Senate and that the House of Representatives will accept the Senate version.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ENTRY OF CERTAIN RELATIVES OF U.S. CITIZENS

Mr. JOHNSON of Texas. Mr. President, I understand that we are awaiting copies of the report on Calendar No. 990, H.R. 5896. I want to be certain they are available before we proceed to consider the bill.

Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 990, H.R. 5896, the so-called immigration bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

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

Mr. MORSE. Mr. President, I ask for an explanation of the bill.

Mr. EASTLAND. Mr. President, this bill reclassifies certain close relatives of U.S. citizens and aliens lawfully admitted for permanent residence in the United States. Such reclassification will expedite the reuniting of certain families. The bill also provides for the granting of nonquota status to certain close relatives of U.S. citizens or aliens lawfully admitted for permanent residence who were registered on a quota waiting list prior to December 31, 1953, and in whose behalf petitions were approved prior to January 1, 1959. Approximately 57,000 aliens will benefit from this provision.

This legislation is in accordance with the recognized principle of avoiding separation of family units. However, no change is made in the Immigration and Nationality Act relating to the basic formula for the establishment of quotas.

Mr. PASTORE. Will the Senator yield.

Mr. EASTLAND. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I feel that because of the interest that I have had in this bill, H.R. 5896, I should not let this occasion pass without thanking the chairman of the Senate Judiciary Committee, Mr. EASTLAND, for his unfailing consideration in bringing this humanitarian measure to the floor of the Senate. My appreciation goes also to the majority leader [Mr. JOHNSON], for scheduling this bill which can give us all a touch of pride in our America in these days when the eyes of the world are upon us and the hearts of the world are anxious about America's attitude toward them.

I would be remiss if I did not also praise the clear and active thinking of Congressman WALTER of Pennsylvania whose wisdom and workmanship is the very foundation of this bill. I was proud to collaborate with him.

His experience and judgment have given us a bill which will unite families—an equitable bill fashioned sincerely in the American mold that makes for the sanctity of the family and the security of the home.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the committee amendments.

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

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendments were considered and agreed to, as follows:

On page 2, line 3, after the word "the", to strike out "brothers or" and insert "brothers"; in line 4, after the word "sisters", to strike out "or the"; in line 14, after the word "than", to strike out "the effective date of the said Act" and insert "December 31, 1953,"; in line 18, after the word "and", where it appears the second time, to strike out "the unmarried son or daughter under twenty-one years of age of the beneficiary of such petition" and insert "the children of such alien,"; in line 21, after the word "be", to strike out "a nonquota immigrant" and insert "nonquota immigrants"; in line 23, after the word "issued", to strike out "a nonquota immigrant visa" and insert "nonquota immigrant visas"; on page 3, after line 3, to strike out:

"SEC. 5. (a) The first sentence of section 205(b) of the Immigration and Nationality Act (66 Stat. 180) is hereby amended to read:

"'(b) Any citizen of the United States claiming that any immigrant is his spouse or child and that such immigrant is entitled to a nonquota immigrant status under section 101(a)(27)(A), or any citizen of the United States claiming that any immigrant is his parent or unmarried son or unmarried daughter and that such immigrant is entitled to a quota immigrant status under section 203(a)(2), or any alien lawfully admitted for permanent residence claiming that any immigrant is his spouse or his unmarried son or his unmarried daughter and that such immigrant is entitled to a quota immigrant status under section 203(a)(3), or any citizen of the United States claiming that any immigrant is his brother or sister or his married son or his married daughter and that such immigrant is entitled to a preference under section 203(a)(4) may file a petition with the Attorney General.'"

And, in lieu thereof, to insert:

"SEC. 5. (a) Section 205(b) of the Immigration and Nationality Act (66 Stat. 180) is hereby amended to read:

"'(b) Any citizen of the United States claiming that any immigrant is his spouse or child and that such immigrant is entitled to a nonquota immigrant status under section 101(a)(27)(A), or any citizen of the United States claiming that any immigrant is his parent or unmarried son or unmarried daughter and that such immigrant is entitled to a quota immigrant status under section 203(a)(2), or any alien lawfully admitted for permanent residence claiming that any immigrant is his spouse or his unmarried son or his unmarried daughter and that such immigrant is entitled to a quota immigrant status under section 203(a)(3), or any citizen of the United States claiming that any immigrant is his brother or sister or his married son or his married daughter and that such immigrant is entitled to a preference under section 203(a)(4) may file a petition with the Attorney General. No petition for quota immigrant status or a preference in behalf of a son or daughter under paragraphs (2), (3), or (4) of section 203(a) of the Immigration and Nationality Act shall be approved by the Attorney General unless the petitioner establishes that he is a parent as defined in section 101(b)(2) of the Immigration and Nationality Act of the alien in respect to whom the petition is made. The petition shall be in such form and shall contain such information and be supported by such documentary evidence as the Attorney General may by regulations prescribe. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by a consular officer.'"

On page 5, after line 9, to strike out:

"(c) From and after the date of enactment of this Act no petition for immigrant status under paragraph (2), (3), or (4) of section 203(a) of the Immigration and Nationality Act (66 Stat. 178–179) may be approved by the Attorney General unless the petitioner is the spouse or the natural parent or the brother or the sister of the alien in respect of whom the petition is made. Aliens who are the beneficiaries of immigrant status under paragraph (4) of the said section pursuant to petitioners heretofore approved by the Attorney General on the ground that they are the adopted sons or adopted daughters of United States citizens shall remain in that status notwithstanding the provisions of section 1 of this Act, unless they acquire a different immigrant status pursuant to a petition hereafter approved by the Attorney General."

And, in lieu thereof, to insert:

"(c) Aliens who have been granted a preference under paragraph (4) of section 203(a) of the Immigration and Nationality Act pursuant to petitions heretofore approved by the Attorney General on the ground that they are the adopted sons or adopted daughters of United States citizens shall remain in that status notwithstanding the provisions of section 1 of this Act, unless they acquire a different immigrant status pursuant to a petition hereafter approved by the Attorney General."

And on page 6, line 20, after the word "amended", to insert a colon and *"Provided further,* That, upon his application for an immigrant visa, and for his admission into the United States, the alien is found to have retained his relationship to the petitioner, and status, as established in the approved petition."

The PRESIDING OFFICER. The question now is on the engrossment of the amendments and the third reading of the bill.

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

The bill (H.R. 5896) was read the third time, and passed.

PAULINE D. KIMBROUGH

Mr. JOHNSON of Texas. Mr. President, I have a number of formal requests to make.

First I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 667.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 667) for the relief of Pauline D. Kimbrough, which was, in line 5, strike out "$6,367.20," and insert "$5,577.89,".

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

AMENDMENT OF CODE RELATING TO PROHIBITION OF MISUSE BY CERTAIN AGENCIES OF NAMES, ETC., TO INDICATE FEDERAL AGENCY

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate the message from the House on the bill, S. 355, to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 355) to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency, which was, on page 2, line 11, strike out "$10,000" and insert "$1,000".

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

ANNIBALE GIOVANNI PELLEGRINI

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 640.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 640) for the relief of Annibale Giovanni Pellegrini, which was, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Annibale Giovanni Pellegrini, shall be eligible for a visa as a nonimmigrant temporary visitor: Provided, That the administrative authorities find that the said Annibale Giovanni Pellegrini is coming to the United States for the purpose of adoption by Mr. and Mrs. Mose G. Quilici, citizens of the United States, and that he is found otherwise admissible under the immigration laws. In the event the adoption of the said Annibale Giovanni Pellegrini by the said Mr. and Mrs. Mose G. Quilici does not occur within the time necessary to conclude final adoption proceedings under the laws of the State in which the said Annibale Giovanni Pellegrini is to be adopted, he shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event the adoption of the said Annibale Giovanni Pellegrini by the said Mr. and Mrs. Mose G. Quilici shall occur, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Annibale Giovanni Pellegrini as of the date of the payment by him of the required visa fee: *Provided further,* That the natural parent of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. JOHNSON of Texas. Mr. President, on July 6 the Senate passed S. 640, to grant to a minor child to be adopted by U.S. citizens the status of a nonquota immigrant. On September 1 the bill passed the House of Representatives with an amendment to provide for the temporary admission of the minor child

to the United States, with provision for and adjustment of his status to that of an alien lawfully admitted for permanent residence, if he is promptly adopted under the laws of the State where he is to reside.

This amendment is acceptable, and I move that the Senate concur in the House amendment to S. 640.

The motion was agreed to.

KATHARINA HOEGER

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1171.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1171 for the relief of Katharina Hoeger, which was to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond which may have issued in the case of Katharina Hoeger. From and after the date of the enactment of this Act, the said Katharina Hoeger shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on June 12, the Senate passed S. 1171, to grant the status of permanent residence in the United States to the 66-year-old beneficiary. On September 1, the House of Representatives passed S. 1171, with an amendment to provide merely for cancellation of outstanding deportation proceedings.

The amendment is acceptable; and I move that the Senate concur in the House amendment to S. 1171.

The motion was agreed to.

MARGUERITE FUELLER

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1837.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1837) for the relief of Marguerite Fueller, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Marguerite Fueller. From and after the date of the enactment of this Act, the said Marguerite Fueller shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on July 15, the Senate passed S. 1837, to grant the status of permanent residence in the United States to the 62-year-old beneficiary. On September 1, the House of Representatives passed S. 1837, with an amendment to provide merely for cancellation of outstanding deportation proceedings.

I move that the Senate concur in the House amendment to S. 1837.

The motion was agreed to.

NASSIBEH MILDRED MILKIE

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 977.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 977) for the relief of Nassibeh Mildred Milkie, which was, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Nassibeh Mildred Milkie shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. JOHNSON of Texas. Mr. President, on June 12 the Senate passed S. 977, to provide for restoration of U.S. citizenship to a native of the United States and citizen of Lebanon. On September 1, the House of Representatives passed S. 977, with an amendment to grant the beneficiary the status of permanent residence in the United States. The beneficiary must then proceed to naturalization under the regular immigration laws.

The amendment is acceptable; and I move that the Senate concur in the House amendment to S. 977.

The motion was agreed to.

MRS. PAULA DEML

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1627.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1627) for the relief of Mrs. Paula Deml, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Paula Deml. From and after the date of the enactment of this Act, the said Mrs. Paula Deml shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on July 24, the Senate passed S. 1627, to grant the status of permanent residence in the United States to a 68-year-old native and citizen of Yugoslavia. On September 1, the House of Representatives passed S. 1627, with an amendment to provide merely for cancellation of outstanding deportation proceedings.

The amendment is acceptable; and I move that the Senate concur in the House amendment to S. 1627.

The motion was agreed to.

JULIA MYDLAK

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 464.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 464) for the relief of Julia Mydlak, which was, on page 1, strike out line 3 down through and including "available" in line 11, and insert "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Julia Mydlak. From and after the date of the enactment of this Act, the said Julia Mydlak shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued".

Mr. JOHNSON of Texas. Mr. President, on July 24, the Senate passed S. 464, to grant the status of permanent residence in the United States to a 70-year-old native and citizen of Poland, on September 1, the House of Representatives passed S. 464, with an amendment to provide merely for cancellation of deportation proceedings in behalf of the beneficiary.

The amendment is acceptable; and I move that the Senate concur in the House Amendment to S. 464.

The motion was agreed to.

AMENDMENT OF RECLAMATION PROJECT ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, the Senator from New Mexico [Mr. ANDERSON] has to leave the floor in a few minutes. Before he leaves, he wishes to move the consideration of one of the bills which was passed over during the call of the calendar. It is Calendar No. 899, House bill 1778, which was reported from the Committee on Interior and Insular Affairs.

I understand the bill has been cleared on the minority side. The report (No. 873) on the bill is available, and was filed on September 2.

I move that the Senate proceed to the consideration of House bill 1778.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 1778) to amend sec. 17(b) of the Reclamation Project Act of 1939, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 18, after the word "such", to insert "amendatory"; in line 24, after the word "contract", to strike out "arrangements'." and insert "arrangements."; and on page 3, after the amendment just above stated, to insert "The Secretary shall report to the Congress all deferments granted under this subsection.".

The amendments were agreed to.

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

The bill was read the third time, and passed.

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

Mr. ANDERSON. I move to lay on the table the move to reconsider.

The motion was agreed to.

EXTENSION AND AMENDMENT OF HOUSING AND URBAN RENEWAL LAWS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 952, Senate bill 2654.

Mr. MORSE. Mr. President, let me inquire what bill this is.

Mr. JOHNSON of Texas. It is the housing bill; and we are returning to it.

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

The LEGISLATIVE CLERK. A bill (S. 2654) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that additional bills will be added to the calendar, but the Senate will not consider any bills on the calendar if the reports on them are not available.

The reason why we have not considered, today, some of the bills already on the calendar, is that the reports were received too late. But we shall call up those bills before the end of the session.

We believe that consideration of the housing bill will not take an undue length of time, inasmuch as the Senate has already passed two housing bills at this session, and took action in an attempt to pass one of them despite the veto.

Following the housing bill, we plan to have the Senate take up Calendar No. 853, House bill 3610, to amend the Federal Water Pollution Control Act, to increase grants for construction of sewage treatment works, and for other purposes. I am informed that the debate on that bill will not take too long today.

If my information is correct, we then plan to have the Senate take a recess at an early hour today.

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 amendments of the Senate to the bill (H.R. 7629) to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 9035) 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; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. SIMPSON of Pennsylvania, and Mr. MASON were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 36. An act for the relief of Page A. Wilson;

S. 252. An act to authorize Col. Philip M. Whitney, U.S. Army, retired, to accept and wear the decoration tendered him by the Government of the Republic of France;

S. 825. An act to revise eligibility requirements for burial in national cemeteries, and for other purposes;

S. 1081. An act for the relief of Arshalouis Simeonian;

S. 1149. An act for the relief of Capt. Thomas J. McArdle;

S. 1164. An act to authorize the appointment of a commissioner for Grand Canyon National Park, Ariz.;

S. 1613. An act for the relief of Matilda Kolich;

S. 1891. An act for the relief of Donald G. Coplan;

S. 1973. An act to extend the validity of the passport to 3 years;

S. 2101. An act for the relief of Ourania Ben Blikas;

S. 2291. An act to authorize the erection of a plaque in honor of the late Honorable Sam D. McReynolds on or near the site of the Chickamauga Dam;

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;

S. 2500. An act to authorize the appointment of Elwood R. Quesada to the retired list of the Regular Air Force, and for other purposes; and

S.J. Res. 25. Joint resolution to change the name of Roosevelt Dam, Reservoir, and Power Plant in Arizona to Theodore Roosevelt Dam, Lake, and Power Plant.

EXTENSION AND AMENDMENT OF HOUSING AND URBAN RENEWAL LAWS

Mr. SPARKMAN obtained the floor.

Mr. MORSE. Mr. President, will the Senator from Alabama yield, so that I may suggest the absence of a quorum?

Mr. SPARKMAN. Does the Senator from Oregon think a quorum call should be had at this time?

Mr. MORSE. Yes; before the Senate acts on the housing bill.

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

The PRESIDING OFFICER (Mr. MUSKIE in the chair). 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 suspended.

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

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SPARKMAN. Mr. President, this is the sixth time during this session of Congress that I have requested the Senate to support housing legislation recommended by a majority of the Committee on Banking and Currency. I recommended approval of S. 57, the conference report on that bill, and the enactment of S. 57 after it had been disapproved by the President. I recommended the enactment of a compromise bill, S. 2539, and I recommended its enactment after the President's disapproval. I now request the Senate to approve S. 2654—the third housing bill during this session—and a further compromise to accommodate the President.

During debate on the question of approving S. 2539 after it had been vetoed by the President, I stated my sincere belief that the vote on that question would be the last opportunity which Senators would have to vote on comprehensive housing legislation during this session of the Congress. Within a short time after the Senate sustained the President's veto on S. 2539, the chairman of the Committee on Banking and Currency, the Senator from Virginia [Mr. ROBERTSON], called a meeting of the committee to convene on the following day. The discussion on the question of housing legislation which took place in that committee meeting, and subsequent discussions involving the leadership on both sides of the aisle in both Houses of the Congress, and involving representatives of the executive branch of the Government, persuaded me that it might be possible to make certain changes in S. 2539 which would be acceptable to all parties concerned. These changes were considered yesterday in a meeting of the Committee on Banking and Currency, and S. 2654 was agreed to in the committee by a vote of 13 for, and 0 against—1 Senator voting "present," and another Senator being absent. Although I cannot agree that S. 2654 is as good a bill as was S. 2539 or S. 57, I support the new bill and I urge my colleagues to do likewise.

S. 2654 is substantively identical with S. 2539 with the following changes:

First. S. 2539 authorized appropriations of $50 million for a new program of direct loans to colleges and universities for the construction of classrooms and related educational facilities. The President opposed this new program, and it does not appear in S. 2654.

Second. S. 2539 contained new authorization for urban renewal loans and grants of $650 million, with a provision that $100 million was available at the President's discretion to be used to make certain that the applications of smaller cities would not be turned down for lack of funds. The President opposed this provision on grounds that it implied a direction to commit all of the funds during a 1-year period. In order to meet the President's objection, S. 2654 retains the $650 million total authorization, but provides that $350 million will become available upon enactment, and $300 million will become available on July 1, 1960. The special discretionary fund to accommodate the needs of smaller cities is not contained in the new bill because the committee believes that the needs of cities of all sizes can be satisfied without a special fund.

Third. S. 2539 increased the FHA general insurance authorization by $8 billion, but provided that any portion of this increase which remained unused on October 1, 1960, would lapse. The President objected to this provision and requested that the FHA receive unlimited authority to insure mortgage loans. The committee does not believe that the FHA should receive unlimited authorization; but in an attempt to accommodate the President, the aforementioned date of October 1, 1960, does not appear in S. 2654. Consequently, the new bill increases the FHA general insurance authorization by $8 billion and permits this amount to remain available until used.

For the information of the Senate and for others who are concerned with legislative history of public laws, I will state my understanding of the legislative history of this bill. Senators will note that the report on S. 2654—Senate Report No. 924—contains specific comment, other than a section-by-section summary, only upon those items which represent differences between S. 2654 and S. 2539. Likewise, the report on S. 2539—Senate Report No. 715—contained specific comment only upon those items which represented differences between S. 2539 and S. 57. Consequently, it is my understanding that the legislative history of S. 2654 will be represented by the pertinent statements which appear in the reports of the Banking and Currency Committee on S. 57—Senate Report No. 41, on S. 2639—Senate Report No. 715, and on S. 2654—Senate Report No. 924.

Mr. President, as I said earlier, this is the sixth time during this session of Congress that we have dealt with a housing bill; and if I may say so, including the bill last year, which was the basis for the whole matter, it is the seventh time. I therefore feel it requires very little discussion today, and I hope we can act on the bill quickly.

Let me say that we seriously considered the President's veto message and considered each point of it. For some time it appeared we might not be able to get any bill at all. However, there soon developed a situation for which I have been pleading over a long time, and that is a cooperative spirit. We had a fine spirit of cooperation as between the two parties in both the Senate and the House of Representatives, and as between the two Houses, and with the representatives of the White House. Working in that way, we had little difficulty in agreeing upon some changes in the bill that had been vetoed, and with those changes we bring the bill to the Senate today.

Basically, the bill is the same bill that was vetoed, with one exception, namely, we eliminated the provision relating to college classrooms. It appeared that the President was more strongly set against that provision than any other.

The President made several objections to various parts of the bill, but that is the only complete deletion or basic change that is made in the measure.

We made a couple of other changes which might be represented as being more for clarification purposes than for anything else. We made it clear that the $650 million provided for urban renewal did not mean what the President interpreted it to mean, as shown in his veto message—that is, that it was to be only a 1-year program—and we did it by making it clear that it would be at least a 2-year program. We did that by making $350 million immediately available on passage of the bill, and $350 million additional available on July 1, 1960.

That clearly shows it is at least a 2-year program and not confined to 1 year. The original measure was not confined to 1 year, but the President interpreted it so.

Mr. CLARK. Mr. President, will the Senator yield at that point?

Mr. SPARKMAN. I yield.

Mr. CLARK. Is it not the view of the Senator from Alabama that we are going to have to write another housing bill next year?

Mr. SPARKMAN. Yes. I will say something about that a little later.

Mr. President, another clarifying matter had to do with the FHA. Personally, I doubt that it made much difference whether we had a cutoff date on the new FHA authorization or not. By the way, the President objected to that. After all, the amount of authorization we make available to FHA will determine the length of time FHA can function.

Those are the only changes. One of them is a substantive change, leaving off the college classrooms. The other two are simply clarifying changes.

I will say, in slight elaboration of my answer to the Senator from Pennsylvania, I am confident that there will be a housing bill next year. As the Senator will recall, I stated at the meeting of the full committee I was confident of that, even after we removed the cutoff date for the new FHA authorization.

First of all, I am certain in my own mind that FHA will require additional insurance authorization. We will have to act on that in the next session of Congress. In my opinion the amount of authorization we give now will carry FHA to about October 1, or perhaps October 31 of next year, if we have normal housing activity, such as we are having at the present time.

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

Mr. SPARKMAN. I yield.

Mr. CLARK. It is entirely possible the authorization might run out earlier?

Mr. SPARKMAN. It is. Last year the FHA estimated the $4 billion we gave them was sufficient to run for the whole year, but it ran out in less than 3 months.

By the way, we are taking away from the FHA, in the bill, the right to issue further letters of intent or to make those agreements to insure. That is what the FHA has been running on since October 31 of last year.

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

Mr. SPARKMAN. I yield.

Mr. PROXMIRE. As I understand the situation, the Senator is not relying on this entirely.

Mr. SPARKMAN. No.

Mr. PROXMIRE. While it is very likely that a new housing bill will be necessary because of the FHA authorization, I presume there are other reasons why the Senator from Alabama feels there will be a housing bill next year?

Mr. SPARKMAN. Yes. The Senator from Alabama is going to enumerate them. I think there are three which are very apparent. Goodness knows how many others may show up.

First. I think the FHA will have to have additional authorization.

Second. I am quite certain that the college dormitory program will require additional funds before the year expires. We are providing $250 million in the bill. That amount simply will not be sufficient to run the program beyond 1 year.

Third, and very important, the title I home improvement program, which is a very popular program all over the country, has an expiration date under the bill of October 1, 1960. Certainly we are not going to let title I, home improvement, lapse. We would have to report a bill to extend that program even if we did not have these other things to consider.

I think everyone can rest assured there will be a housing bill next year to take care of these and other needs which may develop.

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

Mr. SPARKMAN. I yield to the Senator from Florida.

Mr. SMATHERS. Does the bill still contain the valuable addition with respect to housing for the elderly?

Mr. SPARKMAN. The bill contains that provision. No deletion was made in that respect.

The Senator will recall, that was the subject of one of the strong objections of the President. I do not know exactly what will happen, but I can visualize some of the columnists in the press reporting that the President has won a great victory.

I wish to say, Mr. President, this measure is the kind of measure we ought to have when there are differences between the legislative and the executive. This is a compromise. The legislative branch conceded with regard to the college classrooms. The executive conceded with regard to housing for the

elderly. Those were two points as to which there was strong objection by the President.

Mr. SMATHERS. I wish to commend the Senator for keeping that particular provision in the bill. In our State of Florida, where we have a predominance of elderly people, certainly there is no provision quite so important as that one. I wish to congratulate the able chairman of the subcommittee. I know the passage of the bill will accomplish a great deal of good for our State.

Mr. SPARKMAN. I feel it will, and I am glad the President was willing to concede on that point.

I point out, another thing to which the President had strong objection was the section on public housing. The President has conceded on that, and it remains in the bill.

I could point out other matters. In brief, however, only the three changes I mentioned are made in the bill which was vetoed. I am glad we have been able to work the bill out in a package form as we have.

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

Mr. SPARKMAN. I yield to the Senator from Colorado.

Mr. CARROLL. I commend the distinguished Senator from Alabama. I know this has been a very tedious and a very difficult fight for him. It is my regret we are not going to provide for the college classrooms. In my State there is a strong demand from many private colleges throughout the State for that. Under the circumstances, we can treat the subject on another occasion.

The housing for the elderly is very important to Colorado, also. That provision is in the bill, as I understand it, as it was in the previous bill.

Mr. SPARKMAN. That is correct. It is unchanged.

Mr. CARROLL. What about the provison relating to municipalities and urban renewal.

Mr. SPARKMAN. That remains unchanged.

Mr. CARROLL. Is the same period of time provided to recoup the previous expenditures?

Mr. SPARKMAN. The provision remains unchanged.

Mr. CARROLL. I thank the Senator.

Mr. SPARKMAN. The only change with reference to urban renewal is a change in form rather than in substance. We make it clear that it is not a 1-year program, as the President thought it was, as shown by his message. The President was mistaken, because we purposely left off the date. In this case we have spelled it out to be a 2-year program, in order that it might be certain. That is the only change in urban renewal, which, as I say, is one of form rather than substance.

Mr. CARROLL. I thank the Senator from Alabama.

Mr. CLARK. Mr. President, will the Senator yield at that point?

Mr. SPARKMAN. I yield.

Mr. CLARK. I agree that in form this is a 2-year program for urban renewal. I, for one, am going to take a very careful look at the program next session, to see to what extent the 2-year program we have spelled out is adequate.

Mr. SPARKMAN. Certainly. I agree with the Senator from Pennsylvania.

Mr. CLARK. If, as I suspect, it is an inadequate program, I shall certainly press for an additional grant authorization for urban renewal for fiscal year 1961.

Mr. SPARKMAN. The Senator knows I have said from the beginning that $350 million a year is the minimum requirement. Of course, the longer we wait about getting it, the bigger the backlog that piles up. We have provided less than $350 million a year. We have provided $650 million for the 2 years.

Mr. President, this bill represents a give and take as between the Executive and the legislative branch. I am glad to urge its approval.

Mr. President, I ask unanimous consent to have printed as a part of my remarks a section-by-section summary of the bill as reported.

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

SECTION-BY-SECTION SUMMARY OF S. 2654 AS REPORTED

Short title

The first section of the bill provides that the act may be cited by its short title—"Housing Act of 1959."

TITLE I—FHA INSURANCE PROGRAMS

Property improvement loans

Section 101: Amends section 2(a) of the National Housing Act to extend for 1 year (until October 1, 1960) FHA's home improvement and modernization insurance program.

Section 203 sales housing mortgage insurance

Section 102: (a)(1) Amends section 203(b) of the National Housing Act to increase the maximum amount of an insured mortgage covering a one-family residence from $20,000 to $22,500, and to $25,000 in case of a two-family residence.

(2) Amends section 203(b) to provide a new downpayment schedule for FHA section 203 sales housing as follows:

Valuation:	Downpayment (percent)
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

(3) Amends section 203(b) to permit FHA to accept VA construction inspections (as basis for application of full loan-to-value ratio) in connection with its mortgage insurance program on sales housing.

(b) Amends section 203(b) to make a nonoccupant mortgagor (builder or realtor) eligible for mortgage insurance in the same amount as that available to an owner-occupant under that section, in order to facilitate trade-in financing and avoid duplicate closing costs, if he places 15 percent of the mortgage amount in escrow to be applied to reduce the mortgage should no purchaser be found within 18 months. Under existing law, the mortgage of a nonoccupant is limited to 85 percent of the mortgage which an owner-occupant could obtain.

Low-cost housing in outlying areas

Section 103: Amends section 203(i) of the National Housing Act (relating to low-cost housing in outlying areas) to increase the maximum mortgage which may be insured under that section from $8,000 to $9,000, and to make eligible mortgages on existing housing as well as mortgages on new construction, with a reduced loan-to-value ratio (90 percent instead of 97 percent) for existing housing less than 1 year old which was not subject to FHA or VA inspection during construction. Removes $100 million insurance authorization limitation for "farm" homes insured under section 203(i).

Section 207 rental housing insurance

Section 104: Amends section 207 of the National Housing Act (the regular rental housing program) to increase from $12.5 million to $20 million the maximum amount of a mortgage which may be insured under that section.

(b) Increases dollar limits (per room and per unit) on FHA sec. 207 program as follows:

	Present law		New	
	Per room	Per unit if under 4 rooms	Per room	Per unit if under 4 rooms
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
Increase for high-cost areas	1,000		1,250	

Also amends section 207 to increase the mortgage limits for trailer courts or parks from $1,000 to $1,500 per space, and from $300,000 to $500,000 per mortgage.

(c) Amends section 207 to increase the maximum interest rate for mortgages insured under that section from 4½ percent to 5¼ percent.

(d) Adds a new subsection (r) to section 207 authorizing the Commissioner to require mortgagors on housing hereafter insured under that section or any other provision of the National Housing Act to agree to pay a service charge (in lieu of insurance premiums) if the mortgages are later assigned to FHA.

(e) Amends section 207 to delete all provisions relating to housing for elderly persons, since the bill (in title II) establishes a new FHA program of mortgage insurance for elderly persons' housing.

Cooperative housing insurance

Section 105: (a) Amends section 213 to increase from $12.5 million to $20 million the maximum amount of a mortgage on cooperative housing which may be insured under that section.

(b) Amends section 213 to increase mortgage limits per room and per unit as follows:

	Present law		New	
	Per room	Per unit	Per room	Per unit
Garden type:				
Nonveteran	$2,250	$8,100	$2,500	$9,000
Veteran	2,375	8,550	2,500	9,000
Elevator type:				
Nonveteran	2,700	8,400	3,000	9,400
Veteran	2,850	8,900	3,000	9,400
High-cost-area increase	1,000		1,250	

Also amends section 213 to increase the maximum loan ratio from 85 to 90 percent of replacement cost for investor-sponsored cooperatives and from 90 (95 percent if 50 percent of cooperators are veterans) to 97 percent of replacement cost for other cooperatives.

(c) Amends section 213 to permit community facilities to be included in sales-type housing mortgages and to permit both community and commercial facilities (permitted by existing law only for management-type cooperatives) to be included in mortgages for investor-sponsored type cooperatives.

(d) Amends section 213 to increase the maximum interest rate for cooperative housing mortgages from 4½ to 5¼ percent, and the maximum interest rate for mortgages on individual dwellings replacing an original sales-type cooperative project mortgage from 5 to 5¾ percent.

(e) Amends section 213 to extend the cooperative housing program to existing structures acquired by management-type cooperatives.

Mortgage ceilings for Alaska, Guam, and Hawaii

Section 106: Amends section 214 of the National Housing Act to provide that the 50 percent higher mortgage amount which the FHA Commissioner, at his discretion, may allow in Alaska, Guam, and Hawaii, may be applied to high-cost-area mortgage amounts in the programs where such high-cost-area provisions pertain.

General mortgage insurance authorization

Section 107: Amends section 217 of the National Housing Act to increase FHA's general mortgage insurance authorization by $8 billion upon enactment. Also amends section 217 to prohibit obligation of the insurance fund by any means other than contracts of insurance or bona fide commitments to insure.

Repeal of obsolete provision

Section 108: Repeals section 218 of the National Housing Act, an obsolete provision, which permitted the transfer of application fees from the FHA section 608 program to the section 207 regular rental housing program.

Housing in urban renewal areas

Section 109: (a)(1) Amends section 220 of the National Housing Act (urban renewal housing) to increase the maximum mortgage amount which may be insured by FHA on sales housing, as follows: From $20,000 to $22,500 on one-family homes, from $20,000 to $25,000 on two-family homes, and from $27,500 to $30,000 on three-family homes.

(2) Amends section 220 to provide a new downpayment schedule on FHA section 220 sales housing as follows:

Valuation:	Downpayment (percent)
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

(3) Amends the section 220 sales housing provisions to permit a nonoccupant mortgagor to obtain a mortgage in the same amount as that available to an owner-occupant by placing 15 percent of the mortgage amount in escrow to be applied to the reduction of the mortgage if no purchaser is found within 18 months, the same as was done in the section 203(b) sales housing program by section 102(b) of the bill.

(b) Amends the rental housing provisions of section 220 to increase from $12.5 million to $20 million the maximum amount of a mortgage which may be insured thereunder.

(c) Amends section 220 to increase mortgage limits (per room and per unit) in multifamily projects as follows:

	Existing law		New	
	Per room	Per unit	Per room	Per unit
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
High-cost-area increase	1,000	-------	1,250	-------

(d) Amends section 220 to permit exterior land improvements (as defined by FHA Commissioner) to be included in the mortgage without being computed as a part of the per room or per unit cost limitation.

(e) Amends section 220 to permit the inclusion of such nondwelling facilities as the FHA Commissioner deems adequate to serve the needs of the occupants of the project and of other housing in the neighborhood.

Relocation housing

Section 110: (a) Amends section 221 of the National Housing Act (relocation housing) to extend the benefits of the program to any family displaced within the environs of a community that has a workable program; also authorizes the construction of relocation housing in the environs of such community provided the civil jurisdiction in the environs requests such mortgage insurance.

(b) Amends section 221(d) to increase the maximum mortgage amount for a single-family residence from $10,000 to $12,000 in high-cost areas. Makes eligible for mortgage insurance 2-, 3-, and 4-family dwellings which meet FHA minimum property standards and appropriate State and local housing ordinances or regulations.

(c)(1) Amends section 221(d) to increase the dollar amount limitations per family unit in multifamily projects from $10,000 to $12,000 in high-cost areas.

(2) Amends the existing rental housing program for nonprofit organizations in section 221(d) to provide that the maximum loan ratio (which is 100 percent under existing law and would not be changed by the bill) shall be based on replacement cost in the case of new construction and on value in the case of rehabilitation projects, instead of on value in both cases as provided by existing law.

(3) Amends section 221(d) to establish a new rental housing program for profit organizations similar to the section 220 rental housing program. The maximum loan ratio for mortgages under the new program would be 90 percent of replacement cost in the case of new construction and 90 percent of value in the case of rehabilitation projects; and the Federal Housing Commissioner would be authorized to require the mortgagor to be regulated or restricted as to rents or sales charges, capital structure, rate of return, and methods of operation. The maximum mortgage amount and dollar limitation per family unit would be the same as for nonprofit organizations.

(d) Permits inclusion of commercial and community facilities as necessary to serve occupants.

(e) Conforming amendment.

(f) Amends section 212(a) of the National Housing Act to make the labor standards provisions of that section applicable to rental housing projects constructed by profit organizations with mortgage insurance under section 221.

Servicemen's housing mortgage insurance

Section 111: Amends section 222(b) of the National Housing Act (mortgage insurance for servicemen) to (1) permit the benefits of section 222 in the insurance of mortgages meeting the requirements of section 203(i), and (2) increase the maximum insurable mortgage from $17,100 to $20,000, and in the case of the insurance of mortgages meeting the requirements of section 203(i) establish a maximum of $9,000.

Cost certification

Section 112: Amends section 227 of the National Housing Act to revise the cost-certification requirements affecting FHA section 221, and new sections 231 and 810, in accordance with amendments made by other sections of this bill.

Voluntary termination of insurance

Section 113: Amends title II of the National Housing Act by adding a new section 229 to authorize the FHA Commissioner to terminate any mortgage insurance contract covering a one- to four-family home upon request of the mortgagor and mortgagee (and upon payment of an appropriate termination charge) without the technical necessity of paying off the mortgage.

Avoidance of foreclosure

Section 114: (a) Amends title II of the National Housing Act by adding a new section 230 to authorize the FHA Commissioner to acquire any mortgage covering a one- to four-family dwelling which is insured under that act and is in default, for the purpose of avoiding foreclosure.

(b) Amends section 204(a) of the National Housing Act to authorize the Commissioner, where a default is due to circumstances beyond the mortgagor's control and will probably be corrected within a reasonable period, to extend the time for curing the default and to agree that if the mortgage is subsequently foreclosed any interest thereafter accruing will be paid (in the debentures) to the mortgagee.

Mortgage insurance for nursing homes

Section 115: This section adds to title II of the National Housing Act a new section 232 establishing a program of FHA mortgage insurance for nursing homes.

(a) Declares that it is the purpose of the new section to assist in the provision of urgently needed nursing homes.

(b) Contains definitions of terms used in the section. The term "nursing home" would mean a proprietary facility (i.e., a facility privately owned and operated for profit) which is licensed or regulated by the State (or a political subdivision thereof where there is no State licensing law) for the accommodation of convalescents and other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services; such care or services would be prescribed by, or performed under the general direction of, persons licensed by State law to provide it.

(c) Authorizes the Federal Housing Commissioner to insure mortgages on new or rehabilitated nursing homes and to make commitments for such insurance prior to the execution of such mortgages or disbursement thereon.

(d) Sets forth the conditions on which the Commissioner may insure mortgages covering nursing homes under the new program. Any such mortgage would have to be executed by a mortgagor approved by the Commissioner; and the Commissioner could require the mortgagor to be regulated or restricted as to charges and methods of operation and, if the mortgagor is a corporation, as to capital structure and rate of return. Any such mortgage would be limited in amount to $12.5 million, and to 75 percent of the estimated value of the property. The maximum interest rate would be 6 percent of the outstanding principal balance (exclusive of premium charges for insurance), and the maturity would be determined by the Commissioner.

Also provides that no mortgage may be insured under the new program unless the Commissioner has received a certification of the need for the nursing home from the State agency which has been designated under title VI of the Public Health Service Act to survey the need in the State for the construction of hospitals and for the furnishing of hospital, clinic, and similar services, and certification that there are reasonable standards of licensure and methods of operation of such homes.

(e) Authorizes the Commissioner to permit the release of a part or parts of the mortgaged property from the lien of any mortgage insured under the program.

(f) Makes the provisions of section 207 of the National Housing Act, which relate to premiums and payment of insurance, applicable to mortgages covering nursing homes under the new section 232.

Section 201(b) of the bill makes the prevailing-wage requirements of the Davis-

Bacon Act applicable to the construction of nursing homes financed with insurance under the new section 232, except where services of laborers and mechanics are donated.

Technical amendments

Section 116: Makes various amendments in the National Housing Act to add necessary cross-references between section 204 of that act (relating to payment of insurance) and the other six insurance programs (the title I property-improvement program, the sec. 213 cooperative housing program, the sec. 220 sales housing program, the sec. 221 relocation housing program, the sec. 222 servicemen's housing program, and the sec. 809 program for civilian housing at defense installations) to which the section 204 procedures apply.

Inclusion of conveyance costs in debentures

Section 117: Amends section 204(k) of the National Housing Act to permit the Federal Housing Commissioner to include certain costs of conveying property to FHA in the debentures issued to mortgagees under any of the title II sales housing programs and under the title VI and title IX programs.

Investment insurance

Section 118: Removes mortgage insurance authority ceiling under title VII of the National Housing Act.

Legal notifications sent by mail

Section 119: Amends section 512 of the National Housing Act to provide that certain legal notifications sent by the FHA Commissioner shall be considered legal notice if properly mailed to the last known address.

TITLE II—HOUSING FOR THE ELDERLY

Under this title are two programs: (1) an FHA insurance program and (2) a direct loan program to assist in providing rental housing for elderly families and individuals.

FHA insurance program

Section 201: Adds a new section 231 to the National Housing Act to provide a new mortgage insurance program for the elderly. The program would be for both nonprofit and profitmaking sponsors and for new and rehabilitated structures. Maximum insurable mortgage would be $12.5 million, or $50 million for sponsors which are public or quasi-public instrumentalities.

Dollar limits would be as follows:

	Per unit
Garden type	$9,000
Elevator type	9,400

High-cost-area increase of $1,250 per room.

Loan ratios would be:

(a) New construction, 100 percent of replacement cost for nonprofit mortgagors and 90 percent of replacement cost for profitmaking mortgagors.

(b) Existing construction, 100 percent of value for nonprofit mortgagors and 90 percent of value for profitmaking mortgagors.

Interest rate on new program would not exceed 5½ percent. Maturity to be prescribed by FHA Commissioner. Not less than 50 percent of dwelling units for elderly (defined as any person, married or single, who is 62 years of age or more).

Applies Davis-Bacon Act except where laborers and mechanics donate their services to nonprofit corporation.

Loan program

Section 202: Under this section, the Housing and Home Finance Administrator would be authorized to make loans to private nonprofit corporations to construct, rehabilitate, or convert structures providing rental housing and related facilities for elderly families and elderly persons (including land acquisition and site improvement).

(a) (1) States that it is the purpose of the section to assist private nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(2) Authorizes the Administrator to make loans to carry out such purpose, but provides that no such loan may be made unless the corporation shows that it cannot secure the necessary funds from other sources upon terms and conditions equally as favorable as those applicable to loans from the Administrator.

(3) Limits any such loan to 98 percent of the total development cost of the construction as determined by the Administrator, with a maximum maturity of 50 years. Such a loan would bear interest at a rate not more than the higher of (*a*) 2¾ percent or (*b*) the total of ¼ percent added to the average annual interest rate on all interest-bearing obligations of the United States.

(4) Authorizes the appropriation of $50 million as a revolving fund from which the Administrator would make loans under this section, limiting to $5 million the amount which may be outstanding from the revolving fund at any one time for related facilities (defined as indicated below).

(b) Confers upon the Administrator the same functions, powers, and duties as are vested in him for purposes of the college housing program under the Housing Act of 1950. Under the authority granted to the Administrator under this section, he would have power to make necessary rules and regulations, sue and be sued, deal in various ways with any property acquired or held by him, obtain insurance against loss, modify the terms and conditions of loan contracts (which may contain such covenants, conditions, and provisions as he deems necessary), and contract without advertising in certain cases, and his operations under the program would be generally subject to the Government Corporation Control Act.

(c) (1) and (2) Prohibit the use of housing constructed under the new program for transient or hotel purposes while the loans made under this section for such construction are still outstanding. The Administrator would define the term "transient or hotel purposes," but rental for any period less than 30 days would, in any event, constitute use for such purposes.

(3) Requires that all persons employed in the construction of housing under the new program be paid at not less than the prevailing wage rate in the locality, as determined in accordance with the Davis-Bacon Act, except in the case of persons who voluntarily donate their services without full compensation in order to lower construction costs.

(d) Defines terms used in the section. The term "elderly families" would mean families the head of which (or his spouse) is 62 years of age or over, and the term "elderly persons" would mean persons who are 62 years of age or over. The term "corporation" would be limited to private, nonprofit corporations which are approved by the Administrator as to financial responsibility. The term "related facilities" would include cafeterias or dining halls, community rooms or buildings, infirmaries and health facilities, and other essential service facilities.

TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Increase in mortgage ceilings

Section 301: Amends section 302(b) of the National Housing Act to increase the maximum mortgage which FNMA may purchase from $15,000 to $20,000 in the case of mortgages purchased under the secondary market operation and from $15,000 to $17,500 in the case of mortgages purchased under the special assistance function. Under the bill these limits would not be applicable to mortgages insured under section 220. Under the bill (as under existing law) these limits do not apply to mortgages insured under section 803 of the National Housing Act or to mortgages covering housing located in Alaska, Guam, or Hawaii.

Financing of existing construction

Section 302: Amends section 304(a) of the National Housing Act to permit FNMA to make advance commitments to purchase mortgages in its secondary market operations on existing construction. This is now permitted only for new housing.

Fees and charges under special assistance function; renewal of commitments

Section 303: (a) Amends section 305(b) of the National Housing Act to repeal certain statutory limitations presently applicable to the fees and charges imposed in connection with the purchase of mortgages under FNMA's special assistance function, and to give FNMA discretion to determine such fees and charges as well as the purchase price of such mortgages.

(b) Requires that FNMA renew any special assistance commitments issued prior to August 27, 1958, if hardship would otherwise occur and if failure to deliver the mortgage prior to extension was beyond control of the mortgage seller. Terms of renewed commitment cannot be less favorable than the terms of the original commitment.

Comparative housing mortgages

Section 304: Amends section 305(e) of the National Housing Act to increase the special support fund for section 213 cooperative housing mortgages by a total of $25 million. Of this increase, $12.5 million would be earmarked for mortgages on consumer cooperatives and the other $12.5 million for mortgages on builder-sponsor cooperatives.

Investments by FNMA

Section 305: Amends sections 304(b), 306 (b), and 310 of the National Housing Act to authorize FNMA to invest its excess funds in obligations which are lawful investments for fiduciary, trust, or public funds, as well as in obligations issued or guaranteed by the United States.

FNMA purchase of mortgages held by HHFA

Section 306: Amends section 306 of the National Housing Act to authorize FNMA to purchase (pursuant to commitments or otherwise), service, and sell any mortgages offered to it by the Housing and Home Finance Agency or a constituent unit or agency thereof.

TITLE IV—URBAN RENEWAL

Statewide planning

Section 401: Amends section 101(b) of the Housing Act of 1949 to direct the Housing and Home Finance Administrator to give particular encouragement to the utilization of local public agencies which are established by States to operate on a statewide basis in behalf of smaller communities undertaking or proposing to undertake urban renewal programs, subject to local governmental approval, whenever the utilization of such agencies would promote the slum clearance and urban renewal program.

Clarifying amendments

Section 402: Amends section 102 of the Housing Act of 1949 to make it clear that loan contracts under that section may cover the total cost (including interest payments) of financing definitive loans to local public agencies.

Early land acquisition and clearance

Section 403: Amends section 102(a) of the Housing Act of 1949 to authorize the HHFA Administrator to permit land acquisition and slum clearance prior to the signing of a loan and grant contract, provided (1) local law permits such early acquisition and clearance (2) land acquired under this procedure shall not be disposed of until the urban renewal plan is approved by the local

community, or the community has consented to the disposal, and (3) the loan made to finance acquisition and clearance is secured in a manner satisfactory to the Administrator.

Urban renewal loan authorization

Section 404: Amends section 102(e) of the Housing Act of 1949 to provide for a more realistic method of determining the extent of use of borrowing authority, thereby providing sufficient authority for the administrator to enter into the loan contracts that are anticipated in the foreseeable future, without the necessity of increasing the statutory limitation on borrowing authority.

Grant authorization

Section 405: Amends section 103 of the Housing Act of 1949 (1) to provide an additional grant authorization of $350 million upon enactment and an additional $300 million on July 1, 1960; (2) to authorize the use of urban renewal grant funds to repay Treasury loans made to finance urban planning advances which are now uncollectible because of cancellation of the project; (3) to provide that where urban renewal assistance may be granted to a locality or local public agency within the applicable dollar amount and percentage limitations prescribed by title I of the 1949 act, the amount of such assistance shall not otherwise be restricted, except on the basis of (1) urgency of need and (2) feasibility, as determined by the Administrator; and (4) to authorize the Administrator to make grants for plans for community renewal programs. Such a grant could not exceed two-thirds of the cost of the planning.

Public improvements by Federal agencies

Section 406: Amends section 105(b) of the Housing Act of 1949 to facilitate public improvements involving the Federal Government and the District of Columbia in connection with urban renewal projects.

Public disclosure by redevelopers

Section 407: Amends section 105 of the Housing Act of 1949 to provide that before any commitments can be made for disposition of land to an urban-renewal developer he shall disclose, and the local public agency shall make public, a prospectus setting forth the names of the redeveloper's officers and principal members, investors, shareholders, and other interested parties, the estimated cost of the redevelopment, and the estimated rentals or sales prices of the proposed housing.

State loan ceiling

Section 408: Amends section 106(e) of the Housing Act of 1949 to eliminate the provision in existing law that not more than 12½ percent of the total loan authorization may be obligated in any one State; but does not alter the 12½-percent State limitation on grant authorization.

Relocation payments

Section 409: Amends section 106(f) of the Housing Act of 1949 to authorize relocation payments when the displacement is a result of any governmental activity in an urban-renewal area, or of programs of voluntary repair and rehabilitation; increases from $100 to $200 the maximum amount of relocation payments to individuals and families; and increases from $2,500 to $3,000 the maximum amount of relocation payments to business establishments.

Hotels and other transient housing

Section 410: Amends section 106 of the Housing Act of 1949 to prohibit hotels and other transient housing from being constructed in an urban-renewal area unless the community obtains a competent independent analysis of local supply of such housing and determines that there is a need for such housing.

Low-rent housing in urban renewal areas

Section 411: Amends section 107 of the Housing Act of 1949 to facilitate the development of federally, State, or locally assisted low-rent housing in urban renewal areas by providing that where land to be acquired as part of an urban renewal project is to be used in whole or in part for low-rent public housing, it shall be made available to the public housing agency at a price equal to the fair value to a private redeveloper of rental housing in the community with similar physical characteristics and the amount of such price shall be included as part of the development cost of the low-rent housing project. The local contribution in the form of tax exemption or tax remission required under the public housing law with respect to any such project shall be accepted as a local grant-in-aid under the urban renewal program.

Planning requirements

Section 412: Amends section 110(b) of the Housing Act of 1949 to authorize the HHFA Administrator to expedite urban renewal projects by permitting him to omit or to simplify present detailed requirements for the urban renewal plan.

Nonresidential development

Section 413: Amends section 110(c) of the Housing Act of 1949 to permit up to 20 percent of the future capital grant authorization to be used for areas which are not predominantly residential, and which are not to be redeveloped for predominantly residential uses, even if such areas do not include a substantial number of slum dwellings as presently required.

Noncash grants-in-aid

Section 414: (a) Amends section 110(d) of the Housing Act of 1949 to provide that improvements and facilities that are otherwise eligible may be credited as local grants-in-aid to urban renewal projects provided their commencement does not precede the signing of the loan and grant contract for the project by more than 3 years.

(b) Waives the requirement in section 110(d) of the Housing Act of 1949 for communities whose projects could not obtain Federal recognition during the period from July 1, 1957, through December 31, 1957, because of limitations on the HHFA Administrator to make capital grants or to reserve funds. Under existing law, such Federal recognition is required to enable the local community to include local activities and facilities as noncash grants-in-aid.

Credit for interest payments

Section 415: Amends section 110(e) of the Housing Act of 1949 to authorize the HHFA to include interest on advances by a city (local public funds) as an item of gross project cost for an urban renewal project.

Uniform date

Section 416: Amends section 110(g) of the Housing Act of 1949 to make uniform the date for determining the application of the going Federal rate of interest under urban renewal contracts.

Technical

Section 417: Makes conforming amendments.

Urban renewal areas involving colleges

Section 418: Adds a new section 112 to the Housing Act of 1949 to (1) remove "predominantly residential" requirement in areas involving an educational institution; (2) permit credit toward the locality's one-third share of expenditures made by the educational institution in purchasing property and in clearing the property; (3) permit the expenditure to be counted toward a community's local share provided the expenditure is made no more than 5 years prior to the signing of the loan and grant contract for the urban renewal project.

Urban planning

Section 419: (1) Rewrites existing law (sec. 701 of the Housing Act of 1954) to provide that grants-in-aid for planning assistance may be made to State planning agencies, or in the absence of any such agency, to an agency or instrumentality of a State government designated by the Governor and approved by the Administrator; State planning agencies for statewide and interstate comprehensive planning; official State, metropolitan, and regional planning agencies empowered under State and local law or interstate compact to perform metropolitan or regional planning; and official governmental planning agancies for areas where rapid urbanization has resulted or is expected to result from establishment or increased activity of Federal installation.

(2) Extends urban planning to include municipalities of less than 50,000 population; counties of less than 50,000 population; groups of adjacent communities with common planning problems having population of less than 50,000; and cities, other municipalities, and counties suffering from a catastrophe which the President declares a major disaster.

(3) Authorizes an additional appropriation of $10 million for the program.

(4) Authorizes the Administrator to encourage, in areas embracing several municipalities or political subdivisions, planning on a unified metropolitan basis and to provide technical assistance for planning and for solution of problems.

Investment by banks in long-term obligations of local public agencies

Section 420: Amends paragraph seventh of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), to permit National and State member banks of the Federal Reserve System to purchase or underwrite long-term obligations of local public agencies if such obligations are secured by an agreement with the Urban Renewal Administration. Section 5136 now permits banks to purchase and underwrite such obligations if they are short term (up to 18 months).

TITLE V—LOW-RENT PUBLIC HOUSING

Declaration of policy

Section 501: Amends section 1 of the U.S. Housing Act of 1937 to add the following policy objectives: To make adequate provision for larger families and for families consisting of elderly persons, and to vest in local housing authorities responsibility for the establishment of rents and eligibility requirements (subject to the approval of the Public Housing Administration).

Central administrative office facilities

Section 502: Amends section 2(5) of the U.S. Housing Act of 1937 to permit a local public housing agency to furnish administrative facilities to the local urban renewal agency, at economic rent, in localities where the public housing agency and the local public agency operate as separate legal entities but with a common administrative staff.

Rents and income limits

Section 503: (a) Amends section 2(1) of the U.S. Housing Act of 1937 to remove the existing requirement that rents be at least 20 percent of family income less certain deductions, providing instead that rents and income limits shall be fixed by the local public agency, subject to PHA approval, taking into consideration the rent-paying ability of the family and the financial stability and solvency of the project.

(b) Amends section 15(7)(b) of the 1937 act to reduce the "gap" between rental in the private market and rents for low-rent housing, in the case of families displaced by public action, from 20 percent to 5 percent.

Minimum age for admission of single persons and elderly families to low-rent projects

Section 504: Amends section 2(2) of the U.S. Housing Act of 1937 to make the age requirements for admission to and occupancy of low-rent housing for elderly single persons and families conform to the age requirements generally applicable for benefits under title II of the Social Security Act (65 for men, 62 for women, and 50 for disabled persons).

Authorization

Section 505: Amends section 10(i) of the U.S. Housing Act of 1937 to authorize the reuse of previous allocations for low-rent housing which are under annual contribution contract but will not be built, and also provides new contract authority for additional dwelling units; except that the total additional contract authority shall in no case exceed 37,000 units.

Extension of waiver in case of veterans and servicemen

Section 506: Amends section 15(8)(b) of the U.S. Housing Act of 1937 by extending from March 1, 1959, to October 1, 1961, the time that veterans or servicemen, or families thereof, may have a priority for admission to low-rent housing projects.

Payment for services

Section 507: Amends section 15 of the U.S. Housing Act of 1937 to authorize local public housing agencies utilizing public services and facilities of a municipality or other governmental agency for which separate charges are made to pay such charges (in the same amounts as would be charged private persons similarly situated) without the necessity of any amendment to the annual contributions contract.

TITLE VI—COLLEGE HOUSING

Housing loans

Section 601: Amends section 401(d) of the Housing Act of 1950 to increase the revolving fund for college housing loans by $250 million (the present ceiling is $925 million). Of the $250 million increase, $25 million is reserved for "other educational facilities," increasing the reservation for this purpose from $100 million to $125 million, and $25 million is reserved for student-nurse and intern housing facilities, increasing the reservation for this purpose from $25 million to $50 million.

Prevailing wage scale

Section 602: Provides for the prevailing wage scale under the Davis-Bacon Act to be applicable to all construction financed with college housing loans except for services voluntarily donated.

Cooperative college housing

Section 603: (a) Amends section 404(b) of the Housing Act of 1950 to provide that nonprofit student housing cooperative corporations established for the sole purpose of providing housing for students (or students and faculty) shall be eligible to receive college housing loans.

(b) Amends section 401 of such act to require that the note securing any such loan to a student housing cooperative corporation be cosigned by the educational institution where the cooperative is located. Under this amendment, title to the housing constructed with any such loan would vest in the educational institution in the event of the dissolution of the cooperative.

TITLE VII—ARMED SERVICES HOUSING

Extension of program; increase in maturity; reduction in certain insurance premiums; labor standards

Section 701: (a) Amends section 803(a) of the National Housing Act to extend the armed services housing mortgage insurance program until October 1, 1961.

(b) Amends section 803(b)(3) to increase from 25 to 30 years the maximum maturity of mortgages insured under this program.

(c) Amends section 803(b)(3) to permit the inclusion of nondwelling facilities to serve the occupants.

(d) Amends section 803(c) to permit the insurance premium on a Wherry Act project acquired by the Defense Department to be reduced below the present minimum of one-half of 1 percent.

(e) Further amends section 803 by adding a new subsection (k) which requires, as a condition of mortgage insurance under the present program, that the principal contractor or contractors engaged in the construction of the project involved certify that the laborers and mechanics employed on the project are being paid time and one-half for overtime employment.

Military housing (Wherry Act) and regular rental housing at military bases

Section 702: (a) Amends section 404(a) of the Housing Amendments of 1955 to authorize the Secretary of Defense to acquire section 207 rental housing completed before July 1, 1952, which is situated adjacent to a military installation and was certified as necessary military housing, in the same way that he is authorized under present law to acquire Wherry housing.

(b) Amends section 404(b) of the Housing Amendments of 1955 to provide that the Secretary of Defense must acquire all of the section 207 rental housing of the type described above which is located at a military installation where section 803 housing is being constructed. This same requirement already applies under existing law to Wherry housing.

(c) Amends section 407(f) of the Military Construction Act of August 30, 1957, to provide that neither Wherry housing nor section 207 rental housing shall be declared substandard because the units in such housing do not meet the minimum floor-area requirements prescribed for other military housing.

Deposits in Wherry project condemnation cases

Section 703: Amends section 404(c) of the Housing Amendments of 1955 to provide that in condemnation proceedings on Wherry projects, in those cases where the sponsor or owner had not certified the cost of the project to FHA by August 10, 1959, and the Secretary of Defense or his designee accordingly has the duty of determining the amount to be deposited with the courts for the estimated compensation to be paid, such determination shall be made "with a view to accurately estimating the equity of the sponsor or owner."

Defense housing for impacted areas

Section 704: (a) Amends title VIII of the National Housing Act by adding a new section 810 to authorize the FHA Commissioner to insure mortgages on single-family and multifamily projects (not to exceed 5,000 units), the need for which is certified by the Secretary of Defense. Insurance would be on an "acceptable risk" rather than an "economic soundness" basis. The projects would be held for rental for a period of not less than 5 years unless released by the military for sale. Priority in rental or sale is given to military personnel and essential civilian personnel of the armed services as evidenced by certification issued by the Secretary of Defense.

(b) Amends section 808 of the National Housing Act to make applicable the provisions of section 227 of the National Housing Act (cost certification).

(c) Amends section 212(a) of the National Housing Act to make applicable the prevailing wage requirements of the Davis-Bacon Act.

TITLE VIII—MISCELLANEOUS

Surveys of public works planning

Section 801: Amends section 702 of the Housing Act of 1954 to authorize the Administrator to use during any fiscal year up to $50,000 from the section 702 revolving fund to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated State and local public works requirements.

Disposal of Passyunk and Newport war housing projects

Section 802: (a) Extends by 2 years the period during which military personnel (and civilians employed in defense activities) may continue to occupy the Passyunk war housing projects, which are presently owned by the Housing Authority of Philadelphia pursuant to section 406 of the Housing Act of 1956, with occupancy preference and without regard to their income.

(b) Amends section 406 of the Housing Act of 1956 to provide a similar 2-year extension in the case of the housing project which was conveyed to the Housing Authority of Newport, R.I., under that section.

Farm housing research

Section 803: Amends section 603(c) of the Housing Act of 1957 to extend the farm housing research program for 2 additional years (until June 30, 1961), and to authorize appropriations of $100,000 during such additional period.

Hospital construction

Section 804: Amends section 605 of the Housing Act of 1956 so as to extend through June 30, 1960, the authority granted by that section for loans and grants to public and nonprofit agencies for hospital construction under the Defense Housing and Community Facilities and Services Act of 1951, where applications for such assistance were filed before June 30, 1953, and denied solely because of lack of funds. An appropriation of $7,500,000 would be authorized for each of the fiscal years ending June 30, 1960, and June 30, 1961.

Purchase of participating interests by savings and loan associations

Section 805: (a) Amends section 5(c) of the Home Owner's Loan Act of 1933 to permit a savings and loan association to use 20 percent of its assets to purchase participating interests in first mortgages on one- to four-family homes without regard to the existing area restriction, subject to the limitation that the agregate of such participations plus all outstanding loans made and participations purchased by the association under the existing exception from such restriction may not at any time exceed 30 percent of its assets.

(b) Further amends section 5(c) of such act to provide that participating interests in FHA or GI mortgages shall not be taken into account in determining the amount of loans which a savings and loan association may make within any of the percentage limitations contained in that section (the existing 20 percent limit on loans made without regard to the $35,000 and 50-mile restrictions, the new 20 percent limit on the purchase of participations, and the 30 percent combined limit).

(c) Further amends such section 5(c) to permit an insured savings and loan association to invest an amount not exceeding at any one time 5 percent of its withdrawable accounts in loans to finance the acquisition and development of land for primarily residential usage.

Voluntary Home Mortgage Credit Program

Section 806: Amends section 610 of the Housing Act of 1954 to extend the Voluntary Home Mortgage Credit Program until October 1, 1961.

Defense housing projects

Section 807: Amends section 606 of the act entitled "An act to expedite the provision of housing in connection with national defense and for other purposes", approved October 14, 1940, to permit the commingling of Lanham Act and low-rent project funds and the use of all residual receipts for reduction of any Federal annual contributions contracts under the consolidated contract.

Disposal of project

Section 808: Authorizes the PHA Commissioner to modify terms and conditions of a contract, if he deems it in the public interest, relating to the Southmore Mutual Housing Corp, of South Bend, Ind., with respect to the sale of that corporation of a Lanham Act war housing project.

Real estate loans by national banks

Section 809: Adds to section 203 of the National Housing Act a new subsection (j) providing that mortgage loans insured under that section shall not be taken into account in applying the existing limitations (contained in sec. 24 of the Federal Reserve Act) on the total amount of real estate loans which a national bank may make in relation to its capital and surplus or its time and savings deposits.

Mr. SPARKMAN. Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I should like to lay before the Senate, so that it will be of record, the information we have with respect to the relocation of people who are displaced from urban renewal sites or from road construction operations.

Mr. SPARKMAN. Mr. President, may I ask the Senator, to what page is he referring?

Mr. JAVITS. I will refer to page 20 of the report, section 409, headed "Relocation Payments."

I shall of course not seek any amendment to the bill. I have not been on the floor during the presentation of the Senator from Alabama, and I do not know whether the Senator from Alabama has been properly lauded, but if he has not been he should be. I think if we have a housing bill as a result of the work of this session it will be heavily attributable to the distinguished Senator from Alabama, who attacked the problem with patience, notwithstanding his own irritation, which I think was quite just, as to the course the whole affair took. The Senator has surmounted every difficulty and has brought the whole situation into balance, to the point that at long last this tremendous effort will not be wasted.

I believe that was the real danger, that this tremendous job of an omnibus bill upon which so much labor had been expended and on which so many people had expressed themselves, would go down the drain, because we had passed merely an extension of the fundamental aspects of the act in deference to the President's veto and then had to come back next year and do the whole job over again, with all of the frustrations and difficulties which that implies.

I should like to say that I believe the whole country will be grateful to the Senator from Alabama for having somehow or other carried the matter through to what looks now, if all the signs in the sky do not get out of order, to be a happy and fine solution.

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

Mr. JAVITS. Certainly.

Mr. SPARKMAN. First of all, I should like to express my thanks for his very kind remarks.

I particularly want to emphasize something that the Senator from New York has just stated. It is a matter that is easily overlooked. It is easy for people to think about public housing and urban renewal and FHA insurance, four or five big things in the bill like that, but as the Senator well knows, there are hundreds of items in the bill which would usually be overlooked. They are important items and, as I have said, probably 90 percent of them were requested by the administration.

I believe the Senator makes a good point, that it is a good thing for us to get together with give and take in order to have all of the numerous matters which are covered in the bill.

Mr. JAVITS. May I say to the Senator, too, because housing has been a kind of nonpartisan effort, that the way the Senator from Alabama has handled the matter should work out very agreeably for the President also. I should have been rather unhappy to leave the President in the position where, because of his honest convictions, with which I disagree and with which the Senator from Alabama also disagrees, with respect to the financial aspects of the proposed legislation, all of us, including the administration, would have ended up with the dust in our mouths of merely a bare extension, and with all of the fruitful effort having gone down the drain.

I wish to address myself to only one of the very fruitful aspects of the bill and put it on the agenda for the future. I refer to the question of relocation payments.

We have a very grave problem in New York City, with thousands of families displaced, and with relocation a really serious problem, involving a tremendous amount of family and human difficulty.

I am delighted to say that, together with other Senators, like the Senator from Pennsylvania [Mr. CLARK], who is on the floor, I had something to do with the subject. The committee has endeavored to give more liberal understanding to the relocation problem.

My information, which comes to me from James Felt, the distinguished chairman of the city planning commission of my home city, a very eminent city planner and housing expert, is that we must still do some very basic and material things to help solve the relocation problem. For example, it is felt that this whole matter of relocation ought to figure into basic project costs.

As I said, I shall not disturb with any amendments the balance which we have attained. However, I mention this subject just by way of recording certain unfinished business and putting it on our agenda both before the committee and the Senate. It is a very grave difficulty, about which I shall have the privilege of presenting to the committee detailed information from the experience of the city of New York.

Mr. CLARK. Mr. President, when the President vetoed the last housing bill it was my view that we in Congress had walked the extra mile to meet the President, but found when we got there that he had turned his back on the cities of America. I felt there was little point in making another effort to pass a housing bill.

In this view I was joined by the distinguished junior Senator from Alabama [Mr. SPARKMAN], who heads the Subcommittee on Housing of the Committee on Banking and Currency, and to whom all credit should go for the fact that we are today debating, and will shortly pass, the same housing bill in substance that we passed 3 times before.

I do not believe—and he will answer for himself—that the junior Senator from Alabama would have undertaken the great task of bringing another housing bill to the floor if he had not been substantially encouraged in that effort by emissaries of the President, who indicated that if certain minor changes were made in the bill previously vetoed, another such bill would be signed.

I commend the President and his emissaries for making those overtures, and I commend the Senator from Alabama for responding to them. However, let me say to my friends of the press that this bill represents no victory for the President. I agree with the Senator from Alabama that to some extent it is a compromise; but if anybody has been defeated in connection with this legislation, if the bill should be signed, it is certainly not the Congress of the United States.

In substance, with a number of minor changes, this is the bill which almost passed Congress as the Housing Act of 1958. I will not review the detailed history of the legislation, but I am sure that if the members of the press gallery can see how big and how thick the bill which I hold in my hand is, and if they realize that only three minor changes have been made in the bill which was vetoed a short time ago, and how relatively few changes that bill made in the bill which originally passed the Senate as S. 57, it will be difficult indeed for them to write dispatches which will carry headlines above them: "President Scores Another Victory Over Congress."

Mr. President, three changes have been made in the bill in deference to the wishes of the President. The first was to eliminate the expiration date of October 1, 1960, on the writing of additional FHA mortgage insurance. That is a change not of substance, but in form. What we did was to include the same additional authorization of $8 billion for FHA insurance that was in the vetoed bill, but to eliminate the termination date of October 1, 1960, which limited the availability of this $8 billion. The result of the change which we have made is a little hard to determine, but in all likelihood it means that FHA insurance will run out on or about October 1, 1960, just as it would have if that change had not been made. Of the $8 billion in additional insurance which the bill authorizes, as did the previous bill, over $5 billion will be used up immediately on taking up informal agreements to insure already made by FHA, and these agreements are declared in the bill to be il-

legal in the future. So they cannot play that trick again.

That will leave $3 billion of additional insurance authorization, which the FHA and the staff of the Committee on Banking and Currency estimate will carry FHA program from July 1, 1960, to, at the very latest, February 1, 1961.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield in order that we may have the yeas and nays ordered on the Housing bill before too many Senators leave the Chamber?

Mr. CLARK. I am glad to yield.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. President, I ask for the yeas and nays on the housing bill.

The yeas and nays were ordered.

Mr. CLARK. The second change which has been made in the bill as a result of the President's objection eliminates a provision for loans for college classrooms. All this means, however, is that there are some purists on the other side of the aisle, and the President himself and his advisers, who feel that while it is all right to build college dormitories and college dining rooms, it is all wrong to build college laboratories, college libraries, and college classrooms with the aid of low-interest Federal loans.

These purists also suggested that if we wanted this program we should bring it out of the Committee on Labor and Public Welfare, as aid to education.

We have made a minor concession to the President. We are going to put this program in an aid to education bill. The aid to education bill has been ordered reported by the Committee on Labor and Public Welfare, but I doubt if it can be passed this session. However, undoubtedly we shall take it up early in the next session. When we do, members of the Committee on Labor and Public Welfare have agreed that they will help each other with amendments to improve the bill as it came from the committee.

One of the amendments I shall urge—and I hope the majority of my colleagues will go along—will be to provide in that bill for loans for college classrooms, college laboratories, and college libraries.

We must always remember that the President himself has advocated a program of $500 million of grants for aid for college classrooms and other academic facilities, so it seems to me highly unlikely that he could object to a $50 million program for loans if it comes to him next year as a part of the Federal aid to education bill, as I am quite hopeful it will.

So, in effect, the second concession we have made to the President is that we have agreed to take that provision out of this particular bill. I am quite confident that we will put something like it, or something better, in another bill, which will pass next year.

The final change which we made in this bill as compared with the earlier bill, the final concession we made at the behest of the President, is that, instead of making $550 million of urban renewal available immediately, with an extra $100 million at the discretion of the President if he should find that small cities were being shortchanged—which, of course, they are not, so we would never have to use the $100 million—we have added $100 million to the urban renewal program, and brought it up to $650 million; and we have said that the second $300 million may not be used until July 1, 1960.

At the snail's pace at which the Urban Renewal Administration operates in this regard, it probably cannot process more than $300 million of urban renewal applications during the next 6 or 8 months, so while in form this is said to be a 2-year urban renewal program, in fact, it is a 9-month urban renewal program.

As I stated earlier, in the colloquy with the Senator from Alabama [Mr. SPARKMAN], if we find next year that our expectations as to the speed with which the Urban Renewal Administration can do its job are not correct, and that applications can be processed more quickly—as we think they could be and should be—then I believe we shall have a bill next year which will increase the amounts of urban renewal grant authorizations.

I say again that as a practical matter, this is pretty much the bill that was vetoed twice. I say again that I commend the President's advisers for having made the first approach to the Congress, indicating that they would be willing to take this bill. I think they made a wise retreat. I think they have done the sensible thing. I think they have walked at least half the extra mile back in our direction. I suspect they regret the action they took earlier.

I give all credit to the White House and to the Republican leadership in the House for having come to us and indicated that this bill would be signed with so few changes.

I believe it is desirable for the record to run over briefly the points in the President's veto message and see to what extent this bill meets them.

The President objected in his veto message, first, to the fact that we set an expiration date next fall on the new loan insurance authorization of the Federal Housing Administration. To meet that objection we took the expiration date out, but we made sure that the FHA authorization will run out next fall anyway.

The next objection of the President is that the bill went too far, in that it called for spending more than $1¾ billion of the taxpayers' money, and that was too much. In my judgment the President of the United States vastly overestimated the spending which that bill would call for. Whether he did or did not, we have not reduced that amount.

The next objection of the President was that this was a 1-year bill which called for Federal spending at virtually the same rate as the earlier bill, which he vetoed. This is still a 1-year bill, but by the exercise of semantics we have made the urban renewal program look as though it were a 2-year program, so that objection has not been met either.

The President further objected in his veto message that the bill involved starting two new programs. One of them was loans for college classrooms, laboratories, and libraries, and the other the loan program for elderly housing, both at low interest rates.

In deference to the President we have taken the college classroom provision out of the bill. As I pointed out earlier, a similar provision—and I hope a better provision—will be in the Federal aid to education bill next year.

The President objected to the program for the elderly. With deep regret we have been unable to meet him on this objection. We all know that the present FHA program for elderly housing takes care of only the well-to-do elderly people. The program for housing moderate income or low income elderly people has accordingly been kept in the bill.

The President objected to the authorization of 37,000 units of public housing. We have been unwilling to accept that rejection, and the authorization remains in the bill. Most Senators know that a minimum of 37,000 units of public housing is essential in order to take care of families which will have to be relocated in safe and sanitary housing under existing law, because of slum clearance, highway, and other governmental programs.

The President then said that this was not the kind of housing legislation that is needed at this time; yet the present bill is the same kind of housing legislation as the earlier bill.

The President in his veto message recommended a housing bill which would contain six provisions. I shall discuss each of them very briefly.

First, a provision which would remove the ceiling on FHA mortgage insurance authority. I have already mentioned what we did in that connection. We changed the form, but not the substance.

Second, extension of the FHA program for insurance of property improvement loans. We have the same provision for extension in this bill that we had in the earlier bill, to which the President objected.

Third, a reasonable authorization for urban renewal grants. That, I think, we have done again, as I have explained. We have also provided authorization for college housing loans as the President suggested. We did not change that item at all. Also, we have not adjusted the interest rate on college housing loans, although the President so requested. We made no change there.

The President asked us to extend the voluntary home mortgage credit program, and that we have done in every bill we have passed.

Finally, the President, asked us to adjust upward the statutory interest rate ceilings governing mortgages insured under FHA's regular rental and cooperative housing programs. We made no change in this program, with respect to the interest provision, from the earlier bill.

So although I was somewhat depressed when the veto message came down a short while ago, I am now much encouraged. I think we have a bill which is substantially the same bill as the two which were vetoed. Yet we have the assurance this time, I believe, that the bill will be signed.

Again, I express appreciation to the President and his advisers, both in Congress and elsewhere, for their very fair-minded rightabout-face; for their indication of a willingness to cooperate with Congress; and finally for what appears to be their ultimate realization that the bills which passed the Senate and the House earlier were in the national interest.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. WILLIAMS of New Jersey. I am happy, again, to commend the Senator from Pennsylvania for the clarity of his thought on the issue in the comprehensive way he has dealt with the unfortunate veto, and his analysis of what we now are finally doing.

I wonder if the Senator would agree with me that the use of the veto this year and the philosophy which has prompted it might well afford an opportunity for a very interesting study by a scholar, perhaps a master of political science who is striving for a doctorate in political science.

Mr. CLARK. I agree with the Senator thoroughly. I think it might also be a good subject for one who is seeking a doctor of philosophy in psychology.

Mr. WILLIAMS of New Jersey. To that I would agree also. We might include the veto of the civil functions appropriation bill and the statement by the President that all 67 new starts represent good, necessary resource development—but not now.

As to the housing bill, the President did not say he was against housing for the elderly. He favors it—but not this way.

He certainly said that he is not opposed to classrooms and Federal assistance for building facilities at colleges—but again, not this way.

Certainly the President is not opposed to a program of urban renewal, but he insisted that it be too little over too long a period.

We see this theme running through today's vetoes. I wonder if a scholar might not run this philosophy and thought even farther back into history. I remember hearing so vividly so often during the depression the phrase: "Prosperity is just around the corner"—the attitude of "all tomorrow, but today nothing."

Mr. CLARK. I could not agree more with the distinguished Senator from New Jersey. I think he has stated very succinctly the problem which confronts us today and which will continue to confront us until January 1961.

It is said, although I do not know whether it is true, that some scholars read the CONGRESSIONAL RECORD. Personally, I am a little skeptical about that. But if they do, perhaps they will pick up the suggestion of the Senator from New Jersey, and we will have some bright young men and women down here trying to get Ph. D.'s in these interesting subjects.

Mr. McCARTHY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. McCARTHY. I think it might help to clear up the discussion to observe that what is being recommended is fairly implied in the philosophy of dynamic conservatism, in which one tries as hard as he can to keep things exactly as they are.

Mr. CLARK. This is another way of saying: A Republican looks at his party.

Mr. McCARTHY. Well, one Republican looked at his party. But, certainly, it would follow from this that the Republicans should be opposed to any new starts, would it not, Mr. Clark?

Mr. CLARK. I think so.

Mr. McCARTHY. If that is where they stopped, we would not be so disturbed—at least speaking for myself. But I have been bothered by the recent policy of new stops.

Mr. CLARK. I think the Senator from Minnesota is quite correct. We are beginning to have a lot of stops. We are coming to be like a local train instead of an express.

Mr. YARBOROUGH. Mr. President, I compliment the distinguished Senator from Alabama for his leadership on the housing bill. He has worked long, diligently, and against great obstacles, having had two modest housing bills vetoed this year. With great patience and with the submergence of his own personal feelings, he has returned to the committee and worked until he has brought out still a third housing bill.

The tragedy of this housing bill is that the main guns of the administration have been trained upon a small appropriation for education in the bill. Out of a bill appropriating more than a billion dollars, only $50 million was provided for the building of college classrooms and providing equipment for them.

In the United States last year there were 3¼ million college students. This year there will be 3¾ million. By 1965 there will be almost 5 million. If we project the increase at the present rate, and assume that there will be no increase in the percentage of young people who go to college—and perish the thought that there will be no increase—there will be almost 5 million young people in college by 1965, and more than 6 million by 1970, which is almost double last year's rate; nearly double in just 12 years.

Colleges lack the resources to build enough classrooms, to obtain equipment, and to properly staff them. It is in the national interest that our young people have an opportunity to be educated.

I should like to read a few lines from an article entitled "Not 1 in 10 a College Graduate," written by Sylvia Porter, and published in the Temple, Tex., Telegram of September 7, 1959. The writer of the article points out that but 7.3 percent of our population aged 20 years and over is a college graduate. This means that not even 1 of every 10 Americans can claim this level of schooling today.

Every day, now, we are reading in the newspapers about the reopening of schools. We see pictures and posters depicting the back-to-school movement. Everyone is having a back-to-school movement except the Federal Government. The back-to-school movement ought to be a part of our national economy and policy. But the President vetoed a billion dollar housing bill because it contained an item which provided for the lending of $50 million for the building of college classrooms in which to train the Nation's young people.

Miss Porter has written a very perceptive column. She points out that we are making only a little headway in stepping up the percentage of people who go to school. We are doing a little to improve our lagging educational system. She says that while half of the people will have had more than 12 years of schooling by 1970, half of them will have had less than 12 years. At the present time, when we compute the education of American adults, their average amount of schooling is 10 and a fraction years. By 1970, that figure will be pulled up, Miss Porter points out, to 12 years. That means that half the population will be above the 12-year figure, or high school graduates, and half below it.

The article states:

> You may be awed by the projection that there will be 11 million college graduates in 1970 against 8 million in 1960 and only 6 million in 1950.
>
> And, of course, the educational pattern is improving.

That is pointed out in the column. The older people, who have not been to school, are dying, and the younger ones have attended school for a longer period of time. Miss Porter continues:

> But to me the percentages are scant comfort. For what might have been an adequate educational pattern in 1950 won't be an adequate one in 1960, and it'll be even less adequate in 1970.

A great many youngsters drop out of high school; or, if they finish high school, they do not go to college because they cannot afford to do so.

Mr. President, when the Government refused to lend money to colleges to build classrooms, the only recourse the colleges have left is to raise the tuition rates.

Since 1952, the average tuition rate in American colleges has gone up 71 percent. Many students cannot afford to pay such rates simply because they do not have the money to do so. Only a small percentage of the American people have the resources to send their children through college.

It has been said that any boy who has ambition can work his way through college. It is not true, because the classrooms are not there, the dormitories are not there, and the opportunities are not there. I believe it is a fine thing for students to work their way through college if they are in a position to do so. I did. But providence bestowed upon me a physical constitution which made me about as "strong as an ox." The physical effort did not hurt me, but I had classmates who were working their way through college and who developed tuberculosis because of the physical strain combined with their effort to pass their courses of study. They have already passed out of this life.

I say that burden should not be put on every young man who desires a college education. We should not say,

"Well, if you are not physically strong enough to hold down a job and go to college, you will not get an opportunity to develop your brain."

It is a well-known fact that people with poor physical constitutions sometimes have the highest order of mental ability, and they, too, can add much to this Nation's welfare if their mental capabilities be developed.

It is said, however, that we should see if a student is strong enough to work his way through college, and that if he is not, he does not need to attend college.

Mr. President, we should place more emphasis on the brainpower of this country. Admiral Rickover pointed out after his trip to Russia that he was not so much afraid of Russian missiles as he was of their efficient educational system.

Dr. Teller, the acknowledged inventor of the H-bomb, in a statement a few weeks ago pointed out that under the Russian educational system, Russia will lead us in science in 10 years if we do not do something to improve the American education system, and the opportunities people will have to be educated.

The article by Sylvia Porter continues:

The progress isn't good enough. The progress isn't fast enough. And you may have noticed that here I've mentioned only the quantity of education in America. I haven't even touched on the quality of it.

Mr. President, in bare quantity alone, we are lacking in schools for students to attend. We are robbing this generation of young Americans of the opportunity we owe to them in a democracy, and that we owe to ourselves as a people to defend this country.

The administration has squandered hundreds of millions of dollars on experimental projects that did not pan out. If an experimental missile or a nuclear seaplane is estimated to cost $100 million, $200 million, $500 million, we declare the sky is the limit. We make the experiment, regardless of cost, or of failure.

But education is no experiment, it is no gamble, it always pays off.

We voted about $45 billion in this session of the Congress for national defense. We voted about $39½ billion to the Defense Department alone in one year, and over $2,600 million to the Atomic Energy Commission, mainly because of its work in national defense. That is over $42 billion. We are about to vote over $3 billion more for foreign aid. But when we ask for $50 million to lend to colleges—not to give to them but lend it—the administration says, "The main vice of this bill is Federal aid to education in the worst way." And this, in face of the acknowledged fact that the safety of our Nation is dependent upon the level of education of our people.

How is it Federal aid in the worst way? Because it was money proposed to be lent? The President advocated grants of $500 million to colleges for building. If lending is the undesirable feature, why did not the administration say, "Remove the loan feature and give the colleges $50 million to build their classrooms"? I would vote for that. That is what we need. This is a measly start by an administration which has turned its back on the safety of America, by turning its back on the education of American youth.

I do not care how many gadgets have been constructed at the rate of $40 billion a year; they alone will not give us security. When our country will not educate its youth, it removes part of America's ability to preserve its liberties. Those who take that position are shortsighted beyond belief.

We have never had an administration in the history of this country which showed as little concept of what is needed for the safety of the American people, the education of the people. Presidents George Washington and Thomas Jefferson and Presidents who have followed them have recognized our educational needs.

Mr. President, I ask unanimous consent to insert following my remarks a column appearing in the Temple, Tex., Telegram of September 7, 1959, entitled "Your Money's Worth—Not 1 in 10 a College Graduate," by Sylvia Porter.

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

YOUR MONEY'S WORTH

(By Sylvia Porter)

NOT 1 IN 10 A COLLEGE GRADUATE

Are you a high school graduate? If so, only about 4 out of every 10 Americans aged 15 years and over can say the same at the beginning of this new school term in September 1959.

Are you a college graduate? If so, you're in that minor 7.3 percent of our population aged 20 years and over—meaning not even 1 of every 10 Americans can claim this level of schooling today.

Are you impressed by the pictures and news stories which traditionally appear in September, emphasizing how many millions of youngsters are pouring into our schools?

If so, perhaps you'll be less impressed when you read that the average schooling of Americans runs to only 10.8 years today, and even by 1980 the average is expected to be up to only 12 years—meaning that while half of our people will have had more than 12 years of schooling, half will have had less.

These are the back-to-school weeks when debate about our educational system always reaches a seasonal peak. In search for some not-so-obvious facts, therefore I've been digging into a recently completed study of educational attainment in our land by the Bureau of Census.

In this study are the first projections ever made by the Census Bureau of our educational levels in 1960, 1970, and 1980. The Census Bureau's underlying assumption is that "There will be no unusual political or economic conditions and no extreme changes in educational practices in this country that might seriously affect patterns of educational attainment."

Thus, the projections aren't just predictions; they are patterns based on foreseeable population growth and trends in schooling.

If you are an American who believes that ours is the best of all possible educational systems in the best of all possible economies, you may get pleasure from the projection that there will be 70 million high school graduates in 1970 against 52 million in 1960 and only 38 million in 1950. You may be awed by the projection that there will be 11 million college graduates in 1970 against 8 million in 1960 and only 6 million in 1950.

And, of course, the educational pattern is improving—reflecting not only the fact that there are more of us to be educated but also the fact that more of us are staying in school longer and our uneducated older folks are dying off.

But to me the percentages are scant comfort. For what might have been an adequate educational pattern in 1950 won't be an adequate one in 1960, and it'll be even less adequate in 1970.

We will need fewer and fewer unskilled workers in America in this coming decade, fewer and fewer ordinary farmers. We'll need millions more professionals, trained white-collar workers, craftsmen and technicians.

You don't need anyone to prove this to you. Look at any modern office or factory and see the complicated equipment, recognize that what appears complex today will seem simple 10 years from today. Think of the demands of the space age, the ever-mounting competition from nations which concentrate far more than we do on education.

The prospect that by 1970, 48 percent of us will have graduated from high school and 8½ percent from college doesn't please me. It scares me. The projection that by 1970 half of my sex will have completed high school and 6½ percent will have finished college doesn't warm my heart. It makes me wonder whether women will be able to fill the jobs that will be opening for them in this next decade.

So many youngsters drop out of high schools and don't go on to college because they can't afford to remain in school or go on.

And while we've made some strides in financing of education in recent years, the dimensions of the challenge are dramatized by the very statistics supposedly measuring our progress.

The progress isn't good enough. The progress isn't fast enough. And you may have noticed that here I've mentioned only the quantity of education in America. I haven't even touched on the quality of it.

Mr. YARBOROUGH. Mr. President, in the Washington Post this morning, Wednesday, September 9, there is a well written column by Bill Gold, which he writes each day under the caption "The District Line." The title of this particular article is, "Have You Completed Your Education?"

Mr. Gold comments on the Ford Foundation Fund for Adult Education and its findings. Among other things there is pointed out in this article what the Ford Foundation has found in its research study. Mr. Gold states in his column:

The American people should vastly increase the financial support of schools, colleges, and universities. We must pay our teachers and educators much more. We can afford to do so. We cannot afford not to do so.

Mr. President, this is the finding of the experts on what America should do to help improve education.

The American people should vastly increase the financial support of schools, colleges, and universities. We must pay our teachers and educators much more. We can afford to do so. We cannot afford not to do so.

The administration has turned its back on the welfare of contemporary America on all levels when it says, "We will have no new starts in education."

The Education Office of the Government has found out this fall there will be a teacher shortage of about 195,000 schoolteachers. Where do we train schoolteachers? In colleges. We train them in colleges which are overcrowded now and lacking sufficient dormitories and classrooms. The Government says we have a shortage of 195,000 teachers and more than 130,000 classrooms; the same Government says, "The worst part of this bill is trying to build the buildings and train schoolteachers to educate American children."

I wish to pay further tribute to the distinguished junior Senator from Alabama because twice this session he has brought a bill out of committee with provisions for building classrooms in colleges. He has come to the closing days of the Senate exhibiting great patience since the first housing bill was passed in February. He has worked month after month trying to do something about the education status of America, and I personally feel tremendously encouraged by the fact that we have in this body a Senator who has worked month after month and week after week trying to do something about the greatest governmental need in America today, which is to improve the education of our people.

Mr. Gold's column continues:

The principal educational task of schools is to discipline and enlighten the minds of its students—to teach them how to think; to communicate—

Mr. President, we need more people to communicate to the President's advisers. But we have to have the people educated well enough to receive communications, too, because communication is not sufficient; the ability to understand the communications received is important, too. The newspapers and magazines of America and the educators and scientists cry out louder than anyone else about the lack of education in America. We lack adequate educational opportunities, both quantitatively and qualitatively, and yet the administration never seems to have awakened to the real danger that this shortage is America's greatest danger.

And Mr. Gold continues—

to analyze, criticize and decide—

Mr. President, we could well interpolate there, "and make correct decisions." This opposition to college classrooms is a wrong decision. It is wrong in national goals. It is wrong in lack of foresight.

The article reads—

to cultivate their curiosity and to release their powers of creativity—

How do we develop people to cultivate their curiosity and to release their powers of creativity? Our colleges are the best places to do so. It may be done in many ways. It may be done by the self-education by many people. But colleges have proved to be the best places we have for obtaining these badly needed mental developments on a national scale—

to be familiar with basic facts and ideas; to learn how to learn. We should improve the opportunities for all people to continue their liberal education after they become adults.

Mr. President, I am pointing out this as a national need. This is not a frill.

I wish to point out that democracy is not just the natural way of life of governments. It has been relatively short periods of history of the human race that they have lived under free institutions like ours, and we are the only great Nation that has ever been this large physically with a vast population which has had a democratic form of government. That democracy can survive only by the intense education of the people to make it survive.

So in Mr. Gold's article it points out—

The preservation and improvement of free institutions demand that able people exercise public leadership, and that they be well prepared for that leadership.

To a layman like me, what this boils down to is this. Education is the key to a meaningful life, and to fulfill our potential as individuals and as a free Nation, it is necessary to do a better job of educating ourselves and our leaders.

Only then will our children inherit the educational climate which is their due.

Yes, a new school year has begun, and it is indeed a day of rejoicing—for those who have not yet stopped learning.

So far as the opportunity of increasing college facilities is concerned, the President's message is black crepe on the door of higher education in America.

Mr. President, I ask unanimous consent that there be printed in full at the conclusion of my remarks the column "The District Line," by Bill Gold, from the Washington Post of today.

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

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, I wish I could be as optimistic as the distinguished senior Senator from Pennsylvania in expressing the hope that we can put this item in another bill, but after seeing the adamant opposition of the administration month after month to any support for education by this Government, to any activity to expand the educational opportunities for the youth of America, I am not so optimistic that we shall get past this administration any bill that will improve the educational opportunities for the youth of this land.

To me, it is not a minor matter to cut out the $50 million item, small as the amount is, for college classrooms, because inclusion of the provision could start a course that would lead to better opportunities for the education of many of our youth.

I shall see the bill passed without that item included with deep regret and with the realization that the administration has missed the vital key to the happiness, welfare, and education of the American people in the next generation.

However, it was not the fault of the Senate that it occurred. Great credit is due to the distinguished Senator from Alabama for working for many months and for having put in the bill this provision in an effort to try to do something about education. It is to his credit that he has worked this long and hard and has brought to the Senate a bill with as much educational benefit as there is in this bill.

EXHIBIT 1

[From the Washington Post, Sept. 9, 1959]

THE DISTRICT LINE—HAVE YOU COMPLETED YOUR EDUCATION?

(By Bill Gold)

More than 150,000 children began a new school year in Washington's suburbs yesterday. Some 116,000 go back to school in the District today. It's a time of rejoicing for many parents. They're happy to turn over their children to a communal baby-sitting service, in the vague hope that if a youngster is fed into one end of the educational machinery and kept there for a sufficient number of years, he will automatically emerge from the other end an educated person.

The feeling among these parents is: "I completed my education when I finished school; now I want my child to complete his education." The concept of education as a lifelong process escapes them.

This notion is prevalent enough to give serious concern to educators. Eight years ago, the Ford Foundation established the Fund for Adult Education. This week the fund published a report titled "Education for Public Responsibility." Its purpose is to expand educational opportunities for leaders, and young men and women who will soon be leaders, in all fields of American life. Some excerpts from that report are worth noting:

"Parents should pay primary attention to the home as the most important of all educational institutions, and should not relinquish its basic roles to the schools.

"Adults should seek in all other ways—through churches, youth organizations, community agencies, businesses, labor unions, local governments, books, magazines, newspapers, radio, television, films, etc.—to make these influences educative for good. They should do so not only for the sake of young people, but also for the sake of their own continuing education as responsible adults.

"The American people should vastly increase the financial support of schools, colleges and universities. We must pay our teachers and educators much more. We can afford to do so. We cannot afford not to do so.

"The principal educational task of schools is to discipline and enlighten the minds of its students—to teach them how to think; to communicate; to analyze, criticize, and decide; to cultivate their curiosity and to release their powers of creativity; to be familiar with basic facts and ideas; to learn how to learn.

"We should improve the opportunities for all people to continue their liberal education after they become adults.

"Many parents have unwittingly abdicated their responsibilities for giving their children opportunities to realize sound values, emotional stability, and spiritual and intellectual growth. Parents cannot assign these responsibilities to other institutions. If they are neglected, done poorly or done wrongly, the best that other institutions can hope to do is to repair.

"Parents cannot hope to train children as they would a household pet. To educate their children properly, they must educate themselves as well.

"Most urgently, we should improve and expand educational opportunities for those who bear public responsibilities—particularly those younger leaders who are emerging.

"The preservation and improvement of free institutions demand that able people exercise public leadership, and that they be well prepared for that leadership.

"Leaders have few opportunities to prepare for greater effectiveness except those provided 'on the job,' through often unnecessary trial and sometimes calamitous error."

To a layman like me, what it boils down to is this: Education is the key to a mean-

ingful life. He who thinks his education was complete on the day he finished school is an ignoramus. If we vote for backslappers and baby kissers rather than for men and women who have been properly trained for leadership, we will get the kind of government we deserve.

To fulfill our potential as individuals and as a free nation, it is therefore necessary to do a better job of educating ourselves and our leaders.

Only then will our children inherit the educational climate which is their due.

Yes, a new school year has begun, and it is indeed a day of rejoicing—for those who have not yet stopped learning.

Mr. SPARKMAN. Mr. President, I express my appreciation to the junior Senator from Texas for the wonderful discourse he has given us on the need for college classrooms, which we all acknowledge. May I also say I am grateful to him for the kind words he has had to say about me.

A few days ago I ran across an article entitled "A Second United States in 40 Years," the point of the article being that 40 years from now the population of the United States will be double what it is today. I wonder if many of us stop to consider what that means in the way of the education facilities that will be required. We are discussing a housing bill. Let us think what that population increase means in terms of housing. There are 48 million houses in the United States today. Over the period of 40 years, which may be the life of a mortgage, we shall need 48 million more houses. That is a lot of houses. That many houses are necessary just to take care of the population increase.

Assuming those houses can be used for 50 years, and while I do not know for sure, I think it is a reasonable assumption, it means we shall have to replace 2 percent of the houses every year. That means 960,000 houses a year will be needed for replacement only. This is in addition to the need for over 1 million units each year to take care of the increase in population. Put the two needs together, and the figure amounts to well over 2 million, to say nothing of the need to replace houses that are destroyed by reason of storms, fire, and so forth.

In other words, we are dealing with legislation that will provide for the construction of about 1,300,000 houses a year, if the economy stays good; but in a few years' time we are going to have to build at the rate of over 2 million houses a year.

The Senator from Texas has well described some of our unpreparedness to take care of the children that are coming along and the young adults who want a college education. At the rate we are going, we are not prepared today to take care of seeing to it that American families can live in decent homes. It poses a real challenge.

I repeat the expression of my deep appreciation to the Senator from Texas for discussing this matter.

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

Mr. SPARKMAN. I yield.

Mr. YARBOROUGH. I thank the distinguished Senator from Alabama for adding the information to the discussion he has given of the bill as to the projected population for the next 40 years. I point out that the computation of the estimated number of college students for 1970 is more than 6 million, nearly double the present number, but does not include any increase in the percentage of our people who will be attending colleges. The Census Bureau finds that according to the trend of American occupations and the way the American people will earn their living, indisputably within the next 10 years there will be demands for a higher percentage of professional men, a higher percentage of scientists, a higher percentage of white-collar workers, and a smaller percentage of so-called common laborers, because of the mechanization of industry and because of the advances of technology.

Each year a smaller percentage of our population is working in farm labor or common labor. The ditch digger is one example. One seldom sees a ditch digger any more. Ditches are dug by machines built and operated by skilled personnel.

So with the constantly increasing percentage of our American people whose work requires college training, we must step up the number of persons who go to college, in addition to the requirements of the population increase, which will mean in 40 years a requirement of double the present number of college dormitories and college classrooms, even aside from the changing nature of the way the people earn their livelihood.

I am glad the people of my State have given me the opportunity to serve in a body which has men like the distinguished Senator from Alabama, men who are trying to do something about making adequate preparations for the maintenance of democracy at home and the training for leadership in a world that is on fire with an autocracy which seeks to turn back the pages of history to despotism. We are the bright light of democracy, but in order for us to remain the bright light of democracy, we have to have something besides a pistol on our hip. We have to know how to work for the people for the advancement of all mankind.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Dirksen	Javits
Allott	Dodd	Johnson, Tex.
Anderson	Douglas	Johnston, S.C.
Bartlett	Dworshak	Jordan
Beall	Eastland	Keating
Bennett	Ellender	Kefauver
Bible	Engle	Kennedy
Bridges	Ervin	Kerr
Bush	Fong	Kuchel
Butler	Frear	Langer
Byrd, W. Va.	Fulbright	Lausche
Cannon	Goldwater	Long, Hawaii
Capehart	Gore	Long, La.
Carlson	Green	McCarthy
Carroll	Hart	McClellan
Case, N.J.	Hayden	McGee
Chavez	Hill	McNamara
Clark	Holland	Magnuson
Cooper	Hruska	Mansfield
Cotton	Humphrey	Martin
Curtis	Jackson	Monroney
Morse	Randolph	Symington
Morton	Robertson	Talmadge
Moss	Russell	Thurmond
Mundt	Saltonstall	Wiley
Murray	Schoeppel	Williams, N.J.
Muskie	Scott	Williams, Del.
Neuberger	Smathers	Yarborough
Pastore	Smith	Young, N. Dak.
Prouty	Sparkman	Young, Ohio
Proxmire	Stennis	

The PRESIDING OFFICER. A quorum is present. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

Mr. MORSE. Mr. President, a parliamentary inquiry. What did the Chair say? I did not hear what the Chair said.

The PRESIDING OFFICER. The Senate will be in order. A quorum is present. The bill is open to amendment.

Mr. MORSE. Mr. President, I wish to speak very briefly on the new housing bill.

I recognize the legislative position in which the Senate finds itself. It is whether or not we are to have any housing bill at all or whether we should take the President's veto to the people and let them determine in due course of time and in the exercise of their right of franchise their approval or disapproval of the President's course of action.

The matter of what Congress should do in the fact of a veto trend is a subject about which reasonable men can have very many honest differences. I am not too sure what our course of action should be. I believe we presented to the President, in our previous housing bill, as we did in our public works bill, legislation that is in the public interest.

The President under the Constitution has the duty as well as the right to veto any legislation which, in his executive judgment, is not in the public interest. Then we have the checking right of overriding it if we have the votes.

Mr. President, we get to the point where, after we are unable to garner a sufficient number of votes to override a veto, we must decide for ourselves how far we should go in compromising our own views as to what should be voted by way of a housing bill, and then we take it back to the people for their check under this great system of checks and balances of ours, in this instance exercised at the ballot boxes.

As the Senator from Virginia and the Senator from Alabama know, after the last veto I said I was not so sure but that perhaps we had just better adjourn without passing a housing bill and go back and talk it over with our constituents. The President has authority to reconvene Congress in a special session, if he wants to, during the fall period. It may be that if we let these vetoed bills remain without any further compromises on our part, go back home and talk to the people of the country, they may make clear that the President ought to call a special session of Congress. We could proceed then, after we have had these conferences with the people, to decide whether we want to compromise any further.

I have studied the latest bill which the committee has brought forth, and I am inclined to vote for it in spite of its

shortcomings. I wish to make it perfectly clear on the record that I am not moved to vote for it at all because of any rumor, true or false, that this one the President may sign. I will never vote in the Senate by giving any weight whatsoever to whether the President will or will not sign a piece of legislation. I do not believe in voting on legislation under any veto threat.

It does not make any difference to me whether the President will sign or will not sign any piece of legislation. I vote for it if I think it is legislation for which I ought to vote.

I expect any President to carry out his executive duty of vetoing a bill if he believes it is not in the public interest.

So I have decided, Mr. President, that I will vote for this attempt on the part of the Senate to come forward with another housing bill.

This new housing bill, I am informed by the committee, has three major differences from the last one. First, it omits the $50 million fund for college classroom loans, about which I shall speak in a moment. Second, it stretches the money for urban renewals or slum clearance over a 2-year period. The previous bill provided $650 million for 1 year. The pending bill provides that amount over a 2-year period. The Senator from Alabama [Mr. SPARKMAN] told me in a conference I had with him that actually the $650 million allowance in the previous bill was not limited to 1 year, but was to be spent as it could be spent, in accordance with a time schedule that would be developed in connection with the projects themselves. Therefore, I do not think that this objection of the President in the first place had any particular merit, and I am at a loss to understand in what way this change in the time period by specifically providing that it shall be $650 million for a 2-year period makes a great deal of difference.

In the third place, this bill contains no expiration date on FHA authority. The committee put an expiration date of October 1, 1960, into the previous housing bill because it thought FHA should come to Congress regularly for review, and I understand that was for new money. The White House thinks there should not be any limit on FHA authorization. While I have a serious question about that, Mr. President, from the standpoint of good legislative procedure because I am a great one to believe in review and checks, or, rather, checks by review.

The great strength of our governmental system is that we find year after year, throughout the whole system, checks upon the exercise of judgment by the administrators of the Government. We have much to say about the principle that this is a Government of law and not of men. If we are going to prevent that statement from becoming just a politician's platitude, it is important, whenever we pass legislation which provides for the rendering of a judgment which affects the interest and rights of others, that we see to it we have also written into the legislation a check upon the person who exercises the judgment, by way of a review of the discretion that is granted to him.

So, Mr. President, I say to the Senator from Alabama, that I much prefer the bill in its original form.

I believe that in keeping with the system of checks, it would have been better to have retained the limit on FHA authorizations, but I do not believe that removal of it is fatal to the bill, although I do not like the governmental policy implied in it.

The committee advises me that the $8 billion FHA authorization bill will, under normal housing activity, run out by the end of next summer, probably by the end of August, thus necessitating a new housing bill without the expiration date. Of course, if housing starts to slow down, the money might not run out by then.

I should like to have the Senator from Alabama check me on this point and, if I am wrong, rise and correct me. As I understand, even with this bill, we probably will be running out of money for the projects anticipated in the relatively near future—if not by next August, certainly in the next 14 or 15 months. So the problem we are dealing with here will be before us again in the form of new legislation. We hope that by that time the political climate in the country will have so changed that we may have a chance of getting a better bill through the Congress at that time. Is that a fair statement?

Mr. SPARKMAN. The Senator is correct. I enumerated earlier, when the Senator was temporarily out of the Chamber, at least three grounds which I thought would absolutely require a new bill next year. One of them is the one which the Senator has been discussing, the need of FHA for additional insurance authorization; second, college housing; third, title I, home improvement, expires October 1, 1960; and certainly we are not going to let that die out.

Mr. MORSE. I thank the Senator.

I understand that the President's other two objections raised in his veto message are not met in the bill before the Senate, and I am glad they are not. They were objections to direct loans to nonprofit groups for housing for the elderly, and to the 37,000 new public housing starts. Both those remain in the bill. If they had not remained in the bill, under no circumstances could I possibly have voted for the bill, because I think they are vital.

I must hold my nose and swallow hard to stand the smell of this bill with the classroom feature out of the bill. The Senator from Texas [Mr. YARBOROUGH] and the Senator from Pennsylvania [Mr. CLARK] have made great arguments in debate in support of the classroom feature. I have discussed it before, and will not repeat myself today.

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

Mr. MORSE. I yield.

Mr. CLARK. The Senator is a distinguished member of the Committee on Labor and Public Welfare. He knows that we have recently reported a Federal aid to education bill. I wonder if the Senator would be inclined to join with me and several other members of the Committee on Labor and Public Welfare in having a college classroom, laboratory, and library amendment attached to that bill when it comes before the Senate.

Mr. MORSE. I will cosponsor it with the Senator from Pennsylvania. It is of vital importance. If we cannot have it in this bill, we should try to get it in the education bill. I know that I violate no confidences, but I wish to give credit where credit is due. The Senator from Indiana [Mr. CAPEHART] and I were discussing the problem, and he pointed out to me that under the old housing program loans were made for college dining rooms and for dormitories. Those of us who have lived and worked on campuses know that a college dining room may very well be in the same building where there are classrooms, depending upon what kind of housing plan exists on a given campus. I think we are drawing the line pretty fine when we permit loans for dining rooms and for bedrooms, but not for classrooms. All those physical facilities are necessary in order to have a college really operate. I think it is a pretty technical distinction, and an unrealistic distinction on the part of the President of the United States, in respect to the way colleges are operated, when he picks out the classroom item, so sorely needed by so many colleges, and says, "I will veto the bill, in part because that provision is in it."

Mr. CLARK. I think it is important to make the record clear, that the issue involves not only classrooms, important as they are. It involves also libraries, without which higher education cannot be conducted.

Mr. MORSE. And laboratories.

Mr. CLARK. And laboratories, without which science cannot be taught. All those things make it possible for American education to move forward at the speed which is essential if we are to meet the challenge to Western civilization.

Mr. MORSE. Without which, dining rooms and bedrooms in a college dormitory would not be of much value. There would be no students if there were not classrooms, libraries, and laboratories to use in obtaining an education.

Mr. CLARK. It is more important to help a college student while he is awake than while he is asleep.

Mr. MORSE. I made this point in passing, to show how poorly the President was advised by those who advised him on his veto message in the first place.

I have received a telegram in regard to this bill from C. Henry Bacon, Jr., president of the Douglas Fir Plywood Association, of Tacoma, Wash., urging that every effort be made to pass a housing bill before adjournment. He points out that "the effect of a slowdown in home construction will be serious for every plywood manufacturer and employee because of our great dependence on home building."

I ask unanimous consent that the telegram be printed in the RECORD at this point as a part of my remarks.

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

TACOMA, WASH., *September 5, 1959.*
Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

Regret to learn housing bill has been vetoed. On behalf of the 40,000 employees and 123 manufacturers in the fir plywood industry on the west coast our industry has asked me to urge you to bend every effort to pass a housing bill before adjournment. The effect of a slowdown in home construction will be serious for every plywood manufacturer and employee because of our great dependence on homebuilding.

C. HENRY BACON, Jr.,
Persident, Douglas Fir Plywood Association.

Mr. MORSE. I received a telegram from Gene W. Rossman, executive director of the Housing Authority of Portland, Oreg. I shall read only a portion of it, because the first part is personal, and even my modesty compels me not to read it. The portion of the telegram which I wish to read is as follows:

Fight for Oregon's rights for decent, safe, and sanitary public housing for our senior citizens of low income. Here is a principle that cannot be compromised, that transcends partisan politics and that urgently needs the continuing and steadfast support of the Congress. Review RHE results of our recent survey in Portland. Don't let our low income oldsters down.

The telegram is signed by Gene W. Rossman, executive director of the Housing Authority of Portland.

I am pleased to say—and I shall so notify Mr. Rossman—that the Senator from Alabama [Mr. SPARKMAN] assures me that the provisions in this bill for elderly housing are identical with the provisions for that purpose in the bill which was vetoed by the President.

The survey to which Mr. Rossman refers in the telegram relates to a survey of living conditions for elderly people in the city of Portland. The results are comparable to the results to be found in any city in the United States of like size. They disclose some very alarming conditions. They disclose that many of our old people are living in quarters of which we as a society should be ashamed.

To think we would tolerate a social condition which requires these grand old people, because of the lack of an income, to live under these conditions is to the shame of this Nation. When we are fighting in the Senate for housing for elderly persons, we are simply seeking to live up to what is a clear moral responsibility of this Government, because governments, too, as well as individuals, have moral responsibilities.

So I am pleased to say to Mr. Rossman that the housing provisions for elderly persons remain in the bill. Likewise, I am pleased to notify him, in this statement on the floor today, that the 398 units reserved for Portland in the previous bill likewise, remain in the bill, so far as public housing is concerned.

Mr. President, I hope that when we come back next year we will recognize that we have not finished with housing legislation, but that with the passage of this bill, and, we hope, with its signature by the President, we will then proceed to provide additional housing legislation which will do much more for the elderly, which will do much more for the low income people who need more public housing, and will do much more for the students of America by way of the passage of a housing bill in line with the legislation we have previously passed, but which unfortunately was unwisely vetoed.

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

Mr. MORSE. I yield.

Mr. ALLOTT. Mr. President, do I understand correctly that the Senator from Oregon requested a quorum call a while ago and insisted on a live quorum?

Mr. MORSE. Oh, yes; I requested it.

Mr. ALLOTT. May I inquire if it was the speech which we have just heard that the majority of the Members of the Senate were called from hearings to listen to, or if it was for some other business?

Mr. MORSE. I am sure the Senator from Colorado would agree with me that nothing could be gained by the Senator from Colorado and the Senator from Oregon engaging in a discussion of the subject matter he has raised. The Senator from Colorado knows that the Senator from Oregon was within his parliamentary rights. The Senator from Oregon is already aware of the fact that the Senator from Colorado is not very happy about the fact that the Senator from Oregon is exercising his rights.

I may say to the Senator from Colorado that I have more important things to do than to engage in personal exchanges with the Senator from Colorado.

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

Mr. MORSE. I do not yield, because the purpose of the inquiry of the Senator from Colorado is perfectly obvious, and I do not intend to clutter the CONGRESSIONAL RECORD with such a discussion. I refuse to yield.

Mr. ALLOTT. I may comment, in answer to the Senator from Oregon, that he is certainly perfectly aware of and willing to use the rules of the Senate, but he is also able to use the good graces of other persons.

Last evening he departed the Senate Chamber, and I asked the acting majority leader, the distinguished Senator from Montana [Mr. MANSFIELD], if a unanimous-consent request would be in order. The Senator from Montana said no; that he had promised the Senator from Oregon that he would protect him on unanimous-consent requests, because the Senator from Oregon had some personal matters he wanted to attend to. I wish the Senator from Oregon had been as considerate of the rights of other Senators.

Mr. MORSE. Mr. President, I simply want the RECORD to show that I went to the washroom on the occasion mentioned by the Senator from Colorado.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Missouri [Mr. HENNINGS] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

On the vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Indiana would vote "yea."

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. HENNINGS], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on offical business, attending the Interparliamentary Union Conference at Warsaw, Poland.

The result was announced—yeas 86, nays 7, as follows:

YEAS—86

Aiken	Goldwater	Mansfield
Allott	Gore	Martin
Anderson	Green	Monroney
Bartlett	Hart	Morse
Beall	Hayden	Morton
Bennett	Hickenlooper	Moss
Bible	Hill	Mundt
Bridges	Holland	Murray
Bush	Hruska	Muskie
Butler	Humphrey	Neuberger
Byrd, W. Va.	Jackson	Pastore
Cannon	Javits	Prouty
Capehart	Johnson, Tex.	Proxmire
Carlson	Johnston, S.C.	Randolph
Carroll	Jordan	Robertson
Case, N.J.	Keating	Saltonstall
Chavez	Kefauver	Schoeppel
Clark	Kennedy	Scott
Cooper	Kerr	Smathers
Dirksen	Kuchel	Smith
Dodd	Langer	Sparkman
Douglas	Lausche	Symington
Dworshak	Long, Hawaii	Wiley
Ellender	Long, La.	Williams, N.J.
Engle	McCarthy	Williams, Del.
Ervin	McClellan	Yarborough
Fong	McGee	Young, N. Dak.
Frear	McNamara	Young, Ohio
Fulbright	Magnuson	

NAYS—7

Cotton	Russell	Talmadge
Curtis	Stennis	Thurmond
Eastland		

NOT VOTING—7

Byrd, Va.	Gruening	Hennings
Case, S. Dak.	Hartke	O'Mahoney
Church		

So the bill (S. 2654) was passed.

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

Mr. SPARKMAN. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

REDEFINING CITIZENSHIP QUALIFICATIONS FOR U.S. SHIPPING CORPORATIONS

Mr. JOHNSON of Texas. The minority leader has asked me whether I would outline as nearly as I could the program for the remainder of the day.

First, I shall move that the Senate proceed to the consideration of Calendar No. 734, House bill 6888. After that bill is made the pending business, I shall make a brief statement.

Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 734, House bill 6888.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 6888) to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended.

Mr. JOHNSON of Texas. Mr. President, I think that the consideration of this bill will take only a minute. It was passed over during the call of the calendar, because of a question which was desired to be asked of the Senator from California.

After acting on this bill, we shall proceed to the consideration of Calendar No. 933, Senate bill 1886, to amend the Communications Act of 1934 as regards community television systems. Objection was made to consideration of that bill during the call of the calendar. That objection has been withdrawn; and we think consideration of the bill will take only a few minutes.

Then we shall have the Senate consider the conference report on House bill 4002, to authorize the use of Great Lakes vessels on oceans. The Senator from California [Mr. ENGLE] will submit that report. There is some controversy about it, and we expect debate for approximately 15 or 20 minutes with the Senator from Delaware. Then we shall have a yea-and-nay vote on the question of agreeing to that conference report.

Then we shall proceed to consider the antipollution bill. We are informed that there will not be a great deal of debate on it.

Then we shall have completed our work for the day.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. LAUSCHE. Does the Senator from Texas expect there will be a yea-and-nay vote on the antipollution bill?

Mr. JOHNSON of Texas. Let me ask the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR] whether they expect to have a yea-and-nay vote taken on that bill.

Mr. CHAVEZ. I do not think it will be necessary.

Mr. JOHNSON of Texas. I would say "yes." At any rate, that bill is not now the pending business.

Mr. LAUSCHE. I wish to point out that I am not urging it.

Mr. JOHNSON of Texas. I understand.

Is the Senator from Delaware [Mr. WILLIAMS] in the Chamber?

Mr. SCOTT. Mr. President, I have spoken to the Senator from Delaware, and have agreed to make a statement which will be satisfactory to him.

Mr. JOHNSON of Texas. Very well; I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I understand that the Senator from California [Mr. ENGLE] will explain the bill.

Mr. President, I would prefer, if the majority leader has no objection, for the Senator from California to explain the bill. Then I should like to make certain comments. May I ask the Senator from California to explain the bill?

Mr. ENGLE. Mr. President, the purpose of the bill (H.R. 6888) is to resolve a difference of interpretation between the Federal Maritime Administration and the Bureau of Customs with respect to the term "citizen of the United States" as it is used in section 2 of the Shipping Act, 1916, and in the vessel documentation laws, by redefining the term.

The net effect of the amendments to the act which the bill embodies would be to include in the definition "citizen of the United States" corporations, excepting those under title VI of the Merchant Marine Act of 1936, as amended, which meet the stock ownership requirements of section 2 of the Shipping Act of 1916, which are organized under the laws of the United States or of any State thereof, and which have some alien directors, but not so many as to make possible a lawful meeting of the board of directors without a majority of the directors present being citizens of the United States.

At the present time, if a corporation has one foreign director, that corporation cannot engage in financing American ships under our maritime laws. For instance, the Metropolitan Life Insurance Co. is considered ineligible for participating in financing of U.S.-flag vessels on mortgages or loans because it has an alien director, and therefore it could not have a preferred mortgage or be entitled to any control of a vessel by virtue of any default under a mortgage. The Metropolitan Life Insurance Co. has one Canadian director.

The amendment would provide that any of these corporations can have alien directors on their boards of directors provided the number is not sufficient so that the alien directors could be a majority of a quorum. In other words, the bill limits the number of alien directors to a minority. Let us assume that there were nine members of a board of directors. Five could be a quorum, and therefore only two could be foreign directors.

The purpose of that amendment, let me say to my friend from Pennsylvania and to my friend from Maryland as well, is to retain the basic ownership of these ships and their financing in American hands, but not to preclude a great financial institution like the Metropolitan Life Insurance Co. from having one or two alien directors, if the number of the foreign directors would not constitute more than a minority of a quorum. That is all there is to the amendment.

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

Mr. ENGLE. I yield.

Mr. PASTORE. Last year Congress passed the so-called Bowaters bill which became Public Law 85–902. Public Law 902 expressly authorizes corporations which do not qualify as "citizens of the United States" to engage in the operation in the domestic trades of the United States of company-owned barges, and so forth, if certain specified standards are met.

The Senate report on H.R. 6888 emphasizes that the question of ownership of corporations is not affected to the slightest degree by the provisions of the bill (H.R. 6888).

May I ask if H.R. 6888 curtails in any way the authority granted to noncitizen corporations under Public Law 85–902, which applies only to barges and non-self-propelled vessels and self-propelled vessels of less than 500-gross tons? My question is, and I emphasize it by repetition, Will the ownership of such corporations be affected in the slightest degree by the provisions of this bill?

Mr. ENGLE. No. The question has been raised as to whether H.R. 6888 affects in any way Public Law 85–902, adopted by the last Congress. In the course of the hearings, this question was discussed, and it was found that H.R. 6888 in no way amends public Law 85–902. In other words, in order to establish clearly the legislative history of this act, I want to make the statement now that it was not the intention of the committee, by the passage of H.R. 6888, to affect the provisions of that previous law.

Mr. WILLIAMS of Delaware. Mr. President, in view of the answer of the Senator to the last question, he has cleared up the objection I had. I thank him for making the record.

Mr. SCOTT. Mr. President, I shall be very brief. The question of ownership of corporations is not affected to the slightest degree by the provisions of the bill. The modification of corporation citizenship requirements will not make possible noncitizenship control of vessels documented and operating under the U.S. flag, nor will it relax in any way the citizenship requirements applying to corporations operating under an operating-differential contract with the Federal Maritime Board.

As the Senator from California has said, if there are alien members on a board of directors, and if six, for example, constitute a quorum, the alien membership would be limited to a minority of a quorum, which would be no more than two.

Mr. ENGLE. The Senator is correct.

Mr. SCOTT. Therefore, I urge the passage of the bill.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 6888) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ENGLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF COMMUNICATIONS ACT OF 1934

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of order No. 933, S. 1886.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 1886) to amend the Communications Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

Mr. FULBRIGHT. Mr. President, I do not wish to object, but I want to explain that in the exchange I had with the Senator from Rhode Island at the time this bill was called up, with regard to the minimum standards that will be required by the Federal Communications Commission, the Senate made quite clear the effect of the bill and the intention of the committee. That clears up the objection I had to the bill. I have no objection.

Mr. PASTORE. Mr. President, I think much of the confusion would be eliminated if we corrected the title, and I therefore move that the title be amended to read "A bill to amend the Communications Act of 1934, with respect to certain rebroadcasting activities."

The PRESIDING OFFICER. Will the Senator withhold his motion until the bill is passed?

Mr. MANSFIELD. Mr. President, for the purpose of the record, I should like to inquire whether it is the intention of the Committee on Interstate and Foreign Commerce, as soon as it is feasible, to bring up Calendar No. 950, Senate bill 2653, to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems.

Mr. PASTORE. Yes, within the limits of the time allotted in the situation in which we find ourselves.

Mr. President, I ask unanimous consent that an explanation of the bill may be printed in the RECORD at this point.

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

EXPLANATION OF S. 1886, AMENDING THE COMMUNICATIONS ACT OF 1934 SO AS TO PERMIT CERTAIN REBROADCASTING ACTIVITIES

S. 1886, as amended, contains two sections, each affecting the so-called booster or rebroadcasting situation. One of the provisions would amend section 318 of the Communications Act so as to clarify the present statutory requirements concerning radio operators of equipment used in rebroadcast operations, and the other section would amend section 319 of the Communications Act so as to enable the Federal Communications Commission to consider licensing booster stations engaged in rebroadcasting programs if such boosters were constructed on or before the enactment of this bill.

It should be clearly understood that the Federal Communications Commission presently has adequate authority to adopt regulations authorizing booster operations. The Commission has had the question of adopting regulations for boosters under consideration for a number of years. On April 14 it announced that after its study of the various problems posed by the use of boosters in the VHF band that it believed that if it were to adopt regulations that certain minimum requirements should be imposed upon the operation of VHF boosters. Then it proceeded to recommend two amendments to the Communications Act that are being considered in this bill. The Chairman of the Federal Communications Commission, in his appearance before the committee, indicated that the Commission was holding up action with regard to regulations on VHF boosters until Congress enacted this legislation.

Basically, S. 1886, as amended, would amend two sections of the Communications Act:

(a) Under section 318 of the Communications Act the actual operation of transmitting equipment is licensed under the Communications Act and any operation thereof must be carried on only by persons holding operators' licenses issued by the Federal Communications Commission. At present the Commission is given discretion to waive that requirement for certain named activities. The FCC believes that it is enough for a licensed operator, particularly where booster equipment is concerned in smaller communities and in mountainous terrain, to turn the equipment on and have it operated under his general control without the need of his personal attendance. In order to accomplish this objective the Commission urges that section 318 be amended so as to remove the explicit requirement that transmitting equipment of boosters be operated by licensed operators. Section (1) of S. 1886 would grant this discretion to the Commission and limit the authority for waiving the operator requirements to those engaged solely in the function of rebroadcasting the signals of television broadcast stations.

(b) Under section II of S. 1886 section 319 of the Communications Act would be amended so as to enable the Federal Communications Commission to consider licensing booster stations engaged in rebroadcasting television programs if such stations were constructed on or before the enactment of this bill.

The FCC holds that under the present provisions of section 319 it would be unable to issue licenses to those boosters that are now on the air if those facilities had been constructed before the Commission granted licenses. Under this long standing construction of section 319 of the Communications Act the Commission contends it would be prohibited from authorizing the use of boosters if such boosters were constructed prior to the grant of a construction permit. Accordingly, under this legislation the Commission will be given the discretion, if it finds that the public interest, convenience and necessity will be served thereby, to waive the requirement of a construction permit for a booster that is engaged solely in rebroadcasting television signals if such booster was constructed on or before the enactment of this bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to proceed to the consideration of the bill.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, to strike out all after the enacting clause and insert:

That section 318 of the Communications Act of 1934 (47 U.S.C. 318) is amended by striking out "(3) stations engaged in broadcasting, and" and insert in lieu thereof the following: "(3) stations engaged in broadcasting (other than those engaged solely in the function of rebroadcasting the signals of television broadcast stations), and".

SEC. 2. Section 319(d) of the Communications Act of 1934 (47 U.S.C. 319(d)) is amended by inserting after the period at the end thereof the following: "If the Commission finds that the public interest, convenience, and necessity would be served thereby, it may waive the requirement of a permit for construction of a station that is engaged solely in rebroadcasting television signals if such station was constructed on or before the date of enactment of this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. ALLOTT. Mr. President, I should like to make an inquiry of the Senator from Rhode Island before the bill passes. I have just gotten a copy of the amendment. Will the Senator from Rhode Island inform me what it does?

Mr. PASTORE. Under the present provisions of section 318 of the Communications Act the actual operation of all transmitting equipment in any station licensed under the act must be operated by persons holding an operator's license issued by the FCC. At present, the Commission is given discretion to waive that requirement except for certain named categories. In recent years the art of transmitting has advanced tremendously and the Commission believes that it should have greater statutory latitude as to the requirements of operators of transmitting equipment engaged in rebroadcasting.

For instance, at present the Commission contends that section 318 requires an operator to be in personal attendance whereas in those situations involving the booster operation the testimony before your committee establishes it is enough for the operator to turn the equipment on, have it operated under his general control, but not be in personal attendance. This is particularly true of the transmitters engaged solely in rebroadcasting such as the boosters in small communities in mountainous terrain, especially out West. It was felt that section 318 prohibits this type of an operation. The amendment herein reported would grant the FCC limited discretion in waiving the operator requirement to those engaged solely in the function of rebroadcasting the signals of television broadcasting stations.

The FCC's original request urged broad discretion which would have permitted the Commission to waive the radio operator requirement for regular broadcast stations as well as for boosters. Your committee feels this request was too broad and that the hearing record would not support such a proposal and therefore limited the discretion being

granted to the Commission by the bill herein reported to those operations engaged solely in the function of rebroadcasting the signals of television broadcasting stations. In other words, the discretion to waive the explicit requirement concerning the operation of transmitting equipment in accordance with section 318 is being granted to the FCC, but it is limited to that equipment used in booster operations.

The second proposal contained in this bill as reported by your committee concerns section 319 of the Communications Act. Under the present provisions of section 319 the FCC holds that it would be unable to issue licenses to those boosters that are now on the air since those facilities were constructed before the Commission granted such facility licenses. Under the long-term provisions of section 319 of the act the Commission contends it would be prohibited from authorizing the use of boosters if such boosters were constructed prior to the grant of a construction permit. The bill would amend section 319 so as to give the FCC sufficient discretion, if it finds that the public interest, convenience, and necessity would be served thereby, to waive the requirement of a construction permit for a booster that is engaged solely in rebroadcasting television signals if such booster was constructed on or before the enactment of this legislation.

Mr. ALLOTT. I thank the Senator.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 1886) was passed.

The title was amended so as to read: "An act to amend the Communications Act of 1934, with respect to certain rebroadcasting activities."

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MINUTE MAN NATIONAL HISTORICAL PARK, MASS.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 887, H.R. 5892.

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

The CHIEF CLERK. A bill (H.R. 5892) to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

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

Mr. SALTONSTALL. Mr. President, this bill has the support of my colleague from Massachusetts, and the support of Representatives McCORMACK and ROGERS of Massachusetts in the House. There is a unanimous report in favor of establishing the Minute Man National Park, which will make it possible for the national park to be established on the route which was taken in Massachusetts from Lexington to Concord at the time of the start of the War of the Revolution.

This is a good bill. It authorizes appropriations, when made.

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

Mr. SALTONSTALL. I yield.

Mr. MORSE. I think it is a good bill, but I have one question regarding why there was objection to the bill earlier today.

Mr. SALTONSTALL. Mr. President, I cannot hear the Senator. Will the Senator please speak a little louder?

The PRESIDING OFFICER. The Senator will suspend. It has become almost impossible to conduct business in the Senate.

The Senate will be in order.

The Senator from Oregon may proceed.

Mr. MORSE. I think the bill is a good bill. I think the RECORD should show why there was objection to consideration of the bill earlier today, as well as the Senator's answer to the objection.

Mr. SALTONSTALL. There was really no objection to the bill today. The Consent Calendar committee felt the authorization in the bill exceeded the limit of authorization which should be passed on the call of the calendar. There was no objection filed, either from the Republicans or the Democrats, as to considering the bill before the Senate.

Mr. MORSE. I think it is important to clear that up for the RECORD.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H.R. 5892) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ENGLE. Mr. President, I move to lay that motion on the table.

Mr. KERR. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONSTRUCTION OF SEWAGE TREATMENT WORKS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 853, H.R. 3610.

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

The CHIEF CLERK. A bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and for other purposes.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

Mr. JOHNSON of Texas. If the Senator does not mind, I should like to have the motion acted on first.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

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

Mr. JOHNSON of Texas. Mr. President, the Senator from California desires to have a conference report considered. We would order the yeas and nays on the bill now, and then have the bill temporarily laid aside.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

USE OF GREAT LAKES VESSELS ON OCEANS—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the Senator from California desires to present a conference report which we think will take not over 20 minutes to consider. We want to have a yea-and-nay vote on the conference report.

If the Senator from Delaware will explain to me what he wants to have a yea-and-nay vote on, we can have it ordered.

Mr. WILLIAMS of Delaware. Mr. President, under the parliamentary situation we would have to have a yea-and-nay vote on the question of agreeing to the conference report. If the conference report is rejected, I shall offer a motion that new conferees be appointed with instructions to insist upon the Senate amendment.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the question of agreeing to the conference report.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. I wish to notify all Senators that we expect to vote in approximately 20 minutes, if Senators can keep within their planned schedules.

Mr. LAUSCHE. Mr. President, will the Senator from Texas please repeat that statement?

Mr. JOHNSON of Texas. We hope to have a vote on the conference report in about 20 or 25 minutes, if Senators can keep within their estimated schedules.

Mr. LAUSCHE. I thank the Senator very much.

The PRESIDING OFFICER. The Senate will be in order, so that we may proceed with the business of the Senate expeditiously.

The Senator from California is recognized.

Mr. ENGLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 10, 1959, p. 19000, CONGRESSIONAL RECORD.)

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

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

Mr. ENGLE. Mr. President, the House bill permitted vessels purchased from the United States for exclusive use on the Great Lakes—including the St. Lawrence River and Gulf—and their connecting waterways to be operated in

any trades and any manner permitted other vessels documented under the laws of the United States notwithstanding the Merchant Ship Sales Act of 1946.

The Senate amendment, which struck all after the enacting clause, adopted provisions substantially the same as the House bill as title I and added as title II a prohibition against the issuance of any ticket or pass for free or reduced rate of transportation to any official or employee of the U.S. Government or any member of his family traveling on a ship sailing under the American flag in foreign commerce or in commerce between the United States and its territories or possessions, with certain exceptions. The Senate amendment provided a penalty for violation of title II.

In short, Mr. President, the House bill as it came to the Senate was a very limited bill, simply freeing these vessels which had been purchased for use on the Great Lakes so that they could go into ocean waters.

When the bill came to the floor of the Senate, after having been reported by the committee in the form passed by the House, there was added on the floor of the Senate an amendment offered by the Senator from Delaware to prohibit the issuance of free or reduced rate transportation to officials or employees of the Federal Government. That was the bill which went to conference, with the added title, title II, in dispute.

The managers on the part of the House disagreed with title II of the Senate amendment on the grounds that it is not germane to the bill. Moreover, the proposed provision is both extremely broad and complicated in its scope. Its effect on existing law and existing procedures and practices within the various Government departments which would be affected is unknown. A bill (S. 1114) is presently pending before the Senate Interstate and Foreign Commerce Committee which is intended to cover the objectives of the amendment. A similar bill (H.R. 4945) is pending before the Committee on Merchant Marine and Fisheries in the House. Departmental reports on the House bill point to numerous difficulties which would arise if the bill were enacted as proposed by this Senate amendment. If the objectives of the amendment are desirable, they should be appropriately considered after full hearings to determine the need for corrective legislation.

As a consequence, Mr. President, the Senate conferees receded from the position of the Senate and accepted the bill as originally passed by the House. The bill presently before the Senate, in the conference report, is the bill passed by the House committee, passed by the House itself, and passed by the Senate committee; with the amendment which was added on the floor of the Senate as title II stricken from it.

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

Mr. ENGLE. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. As I understand the situation, neither the House bill nor the Senate version contained any requirement that food commodities had to be shipped from Atlantic ports in American vessels.

Mr. ENGLE. It did not. It was a very simple bill.

Mr. DOUGLAS. Therefore, the attempt of the Atlantic coast cities to throttle the St. Lawrence Seaway is not encompassed in the bill. That attempt was turned back by the action of the Senate in rejecting the amendment of the Senator from Maryland [Mr. BUTLER] Monday evening. No similar provision has been attached to this bill?

Mr. ENGLE. I will say to my distinguished friend from Illinois, that is not what was added on the Senate floor.

Mr. DOUGLAS. I understand. It is not an issue?

Mr. ENGLE. No; it is not.

Mr. DOUGLAS. Even if the conference report were to be rejected, the status of the St. Lawrence Seaway would not be affected.

Mr. ENGLE. The status of the St. Lawrence Seaway is not involved. The only question which is involved is whether these vessels, which were purchased from the United States for exclusive use on the Great Lakes, will now be permitted to engage in oceangoing traffic.

Added to the bill was the amendment offered by the Senator from Delaware, which was stricken in the conference.

I would be glad to yield to my friend from Delaware, or to yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, I should like to have the floor.

Mr. ENGLE. Mr. President, I yield the floor.

Mr. WILLIAMS of Delaware. I ask that the conference report be rejected. Under the parliamentary situation, the only manner in which the Senate can get a vote to insist upon its amendment is first to reject the conference report. If the conference report is rejected, I would immediately make a motion that new conferees be appointed with instructions to insist upon the Senate amendment.

I might say in the beginning that I have no objections to that which is attempted to be accomplished by the bill itself. It would merely provide authority to take one of these passenger ships out of the Great Lakes during the winter months and use it along the Atlantic coast. However, I do believe the conferees made a mistake when they eliminated the amendment which would have prohibited subsidized trips for any Government official. This proposal has been considered by committees and Congress time and time again. It merely gets down to the point: Do we want to place the same restrictions on the merchant marine as Congress in previous years placed on the railroads and airlines; namely, that they cannot offer Government officials in either the executive or legislative branch free or subsidized trips on ocean liners?

I will read the amendment as approved by the Senate:

> That no common carrier by water subject to the Shipping Act of 1916, as amended; the Merchant Marine Act of 1936, as amended; or any other Act; shall directly or indirectly issue any ticket or pass for the free or reduced-rate transportation to any official or employee of the United States Government (military or civilian) or to any member of their immediate families, traveling as a passenger on any ship sailing under the American flag in foreign commerce or in commerce between the United States and its Territories and possessions;

Certain exceptions are made in the amendment which would provide for the authority of the U.S. Government in the transportation of its military personnel or civilian personnel whose transportation is being paid by the U.S. Government.

These were put in the original amendment upon the request of these Departments.

This amendment would in no way restrict the right of any agency of the Government to contract for such shipping; that is, when the Government is paying for all of that transportation. The bill has been amended to clear up the objection of the Post Office Department wherein it might conflict with their right to put postal employees on a ship.

I have copies of letters here from numerous agencies of the Government, addressed to the chairman of the committee, all stating that they have no objection to the passage of the amendment as approved by the Senate.

This legislation is meritorious, and it is very much needed. I regret that the House conferees refused to accept this proposal.

The American merchant marine is subsidized by the American taxpayers to a very large extent. I will not get into an argument whether it is too much or too little, but no one will dispute the fact that this industry is subsidized. We vote on those subsidies. Certainly we cannot say that the amendment is not germane because this particular ship with which we are dealing here was subsidized to almost the *n*th degree.

I call attention to the fact that when these ships first went in the Great Lakes by an act of Congress, there were six vessels involved. They were ships from our war surplus fleet. Three vessels, costing the American taxpayers $4,000,000, $4,600,000, and $4,500,000 apiece, were sold to a Great Lakes company for an average cost of $82,000 each. Good ships, even though they were used ships, which cost $4 million sold for $62,000, $87,000, and $97,000, respectively.

There were three other vessels which cost the American taxpayers $7,733,000, $7,802,000, and $9,125,000.

Those same three vessels, which cost the American taxpayers a total of more than $24 million, were sold for use on the Great Lakes for an average price of $102,944. Although they were a part of our reserve fleet they were good ships. Certainly no man will say that is not subsidy by the American taxpayers.

I believe it is high time that we in Congress, who vote on these subsidies and who authorize these low sales, should enact this legislation and remove ourselves from criticism. I am not inferring that decisions are influenced by these free trips or subsidized trips, but we are subject to criticism and question. We should adopt restrictions that no man in any executive agency of the Government or in Congress will be in a

position where he could accept from any shipping company free or subsidized transportation.

This is the same restriction which now legally applies to railroads and the airlines.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Do I understand correctly that the prohibition to which the Senator from Delaware is referring is now applicable to railroads and air carriers?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. As I understand, the Senator from Delaware is of the opinion that if that prohibition is sound when applied to railroads and air carriers, it is also sound when applied to the American merchant marine. Is that correct?

Mr. WILLIAMS of Delaware. That is correct. It should be applied also to the merchant marine. It should be applied even more so to the merchant marine because the American merchant marine is subsidized to an even larger extent than are the other forms of transportation.

Mr. LAUSCHE. Am I correct in my understanding that the most liberal recipients of Government subsidies are the owners of American merchant marine ships?

Mr. WILLIAMS of Delaware. That is correct. I might say that under the existing circumstances under which the American merchant marine is trading in international waters in competition with international companies, we must subsidize our shipping companies, because otherwise they could not compete with foreign competition because of the differential in labor costs. However, I do feel that we have gone too far in granting these subsidies. But whether we have or have not is not the question here today. We who determine the amount of that subsidy should not place ourselves in the position of accepting free transportation.

This subsidized transportation to Government employees and their families is not being offered for nothing. Let us be realistic.

Let us not forget that it was only a few months ago that there was a great deal of criticism expressed in the Senate with respect to an official in the executive branch of the Government who, it was disclosed, accepted hotel accommodations which were paid for by some taxpayer. I joined in that criticism and said that it was wrong—but was it any more wrong than for an employee of the Government to allow a shipping company to subsidize his or his family's vacation with a free trip to Europe or for a subsidized trip around the world? Don't forget we vote on the rate of the subsidy for the shipping companies and determine the amount that they are to get.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Does the Senator understand that there is now pending a bill to further liberalize the subsidies paid to the American merchant marine?

Mr. WILLIAMS of Delaware. Yes. I shall join the Senator from Ohio in opposing it. I think we have gone too far in this field. I recognize there are those who earnestly believe in increasing them, however, nevertheless, I do believe that we should not put ourselves in the position where someone could say that our vote may have been influenced by an offer of a free trip.

I do not charge that this has been done, but again I remind the Senate that we only recently joined in criticizing an official of the executive branch for accepting subsidized hotel facilities. Let us live by our own code.

As evidence that the shipping companies do offer these free or reduced rate trips rather freely I cite a personal example.

A few years ago when I was a member of the Senate Committee on Interstate and Foreign Commerce and when we were holding public hearings on a bill which had been endorsed enthusiastically by practically every segment of the American shipping industry—I will not go into the merits of the bill—officials of the American merchant marine directed a letter to the chairman of our committee extending through the chairman to every member of the committee, including myself, an offer of a free trip to any place where ships sail under the American flag. The offer included the whole family.

I denounced this at that time and said it was highly improper even to make such an offer to Senators who were in a position to vote on a bill in which they had a financial interest.

There is no argument about the fact that such a letter was written. There are other Members of the Senate now who were members of the committee at that time, who will remember, I am sure, that such a letter was received. From that time on I have been advocating a law which would prohibit the offering or acceptance of such free trips.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. The Senator from Delaware is urging a sound proposal, and I shall support him.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio. It is long past the time when we in Congress should recognize the fact that this situation should be corrected and that we must remove ourselves from any possible criticism which could be directed against us if we did not do so. I do not intend to debate the matter further. I am perfectly willing to vote. The choice is clear. If we are in favor of eliminating subsidized trips on the part of any Government official, either in the legislative branch of the Government or in the executive branch, we should vote "No" on the conference report and then instruct the conferees to insist on the Senate amendment. I hope the conference report will be rejected.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. PROXMIRE. I enthusiastically support the position of the Senator from Delaware. As I understand, the opponents of the position taken by the Senator from Delaware argue that if the Senator is sustained in his position, it would kill the bill. It is my understanding that it would not kill the bill. The Senator from Delaware supports the bill with the amendment to which he has referred, and he is convinced that it would not kill the bill, but that the bill would still be alive and could easily be rereferred to the conference committee and then passed.

Mr. WILLIAMS of Delaware. Certainly it would not kill the bill. I am in favor of the bill. I have no objection to the bill. All we are asking is that the House accept this amendment, and the bill can become law. By rejecting the conference report all that we will be doing is insisting on the Senate amendment.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HART. May I ask if the proposal the Senator seeks to add to the bill as an amendment has ever been presented on its own merits by him or anyone else?

Mr. WILLIAMS of Delaware. Yes, indeed, and hearings have been held by the committee. However, I regret it has not been reported by the committee. This proposal has been before the Senate on numerous occasions over the past several years.

I hope today we can approve this much needed legislation. Again, I point out that this can only be accomplished under the existing parliamentary situation by just rejecting the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Hawaii [Mr. LONG] are absent on official business.

I also announce that the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that the Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Conference at Warsaw, Poland.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator for Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

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.

The Senator from Utah [Mr. BENNETT], the Senator from Indiana [Mr. CAPEHART], and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

The result was announced. Yeas 53, nays 34, as follows:

YEAS—53

Anderson	Hart	Morton
Bartlett	Hill	Moss
Beall	Holland	Murray
Bible	Humphrey	Pastore
Bridges	Jackson	Randolph
Bush	Johnson, Tex.	Russell
Butler	Johnston, S.C.	Saltonstall
Byrd, W. Va.	Jordan	Scott
Chavez	Kefauver	Smathers
Clark	Kennedy	Sparkman
Cotton	Kerr	Stennis
Eastland	Long, La.	Symington
Ellender	McCarthy	Talmadge
Engle	McGee	Thurmond
Ervin	McNamara	Williams, N.J.
Fulbright	Magnuson	Yarborough
Gore	Mansfield	Young, N. Dak.
Green	Monroney	

NAYS—34

Aiken	Dworshak	Mundt
Allott	Fong	Muskie
Byrd, Va.	Frear	Neuberger
Cannon	Hickenlooper	Prouty
Carlson	Hruska	Proxmire
Carroll	Javits	Schoeppel
Case, N.J.	Keating	Smith
Cooper	Kuchel	Wiley
Curtis	Langer	Williams, Del.
Dirksen	Lausche	Young, Ohio
Dodd	Martin	
Douglas	Morse	

NOT VOTING—13

Bennett	Gruening	McClellan
Capehart	Hartke	O'Mahoney
Case, S. Dak.	Hayden	Robertson
Church	Hennings	
Goldwater	Long, Hawaii	

So the conference report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE COAL INDUSTRY

Mr. MORTON. Mr. President, the year 1959 may prove to be a most significant one in the history of the American coal industry—a $5 billion business. It is an industry upon which almost 2 million Americans depend for a livelihood, and an industry upon which this Nation has long depended for the major share of its energy requirements in both wartime and peacetime.

Many, perhaps, have become aware this year for the first time that coal is a product essential to our national security. Russia, using coal as a weapon, produced a record 529 million tons of coal last year. For the first time, Russia produced more coal than the United States and did so by about 125 million tons.

The 86th Congress has given much considerate attention to the problems of the coal industry, and a number of my distinguished colleagues have risen in support of efforts to revitalize the production and marketing of coal.

Coal production last year amounted to 405 million tons, almost 100 million tons below 1957 and about 231 million tons under the record year of 1947. It is no secret that the coal industry has lagged behind other major industries since the end of World War II. This lag is of great concern to the country, not only because of its effect on employment and the economy generally, but because, as I have indicated, the prosperity and stability of this industry is essential and vital to national security.

Last February, the five major groups which are concerned with the production, transportation and use of coal formed an organization to help coal—the National Coal Policy Conference. This organization is composed of the coal producers, the United Mine Workers of America, 30 coal-carrying railroads, some of the major coal-burning electric utilities, and the Nation's principal coal equipment manufacturers.

The objectives of the National Coal Policy Conference are to sell more coal profitably, to find new uses for coal and to discourage uneconomical marketing practices in the marketing of various fuels, including coal, natural gas, and oil.

The coal slump coincides with a most paradoxical development. In this period of inflation, the price of coal has remained remarkably stable. In 1948, the price of coal at the mine averaged $4.99 per ton. In 1958, it averaged $5, an increase of 1 cent per ton in 10 years, an unparalleled record.

In the area of wages, the fact is that while the price of coal at the mine has remained stable, the average income of the American coal miner rose from $23.88 a week in 1939 to $115 per week in December of 1958. Hourly wages of miners have increased from $1.94 in 1949 to $3.26 today, an increase of 68 percent. Yet, the price line on coal itself has been held because the American coal miner is producing 78 percent more coal than he did a decade ago.

Coal qualifies, in my opinion, as our No. 1 anti-inflation commodity. Its price and productivity record is unmatched, and the principal reason for coal's price stability has been the industry's remarkable increase in productivity.

Before World War II, American coal mines were producing less than 5 tons per day per man, but by 1948 the rate of production had climbed to about 6½ tons per day per man. By 1954, production jumped to an average of 9½ tons for each miner employed, and last year the official records show that the net tons per man were 11.32 tons per shift. The rate of productivity is continuing to mount as more efficient methods are developed. It is approximately six times that of any other country in the world, since the average in other coal-producing nations, including Russia, is less than 2 tons per day.

To achieve such an astonishing record, management and labor in our American mines agreed on mechanization even though this meant the displacement of some workers. Industry leadership recognized that adjustments in production techniques were urgently needed if coal were to compete and survive.

The coal industry has withstood some economic body blows which could have spelled catastrophe for an industry with less vitality. Less than 15 years ago, the coal industry was powering the Nation's locomotives and selling the railroads more than 125 million tons of coal each year. The dieselized railways of today buy less than 4 million tons a year, and railway consumption is still declining.

Just as the diesel engine took over coal's largest customer during the past decade, so have oil and gas displaced coal for heating homes, apartment houses, and small businesses. The movement of coal through retail yards dropped from nearly 100 million tons in 1946 to approximately 34 million tons last year, a loss of 66 percent.

Despite these lost markets, the coal industry, largely through labor and management cooperation, has not only held its place as the No. 1 anti-inflation commodity but has made impressive gains in some other markets, principally in the production of electric power. Last year, for instance, coal supplied 68 percent of the fuel consumed by steam electric-generating plants in the United States.

That was more than twice as much as oil and natural gas combined, according to the National Coal Association. Electric utilities consumed 155.7 million tons of coal in 1958, an increase of 128.7 million tons over the year 1933. Even including hydroelectric power from such giant projects as Grand Coulee and Hoover Dams, coal produced 53.4 percent of all electricity generated by the power utilities, or more than all other fuels and water power combined.

In contrast with coal's 68 percent of the steam power generating market, oil supplied 8 percent and natural gas 24 percent. In areas where coal competes with other fuels, coal held 84 percent of the market, oil 5 percent and gas 11 percent. Thus, it can be concluded that coal is beginning an economic comeback through productivity and economy in such important fields as the production of electric power.

In the 38 States where coal furnished significant amounts of electric utility fuel, it produced heat at a cost of 27.3 cents per million British thermal units, while oil cost 39 cents, and natural gas 25 cents. In this same area, coal was 4 cents a ton cheaper in 1958 than in 1952, while an equivalent amount of gas cost $1.24 more and oil 86 cents more.

Still, coal production was down nearly 100 million tons last year, and the coal industry in my State of Kentucky and other States is sadly depressed. The displacement of coal is a serious matter, especially from the national security point of view. In time of war, or a similar national emergency, coal would be called upon to supply, and quickly, much more tonnage than it is now producing. During World War II the industry was required to produce and the railroads to transport 158 million more tons of coal each year as oil imports were sharply curtailed by enemy operations. There is every reason to assume that the requirement for coal during a similar crisis

would be even greater now than in the past.

Reliable witnesses before several congressional committees have expressed doubt that unless conditions in the coal and railway industries improve, there is a grave question whether emergency requirements of production and transportation could be met.

The coal industry probably has a production capacity of 520 million tons annually. Statistics given to the Office of Civil Defense Mobilization by the coal industry are to the effect that at least 630 million tons of coal would be required during the third year of a major war. This assumes no conversions and, in view of our experience in the last war, is unrealistic.

Assuming that 110 million tons beyond the 520-million-ton present annual capacity would be required in the event of war, this would require an additional expenditure of from $600 million to $1 billion. With the earnings record of the coal industry since World War II—dismal indeed—the additional hundreds of millions of dollars necessary to capital expansion will not be forthcoming unless the coal situation improves dramatically.

Approximately 3 years is required to develop a typical deep modern mine, and the additional 110 million tons would be hard to come by in the event of war. Even then, the 110-million-ton estimate may be too conservative. The extent to which the coal industry will be able to fulfill its emergency obligations will to a large degree depend on the measure of prosperity and stability it attains under normal conditions.

Certain actions this year have pointed the industry in this direction. The President imposed mandatory quotas on the previously unrestricted importation of residual oil for vital reasons of national security and economy, and the Congress has looked with favor on the creation of a broad and effective program of coal research and development. Resolutions have been introduced in both branches of the Congress to establish a joint committee to make recommendations for a national fuels policy. Adoption of the purpose embodied in Senate Concurrent Resolution 73, which I am pleased to cosponsor, would be in the best interest of fair play for all the major fuel industries and in the best interests of our Nation as a whole.

Undoubtedly, the key to our future lies in the wise and efficient use of our fuel resources. All experts seem to agree that coal will loom increasingly large in the energy picture of the future, with some predicting a consumption potential of 800 million tons by 1975. Various coal interests claim that oil and natural gas are being used unwisely; that is, they are competing with coal in areas which should be reserved to coal because of its economy and abundance. There is enough coal to last a thousand years, while our domestic reserves of oil and gas, relatively speaking, are limited to only a few years. It is true that additional supplies of oil and gas are being discovered each year, but this may not continue indefinitely. The coal reserves have already been discovered.

There is little question that atomic energy will be a most important source of power for civilian uses in the years to come. However, there seems to be no doubt at present that atom-produced electricity costs a great deal more than electricity from coal, oil, and gas. This is borne out by our own experience and apparently by the experience of the Russians who have indicated that they are meeting their growing power demands by conventional coal-produced electricity.

From all evidence available, it would appear that the Soviet Union is doing everything possible to nurture, to expand, and to utilize to the fullest her coal industry. Coal is not only this Nation's No. 1 anti-inflation commodity, it is perhaps the most potent weapon in our military and economic arsenal. It is a commodity which Russia is using with ever-greater emphasis in her mammoth effort to overtake this country industrially, militarily, and in world trade and commerce.

Unless the coal industry of the United States can retain its present markets and develop new ones, so that the standards of price, production, and productivity can be profitably maintained, the Iron Curtain countries will surely take from us the dominant position as a supplier of coal which we enjoy in the world today. Authorities have told me that America mines coal so efficiently that we could normally undersell in any market anywhere. They say that in competition with other coal-producing countries, provided there is no imposition of artificial conditions such as political considerations, restrictive trade barriers, or barter arrangements, our coal industry can hold its own.

I was interested in the comment contained in a Department of the Interior publication earlier this year which said that Poland and the Soviet Union may be expected to become stronger competitors of the United States in the Western European market as far as steam coal and anthracite are concerned. While exports from the United States to Europe and other continents declined in 1958, exports of Russian and Polish coal were on the increase. Although the American coal industry could have outsold the Iron Curtain producers, because of mechanization, price stability, and productivity, dictator nations have an advantage.

Most of the coal exports from Russia and the Soviet world to free Europe move on bilateral trade agreements involving the exchange of commodities. In comparison, shipments from the United States are based on dollar purchases. The Russian Government formerly took the greater part of Poland's exportable coal. Now, through rapidly expanding mechanization and the number and increased size of her mines, Poland is permitted to use a good part of her coal for barter.

For instance, in 1957 the coal producers of this country sold Argentina 914,000 tons of coal but only 216,000 tons in 1958, a loss of almost 700,000 tons in a market which had been considered traditionally firm. U.S. coal was displaced by Polish coal. I am told that Argentina pays about $2 more per ton for Polish coal, which incidentally is inferior to American grades, but the payments are in commodities.

Another case of discrimination against American coal occurred early this year in West Germany when the Bonn government clamped a prohibitive tariff of $4.76 a ton, a virtual embargo, on our coal. As a result, our 15 million ton German market of 1958 may well drop to between 4½ to 5 million tons this year. The loss of our export markets is already coming into sharp focus. In 1957, American coal exports reached an all-time high of 81 million tons; then a year later, in 1958, it dropped to 53 million tons, a loss of about 35 percent. This means a reduction in coal output valued at about $140 million at the mine mouth; a loss of railroad revenue in excess of $100 million; an incalculable loss of coal industry jobs and payroll.

Despite the inroads into this industry's basic health, coal has an amazing vitality. It has kept itself competitive despite many hard blows in the past, and it has now organized to combat its problems systematically, vigorously, and effectively. The National Coal Policy Conference is unique in character. It includes some of the country's foremost industrial and labor leaders who already have come forward with the suggestion for a national fuels policy, a constructive and statesmanlike proposal.

The question of "Why a National Fuels Policy?" has been answered in compelling fashion by the conference, and I ask unanimous consent that this purposeful statement be inserted in the RECORD at this point in my remarks.

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

WHY A NATIONAL POLICY?

The national interest today requires industry, labor, and Government to work together for a national fuels policy. We have none.

Yet, the United States is faced by a serious fuel and energy problem. The availability of an adequate and assured supply of energy is basic to our national security. A continuing expansion of reliable supplies at reasonable cost is necessary to national growth, increasing prosperity, and the advance of a society and technology based on energy use.

A national fuels policy can only be achieved if the Nation looks at its energy resources as a whole, recognizing the interrelationships between the various fuels; if it takes economic and technical advantage of the flexibilities in distribution and use, drawing on each source for its most efficient and desirable contribution; if it refuses to countenance discriminatory competition, or the stifling of the further development of a competitive fuel; if it promotes long-term availablity of a reliable energy supply at a reasonable cost by sensible policies of fuel conservation, development and distribution.

Today our national legislation and Government policies treat fuels in separate compartments. The Natural Gas Act treats gas without reference to oil or coal. Government policies on imports, tax, and national defense all too frequently treat one fuel without reference to another. Atomic energy is a subsidized national development, while the coal industry, ignored, seeks not subsidies, but fair play.

Mr. MORTON. The industry clearly recognizes what its problems are and what it must achieve along the road back, but it harbors no doubts that recovery will be attained if it receives the proper attention and encouragement to which it is entitled.

THE CONDUCT OF FOREIGN AFFAIRS

Mr. FULBRIGHT. Mr. President, I know that Senators are bone-tired after 8 months of hard work, and we are now under the strain of night sessions before adjournment. When time to clear up unfinished business is running out, Members are due an explanation about why I have asked for the floor when my comments will not deal with any specific bill pending in this Chamber.

My explanation involves two matters.

First, all around the world, a tangle of hopes and fears have been aroused by the imminent start of the exploratory talks between the President of the United States and the Prime Minister of the Soviet Union. To be sure, in the course of his recent visit to Europe, the President tried, on several public occasions, to bring the character of his meeting with Mr. Khrushchev into its proper focus. But human nature being what it is, it is likely that the realities of the picture may again be distorted the moment the Soviet Prime Minister sets foot on American soil. In the circumstances, it seemed to me that something might be gained in the cause of understanding if there was another address from the Senate floor, spoken to our friends abroad, in line with what the President from his preeminent position has already told them.

Secondly, and more importantly from an American standpoint, from the instant we adjourn, the whole conduct of the Federal Government, except for its judicial aspects, will pass exclusively into the hands of the Executive, where it will remain until Congress reconvenes in January. This is unavoidable. But it is worth noting how often in the past, fateful things occurred during such intervals of Presidential government.

It was during such a period in 1956 when the tragedy of the Suez War came to a head. Again in 1957, it was at such a time when the Russians shook the world by firing their first sputnik into outer space. And in 1958, it was in this interval when the crisis in the Formosa Straits mounted hourly.

I am not saying by indirection that the whole world is due to fall apart between now and January 1960. I am not saying that the Executive, following a secret time schedule, awaits the adjournment of Congress each year and then willfully invites the onset of a crisis. Any insinuation to that effect is nonsense, which the Republican Members of this Chamber would rightly resent, as I resented such insinuations when I heard them made at a time when a Democrat President sat in the White House.

What I am saying is in no way sensational. It is simply to note a possibility based on past experience. The possibility is that, when we reconvene 4 months from now, the affairs of the Nation may bear but little resemblance to the state of those affairs as we will presently leave them. In the circumstances, it seems worthwhile to lay down a few reference points from which we can get our bearings 4 months hence, when we return to Washington and undertake our customary judgment of how Presidential government has handled the Nation's affairs.

In what I shall say on either point—on the Eisenhower-Khrushchev visits, and on the impending operations of Presidential government—it is decidedly not my object to interfere with the responsibilities of the Executive, or to pester it with ominous threats, or to set off false alarm bells, just for the fun of it.

It is anticonstitutional for one arm of the Government by its meddling to deny the second arm the effective power it needs in the discharge of its responsibilities, while blaming, not itself, but that second arm, if the result is a miscarriage of national policy. I say it is anticonstitutional, because of what it does to the operations of public opinion as a controlling force over both the Executive and the Legislature. With power lodged in one place and responsibility in a second place, it is almost impossible for public opinion to track down and identify the real author of a national misfortune. Seeing the misfortune plainly enough, but torn by mutual accusations about who is to be blamed for it, public opinion inevitably becomes cynical about our whole system of constitutional government.

Indeed, the chief motive and the unifying theme in my remarks is the urgent need to reunite power and responsibility in the conduct of our foreign relations. And by power, I mean not only the legalistic aspects of the word, but the whole family of tangible and intangible things that make for national strength.

Right here, there is a second point that should be made quite clear. I for one, do not believe that there is any simple formula which would solve the many difficulties confronting us abroad if only the Legislature and the Executive, singly or jointly, could discover it and embrace it.

Such a notion encourages the false belief that any particular course of action which eases an immediate crisis is the wisest course. In actual fact, the easiest course, as Mr. Neville Chamberlain's experience at Munich bears witness, can in the long run be disastrous.

The notion that we can discover an easy formula can blind us to the truth that a hard and difficult line of action in which we may be engaged is the right line to pursue. It can blind us to the fact that hard work and persistence, despite all intermediate dangers and crises, can eventually lead us to the goal we have set for ourselves.

Furthermore, a belief in simple solutions encourages the false notion that every major problem confronting us abroad is subject to our exclusive control, and that if it is not brought under our control, it must be because of an error in policy. Meanwhile, from the same cause, we fail to look at the actual difficulties inherent in some of our problems. We fail to see that many of them have a motion of their own; that they will not await the pleasure of what we or the Russians want to do about them in our own good time.

And finally, a belief in simple solutions almost invariably is the father of a moralistic outlook on the political problems of foreign affairs. And this outlook in turn inevitably leads in one of two destructive directions. In one direction, the moralistic approach assumes that anyone who is in fundamental disagreement with us is totally evil, and, hence, we ought to use total force as the only way in which to deal effectively with total evil. In the second direction, when it becomes apparent that the moralistic approach has not solved a single political problem, the sanction is present to withdraw into isolationism, on the argument that the whole world is corrupt, and that only if we cut off all contact with it, can we preserve our own purity.

I mention these dangers by way of a forewarning against the shock of disillusion which may follow the illusions now gathering around the imminent exchange of visits between President Eisenhower and Prime Minister Khruschev.

The Members of this body know that I have long favored such exchanges. I have not changed my mind about them. But I should like to reemphasize as I have stressed many times on previous occasions, that exchanges of this sort solve nothing of themselves. They are merely a procedure, supplementary to the regular diplomatic channels, a procedure whereby national chief executives can discuss whatever it is they want to discuss.

Common sense should tell us that we do not serve the moral values we all want to uphold, if, on moral grounds, we foreclose our right to meet our adversary and talk to him in a civil way. Common sense should tell us something else.

If the Russian Prime Minister should come to look at an Iowa cornfield and say nice things about it, or if an American President should go to look at the Bolshoi Ballet and say even nicer things about it, the exchange of compliments about valued national things will not solve the question of a divided Germany or of how to make a start on nuclear disarmament. It will not bring the world as much as 1 inch closer to the conditions that make for real peace. Yet, for a variety of reasons, there has taken hold in some quarters the belief that it is by such simple solutions that the world will rescue itself from the peril of destruction hanging over it.

If we manage to avoid in the period lying directly ahead the misguided belief in simple solutions, then I believe we may avoid the dangers that the cold war poses for all humanity.

As for myself, I believe that the national means to scale down the scope and the dangers of the cold war were, and are, at hand. I believe that such national means have not been, and are

not now, being fully utilized. I believe that unless there is this full utilization, a thousand exchanges of visits between the heads of states, or a thousand summit meetings between the great powers, will not only be useless, but worse than useless. They will be useless, because nothing is more dangerous than to arouse great hopes by splendid pageants, while denying oneself access to the material means that can sway the outcome of concrete cases in dispute.

In Europe, for example, I suppose we ought to find some satisfaction in the fact that the Berlin crisis, for all practical purposes, is presicely where it was last January. In the sense that the Russians have not yet laid their hands on anything they were not entitled to have, I suppose this represents progress. But it should be remembered that they still have available all the options which they had last winter, just as the Chinese Communists have all the options they had when the shooting in the Formosa Straits was last in the news. But even if we regard the case of Berlin as a standoff thus far, the strength of the Soviet Union in the meantime has been increasing; and the strength of the West, relatively speaking, has been decreasing.

I am not talking solely about military strength; I am also talking about industrial capacity and population skills. So long as this situation persists, time favors the Soviet Union, and works against the United States. And may I add that a comment of this sort is not a betrayal of an American national secret to the Russians on the eve of Mr. Khrushchev's visit. He knows the secret already, and has proclaimed it over and again in his public utterances.

It remains for us to inform him, not by words alone, but by the resolution of our deeds, that there is nothing inevitable about the Soviet Union closing the gap between her strength and ours. America has a tremendous reserve of strength that would enable us to outstrip the Russians in any competitive realm, provided there is present the leadership to call out that full strength.

As things now stand, however, the Soviets profit not only from their own energy, but also from our apathy. Here, let me add that we, too, frequently pay the Soviets an undeserved compliment in crediting them with diabolical cleverness. They are not smarter than anyone else. At critical moments in their history, they have, in their own doctrinaire way, stumbled into fantastic blunders that the lowliest precinct captain in an American city would have warned against. The advantage they have is that they simply work harder. Not that Americans do not work. They do work hard, but too often on a wrong order of national priorities.

We cannot count on the possibility that our wrong order of priorities will be made over into a right order, because of what might occur inside the Soviet Union. We are entitled to hope, of course, that evolutionary changes in the political outlook of the Soviet people and government may result from economic changes within the Soviet Union. But this change, if it does occur at all, will be decades—perhaps generations—in coming. In the meantime, there is the problem of how we survive and prevail under the conditions of the foreseeable future where the growing industrial might of the Soviet Union will augment its already formidable military might, and its already formidable capacity to export capital and technicians in an across-the-board competition with our own.

If we are to survive and prevail, the place to begin is by closing a policy gap. We speak of foreign policy or domestic policy, but we very rarely speak of national policy. What the Russians have, and what we lack, is a national policy. And this policy gap, in its long-term implications, is more dangerous than the missile gap.

This policy gap most clearly manifests itself in national decisions as to the allocation of resources. It is frequently pointed out, by those who take a complacent view, that the United States far outproduces the Soviet Union. This is true, but the use that is made of productive capacity is of at least equal importance with the size of the capacity. On this score, there is no ground for complacency. The Russians devote a far larger proportion of their resources to defense, to education, and to the other things which really matter in the cold war and which would be decisive in a hot war. It will not do us any good to outproduce them in color TV sets if they outproduce us in missiles. It will not do us any good to train more advertising copywriters if they train more nuclear physicists. It will not do us any good to train more tax lawyers if they train more diplomats. If we put cement into backyard swimming pools, and they put it into factories, who has improved his position more?

In making decisions on the allocation of resources, the Russians have a considerable advantage over us because of the difference in the decisionmaking process in the two countries. There, it is centralized in a few men. Here, in its basic aspects, it involves all the people.

The American body politic is rather poorly organized for effective decisionmaking. I am not talking about the day-to-day kinds of decisions which are made in the various Government departments and in the National Security Council. Rather, I am talking about the multitude of decisions which are made by individuals on such things as prices, wages, consumer spending, and the use of savings. Even the structure of our Government is such that the decisions as to whether we have an adequate school system, for example, is dispersed throughout thousands of localities.

We have traditionally taken it as an article of faith that this decentralization not only safeguards the democratic process, but also results in the most efficient use of resources. I do not question this as long as it is applied within fairly narrow economic limits. If it is extended, all inclusively, to that realm of high national policy where economic and political considerations merge, it results in either national paralysis or national chaos. Some things can best be done—or can only be done—by the Federal Government, which is itself, of course, a Government of divided, or decentralized powers. It was silly, even in the 18th century, to expect the several States to provide effective armed forces for the national defense; hence the constitutional provision for Federal responsibility in this field. All I am saying is that if we now want to change substantially the allocation of resources in the United States—if we want more cement in factories and less in swimming pools, if we want more steel in schools and less in automobiles—the only way we can bring this about is by action of the Federal Government. I think we ought to bring it about. But unless the temper of the country is changed by action from below, or by leadership from on top, the general support necessary to bring it about will not be present. This is another way of saying that we will be unable to bring to any council table the evidence of the material means we need to persuade the Russians that it is in their own interest to negotiate the terms of a real peace.

It is about time, I think, that we Americans recovered our traditional capacity to be outraged about ourselves. For if any people in human history had the means to win out over a willful adversary, yet failed to use its natural strength, we are that people. This country has the natural, the industrial, and the human resources to do almost anything it wants to do—provided it passionately wants to. It is nonsense to say we cannot afford it. During World War II, we devoted between 40 and 50 percent of our gross national product, which at that time was something less than half what it is today, to the purposes of the war; and at the same time provided food, clothing, and shelter for ourselves at a comfortable level, and a great part of our allies. Yet now, when the total budget of the Federal Government amounts to less than one-sixth of our gross national product, we are told we cannot afford it. This is plainly not so. What the people who say this mean is that they do not want to pay for it.

If we are to put our full strength to use, there are a number of things we need to do, all of them expensive. For example, but in no particular order of importance:

We need to spend not just a little more, but a great deal more, on our public school system.

We need to arm ourselves better with both conventional and advanced weapons.

We need to improve Strategic Air Command bases so as to make them less vulnerable to surprise thermonuclear attack.

We need to put our program of foreign development loans on a long-term basis and give it adequate financial resources.

We need an adequate, serious program of building civil defense shelters. Our neglect in this field has been shameful, and may be fatal.

I do not know how much all of these things would cost. I do know we can afford them if we decide we want them badly enough.

If we were seriously to undertake all of these things; the Kremlin would be a great deal more impressed than it is likely to be by evidence of our determination to balance the budget.

But fiscal stability and an adequate response to the Soviet threat need not be considered as mutually exclusive alternatives.

The public arguments which we hear for a balanced budget are all predicated on the unspoken assumption that the budget must be balanced at the level of revenues yielded by the existing tax structure operating upon the existing level of production. This, of course, is only one side of the argument. It could equally well be argued that the budget should be balanced at the level of expenditures required by compelling national interests, and that the tax structure should be revised upward accordingly. This perhaps takes more courage, but it also makes more sense.

Yet, in this situation, we find such timidity in the White House that the President remarks to a group of reporters—with authority to attribute the statement to him indirectly—that he thinks "any substantial increase in Federal taxes would lead to such public resentment there would be widespread flouting of the tax laws similar to prohibition laxity." What a sad commentary this is upon the caliber of American leadership. If the Presidential fear were well founded, it would be an even sadder commentary on the American people themselves. But I do not think it is well founded.

It is significant that in the same conversation, the President referred to his concern over the trend in some corporations to hire bright young executives, not for their business imagination or managerial talents, but for their ability to spot tax loopholes. This may well be the case, but we should remember that such loopholes as exist are in the President's own inadequate tax bill of 1954.

The bulk of the American people are not looking for tax loopholes, and would not find any if they were. The tax loopholes benefit primarily big-business interests. They offer no relief for the little people of this country. Their taxes are withheld from their paychecks, without so much as a by-your-leave. They cannot afford the high-priced tax lawyers whose clients fill the air with so much caterwauling about national bankruptcy at the same time their stockholdings reach new highs in value nearly every day, until very recently.

It is a strange thing that the President who has so little faith in the American people paying their taxes is the same man who wrote, in his mutual security message to Congress:

> It is not the goal of the American people that the United States should be the richest Nation in the graveyard of history.

I do not understand how a person could hold both views. It is no wonder that the public is confused about our place in the world and what needs to be done.

As a result of the experience of the last 5 years, when one political party has controlled the executive branch and the other party the Congress, it has become increasingly clear that the American system of government centers in the Presidency. Although the President cannot compel action, action nevertheless rarely occurs, especially in matters of foreign relations, unless some impetus, or at least some support, comes from the White House. The President is the only elected official who has constitutional responsibilities in this field and who represents all the people. He is the only one with sufficient prestige to command the attention of the whole country.

How has he used that prestige in this session?

Has he used it to arouse the country to greater exertions? He has not.

The White House has continued its politically lucrative career, begun in January 1953, of concocting and selling tranquilizer pills that benumb the critical faculties of the Nation.

Has the President used his prestige to secure from the Congress the full arsenal of means he needs if America's purposes are to be successfully advanced around the world? He has done nothing of the sort.

He has used the full power of the Presidency to check the initiative started in the Congress to give him those means. Worse still, he and his agents have gone out of their way to anathematize as reckless spenders those Members of the Congress who felt that in perilous times bold measures, all contributory to national strength, were a categorical imperative.

In the whole history of the Presidency, with the possible exceptions of Herbert Hoover and James Buchanan, the performance of President Eisenhower, in this respect, stands on a bizarre plain of its own. I do not for a moment doubt that he is passionately dedicated to the search for peace. I do not for a moment doubt that he is a man whose personal charm is a great natural resource of the Nation. But I have the uneasy feeling that it is going to take more than very good intentions, and more than personal charm, to make any appreciable dent on Mr. Khrushchev or on the problems of the cold war that may crop up in the next 4 months.

Nothing would please me more than to have things work out in ways that would require my confessing 4 months from now that my apprehensions were unfounded. In any case, I have spoken my piece. And so has the President in his various messages to the Congress. Most of us wanted to give him a stronger hand to play with. He asked for, indeed demanded, a weaker hand. The responsibility for the result is now his. In the 4 months ahead, let us keep our eyes clearly focused on how he plays his hand. And, in the meantime also, let us hope that the age of miracles is still with us.

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

Mr. FULBRIGHT. I yield to the majority whip.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, for the forthrightness and the candor of the speech he has delivered in the Senate this afternoon. I think we could do well with more speeches of that nature and with fewer happy headlines, which seem to be afflicting the press of the country at this time. I am delighted the President has had a successful trip to Western Europe, but I am not delighted over the headlines, which seem to indicate that all is well with the world, that all our troubles are buried and done away with.

I wish to commend the Senator for sounding a clarion call, trying to bring home the facts to the American people, trying to bring home to the Senate and to the Congress as a whole that during the adjournment, which will be upon us shortly, there will develop a hiatus, and the responsibility of the President will be increased tremendously. Some of the results which may be achieved then will bode either good or ill for the welfare of our country.

As the Senator said, or at least implied, we wish the President every possible success in his visit with Mr. Khrushchev and in the difficult moments which face him in the months ahead. I am sure, as the Senator indicated, the President should know the Congress stands ready to support him to the best of its ability in the field of foreign affairs at all times, provided the President assumes the leadership which is inherent in the office he holds.

Mr. FULBRIGHT. I thank the Senator from Montana for his remarks.

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

Mr. FULBRIGHT. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, in this morning's newspaper there was advance notice of the address to be made by the Senator from Arkansas. I sent to the office of the distinguished Senator to get a copy, and I read it. In my opinion, there has been no more important address delivered in the Senate since I have been a Member of this body. What the Senator talks about not only concerns the future of the free world but also what must be done if we are going to maintain our security and our freedom.

I congratulate the able Senator for the message he has given the Senate and the American people.

I should like to ask the Senator a question, if I may. Does the Senator not, in effect, state that unless our policies are changed, so that we can increase our strength—not only physical strength, but also economic and, technological strength, and strength to achieve success in our psychological efforts—all that can result is that the Soviets and their Chinese allies will rapidly assume a position in the world which will definitely affect our future security?

Mr. FULBRIGHT. That is exactly the point I was trying to make. Perhaps I can rephrase it.

What impelled me to speak about this matter now is that I have advocated and I do approve of these visits. However, I read the press accounts about these visits—the visit of the Vice President to Russia, and the visit of the President to Europe—and the length to which the press goes makes one think that all our

problems are solved. I fear those accounts will be misinterpreted, although I still think this is a proper procedure to follow.

I will say that I first had in mind the President's reluctance to support the Committee on Foreign Relations in its recommendations to the Senate in the field of foreign aid, specifically in regard to the Development Loan Fund, which the administration refused to support. Now in the foreign aid field the whole program has been drastically cut, because of lack of support from the President and his party.

We have to couple that with recent domestic developments. The steel strike is now going into its 56th day, or something like that.

We have to couple it with the failure to make proper demands upon the country, in my opinion. It all seems to me to present a very weak picture in support of whatever the President wishes to say in his negotiations. I think we are creating the impression that everything is going fine. It is not going fine at all.

The President does not have the weapons, either in the field of economic assistance or in the field of military assistance, that he should have, I think, and especially is that true in the foreign aid field.

The Senator from Missouri is himself a far greater authority in the field of armaments than I. As a matter of fact, in this field I consider my authority to be the Senator, ratl er than basing conclusions solely upon my own judgment. I have heard many of the Senator's speeches.

Mr. SYMINGTON. The Senator is very kind, but I do not think he is accurate.

Mr. FULBRIGHT. I think the Senator has made a great contribution in this field.

To sum it up, this country has tremendous possibilities, but the President and the executive department is not asking the country to do what it ought to do and what it is quite able to do.

In a sense the steel strike results from a feeling of overproduction. Is that not a fine thing to have occurred, to have this strike right in the midst of a period when we are having trouble develop in Laos, for example, or trouble in Tibet, and the many signs of impending difficulty with expanding communism? In a sense, these are probing operations, designed to see how determined we are. If we do not have the proper tools and weapons to meet them, we will not be determined.

Mr. SYMINGTON. Mr. President, there is no question about that, and I am going to talk about the steel strike tomorrow.

So far we have lost the production of 17 millions tons of steel, and I believe that the reference of the distinguished Senator from Arkansas to the importance of doing something about this matter and not talking about it is most timely and constructive.

I, too, am for these visits, but I hope that the American people will not be lulled by them into further complacency and a further false sense of security.

Does the able Senator remember a play, in which Maude Adams had the leading part, entitled "Chanticler"?

Mr. FULBRIGHT. I do not quite remember it. I am not sure that I saw it.

Mr. SYMINGTON. I remember a review of the play by Norman Hapgood, years ago, in which he said that charm was no substitute for a rooster. Would not the Senator agree that might be pertinent to what is going on today?

Mr. FULBRIGHT. I think exactly that. I do not begrudge the President his charm. I only regret that he is unwilling to demand an adequate effort on the part of this country to do what it is quite able to do. I think Americans would be much happier if they were doing more nearly what they can do. I believe the American people feel we are marking time and are not really exerting ourselves, and I do not mean just here in the Senate; I mean in the country as a whole.

Mr. SYMINGTON. Summing this up, what the Senator is saying is that he is very grateful that we have a head of state who is a very attractive and intelligent gentleman, but he would hope that the President would try to back up his ability to get along with people by taking the necessary steps so that we can negotiate economically, technologically, militarily, and psychologically, from a position of relative strength; and that the President would take these steps instead of following current policies which can only mean that in the not too distant future we will be conducting negotiations from a position of relative weakness.

Would the Senator agree?

Mr. FULBRIGHT. The Senator is quite right; and I suggest one further thought. Is it just a coincidence or not that the President began to veto bills which Congress brought out at about the time when the steel strike took place? It was bruited about that the strike was really a kind of little friendly arrangement, that it started as the summer vacations were about to begin, that the companies had all the steel they needed anyway to carry over a period, and this was a kind of little friendly arrangement between labor and management. I do not know whether it was or not. It is beginning to look pretty serious to me. I was not in on any such arrangement, but if there was, it was a silly arrangement, because we need the steel. The world needs it. Whether or not General Motors needs it because of their automobiles I do not know, but there is a need for steel in the free world.

There is need for all the production that we can have, if it is properly distributed in an orderly fashion, to strengthen the free world. The Laotians certainly need something right now. We are trying belatedly to give them some assistance, and I approve of that too. The Indians are needing assistance too on their borders. I mean, there are plenty of places where it is needed, but just as we began to get vetoes, saying, "Well, you do not need so many houses, you do not need public works, you do not need this or that," the whole economy began to draw back.

As I said, I had to revise my speech. When I first wrote it the stock market was reaching a new high every day. However, by the time I got around to delivering it it began to reach a new low every day for the last few days.

The whole economy seems to be turning around. I believe it reflects the attitude of the President. He is fearful of moving on. He does not want to move. He wants to clamp down and hold down housing, public works, and everything else, to a low level.

He did not want to support the committee on foreign aid. I realize the subject is controversial. I know that many of my colleagues do not approve of it as much as I do. The President is the one national official who can afford to ignore local projects and the competition of local projects, but he too undercut the committee and did not support the committee in its efforts to give him a strong bill with a real Development Loan Fund and with the continuity which everyone agrees it needs to make it effective.

So I think this atmosphere of restriction, of holding down our economy, is being reflected now throughout the whole country. These things get to moving. It is mysterious how depressions or recessions develop. Everything at the moment is at a standstill or moving down.

Mr. SYMINGTON. Will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. I again congratulate the Senator from Arkansas. There will not be any answer from the other side of the aisle to his masterful presentation of our position in the world because there is no answer to it. The Senator has been logical and he has been direct. I hope that everyone will read his talk and see the predicament we are getting into as a result of the actions or lack of actions on the part of the administration in the domestic and foreign fields.

Mr. FULBRIGHT. I appreciate the Senator's hopes, but he knows that everybody will not read it, because it is unpleasant, and it will not be printed in very many places outside of the CONGRESSIONAL RECORD.

Mr. SYMINGTON. That does not detract from its basic value.

Mr. MORSE. Will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. The Senator from Arkansas, who is one of my colleagues on the Foreign Relations Committee, has made a very able speech. It is because of such statesmanship as exhibited by that speech that he finds the cooperation he receives from all of us on the Foreign Relations Committee.

I am very glad that he mentioned, among other things, the plight that confronts us in regard to the steel strike. Of course, much of the steel that is being lost from production now could have been used in these new starts that the President has vetoed, or in the public works program. It could have been used for new housing, and, of course, it could

have been used for these projects abroad which would have developed the economic productive power of the very people whom we have got to win over to the cause of freedom if freedom is to survive. I speak particularly of Southeast Asia and Africa.

Mr. FULBRIGHT. I appreciate the remarks of my colleague. The Committee on Foreign Relations can be very proud of the legislation it has reported, regardless of how it has finally fared.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. It is our purpose to take up the water pollution bill, upon which the yeas and nays have been ordered.

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.

CONSTRUCTION OF SEWAGE TREATMENT WORKS

The Senate resumed the consideration of the bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and for other purposes.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection?

Mr. McNAMARA. Mr. President, reserving the right to object, I understand that the text of the bill will then be considered original text, and will be open to amendment.

Mr. CHAVEZ. That is correct.

Mr. McNAMARA. With that reservation, I do not object.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none; and the amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 1, line 10, after the word "exceeding", to strike out "$500,000" and insert "$400,000"; on page 2, line 15, after the word "share", to strike out "and the total of all the amounts so determined shall be the maximum amount of the grant which may be made under this section on account of such project" and insert "except that for the purposes of this proviso the $400,000 limitation provided in this clause shall be $250,000 and the total of all the amounts so determined shall not be in excess of $500,000"; in line 25, after the word "year", to insert "following that"; on page 3, at the beginning of line 19, to strike out $100,000,000" and insert "$80,000,000"; in line 20, after the word "thereof", to strike out "$1,000,000,000" and insert "$800,000,000"; after line 21, to strike out:

"(4) Section 6 is further amended by adding at the end thereof the following new subsection:

"'(f) The Surgeon General shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on projects for which grants are made under this section shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C., secs. 276a through 276a 5).'"

And, on page 4, after line 8, to strike out:

"SEC. 2. Within one year after the enactment of this Act the Secretary of Health, Education, and Welfare shall submit a written report to the Congress on the activities and future plans of the Federal water pollution control program, including construction, enforcement, research, and State services."

Mr. CHAVEZ. Mr. President, in my opinion this is as important a bill as has ever been presented to this body. No people in the country know more about its importance than do the good people of the District of Columbia and surrounding areas in Maryland and Virginia.

Mr. RANDOLPH. And West Virginia.

Mr. CHAVEZ. Water pollution is becoming quite a problem.

In recognition of the growing problem of water pollution, the Congress in 1948 passed Public Law 845, the Water Pollution Control Act. In 1956 the Congress extended and improved the Federal water pollution control program by passing Public Law 660, the Federal Water Pollution Control Act. The 1956 act continued the Federal role of cooperative programs with the States through research, technical assistance and financial aid, including for the first time grants to municipalities to assist in building needed sewage treatment plants and interstate enforcement.

H.R. 3610, as reported, would increase the construction grants from $250,000 to $400,000 for individual projects. It provides that no grant of more than $250,000 shall be approved for a project in any State until all previously filed qualified applications from that State and political subdivisions thereof for grants not exceeding $250,000 have been approved. The bill would allow municipalities to join together to build joint treatment facilities with the $400,000 limitation being $250,000 and the total amount allotted shall not be in excess of $500,000. The bill provides for an annual authorization of $80 million instead of the present $50 million and a total authorization of $800 million instead of the present $500 million. The bill also provides for reallocation of funds in the event States are unable to utilize funds allotted under the formula now in effect.

Federal funds in the amount of $140 million have been appropriated through fiscal year 1959 with $131.6 million granted to municipalities. With this grant 1,583 projects costing $685.2 million are being constructed. An additional $45 million is being appropriated for fiscal year 1960, thus, a total appropriation of $185 million has been made. If the full $80 million is appropriated there would result a stimulation in the construction of sewage treatment works of about $416.5 million annually as contrasted with a present annual rate of about $240 million which would be an increase of 73 percent over the present rate.

With reference to the figures I have announced, there is very little difference of opinion. There is a difference of opinion as to the application of the formula in the bill. I know that some Senators—even members of the committee—will submit certain amendments, which I believe should be included in the bill.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McNAMARA. Mr. President, on behalf of the Senator from Minnesota [Mr. McCARTHY], the Senator from Pennsylvania [Mr. CLARK], the Senator from Oregon [Mr. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH], and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following:

(f) the Surgeon General shall take such action as may be necessary to assure that all laborers and mechanics employed by the contractors or subcontractors on projects for which grants are made under this section shall be paid wages at rates not less than those prevailing on the same type of work in similar construction in the immediate locality, as determined by the Secretary of Labor, in accordance with the act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. sec. 276a through sec. 276a5).

Mr. McNAMARA. Mr. President, I have a very brief statement.

My amendment is the traditional Davis-Bacon amendment—that already is in effect in virtually all Federal grant construction programs.

It provides that employees working on Federal grant projects under the terms of this bill must be paid wages that prevail on similar construction in the immediate locality.

It does not seek to bring big city wages to rural areas or vice versa.

This amendment was contained in the bill as passed by the House and was struck out as a Senate committee amendment.

In my opinion this was an error, since it violates longstanding practices of insuring prevailing wages in legislation of this nature.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan for himself and other Senators.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McCARTHY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The CHIEF CLERK. On page 2, line 15, it is proposed to retain the language in linetype to line 18, and strike out "Except for the purposes of this proviso, the $400,000 limitation provided in this clause shall be $250,000 and the total

of all amounts so determined shall not be in the excess of $500,000;" through line 21.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I believe that this amendment would take care of a difficulty which is largely technical, although it does involve some substance.

The bill which the committee reported provides that if two or three communities combine and establish one facility, the amount for any one is limited to $400,000; but the language goes beyond that, with the following provision, which I seek to strike out by my amendment. The bill reported by the committee reads:

Except that for the purposes of this proviso, the $400,000 limitation provided in this clause shall be $250,000 and the total of all the amounts so determined shall not be in excess of $500,000.

In other words, if three communities were to act together, no one could be permitted more than $250,000, and the total amount could not exceed $500,000. This would mean that two communities acting together could not get more than $500,000, whereas acting separately, they could get up to $800,000. This might very well establish a situation in which they would spend $400,000 on two separate facilities.

At the time the bill was drawn and we had technical advice, the idea was to bear out the purposes which the distinguished Senator from Minnesota has in mind. However, after further study it appears that we did not carry out the purposes we had in mind. Hence, I feel that in justice to all concerned, in order to carry out the purposes of the bill, the amendment should be agreed to.

The language of the bill which precedes the language to which I have referred is this:

Provided further, That, in the case of a project which will serve more than one municipality, the Surgeon General shall, on such basis as he determines to be reasonable and equitable, allocate to each municipality to be served by such project its share of the estimated reasonable cost of such project, and shall then apply the limitations provided in this clause (2) to each such share as if it were a separate project to determine the maximum amount of any grant which could be made under this section with respect to each such share.

It seems to me that this limitation is really not called for.

Mr. ALLOTT. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. ALLOTT. The Senator from Minnesota offered an amendment which I myself was about to offer. I wonder if he would mind my joining with him as a cosponsor of the amendment.

Mr. McCARTHY. I am very happy to have the Senator do so.

Mr. ALLOTT. It seems to me that the language of the bill would result in a very inequitable situation and would clearly discourage joint action to control water pollution by communities. I understand very well what the committee, in exercising its good judgment, was trying to do. However, the bill would give a citizen living in one community in a State a very large share of the Federal contribution, whereas a citizen who happened to live in a large community which was in a cluster of communities would be limited to a very small amount. I should like to give a specific example of how that would work.

At present, the city of Denver is contemplating joining in a sewage treatment project with the cities of Arvada and Aurora. If the cities join in the venture, Denver's project, which will cost $14 million, will be limited to a governmental contribution of $250,000, which is 1.8 percent.

Aurora's project would cost $600,000. Aurora would be given $180,000 and would thus get a contribution of 30 percent.

Arvada, which has a project costing $3 million, would be limited to $250,000 and would get 8.3 percent.

So if the cities operate jointly, the range in the amounts the Federal Government will contribute will be between 1.8 percent and 30 percent.

On the other hand, if the cities build the projects individually, Denver's project, costing $14 million, would receive a maximum of $100,000, or 2.9 percent. Aurora's $600,000 project would get $180,000, or 30 percent. Arvada's project which would cost $3 million, would get $400,000, or 13 percent.

It seems to me that if the language of the bill remains, it will simply accentuate the great differences between the burden which the individual has to bear, depending on the community in which he lives, and it certainly discourages joint efforts which I believe should be encouraged.

Mr. McCARTHY. The Senator from Colorado is quite correct. He has described a situation which exists in many parts of the country.

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

Mr. McCARTHY. I yield.

Mr. JORDAN. Is not one of the purposes of the bill to aid small communities which lose taxable income and values to a greater extent than larger cities lose taxable income and values?

Mr. McCARTHY. I think that is a secondary purpose. The primary purpose is to aid all municipalities in solving the problem of water pollution.

Mr. KERR. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. KERR. If the Senator from North Carolina will look at line 2, page 2, he will find the language:

Provided further, That no grant of more than $250,000 shall be approved for a project in any State until all previously filed qualified applications from that State and political subdivisions thereof for grants not exceeding $250,000 have first been approved.

Mr. JORDAN. I saw that.

Mr. KERR. In other words, one community or a union of two or more would not be eligible for assistance until after all the eligible applications for $250,000 in the State had been taken care of.

Mr. McCARTHY. The protection which the Senator from North Carolina is concerned about is already built into the bill.

Mr. CHAVEZ. Since the origin of the program, it has been the idea in committees and in Congress that every community in a State, no matter how small it might be, could participate in the program.

Mr. JORDAN. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

Mr. PROUTY. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 25, it is proposed to strike out "at the end of the fiscal year following that" and insert in lieu thereof the following: "within six months following the end of the fiscal year."

Mr. PROUTY. Mr. President, under the House language, the sums allotted to a State, which are not obligated at the end of the fiscal year for which they were allotted, can be reallotted by the Surgeon General to other States.

In the committee, I offered an amendment which would extend the time to 2 years, because of the difficulty being experienced by some of the smaller States not utilizing the money. However, I have been advised by the Department of Health, Education, and Welfare that the funds, if not obligated within the 2-year period, would revert to the Treasury. In other words, I think that a substantial amount of money might be unused and would have to be turned back to the Treasury.

My amendment gives the smaller States, or any State, up to 18 months in which to utilize those funds. The amendment has the approval of the chairman of the Committee on Public Works and of other Senators, as well.

Mr. CHAVEZ. The amendment now being offered is one which was submitted by the Senator from Maine [Mr. MUSKIE]. The Senator from Vermont is but clarifying what the Senator from Maine had in mind when he offered his amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I have had no objection to the amendments offered to the bill, but I must voice my opposition to the bill as such.

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

Mr. DIRKSEN. I yield.

Mr. KERR. May we have the third reading of the bill?

Mr. DIRKSEN. That is perfectly all right.

The PRESIDING OFFICER. Are there further amendments? If not, the question is on the engrossment of the amendments and the third reading of the bill.

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

The bill was read the third time.

Mr. DIRKSEN. Mr. President, roughly 2 years ago, when this program was begun, Congress authorized $50 million a year for 10 years, or an aggregate of $500 million. I am not insensitive of the fact that communities have taken advantage of the program.

What is before us at present is a proposal to raise the ante from $50 million to $80 million a year, for a total of $800 million. That would be a normal increase of $300 million over what was authorized in the first instance.

The Federal Government shall undertake 30 percent of the cost of these projects, roughly. But my objection of the program is simply that, in the first place, there is no State matching. It is astonishing to me that communities, large and small, can come to the Federal Government and ask for money, while the State of which they are political subdivisions does not call for a contribution for this kind of facility.

My second objection is that the Department of Health, Education, and Welfare has interposed its objection to the program and has made it very clear before the House committee, and I believe its objection is set forth in the House report.

Third, the Bureau of the Budget is opposed to the bill because of this kind of burden and this kind of impact upon future expenditures.

Last night, when we were discussing the so-called public works bill, I made the point that here was a charge on the budget for years to come. Someone countered and asked, "Why should the President of the United States be concerned beyond the 20th of January 1961?"

Mr. President, the President of the United States would be a strange creature indeed if he had no concern for his country in the days and years to come. I think it is circumspection and a commendable solicitude on his part when the President thinks down the road of the years, because no matter who occupies 1600 Pennsylvania Avenue, such concern by the one who occupies that office is entirely proper.

This measure would add materially to the budget, and would result in an additional tax upon the revenues and the income of the country.

This proposal would result in a very long-term burden upon this country. Under present circumstances, the fiscal condition of the country being what it is, and in view of the uncertain conditions which confront us at the present time, I will not vote to add such a charge to the budget.

The international bankers are going to meet in Washington on the 28th of September. One cannot read a speech made by the President of the Swiss Central Bank or one made by some of the other bankers who have some doubts about the willingness of this country to sacrifice and put its fiscal affairs in order, without having a deep and abiding concern about the fiscal future of our own country. So we ought to be cautious, indeed, about putting these extra burdens upon the country.

Next, I submit this program would be a lure. Nobody has better expressed that view than has the distinguished Senator from Oregon [Mr. NEUBERGER] in the very short supplemental views he filed. I need read only one short sentence from them:

> Availability of funds would stimulate additional applications.

Mr. President, nothing is surer than that. Available funds would be the lure; and then communities—without State matching, without a dollar of State funds—would say to the Federal Treasury officials, "We will take from the Treasury 30 percent of the cost of the project."

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

Mr. DIRKSEN. I yield.

Mr. NEUBERGER. The Senator from Illinois mentioned my name. I shall appreciate it if he will yield to me.

Mr. DIRKSEN. First, will the Senator from Oregon state whether the quotation I gave is from his supplemental views?

Mr. NEUBERGER. Yes; and I wrote them myself, and I am still quite willing to subscribe to them.

A few days ago the Senator from Illinois was asking the Senate to act in such a way as to jeopardize the relations of our country with Canada—to solve the sewage disposal problems of the largest city in his State—Chicago. I wonder whether the Senator from Illinois has ever walked along a river in the Northwest and has seen thousands and thousands of fish choked to death by waste from papermills or by offal and excretion from cities? If he has seen fish runs which, some 150 years ago, in the days of Lewis and Clark——

Mr. DIRKSEN. I ask the Senator from Oregon to stop. He need go no further.

Mr. NEUBERGER. Just think of all the streams that have been choked by sewage.

Mr. DIRKSEN. I will answer the Senator by saying the city of Chicago spent $400 million on sewage treatment plants, and did not ask the Federal Government for a single dollar. What does the Senator from Oregon [Mr. NEUBERGER] have to say about that?

Mr. NEUBERGER. I have this to say: In this country the industrial wealth is concentrated in a handful of States. Compare the per capita incomes in some of the States with those in the industrial States which produce all the automobiles, television sets, and other consumer goods. The rivers to which I refer flow past very small communities which have low assessed valuations and very small tax bases. Certainly it is in the national interest for all taxpayers to help preserve these rivers and our water supplies, which have been fast dwindling.

Mr. KERR. Mr. President, will the Senator from Illinois let me answer my friend?

Mr. DIRKSEN. I yield to the Senator from Oklahoma.

Mr. KERR. I think we ought to include in the bill—if it is not already in it—a provision for Chicago to get $400,000 under this bill.

Mr. DIRKSEN. That question, I say to my distinguished friend, is not before us at the present time. But the city of Chicago bonded itself to spend $400 million on sewage treatment plants, and did not come as a suppliant to the Federal Treasury, seeking an outlay.

Permit me now to answer the distinguished Senator from Oregon.

Mr. President, long ago—it was 30 years ago—I was on the city council, as commissioner of finance, of a little town of 10,000. I remember when the geological and water survey of our State issued an order that the towns had to stop dumping sewage into the rivers. As a member of the city council, I said, "All right; we will accept that responsibility, and we will handle that problem on our own."

I could not sell that to that particular city council. Of course, no one who is in his right mind ought to run for election to the office of councilman more than once, because by the time he finishes clearing out the ashes in the alleys and removing the water from cellars, providing fire protection, and all the rest, he will have accumulated so many enemies that he should not run for election again.

However, I had the pleasure of seeing the day come when my twin brother succeeded me on the city council, and then the council did that job on their own. The council did not march to Washington and ask the U.S. Treasury for 30 percent of the cost of the project.

Mr. NEUBERGER. There must be some wise reason for this program, because no country in the history of the world has polluted its rivers, and destroyed its fish and wildlife with that pollution, in so short a period of time and over so vast an area as has the United States. That is the real reason why we have this program of grants-in-aid before us today.

Mr. DIRKSEN. Why do not the municipalities and States undertake to pay a larger share of the cost?

Mr. NEUBERGER. Because they do not have the revenue with which to pay.

Mr. McCARTHY. Will the Senator from Illinois yield on this point?

Mr. DIRKSEN. I yield very briefly.

Mr. McCARTHY. I do not believe the Senator would want the RECORD to show that the municipalities do not make great contributions in connection with projects of this type. Whereas the Federal Government has put up $131.6 million, that amount of money has been matched by municipalities which have pledged $553 million.

Mr. DIRKSEN. Mr. President, here is the answer to that point: The report of the Senate committee indicates that 79 percent of this program is based on applications from towns of less than 10,000 people; and the towns and cities with less than 10,000 have the best credit of any municipalities in the United States.

Mr. CHAVEZ. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished chairman of the committee.

Mr. CHAVEZ. Among the applications from those municipalities and communities are two pages full of applications from the State of Illinois.

Mr. DIRKSEN. Mr. President, let me say to the distinguished chairman of the committee that I had a meeting in Peoria, with 24 mayors. All of them represented cities along the Illinois River. One by one they asked, "Will you vote for a proposal of this sort"?

I replied, "No; I will not."

So that is the answer. This bill includes authorizations of $3 million for communities in Illinois; but my answer is still "No," because I believe our municipalities are in a position and in fiscal condition to undertake this work without being attached to the strings of the Federal Treasury, with the resultant impairment and vitiation of their independence of action.

So that is the answer. I told those mayors just that. I told it to them before election day; and if they did not like it, they could go to the polls and could vote me out of the U.S. Senate. But they did not do so.

All I have to say is this: If the Congress makes all this money available, without a requirement for State matching funds, then, after all those lures have been held out, imagine the great number of cities which would apply for these Federal funds. In that connection, let us consider the situation as described by our distinguished friend from Oregon, when he said—and this bears repeating—in his brief supplemental views, which he signed:

Availability of funds would stimulate additional applications.

"Come one, come all, the dough is here."

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

Mr. DIRKSEN. I yield.

Mr. NEUBERGER. The Senator has done me the honor twice to quote me. I must say I appreciate this tribute.

I would wish for no better monument than to help contribute to plans around the country to somehow restore the desecration which we have inflicted on the rivers and lakes of what we inherited as a pristine, pure continent. The people who are going to be most outraged by the attitude of the Senator from Illinois are the people who will come in the future, after the Senator from Illinois and I have passed from the Chamber, and after almost everybody else has passed from here. Some rivers are so fouled now that they are nothing but open sewers. Many of the people who live on these rivers and associated communities do not have adequate resources to have an effective program.

Mr. DIRKSEN. The delightful Senator from Oregon has the most artful and ingenious way of begging the question of anyone I have seen. All I have said is that this is a burden which ought to be shared by the States, in larger measure by the municipalities. The Senator talks about the pristine conditions, the primeval streams, the murmuring pines and the hemlocks, and the wallowing fish—and I like to catch some of them up on the Potomac, near Leesburg, when I can.

What has that got to do with the assault upon the Federal Treasury, when there is no matching by the States and the municipalities, particularly those under 10,000, which are in infinitely better fiscal shape than is the Federal Government, with a two hundred ninety-five thousand million dollar debt. I say "two hundred ninety-five thousand million." That is $295 billion, but it scares me more than if I say "thousand million," I say to my colleague the Senator from California [Mr. KUCHEL]. [Laughter.]

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

Mr. DIRKSEN. I yield.

Mr. EASTLAND. Will the Senator agree that this is a field in which there is no question of race, religion, or national origin?

Mr. DIRKSEN. I do not know how we could get a civil rights bill into this measure. [Laughter.]

Mr. EASTLAND. It is free from it.

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

Mr. DIRKSEN. I yield to my old chairman of House days, who was the chairman of the District of Columbia Committee, and the unofficial mayor of Washington; and I served in that capacity once, myself. So I yield to him.

Mr. RANDOLPH. I am grateful for my friend's yielding once again to me. I just feel impelled to say we never had a more capable and courageous chairman of the House District Committee than the minority leader. I feel that way about it.

Mr. DIRKSEN. And my friend from West Virginia.

Mr. RANDOLPH. I wonder if I might ask the Senator from Illinois if he objected originally and during the period of reenactment of the legislation for Federal aid to airports of the United States.

Mr. DIRKSEN. I did my very best to facilitate what I call "Operation Retreat and Fallback." We finally fell back from approximately $569 million to $257 million.

Mr. RANDOLPH. I speak not as of the current situation, but as of the initiation of the Federal Aid to Airports Act.

Mr. DIRKSEN. I do not know. The acceleration of it is such that I have a difficult time to keep up with these things that move along the boulevard of life. So my friend will have to excuse me if my memory fails me a little bit in that respect.

Mr. RANDOLPH. I want to question my friend further and say that program is a program of Federal and local cooperation, and the States have never been called upon for matching funds in that important effort. I doubt if it is appropriate to raise the question on this important matter to indicate that we should never have Federal funds funneled to the States, or communities in the States.

Mr. DIRKSEN. My friend forgets that the income from the airport restaurants and all the facilities goes not to the States, but to the municipalities. That is quite a different thing.

Mr. RANDOLPH. Mr. President, this program is a vital one, and needs to be continued and expanded. It is valuable to West Virginia and my home city of Elkins is participating in a sewage treatment project. Other communities are eager to qualify for Federal aid in this effort. They supply 70 percent of the cost.

Pure water accrues to communities through sewage treatment, thereby improving conditions for good health and giving desired recreational advantages to our people. It is a cooperative effort through the use of local and Federal funds.

Industry can expand by adequate water resources and recreational activities can be enhanced by this forward-moving plan.

The Senate Public Works Committee had tentatively set an increase at $60 million but I argued for $80 million and the committee bill contains that amount. The House bill provided $100 million annually for this purpose.

I also sponsored the compromise figure which I hope will be overwhelmingly accepted by the Senate as the aggregate of all annual grants to States to be allowed under the Federal Water Pollution Control Act. The House had passed its bill with the overall figure of $1 billion. The Senate Committee on Public Works initially recommended cutting this figure back to $600 million, but recommended to the Senate my amendment of $800 million as a total.

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

Mr. DIRKSEN. I yield.

Mr. NEUBERGER. Why is there such a profound difference, so far as local control is concerned, between a community or a town putting up over two-thirds of the cost of a plant to clean up its nearby rivers while the Federal Government puts up one-third, and the Federal Government putting up 90 percent of the cost of a highway and the States 10 percent?

Mr. DIRKSEN. Roads are interstate in character.

Mr. NEUBERGER. What about rivers? Does a river stop at a State line? Who stops it?

Mr. DIRKSEN. It is primarily navigable rivers that are interstate. This is not limited to navigable rivers at all.

Mr. NEUBERGER. It is limited to any river.

Mr. DIRKSEN. It is limited to a creek, a run, a stream that would not even float a rowboat.

Mr. NEUBERGER. State lines are artificial.

Mr. DIRKSEN. How far does the Senator want to go? Let us take the country over, under the wing of the Federal Government. Let the sky be the limit. Let us bankrupt the Federal institution. Have done with it.

Mr. NEUBERGER. The Senator from Illinois is shifting the scenery. Let us get back on the issue. What is the difference between the Federal Government putting up 90 percent of the cost of a highway and putting up only 30 percent of the cost of a sewage pollution control program?

Mr. DIRKSEN. When I was a barefoot kid I used to wade in a stream that was ankle deep. I thought it was wonderful. But I never thought it had the slightest relationship to the Federal Treasury and to the Nation's Capital.

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

Mr. DIRKSEN. I yield to my friend from New Mexico.

Mr. CHAVEZ. May I say the origin of such a thing was not a little creek in Illinois. It was the Ohio River. It was the cities of Cincinnati and Louisville. Since my friend wants to cry so much about the taxpayers' money, why not cry about spending the taxpayers' money to build a plant to do away with sewage pollution in a foreign country. Would he cry about that?

Mr. DIRKSEN. The Senator wants to intermix the whole issue of survival, defense, and national security with a purely domestic issue. I will not go down that dead-end road.

Mr. CHAVEZ. I think more of the American people than I do of all the foreigners.

Mr. NEUBERGER. Mr. President——

Mr. CLARK. Mr. President——

Mr. MANSFIELD. Mr. President, I call for the regular order.

SEVERAL SENATORS. Vote! Vote!

Mr. CLARK. Mr. President——

Mr. DIRKSEN. Mr. President, I thought I had the floor. Does my esteemed and personable friend from Philadelphia wish the floor?

Mr. CLARK. I thought the minority leader had yielded the floor. I regret the intrusion.

Mr. DIRKSEN. I yield to the Senator from Oregon.

Mr. NEUBERGER. The Senator from Illinois has stated that the Senator from New Mexico has brought into the discussion a question of survival. I wonder if he thinks the question of natural resources has anything to do with our survival?

Mr. DIRKSEN. Oh, that is an academic question, Mr. President. [Laughter.]

I will say to my friend, perhaps I started in the wrong generation. Perhaps I am not the spending type, who comes to Washington every time there is an ill or a malady to be cured.

When I grew up I suppose the only contact we ever had with the Federal Government was the fact that there was a post office in town. We did not know anything about the Agricultural Adjustment Administration, the Interior Department, social security, and all the rest.

Mr. ELLENDER. Foreign aid.

Mr. MAGNUSON. Foreign aid. [Laughter.]

Mr. DIRKSEN. But this is the way things happen today.

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

Mr. DIRKSEN. Mr. President, to whom am I yielding?

Mr. MAGNUSON. The Senator is yielding to foreign aid.

Mr. DIRKSEN. Mr. President, as soon as I find out I will yield.

Mr. MANSFIELD. Mr. President, I must ask that the rights of the Senator from Illinois be protected. The Senator has the floor and I ask for the regular order.

Mr. DIRKSEN. I thank the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. McCARTHY. Mr. President, will the Senator yield to me for a question?

Mr. NEUBERGER. Mr. President——

Mr. DIRKSEN. Mr. President, I cannot answer more than one or two questions at one time. [Laughter.]

Does my friend from Oregon have a question?

Mr. NEUBERGER. I would like to ask the Senator, if it is not too personal, what is the age of the distinguished Senator?

Mr. DIRKSEN. I did not hear the Senator's question.

Mr. NEUBERGER. What is the age of the distinguished Senator, if that is not too personal a question?

Mr. DIRKSEN. The Senator from Illinois will be 64 very shortly.

Mr. NEUBERGER. That means the very able Senator from Illinois was growing up at the time when Gifford Pinchot and Theodore Roosevelt were using Federal funds to save our forests, our lands, our lakes, and our wild life.

I would suggest, if the Senator wants a prototype for the speech he is making in the Senate tonight, he should read the speeches delivered in this Chamber denouncing Gifford Pinchot and Theodore Roosevelt for their recklessness with the public purse in seeking to save the relatively little which remained of our original forests, uplands, soil, and so forth.

So the Senator did live in an age when able men from his own political party used funds from the Federal Treasury to save our natural resources.

Mr. DIRKSEN. Mr. President, I do not have to remember those denunciations. I came up at the knee of a widowed mother, one of many children. When I was young I went to school in overalls. We made it on our own. We paid our taxes. My mother was an immigrant mother. She did not look to the dome in Washington for help, even though our father was removed when I was only 5 years of age. We did not come supplicating Uncle Sam for assistance in those days.

Mr. NEUBERGER. And I ask, "Who said you did?"

Mr. DIRKSEN. We believed in frugality and thrift.

Nobody said so, but what the Senator is trying to do is to pin upon me, I think, some kind of peculiar perversity.

Mr. NEUBERGER. No.

Mr. DIRKSEN. Apparently that was a part of the age, when people made it on their own.

Mr. NEUBERGER. The Senator pinned it on himself. [Laughter.]

Mr. DIRKSEN. It is exactly that simple.

The Senator from Oregon grew up in the spending age, when it was very easy to talk about resources, streams, forests, and dead fish. [Laughter.]

And let Uncle Sam pay for it. Yes. We did not look to Washington. We made it on our own. We paid our taxes. They were not as high as they are today, but we did not quarrel too much about them, because, after all, there was a sense of frugality in those days

The point I make tonight is that this is a program calling for an $800 million charge upon the Federal Treasury for the next 10 years, with no State matching. The Senator is saving money for the State of Oregon, if the State does not have to match money with the Federal Government.

Mr. NEUBERGER. The local communities will do it.

Mr. DIRKSEN. Yes; but where is the State?

Mr. NEUBERGER. What is the difference whether a local community does it or the State does it?

Mr. DIRKSEN. Thirty percent.

Mr. NEUBERGER. It is all right for a State to put up 10 percent of the cost of a highway.

Mr. DIRKSEN. As if the State of Oregon does not want to take its responsibilities so far as the streams are concerned.

I do not know about my State's position. I have not asked my Governor. But I know that I will accept the responsibility for matching for my State, before I come to Washington to ask Bob Anderson to dole money out of the Federal Treasury for this purpose.

Mr. NEUBERGER. As long as the Senator has mentioned the State of Oregon——

Mr. DIRKSEN. I yield.

Mr. NEUBERGER. I will inform him about the position of the State of Oregon.

Mr. DIRKSEN. I hope the State is in good fiscal condition. [Laughter.]

Mr. NEUBERGER. I received a telegram from the distinguished Republican Governor, asking not for $80 million but for $100 million. [Laughter].

Mr. DIRKSEN. Oh, my friend, I simply have to say that there are Republicans who are unregenerate and unreconstructed and who embrace evil just as there are Democrats who do. [Laughter.]

I do not apologize for Governor Hatfield for one moment for sending the telegram. That simply shows the weakness of a Governor, when he supplicates the President. [Laughter.]

My Governor did not send me a telegram.

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

Mr. DIRKSEN. Did the Senator's Governor send him a telegram, too? [Laughter.]

Mr. HUMPHREY. He did not have to. He knew I knew the right thing to do.

Mr. DIRKSEN. He was sure.

Mr. HUMPHREY. He was positive. [Laughter.]

Mr. DIRKSEN. He was positive the Senator would do the right thing. [Laughter.]

Mr. HUMPHREY. Yes.

Mr. President, I want to defend the Governor of Oregon. I am tired of hearing Republicans denouncing Republicans. [Laughter.] The Governor of Oregon is a fine young man.

Mr. DIRKSEN. He certainly is.

Mr. NEUBERGER. Is it not possible that Oregon's rivers are worth a little more saving than Illinois' rivers? [Laughter.]

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. DIRKSEN. Well, that could be true.

I will say to the Senator, when I was a chemistry student in high school I understood that a molecule of water was made up of hydrogen and oxygen, and I do not suppose there is any difference in the water whether it is in the State of Oregon or in the State of Illinois. Water is water, wherever we find it.

I am as much interested in cleaning the streams as anybody, but I do not want to vote the paternal line tonight in the U.S. Senate, which is the greatest free, independent, undominated legislative body left in the world, and say to Uncle Sam, "We are going to commit you to spend $800 million for clean streams, rivers, runs, creeks—anything that has a drop of water, if it has any relation to pollution."

How right was that man for whom we built the memorial on the Tidal Basin, Thomas Jefferson, when he said that when we look to this Capital for a decision as to when we shall reap and when we shall sow it will not be too long before the liberties of the people are in jeopardy.

Mr. NEUBERGER. The Senator talks about Thomas Jefferson. Does the Senator know that Thomas Jefferson was denounced in the United States—not in this Chamber, but in the U.S. Senate—for spending $2,500 to send the first Americans west?

Mr. DIRKSEN. What in God's name has that got to do with clean streams? [Laughter.]

I would like to know. [Laughter.]

Mr. President, I pause. I want to find out what $25,000——

Mr. MANSFIELD. Two thousand five hundred dollars.

Mr. DIRKSEN. In the days of the great sage of Monticello, used to send people west, has to do with a charge of $800 million upon the Federal Treasury, which is opposed by the Department of Health, Education, and Welfare, opposed by the Bureau of the Budget and—I think I can tell Senators tonight—opposed by the President of the United States.

Mr. HUMPHREY. Whu-up!

Mr. MAGNUSON. Vote.

Mr. HUMPHREY. Will the Senator please give us the quotation on that?

Mr. DIRKSEN. The Senator can take it from me, I will say to my friend from Minnesota.

Mr. HUMPHREY. At one time I heard the Senator say he had authority from the administration for a 3-year extension of Public Law 480, and they pulled the rug not only out from under the Senator from Illinois, but it also slipped from under my feet and from under the Senate.

I believe the Senator from Illinois. I want the Senator to know I really believe him.

Mr. DIRKSEN. Let me clarify it for my friend.

Mr. HUMPHREY. I would like to have a little documentation, one of those "ibid's", a little footnote. [Laughter.]

Mr. DIRKSEN. All I have to say to my friend from Minnesota is exactly what was said on the occasion when Caesar lay prostrate, "The ides of March have come, but not gone."

They have not acted on it. The Senator from Illinois was on his back and not in the Chamber when they were dealing with Public Law 480. But the Senator said last night that there would be a vote of the public works appropriation bill in its form, and there was a veto.

Mr. HUMPHREY. The Senator has, at times, prophetic vision, I will say. [Laughter.]

Mr. DIRKSEN. He has no prophecies; he simply knows.

Mr. HUMPHREY. I doubt whether the Senator has a revelation. [Laughter.]. That was what I was worried about a moment ago.

Mr. DIRKSEN. No.

Mr. HUMPHREY. The Senator does make a good argument, though. I realize it is not particularly relevant to the matter of stream pollution, but simply to add to the general confusion; it is always good to have the Republican leader take exception to the position of a Republican Governor and use a Democratic President as his evidence. [Laughter.]

I really feel that we have come all the way around the horn here and we have made the complete circuit, and with that I have a sneaking suspicion that there are enough votes here to pass the water pollution control bill.

Mr. DIRKSEN. If there is anyone who is an expert in the field of calculated confusion, it will be my distinguished friend from Minnesota.

Mr. HUMPHREY. I say to the Senator, mine is not calculated; it is natural. [Laughter.]

Mr. DIRKSEN. I think it is. I think it is.

I am not disposed to prolong this matter. I have spoken my piece. I have assigned the reasons why I am opposed to the bill. I say that here is an $800 million charge upon the Federal Government. There are no State matching funds here. The Department of Health, Education, and Welfare is opposed. The Budget Bureau is opposed. I think I can say with reasonable certainty that the President is opposed.

I believe there is an awful lure when we set up money like this with no State matching. Eleven minority Members in the House filed a minority report against the bill.

Finally, 79 percent of the communities which would benefit have populations of under 10,000, and if anybody is in good fiscal shape, it is the communities of that size.

Finally, since my friend from Oregon is on his feet, I must repeat again, because this ought to be inscribed in granite, not only on memorials here but I think in schoolrooms and in lodge halls, wherever people gather, the words of my distinguished friend from Oregon, "Availability of funds will stimulate additional applications. Send them in, folks. The dough is here. The sky is the limit."

I yield the floor.

Mr. KERR. Mr. President, I should like to answer one question asked by my distinguished friend from Illinois.

I should like to say, first, that it was with deep regret that I learned he had been in the hospital; but if he suffered no ill effects from it, I must say that the demonstration here today has been so delightful, so entrancing, that if it was not too unpleasant an experience, I for one am not unhappy that he spent a few days in the hospital, and if a return visit would bring him back again in the same marvelous and wonderful shape that he is in here tonight, I just want to suggest to him the possibility to do it more frequently. [Laughter.]

The Senator from Illinois said that most of the money would go to communities of under 10,000 population, and that is true. Then he said something about the condition of the folks there, and I could not tell whether he said fiscal or physical, but either way I am sure that he understands that there is pollution there. It is just a matter of understanding what the situation is.

He asked what the $2,500 or $25,000 provided by Thomas Jefferson to enable people to go West had to do with pollution. If the condition of the Potomac River today is any indication of the environment in which they were accustomed to live, it may be that their going West is what started the pollution which has brought this problem to such a drastic and critical situation it is in today, and that may have had more to do with it, I would say to the Senator from Illinois, than we have been aware.

He criticized the Senator from Oregon about something that he intimated. I do not believe the Senator from Oregon indicated that the Senator from Illinois was a relic of another day. I do not think he had anything like that in mind.

However, I want to say to my good friend from Illinois that he dated himself. He said, "I know that I came up in another day and another generation." I want to say that I think it was a great day and a great generation that gave us such a fine gentleman as the distinguished Senator from Illinois.

Mr. McCARTHY. Mr. President, will the Senator yield at that point?

Mr. KERR. Yes.

Mr. McCARTHY. I do not think we want the RECORD to show that any of us thought that the Senator from Illinois was born in the wrong generation, as he indicated and no one protested. We would want to make the point, however, that we do not want him to persist on living in the generation in which he was born.

Mr. KERR. I must say that if he wants to do that, that is his privilege; and who are we to deny it to him? I do not want to insist on his going along in the tremendous surge of progress, and I would say this to my great friend from Illinois. If he does not want to go along with the great surge of progress, if he does not want to be a part of this onrushing civilization, let him sit by the side of the road, but not try to stop the others. Let them go on.

We will maintain communication one way or another; and in the tremendous transportation facilities which we have, if the urge ever comes for him to catch up, we will give him a special conveyance so that he may catch up with us.

He said that when he was a boy the only contact he had with the Federal Government was through the local postmaster. That is the difference between

the Senator from Illinois and me. I could not even contact the Federal Government through the local postmaster, because I did not belong to his party. I remember the story of the fellow who, after a candidate had gotten through a harangue, got up and said, "I would not vote for you if you were St. Peter himself." The candidate said, "Of course you would not. You would not live in the precinct where you could." [Laughter.]

The Senator talked about the language of the Senator from Oregon, saying that this would entice or persuade local communities to apply to participate in this program. That is the purpose of the program. The purpose of this program is to dramatize the need for elimination of pollution.

The Senator from Illinois talked about it being a State problem because many of our rivers were not navigable. That is true, but there is no pollution in any stream in this country which is not interstate in character. There are no streams but that they make their contribution to the flowage that eventually finds its way into interstate streams.

We look at the mighty Mississippi River. I have been to its source in the great State of Minnesota, Itaska Park. It is no wider than from here to the Presiding Officer, and but 12 inches deep. I have taken my children there nearly every summer, and now have started with my grandchildren to show them that phenomenon and let them wade across the great Mississippi River. Then I have sought to describe to them its course as it finds its way through lakes and valleys in that great State of the North, how it receives contributions from the waters of the Red River of the North, how as it moves on south the waters of the Illinois and its tributaries pour into it, and then how the "Big Muddy," with its surging, rolling volumes of water, enters the channel of the Mississippi and goes on down to where the old Ohio comes in, with its volume, after having accumulated the waters of a great basin, now the "Ruhr" of our Nation, the greatest industrial workshop on this earth.

Then the clear waters of the Tennessee, and on down to where the Arkansas enters, and then the turbid waters of the old Red River of the South, until the Mississippi becomes the Father of Waters.

Why talk about pollution not being interstate in character? Why talk about the Mississippi not being interstate in character? It represents the union of all the waters between the two great ranges of mountains; and if there is pollution at the source, it comes on down with it.

This program was designed for a growing nation, to dramatize the problem and provide the incentive for each community to meet its problem of abating pollution, in order that it may not become interstate in character.

Senators talk about matching. The Federal Government does not put up 70 percent of this money and the local community 30 percent. The Federal Government puts up not to exceed 30 percent, and the local community puts up 70 percent. That is what the situation is.

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

Mr. KERR. I yield.

Mr. MORSE. I have been waiting to hear that point made. The situation is perfectly clear from the committee report. We hear much talk about "Why do not the municipalities pay for this program?" It is called a grant-in-aid program. It is one under which the local communities put up 70 percent and the Federal Government 30 percent.

For the reasons which the Senator from Oklahoma is pointing out, and for a few I shall mention later, I believe this is a sound Federal program, dealing with a Federal interest in clean water in the United States.

Mr. KERR. The authorities in the Census Bureau tell us that the population of our country will double in 40 years. They tell us that by the year 2050 there will be a billion people in the United States. If that mighty host of people are to develop an industrial economy that will support that kind of population, it will have to be on the basis of a complete conservation of our water supplies; and the most important element of overall conservation is in the abatement of pollution.

If a nation in its right mind had to choose between having an industrial economy with constantly increasing pollution, or live without the industrial economy and have no pollution, for the sake of the health and welfare of the people they would have to choose the latter. If we are to move into an age in which there will be 350 million people in this country in the lifetime of some of those now in this Chamber, it must be on the basis of that degree of conservation of water which will result in the abatement of pollution. It is to encourage such a program and such an end, as the Senator from Oregon has said, that it is sought to increase this authorization. Applications are coming in at a rate far in excess of the $80 million a year; and it is the hope of the committee that the bill may be approved.

Mr. MORSE. Mr. President, I shall not speak more than 5 minutes.

I completely share the views of my colleague, as expressed in his supplemental views added to the committee report.

I think it needs to be recapitulated that we are not dealing with a local problem alone. We are dealing with a problem which involves a Federal interest. The purity of the water of this country is a matter of great concern to to the people all over the country.

It has been said by someone that a civilization rises and falls with the level of its water table. It is also true that we cannot pollute the streams of the Nation and not find the Nation as a whole suffering irreparable damage.

As the distinguished Senator from Oklahoma has said, we are dealing with the great river systems of the country, much of which is already polluted. We could almost throw a stone into the filthiest river in the world, from the standpoint of size. This river, the Potomac, flowing through the Capital of the United States, contains about 12 feet of sludge at some points.

There is no excuse for permitting that kind of destruction to one of the great resource values in this country. One of the great riches in this country is in our streams. My colleague is right when he points out the importance of keeping the streams pure for the benefit of the people of the country as a whole. As has been brought out by the Senator from Oklahoma, this is a program under which the local municipalities put up about 70 percent and the Federal Government about 30 percent.

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

Mr. MORSE. I yield.

Mr. KERR. The Federal Government puts up not to exceed 30 percent; and if the over-all project is of sufficient stature, the Federal Government does not contribute anywhere near 30 percent.

Mr. MORSE. The Senator is correct.

There is a problem that has not been mentioned in this discussion, and that is the existing water rights under water-right laws in the various States. Those rights cannot be destroyed.

Unfortunately, in some instances those rights give a vested interest in pollution. What we must do is to obtain the cooperation of municipalities in a program in which those rights would be waived. I do not believe we have done a very good job of persuading municipalities—small municipalities in particular—to see that they have a public duty to stop pollution. They have some pretty important vested legal rights, if we go into the question of water-right law; and in my judgment we shall need a program such as this to encourage municipalities to waive those rights and to develop an antipollution program such as is needed. I make a plea from the standpoint of the national interest. The taxpayers of the entire country have a responsibility, too, and ought to be willing to contribute the small percentage share which the program calls for.

Before I close, I point out—and I am for it—the millions of dollars we spend for sewage disposal under our foreign aid program; and we should. I think it is one of the best ways to help build the economic power of the people we are trying to win over to the cause of freedom.

I asked for pertinent information from the staff of the Foreign Relations Committee. I find, to give one specific example, that the American taxpayers are paying practically all the cost of an entire sewage disposal system in Saigon and Vietnam. I am not opposing it. But if we can build an entire sewage disposal works for Saigon, we can certainly appropriate the relatively small amount of money for which this bill calls, to help some of our own communities develop adequate sewage disposal plants.

I think it would be unfortunate in the course of this debate if a word were not spoken in tribute to a great Representative from Minnesota, Representative JOHN A. BLATNIK, who in recent years has done such great work in connection

with the whole pollution control program, and who, so far as the House is concerned, is entitled to be singled out as one whose leadership in this field has been noteworthy.

I remember 3 years ago, I think it was, I was invited to a conference of municipalities of the Southern States which was held at Raleigh, N.C., to discuss the Blatnik law and to discuss with the municipal officials who had come to that conference problems which confronted them with respect to effectuating and implementing the so-called Blatnik law.

It was very gratifying to me to see the interest which those municipal leaders from all over the South showed at the conference at Raleigh, N.C. It was very inspiring to listen to the tributes they paid to Representative BLATNIK, of Minnesota, as the author of the first of the antipollution bills.

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

Mr. MORSE. I yield.

Mr. HUMPHREY. I had hoped to say a word about our friend from the Eighth Congressional District of Minnesota. JOHN BLATNIK has been a true leader in this effort for Federal legislation in the field of water pollution control.

Some 3 years ago I had the privilege of introducing in the Senate a bill on which the first action was taken in the House. In this particular instance, for the extension of the law, I was privileged again to introduce the bill in the Senate while Representative BLATNIK introduced a similar bill in the House.

I know of no man who has more wholeheartedly, enthusiastically, and constructively made proposals relating to water pollution control or stream pollution control than Representative BLATNIK. He knows this subject inside and out. He is respected throughout the Nation for it. I am delighted that his bill is now before the Senate and will be acted upon.

This is a subject which has been close to my heart, not only as a public official, but as a private citizen, as well. I live in a State where water is very important, where we are very sensitive to stream and lake pollution. Having lived in Washington for better than 10 years, I am not only sensitive to it; I have become almost desensitized by the pollution in the Potomac River, a river which stands as a national disgrace and as an example to the whole world that somehow or other the Capital of the United States under the governing body which is Congress, cannot seem to cleanse its own river and its own streams.

Mr. MORSE. Mr. President, again I say that the $100 million increase for which my colleague [Mr. NEUBERGER] asked was reasonable. A strong case could have been made for an even larger sum. We ought to vote for this bill on the basis of what I think is the undeniable fact that there is a Federal interest in this problem, and that all the taxpayers of the country have a share of the responsibility of seeking to help solve the problem. The formula proposed by the bill is certainly a reasonable one, when the Federal Government is asked to contribute 30 percent or less of the cost of a particular project, as the Senator from Oklahoma has suggested. I note from the report on page 2 that the bill would authorize:

(1) Grants for projects in the amount of 30 percent of the reasonable cost thereof or $400,000, whichever is the smaller, with the provision that no grant of more than $250,000 shall be approved for a project in any State until all previously filed qualified applications from that State and political subdivisions thereof for grants not exceeding $250,000 have first been approved.

Mr. CLARK. Mr. President, I shall not speak more than 3 minutes. I associate myself with the comments made in support of the bill by the Senator from Oklahoma [Mr. KERR], and the two Senators from Oregon [Mr. MORSE and Mr. NEUBERGER].

Ever since 1905, the Commonwealth of Pennsylvania has been trying to clean up its streams. For several years it has been making a substantial contribution out of State funds for that purpose. In each of the past 2 bienniums, State appropriations have been $3,200,000. In this biennium, Governor Lawrence has asked for $4,680,000.

Pennsylvania has led all other States during the past 5 years in total expenditures for sewage treatment. Of the total, $157 million spent in the Commonwealth, $5,204,902 came from Federal funds in the 3 fiscal years the program has been in effect.

In spite of the State and local efforts, 52 percent of the sewered communities have no treatment plants, and 30 percent of the waste-producing industries still do not treat their waste before dumping it into the rivers and streams.

The Federal Government has a role to play in preserving one of our most important natural resources. There is great danger that the program itself will be killed. That would make little sense at a time when more areas of the country are getting on the "clean streams" bandwagon and the Nation is beginning to make progress on its water pollution program.

Mr. President, the Harrisburg Evening News is one of the leading Republican newspapers of Pennsylvania. I ask unanimous consent that an editorial entitled "Clean-Stream Program Faces Crippling Blow in Congress," published in the Evening News of June 20, 1959, be printed at this point in the RECORD.

I hope the bill will pass.

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

CLEAN-STREAM PROGRAM FACES CRIPPLING BLOW IN CONGRESS

House passage of a bill to double Federal grants to communities constructing sewage plants is setting the stage for a congressional showdown with President Eisenhower.

This water pollution control authorization bill would increase the total grants from $50 million to $100 million a year. Individual payments would stay at the 30 percent maximum contribution, but the cutoff point for aid to any one community would rise from $250,000 to $500,000. It also would up the overall 10-year program passed in 1956 from $500 million to $1 billion.

If the Senate goes along, the bill sent to the White House will be diametrically opposed to the President's proposal. He wants the Federal Government to get out of the act entirely, leaving it all to State and local governments. The administration program calls for a cut to $20 million this next fiscal year and nothing at all for 1961.

Even a defeated GOP effort to amend the House bill to provide a 25–25–50 percent matching fund deal for Federal, State and municipal governments wouldn't have meshed with the President's stated position.

Pennsylvania has more than a passing interest in this program, which could face a Presidential veto.

Ever since 1905, our State has been fighting to clean up its streams. In 1945 and 1953 the program was beefed up with State funds to help Commonwealth communities plan and operate sewage treatment facilities. In each of the past two biennia, State appropriations have been $3,200,000. This biennium, Governor Lawrence has asked for $4,680,000.

Harrisburg's own long-delayed sewage treatment plant, now nearing completion, received the maximum $250,000 in aid from Uncle Sam and $29,231.43 in State aid for planning. A $7 million sewage authority bond issue is financing the local project. Harrisburg may be eligible for additional State funds to help operate the plant, depending on our relative financial need and the number of other communities in the Commonwealth competing for a share of the appropriation.

What does the Federal program's continuation mean to Pennsylvania?

Our State has led all others during the past 5 years in total expenditures for sewage treatment. Of the total $157 million spent in the Commonwealth, $5,204,902.43 came from Federal funds in the 3 fiscal years the program has been in effect. That's 4.6 percent of all Federal funds available. Under the new House bill, Pennsylvania might receive as much as $4,200,000 a year to aid new treatment plant construction.

This boost to water purification in the Commonwealth still is needed. Despite our State effort, 52 percent of our sewered communities have no treatment plants and 30 percent of waste-producing industries still don't treat their waste before dumping it into our rivers and streams.

It has been one of Dr. Maurice K. Goddard's persistent themes that good water in Pennsylvania means not only better health but better industrial growth. The State secretary of forests and waters points at a map of the Commonwealth and makes his point by showing how the worst of our polluted streams coincide with our chronically depressed areas.

President Eisenhower need not take a Pennsylvania cabinet official's word for it. His own Secretary of Agriculture, Ezra Taft Benson, warned only a month ago that America must stop wasting water or there won't be enough to meet our needs. Water usage will double in the next 25 years, experts predict. The worst form of water waste is the careless pollution of existing supplies.

The Federal Government has a role to play in preserving one of our most important natural resources. Certainly, the States should play a financial part in maintaining the health and future economic welfare of its people, as Pennsylvania has. And the localities can be expected to continue shouldering the main burden of the costs.

But, in arguing over a formula or a philosophy, there is great danger the program itself will be killed. That would make little sense at a time when more areas of the country are getting on the "clean streams" bandwagon and the Nation is beginning to make progress on its water pollution problem.

Mr. NEUBERGER. Mr. President, in my discussion with the able minority

leader, I referred to the position taken by the Governor of Oregon, the Honorable Mark O. Hatfield. I ask unanimous consent to have printed at this point in the RECORD two messages I received from Governor Hatfield, of Oregon, dated, respectively, April 22, 1959, and July 22, 1959, urging the full amount authorized in the Federal Water Pollution Control Act.

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

OFFICE OF THE GOVERNOR,
Salem, Oreg., April 22, 1959.

Hon. RICHARD L. NEUBERGER,
Senate Office Building, Washington, D.C.

DEAR SENATOR NEUBERGER: I am sincerely concerned over the proposed reduction in appropriations for Federal grants for the construction of sewage treatment works during the 1959–60 fiscal year. Funds authorized under the provisions of the Federal Water Pollution Control Act have proven most helpful to the stream purification program in Oregon by providing an incentive for many communities to undertake the construction of remedial works needs to abate pollution of public waters. A number of these communities such as Cannon Beach, Drain, Fairview, Government Camp, Pilot Rock, Rainier, Tigard, and Weston would have found it extremely difficult, if not impossible, to finance their sewerage projects without the assistance of a Federal grant.

During the 3 fiscal years (1957–59) that funds have been available for construction grants in Oregon, 23 projects have been undertaken at a total cost of approximately $7,700,000; the Federal share of this cost was approximately $1,400,000. Awaiting to be allocated is an additional $560,000 for projects estimated to cost $4,900,000.

Our needs for the next 3 fiscal years beginning with 1960 are for 48 projects having a total cost of over $14 million, with the Federal share being approximately $3 million. This matter was discussed at the last meeting of the Committee on Natural Resources on April 16, and that committee recommended the continuation of Federal grants for the construction of sewage treatment works with the full amount of appropriations authorized under the Federal Water Pollution Control Act.

I urge you to take such measures as you may deem appropriate to assure that appropriations are made to the full extent authorized by law so that the construction grant program can be continued and the backlog of needed sewage treatment work projects can be reduced.

Sincerely,

MARK O. HATFIELD, *Governor.*

SALEM, OREG., *July 22, 1959.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building, Washington, D.C.:

Urge you support favorable action on H.R. 3610, scheduled for hearing. Passage of this bill would greatly aid Oregon in its program for cleaning up streams. Cy Everts reports large backlog of applications for grants for vitally needed sewage plant construction. H.R. 3610 can be the instrument whereby sewage pollution in our State and elsewhere can be virtually eliminated within 10 years.

MARK O. HATFIELD, *Governor.*

Mr. NEUBERGER. Mr. President, inasmuch as the Senator from Illinois was critical of the supplemental views which I submitted as a member of the Senate Committee on Public Works, I think it only fair that my views should appear in full at this point in the RECORD. I ask unanimous consent that that may be done.

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

SUPPLEMENTAL VIEWS OF RICHARD L. NEUBERGER

I voted for an increase to $100 million of the annual appropriation authorization for Federal water pollution control grants. This is the figure voted by the House of Representatives. While the $80 million yearly ceiling approved by the majority of the Senate Public Works Committee is a substantial rise, I do not consider it adequate, in view of existing need.

Water is a vital resource. Population growth and industrial expansion are creating new demands for water. Pollution decreases the usable supply.

Pollution of water destroys fish and wildlife resources. Polluted streams, rivers, ponds, and lakes ruin sport and commercial fishing. Recreational activities are eliminated by contaminated waterways. Health hazards are created by the existence of water pollution. Property values are threatened.

Results achieved by water pollution control legislation approved by Congress in 1956 are impressive. Operation of the program has proved effective. But more funds are needed.

Today there exists a backlog of 1,267 projects, with a total estimated cost of $800 million, including a Federal share of $123 million under present law. Availability of funds would stimulate additional applications. Government officials in my own State of Oregon estimate that for the next 3 fiscal years requirements for 48 projects will total over $14 million, with the Federal share amounting to about $3 million. Twenty-three projects have already been undertaken in Oregon. It is expected that this high level of demand for construction of sewage-treatment plants will continue for a number of years.

For these reasons, I believe that the annual authorization figure should be increased to $100 million.

RICHARD L. NEUBERGER.

Mr. NEUBERGER. Mr. President, I see the Senator from Alaska [Mr. BARTLETT] on his feet. The Senator from Alaska is chairman of the Subcommittee on Fisheries of the Committee on Interstate and Foreign Commerce. He and his able colleague [Mr. GRUENING], and the two Senators from Oregon share somewhat the same responsibility—namely, to help protect the streams which contain really the last truly great fish runs that have survived civilization's encroachment in the United States.

I cannot speak for the senior Senator from Alaska, and I do not know what he is about to say. But the grants in aid for water pollution control are, in my opinion, absolutely necesary to the survival of the fisheries in Alaska and in the other States of the Pacific Northwest, especially Oregon, Washington, and Idaho.

I regretted that the Senator from Illinois [Mr. DIRKSEN] made light and made jest of our references to the protection of these natural resources. It is very easy to ridicule or to poke fun at anything. I think one of the real responsibilities of the U.S. Government is to help States and local communities to protect the Nation's natural resources. Foremost among those resources are our rivers and streams and our fisheries and our wildlife.

Mr. BARTLETT. Mr. President, I concur wholeheartedly in the statement made by the distinguished junior Senator from Oregon. I express appreciation now for his supplemental views. I hope that the enactment of the proposed legislation will not only stimulate additional applications from affected communities, but will also create a situation in which funds will be made available for the treatment of water pollution.

What the junior Senator from Oregon has said about the need for keeping the streams of the Nation clean and clear for fish is ever so true.

I should like to add a word of commendation to what has been said by other Senators concerning the effective pioneering work performed in this important area by Representative BLATNIK, of Minnesota. For myself, in addition to a multitude of other reasons, I may say that ever since I went sailing on the Potomac a few days ago at the invitation of a friend, I have waited impatiently to cast an affirmative vote for this bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that the Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Conference at Warsaw, Poland.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from the Indiana [Mr. HARTKE], the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

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.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The result was announced—yeas 61, nays 27, as follows:

YEAS—61

Aiken	Cannon	Dodd
Allott	Carroll	Douglas
Anderson	Case, N. J.	Engle
Bartlett	Chavez	Ervin
Beall	Clark	Fulbright
Bible	Cooper	Gore
Byrd, W. Va.	Cotton	Green

Hart	Long, Hawaii	Pastore
Hayden	Long, La.	Prouty
Hill	McCarthy	Proxmire
Holland	McGee	Randolph
Humphrey	McNamara	Smathers
Jackson	Magnuson	Smith
Javits	Mansfield	Sparkman
Johnson, Tex.	Martin	Symington
Johnston, S.C.	Monroney	Williams, N.J.
Jordan	Morse	Yarborough
Kefauver	Moss	Young, N. Dak.
Kennedy	Mundt	Young, Ohio
Kerr	Muskie	
Langer	Neuberger	

NAYS—27

Bennett	Eastland	McClellan
Bridges	Fong	Morton
Bush	Frear	Robertson
Butler	Goldwater	Saltonstall
Byrd, Va.	Hickenlooper	Schoeppel
Carlson	Hruska	Scott
Curtis	Keating	Stennis
Dirksen	Kuchel	Thurmond
Dworshak	Lausche	Williams, Del.

NOT VOTING—12

Capehart	Gruening	O'Mahoney
Case, S. Dak.	Hartke	Russell
Church	Hennings	Talmadge
Ellender	Murray	Wiley

So the bill (H.R. 3610) was passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAVEZ. Mr. President, I move that the Senate insist on its amendments, request a conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. KERR, Mr. MCNAMARA, Mr. MARTIN, and Mr. COOPER conferees on the part of the Senate.

ORDER FOR CALL OF CERTAIN MEASURES ON CALENDAR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be a call of the calendar tomorrow, starting with order No. 939, H.R. 47, to amend the Internal Revenue Code of 1954.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to announce, for the information of Senators, that we shall call up by motion the following measures:

Calendar No. 581, S. 2026, to establish an Advisory Commission on Intergovernmental Relations.

Calendar No. 591, Senate Concurrent Resolution 11, a concurrent resolution to invite friendly and democratic nations to consult with India.

Calendar No. 710, S. 2449, to extend the International Wheat Agreement Act of 1949.

Calendar No. 761, H.R. 5067, to repeal section 217 of the Merchant Marine Act, 1936, as amended.

Calendar No. 811, S. 2467, to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes.

Calendar No. 840, S. 857, to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.

Calendar No. 849, S. 2612, to amend the Small Business Act.

Calendar 851, S. 2611, to amend the Small Business Investment Act of 1958, and for other purposes.

Calendar No. 852, S. 2481, to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes.

Calendar No. 854, S. 155, to amend the Federal Property and Administrative Service Act of 1949, so as to permit donations of surplus property to libraries which are tax supported or publicly owned and operated.

Calendar No. 899, H.R. 1778, to amend section 17(b) of the Reclamation Project Act of 1939.

Mr. President, I do not anticipate there will be any great controversy about those measures.

Then we plan to call up by motion, when we shall have completed the measures I have just listed, the following bills, on which some debate is expected:

Calendar No. 596, S. 1697, the Mutual Defense Assistance Control Act of 1951.

Calendar No. 669, S. 2282, to amend the act of July 17, 1952.

Calendar No. 815, S. 2578, to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes.

Calendar No. 819, S. 694, 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.

Calendar No. 820, H.R. 7244, to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

Calendar No. 828, S. Res. 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 896, S. 2568, to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

Calendar No. 908, S. 1431, to provide for the establishment of a Commission on Metropolitan Problems.

Mr. President, we expect to meet at 9:30 a.m. and have a morning hour and a call of the calendar, and then proceed to the consideration of the bills I have just listed.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 581, Senate bill 2026.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported by the Committee on Government Operations with an amendment.

VETO OF CIVIL FUNCTIONS APPROPRIATIONS BILL

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

Mr. JOHNSON of Texas. I yield to the Senator from Montana.

Mr. MANSFIELD. I understand, from reports in the press, that the President has for the second time vetoed the civil functions appropriation bill. May I ask the distinguished majority leader, if the veto is overridden in the House, which I understand will vote on it tomorrow, what will the procedure be in this body?

Mr. JOHNSON of Texas. It depends upon when the House acts. If the House should act and should override the veto——

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. Let there be order in the Senate. We will not proceed until the Senate is in order.

The Senator from Texas may proceed.

Mr. JOHNSON of Texas. Mr. President, I do not know what time the veto message is expected in the House. Of course, the House will have to act first. I should expect that the veto message will be received around 12 o'clock, and the House will act by about 1 o'clock. If that estimate is correct, we should have the veto message in the Senate sometime between 1 and 2 o'clock.

We have had a pretty thorough discussion of the civil functions appropriation bill this year, when we passed it and when we repassed it. We had a good deal of discussion last night.

I am not going to ask for a unanimous-consent agreement, but I am going to express the hope that the Members of the minority and of the majority can tentatively agree on about how much time they will need to discuss the veto message, so that all Members may know about what time to expect to vote, so that we will protect both sides.

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

Mr. JOHNSON of Texas. I yield to my friend and colleague.

Mr. DIRKSEN. Speaking only for the minority leader, it will require about 3 minutes for me to summarize what I said last night on this bill with respect to the veto.

Mr. JOHNSON of Texas. Mr. President, the distinguished minority leader is always effective. He rarely consumes very much time. I hope that the Democrats will emulate the minority leader

and not speak very long themselves. If so, we should be able to have a vote by 3 or 4 o'clock.

I should like to be able to assure Senators that we will have a vote by that time, but due to the uncertainty as to the time the message will arrive at the House, due to the uncertainty as to the time of action in the House, due to the uncertainty as to when the matter will come to the Senate, and due to the uncertainty as to how long Senators will speak, I am unable to give any assurance. However, if Senators will cooperate with me, we will move to proceed to consider the veto message as soon as it arrives at the Senate. We will restrain ourselves as much as possible under the circumstances, and then proceed to a vote. I am very hopeful we can reach a vote before 3 o'clock.

Does that answer the Senator's inquiry?

Mr. MANSFIELD. Yes, indeed. I thank the majority leader.

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

Mr. JOHNSON of Texas. I yield to my friend from Oregon.

Mr. MORSE. I do not think I misunderstood the Senator from Texas. When the Senator was reading off the list of bills he was going to have considered tomorrow he named one, and he said, I think——

Mr. HOLLAND. Mr. President, we cannot hear the distinguished Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. I think the Senator referred to the Mutual Defense Security Act.

Mr. JOHNSON of Texas. No. The mutual security bill cannot come before the Senate before Saturday morning, under the rule.

Mr. MORSE. I understand that. What bill was it the Senator mentioned?

Mr. JOHNSON of Texas. The bill to establish an Advisory Commission on Intergovernmental Relations.

The concurrent resolution to invite friendly and democratic nations to consult with India.

The bill to extend the International Wheat Agreement Act of 1949.

The bill to repeal section 217 of the Merchant Marine Act, 1936, as amended.

The bill to authorize the development of plans and arrangements for the provision of the emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes.

Mr. MORSE. I think the Senator referred to the Mutual Defense Alliance Control Act.

Mr. JOHNSON of Texas. That is a bill to amend the Mutual Defense Assistance Control Act of 1951.

Mr. MORSE. I simply wanted to make sure I heard the Senator correctly.

Mr. JOHNSON of Texas. I understand the Senator is reviewing the hearings and the report on the mutual security bill.

Mr. MORSE. That is correct.

Mr. JOHNSON of Texas. We do not expect to consider that bill until Saturday. We expect to come in early Saturday and discuss the bill. I have been informed by some of my colleagues on both sides of the aisle that they expect to have a number of amendments to offer, and that there will be a rather extended discussion. I have said to all who have inquired that I doubt we can conclude the discussion on Saturday. I hope we can conclude it and perhaps adjourn sine die on Monday.

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

Mr. JOHNSON of Texas. I yield to my friend from New Hampshire.

Mr. COTTON. The distinguished majority leader knows that the junior Senator from New Hampshire rarely takes much time, and certainly does not want to add to the burdens and the difficulties of the leadership.

Mr. JOHNSON of Texas. I understand that, and I appreciate it more than the Senator knows.

Mr. COTTON. I note that the distinguished majority leader mentioned S. 2282 as a bill which he anticipates might be involved in some controversy, which might be considered by the Senate. I think in fairness the junior Senator from New Hampshire should say the Senator's statement is an understatement. There may be considerable controversy, at some length, about the bill.

Mr. PASTORE. Mr. President, will the Senator yield? Is that the freight car bill?

Mr. COTTON. No. That is the bill which encourages the Federal Government to participate in helping one State tax another State. It is a question of the big States against the little States, and though the discussion of the bill may not be as long as that with regard to Lake Michigan, it will take a little while.

Mr. CASE of New Jersey. Mr. President, will the Seantor yield?

Mr. JOHNSON of Texas. I appreciate very much the information from the Senator from New Hampshire. I have great respect for the Senator's judgment. While the policy committees on both sides of the aisle have cleared the measure for discussion, I will bear in mind the Senators' admonition.

I now yield to the Senator from New Jersey.

Mr. CASE of New Jersey. I do not want to delay the Senate or the majority leader. I join with the Senator from New Hampshire. I am sure I join both Senators from New Hampshire in strong opposition to the bill.

Mr. KEATING. Mr. President, I wish to say to the distinguished majority leader that while I differ with my distinguished friends from New Hampshire and New Jersey with regard to the particular bill, for the information of our leader, in order to give us all the proper guidance, I desire to inform him that Calendar No. 828 is a resolution concerning the desirability of holding an international exposition in the United States. It is a resolution reported by the distinguished chairman of the Committee on Foreign Relations. It may require considerable and extended debate, because there are many cities in the United States which are interested in or which might be interested in this proposition.

I wish to say simply that it may be necessary, in the light of the interests of the city of New York, in the State which I have the honor to represent, to debate that resolution for an extended period of time. In order that the majority leader may be informed as to the program, I thought in fairness it would be a proper thing to tell him that at this point.

Is the majority leader able to tell us, for the guidance of the rest of us, the position of the distinguished Senator from Oregon on some of this proposed legislation?

Mr. SCHOEPPEL. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. KEATING. Does the Senator anticipate discussing some of these matters at length?

Mr. JOHNSON of Texas. Mr. President, I realize perhaps more than any Member in this Chamber how effectively New York State is represented in this body by my friends the junior Senator and senior Senator from New York.

I have taken up Calendar No. 828 with the policy committee. We believe it should be scheduled for consideration. We anticipate that the New York Senators and any other Senators who desire will discuss it and offer any amendments they may care to offer. I have no deep prejudice in the matter one way or the other. If it is felt, after a reasonable amount of discussion, that no action should be taken, then I would be glad to abide by the will of the majority in the Senate.

Mr. President, I am not in a position to state the attitude of the Senator from Oregon on many of these bills. I can only say that, after consultation with the minority leader, both policy groups have cleared these bills as possible for consideration. We will consider them in due time. Some of them may never be brought before the Senate. If we have an opportunity we will make motions to have the Senate consider them. If the bills require extended discussion, we will have to be realists and act accordingly.

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

Mr. KEATING. I wish to say to my distinguished friend, the majority leader, he has many friends in the city of New York, I assure him. The city of New York feels it is the best qualified city to hold the international exposition. I hope that we may be able in the debate to convince the Senator from Texas, our distinguished majority leader, that he should support the city of New York in the herculean efforts which it is making to obtain this fine international exposition. New York was previously a host to such an exposition, I believe with great success, to the great enjoyment of all peoples throughout the world.

I must say I am in quite violent disagreement with my dear and distinguished friend from Arkansas regarding the procedure which he is following.

I understand that in the other body there is a very great likelihood that tomorrow a resolution will be passed which will designate the city of New

York, our greatest city, our metropolis, the cultural and financial center of the world, as the city where this exposition should be held, and I hope that we will have an opportunity to present our views with reference to it.

Mr. DIRKSEN. Is this a boost or a confession?

Mr. KEATING. This is a simple statement by the junior Senator from New York.

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

Mr. JOHNSON of Texas. First of all I wish to say to the junior Senator from New York that he is very generous and persuasive, and I shall await with interest the argument he advances. I reciprocate his friendship, and I shall be pleased to hear his proposal.

Mr. JAVITS. I had hoped that we could work out some solution to the problems raised by Senate Resolution 169. I am willing to try to do that by consideration of the matter on the floor. I do think, if an opportunity were afforded, it would be possible to do so. There seem to be very essential differences, not in intent but in language, between the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from New York [Mr. KEATING] and myself.

I, too, look with some concern upon listing this resolution with many, many other resolutions on which it is expected there will be relatively little debate.

Mr. JOHNSON of Texas. No, no; that resolution is listed among those on which we expect debate.

Mr. JAVITS. I do not want to use the naughty words "extended debate." Therefore I shall just say that thorough debate will be required on the resolution. We have some fundamental differences as to what the resolution means. I shall do my utmost in presenting my views, and I hope that my colleague from Arkansas will, in his usual open-minded way, consider the points which we make, in an effort to reconcile those differences. I hope they will be reconciled. I would much rather come to an agreement on the matter than engage in a long harangue on the subject.

Mr. JOHNSON of Texas. I assure the Senator that I shall do all I can to approach the matter with an open mind and with no prejudices.

Mr. MORSE. Mr. President, will the Senator from Texas yield so that I may reply to the Senator from New York?

Mr. JOHNSON of Texas. First I wish to reply.

Mr. MORSE. I thought the Senator from Texas had finished.

Mr. JOHNSON of Texas. I shall follow with interest the arguments advanced tomorrow. First, I wish to say that the Senator from New York is a very persuasive advocate.

I hope the Senator from Arkansas and the Senator from New York can get together and find some area of agreement. I have great respect and affection for the Senator from Arkansas, and I know that he will be glad to meet anyone halfway in the matter. I do not wish to pass judgment on this legislation tonight. I merely wish to give notice that when it is called up, we expect some extended debate on it, so that Members will be on notice.

Mr. MORSE. In view of the fact that the Senator from New York [Mr. KEATING] asked for my point of view, I wish to say that I consider the discussion of the last 10 minutes between the Senator from New Hampshire [Mr. COTTON] and the two Senators from New York to be complete proof and unanswerable support of the position I have taken, that all these important matters should be considered very carefully, thoroughly, and fully. I wish to thank these Senators for the support they indirectly gave me in my argument that we need to stay in session until all these matters are fully discussed.

I have been asked what my part is going to be in this particular matter. For the most part, I shall sit and listen, but there are some measures the majority leader read off on which I shall speak at some length.

Mr. SCOTT. Mr. President, in view of all the talk about various cities, I should like to say a good word for Philadelphia and Pittsburgh.

Mr. KEATING. And Erie.

Mr. SCOTT. And Erie. I should like to have the virtues of Pennsylvania cities considered as places of meeting, and places of friendship. The city of Philadelphia is the City of Brotherly Love. The city of Pittsburgh is the City of Amiability. The city of Erie is a city situated on a lake where men and women enjoy a happy life amid pleasant surroundings. I hope Pennsylvania communities will be considered in the course of the colloquy, and perhaps a compromise can be reached which will center, as other compromises have centered, upon a Pennsylvania community which is worthy of the honor.

Mr. JOHNSON of Texas. I thank the Senator from Pennsylvania. He knows I have great affection and admiration for him.

Mr. HUMPHREY. Mr. President, I hesitate to use the term "compromise" because it is frequently looked upon as an unsavory term. I assure the Senate that if the term "compromise" is used in its most positive connotation, the place Senators are talking about is the Twin Cities.

MEDICAL EXCHANGES WITH IRON CURTAIN COUNTRIES

Mr. HUMPHREY. Mr. President, one of the most important ways of reaching the minds and hearts of the peoples of the world is through the medium of medical exchanges.

Medicine has always been international and must remain so.

Unfortunately, however, the Iron Curtain and the Bamboo Curtain have constituted high barriers against the free exchange of medical knowledge and specialists.

Over a period of time, I have been in contact with the Department of State toward helping to lower barriers on both sides.

I have not hesitated to point out, that, by and large, it is the Soviet Union and principally, Red China which are responsible for the barriers.

The United States has reacted and retaliated against Moscow's and Peking's policies. The Department of State has, in many instances, followed a severely restrictive visa policy. As a result of that policy, many international medical Congresses which might have been held within our borders have been held elsewhere.

PEKING'S RESPONSIBILITY FOR ITS MEDICAL ISOLATION

Meanwhile, the possibility of even minimal Western medical relations with mainland China has diminished because of Peiping's own cruel and reckless actions.

At the present time, we see that Peiping seems less concerned than ever with reactions from the conscience of mankind.

Its actions in Tibet, at India's northern borders and now, its possible involvement with Vietminh forces in the aggression on Laos constitutes a self-indictment in the eyes of mankind.

Thus, Peiping intensifies its moral and legal isolation from the rest of the world. The Bamboo Curtain becomes thicker and higher by Peiping's own choice. But the Bamboo Curtain does not stop germs or viruses from crossing to and fro.

Two years ago, the Asian flu epidemic started in mainland China. Eighty million Americans were struck by it. No one knows how many members of our Armed Forces stationed in the Far East, alone, may have been struck by virus-borne diseases which may have started on the mainland.

No man can now foresee the amount of illness which may occur in the future anywhere in the world because the Bamboo Curtain restricts medical knowledge. At present it prevents contact with one-fourth of the human race living in an area the size of the United States.

This area is now almost a medical vacuum, so far as the rest of the world is concerned.

DR. SHANNON'S FORTHRIGHT TESTIMONY

All over the world, medical scientists are distressed over this vacuum. The foremost single authority in the U.S. Government on medical research problems, Dr. James Shannon, able Director of the National Institutes of Health, testified briefly on this subject before the International Health Subcommittee on July 16, 1959. He spoke as a man of science with honesty, with clarity, with objectivity in one of the finest scientific presentations which I have been privileged to hear.

Let it be clearly noted that Dr. Shannon addressed himself solely to the medical-scientific phases of the problem. He noted with great care:

> There are grave foreign policy issues involved here which cannot be treated lightly.

Those foreign policy issues are basically the concern of the President and of the Department of State. That is why I have repeatedly contacted the Department.

This is not a new problem.

Our Senate International Health Study has now been proceeding in its fact-finding efforts for a year. And, I may

say, it has done so with dispatch and with the broadest possible coverage.

From all over the United States and from international quarters as well, we have received medical suggestions on behalf of at least the start of an effort to try to penetrate the Bamboo Curtain through the medium of the healing arts.

This is the sentiment which I present today.

MY OPPOSITION TO RECOGNITION OF RED CHINA

But let there be no misinterpretation of my position.

I have denounced with all the strength at my command Peking's repeated violations of international law. I do not believe that those violations can be ignored by mankind or that her aggression can be rewarded.

I believe, in particular, that the situation which has been allowed to develop in Laos may prove fraught with danger to the cause of collective security against aggression.

LONG-RANGE ISSUE OF UNIVERSALITY OF SCIENCE

But this Laos issue of great urgency and gravity does not eliminate a longer range issue.

This latter issue is, whether or not medical science will become truly universal or whether that concept will merely be an empty platitude, so far as one-fourth of the human race is concerned.

Unfortunately, the Department of State by its restrictive visa policies has failed to seize the initiative on this issue and has merely sat back in a policy of retaliation.

DO NOT PUT ISSUES UNDER THE RUG

To change that policy especially at the present critical time, is obviously a matter of greatest difficulty.

Yet, I believe, that the day must eventually come when the healing arts are separated to the greatest possible extent from the politics and policies of the cold war.

I do not believe that the question of medical contacts should therefore be "shoved under the rug," even in the face of a problem such as the crisis in Laos, as some people might urge.

PROPOSED WORLD HEALTH ORGANIZATION VISIT TO CHINA

How can the present medical impasse be broken? One way, it seems to me, is by having the World Health Organization, representing 90 nations of the world proposed to the Peiping government that an International World Health Organization team be allowed to enter the Chinese mainland on a preliminary visit. Such a team could consist of Americans in part. But it should have ample representation of scientists of other nations. A team of virus experts would probably represent as good a specialty to begin with, under present circumstances. If the Peiping government accepted, and if the visit were thereafter made, there might be additional dicussions in Peiping as to the possibility of further two-way visits.

This should not be an American program, however. It should be an international program. I am convinced that other nations are ready, willing and eager to see such a program attempted, if the United States signifies that it has no objection.

The effort should be made on a step by step basis, exercising great caution, and discretion to help prevent Red China's misuse of humanitarian interest in the Western World for Peking's own propaganda purposes.

Whether this suggestion is or is not adopted, it at least signifies America's sincere interest in the universality of science.

EXCHANGE OF LETTERS AND EXCERPTS OF JULY 16 HEARING

So as to provide the fullest possible clarity on this subject, I ask unanimous consent that the text of my exchange of correspondence with the Department of State be printed in the body of the RECORD at this point, to be followed by excerpts from the July 16 hearing before the Senate Government Operations Subcommittee.

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

JULY 20, 1959.

Hon. CHRISTIAN A. HERTER,
Secretary of State,
Department of State,
Washington, D.C.

MY DEAR MR. SECRETARY: I would appreciate receiving a report, bearing upon present U.S. Government policy in the granting of temporary visas for medical scientists from the Soviet Union and Soviet orbit countries, including Mainland China.

As you know, I serve as chairman of an international health study. Over a period of many months, reports have come to this subcommittee's attention to the effect that U.S. policy concerning visas has been to some extent limiting fruitful scientific exchange between our own and other countries.

The reports may be summarized as follows:

1. Bona fide medical scientists seeking to come over on exchange programs or otherwise in research visits have, on occasion, been denied visas.

2. Partially as a result, certain international medical congresses have not been held in the United States, but have been shifted to other locations abroad.

As regards individual cases, I cite a report as to Prof. Nicholas Blochin, director, Institute of Experimental Pathology and Therapy of Cancer, Moscow. When I visited Moscow, he told me of visa difficulties he had previously experienced. I would appreciate a report specifically on the record of visa actions with regard to Professor Blochin.

Overall reports indicate, I may say, that present U.S. policies fortunately represent a considerable improvement over the visa-granting situation years ago.

In any event, I, for one, believe that, to the greatest possible extent, medical teamwork throughout the world should be divorced from policy matters involved in the cold war. The fullest possible exchange of (a) qualified medical scientists, (b) medical literature, (c) medical instrumentation, (d) supplies and materials, and (e) exhibits, should take place.

For the good of mankind and for maintenance of the United States' position in world science, the United States should eagerly seek, in my judgment, an optimum number of International Medical Congresses and foreign nationals' attendance at those Congresses within the United States itself.

I should like now to hear from the Department as to its present position on these matters, specifically affecting the USSR, all other countries of Eastern Europe and other Soviet orbit countries, including Mainland China.

You will recall a note from me, forwarding an inquiry from a Minnesota medical publication, regarding possible exchange of medical literature with Mainland China. My present inquiry is much broader, however.

I ask, for example, specifically what the Department's position is and would be as regards (a) possible American medical scientists' visits to Mainland China (assuming they were able to secure visas from Peking), and (b) reciprocal visits of scientists, representing the Peking Government.

Strongly opposed as I am to recognition of the Peking Government, I nevertheless believe that the overall health of the world should not be sacrificed, if only in part, because of a deplorable vacuum existing as to medical information in that vast area of the world.

Let me conclude by stating that, of course, I do not believe that responsibility for relative lack of exchange and information should be assumed by anyone as resting basically with the United States. On the contrary, the policy of the Soviet Union and orbit countries themselves, particularly Peking, appears, by and large, to have been restrictive and arbitrary in an extreme and contrary to the international traditions of the life and other sciences. Fortunately, the Soviet Union has been relatively easing restrictions in recent times, as you know.

I shall be looking forward to the pleasure of hearing from you.

With best wishes, I am,

Sincerely,

HUBERT H. HUMPHREY,
Subcommittee Chairman.

DEPARTMENT OF STATE,
Washington, D.C., August 18, 1959.

The Honorable HUBERT H. HUMPHREY,
U.S. Senate

DEAR SENATOR HUMPHREY: On August 5, 1959, I acknowledged the receipt of your letter of July 20 requesting a report on U.S. visa policy regarding medical scientists from Soviet-bloc countries. I am now in a position to answer the questions raised in your letter.

You asked for a report on visa action with regard to Prof. Nicholas Blokhin (Blochin). The Visa Office of the Department has informed me that their records do not indicate that he was ever denied a visa. The records do, however, show that Professor Blokhin was issued a visa on September 19, 1957, to permit him to tour the United States as a member of a Soviet public health mission. Another visa was recently issued to him so that he could come to the United States as a member of a Soviet tourist group. I note in the New York Times of August 7 (p. C–7) that Professor Blokhin gave a press conference at New York on August 6 in connection with the Soviet exhibition.

The Department has no information indicating that international medical congresses have been moved from the United States to other countries because of U.S. visa policies. The Department can cite several international medical conferences which have been held in the United States in 1958–59. As you know, in May 1958, the World Health Organization met at Minneapolis and all countries belonging to the WHO were represented. Also in May, 1958, a World Conference on Gastroenterology was held in Washington, with medical scientists from Hungary, Poland, Rumania and the Soviet Union in attendance. An international conference on live polio vaccine was held in Washington this past June. Several other international medical

conferences are scheduled to be held in the United States in the near future, including one in Washington on nutrition and one in Chicago on medical education.

With regard to a general statement of the Department's visa policy concerning medical scientists coming from Soviet-orbit countries, it is best to consider the case of scientists coming from countries like the Soviet Union with which the United States maintains diplomatic relations separately from persons coming from unrecognized countries or regimes. The fundamental policy of the Department in handling visa applications is of course contained in the Immigration and Nationality Act, as amended. While it is likely that the majority of professional persons applying for visas in countries such as the Soviet Union or Czechoslovakia will be found to be ineligible for visas under section 212(a)(28) of the act, it is the policy of the Department to promote increased contacts between American scientists and their counterparts from the Soviet-bloc countries of Eastern Europe with which we have relations. The Department takes this policy into account in recommending to the Attorney General that a waiver of the excluding provision of law be granted under section 212(d)(3), if it appears that the internal security of the United States would not be jeopardized thereby.

As you know, the Department of State in the case of the Soviet Union in particular wishes to see a two-way exchange of scientists and scientific information and this policy, of course, applies to the medical profession. Soviet medical scientists attended not only the several international medical congresses cited above, but also the Macy Conference on the Central Nervous System at Princeton, N.J., in February 1959, and a conference on Inhibition in the Central Nervous System in Duarte, Calif., in May 1959. Furthermore, one Soviet and several Polish, Czech, and Rumanian specialists have come to the United States as WHO Fellows. No American has applied to go to countries of the Soviet bloc as a WHO fellow.

I believe that the record indicates that the United States has not been remiss in issuing visas to medical scientists from Soviet-bloc countries with which the United States maintains diplomatic relations.

During the last 8 years, 12 symposia on medical or related subjects have been held in the Soviet Union and U.S. scientists attended most of them. Since 1957, 41 medical meetings have been held in the Soviet Union. Two of them were sponsored by international organizations and four American scientists attended these two meetings. In 1961, a biochemical meeting will be held there and in 1962 a cancer meeting is scheduled. It is expected that U.S. scientists will attend both of these meetings. In addition to these meetings, at least 90 American medical men have traveled in the Soviet Union either in groups or singly.

You may be interested to know that the eight medical exchanges provided for in the U.S.-U.S.S.R. exchange agreement will be completed by the end of the year. The current American draft for the extension of the exchange agreement suggests that in furthering the fight against diseases the Soviet medical authorities conclude a comprehensive subagreement with the U.S. Public Health Service to facilitate cooperation in many fields of medical research.

However, any exchange of visits of medical scientists between the United States and Communist China must be evaluated in the light of basic U.S. policy objectives. A fundamental aspect of U.S. policy is a decision not to authorize travel of American citizens to the China mainland, even in cases like this where, if normal conditions existed, worthwhile results might be achieved. Obviously normal conditions do not exist. An important factor is that in the absence of diplomatic relations with Communist China, it is not possible for the Government to provide the normal and customary protection to Americans traveling on the China mainland. In addition, the Chinese Communists have consistently maltreated Americans and continue to hold American citizens in jail as political hostages, despite their pledge of September 10, 1955, to release them expeditiously.

Our policy prohibiting travel to the China mainland is also made necessary by the attempts of the Chinese Communists to use the establishment of cultural relations with the United States as a means of gaining respectability and acceptance in the family of nations. Travel of certain U.S. citizens to mainland China has been zealously promoted by the Communists as a step in this direction. Nevertheless, Peiping in any case would probably not issue visas to these American scientists. The Chinese Communist practice has been to grant entry permits only to those Americans who directly or indirectly serve their political and propaganda interests. While they have admitted only 1 of the designated representatives of 31 accredited American news-gathering organizations, they have welcomed without hesitation many Americans who traveled there in violation of passport restrictions: for example, Anna Louise Strong, Virginius Frank Coe, and the 42 "students."

As for visits to the United States by medical scientists from Communist China, the immigration laws governing the ineligibility of persons applying from the Soviet bloc would also apply. It should be emphasized that the law, embodying the intent of the Congress, requires that whenever the exception of a waiver is made, each individual case must be examined at the time of the visa application in the light of the national interest and the prevailing circumstances. However, no Chinese Communist has applied for an American visa since Peiping sent a deputation to the United Nations in November 1950 in connection with charges of aggression.

In the matter of the exchange of medical information with Communist China, there exists considerable scope within the framework of present Government regulations. With the appropriate licenses American individuals and institutions can import from Hong Kong and other places such as London a wide variety of Chinese Communist medical publications for bona fide research purposes. In particular, the National Library of Medicine (and its predecessor, the Armed Forces Medical Library) has for several years imported a substantial volume of Chinese Communist medical journals, books, and monographs which are available to the public.

I hope this information will be helpful to the International Health Study.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

SEPTEMBER 2, 1959.

Hon. WILLIAM MACOMBER,
Assistant Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. MACOMBER: With regard to the Department's detailed response of August 18 to my letter of July 20, I would like to make these points:

There are many able health-minded and other officials in the Department of State. In the August 18 letter, they have, understandably tried to make the best presentation out of what is, in my judgment, the Department's past unsatisfactory record on visas for foreign scientists.

Fortunately, that record, has greatly improved recently. But in the record remain a series of incontrovertible mistakes in the form of the previous slamming of the door on certain eminent foreign physicians. This regrettable "closed door" pattern again manifested itself in the case which I cited in the Senate on August 21. This pattern has harmed the cause of medical science. It has undermined the prestige of the United States.

In the letter, the Department basically chooses to ignore obvious facts which are familiar to every serious student of international medical congresses. If the Department blandly asserts "it has no information * * * that international medical congresses have been moved from the United States * * *" it is simply because it chooses to be blind and deaf to widespread information to the contrary which is readily available.

Here is an analysis of the location of major international medical meetings in the 1954-59 period. This analysis which I had asked the subcommittee staff to make shows this: Although the United States possesses the greatest medical profession and research effort in the world, it has been host to but 19 out of 163 international medical congresses within its borders in the past 5 years. Many of these have been comparatively small meetings of modest-size organizations.

In fairness to the Department, let it be noted that wholly aside from U.S. visa policy, many other factors have been responsible for most of the big medical congresses taking place in Europe. But one factor, according to almost all reports which have reached me, has definitely been our past restrictive visa policy. A single embarrassing case, much less a multitude, has irritated countless foreign scientists and has made them wary of applying for a U.S. visa.

With regard to the case of Professor Blochin, I would like now to secure from the Department a brief summary of the record of visa actions concerning him—i.e., exact dates of application and approval and a summary of the principal circumstances involving any delay. I am well aware, of course, that he recently attended the Soviet exposition in New York.

Finally, let me affirm that the Department makes a very sound case that Communist China is basically responsible for its own isolation from the world. Peiping's brutal violations of international law, its own misuse of visitors' entry for purposes of misleading propaganda, its latest outrages in Asia repel all thinking men everywhere.

The result is that not even minimal medical relations exist with Mainland China. That means lack of medical contact with diseases affecting one-fourth of the human race, living on 3.2 million square miles, diseases capable of being transmitted elsewhere—to India, south Asia, across the Pacific and around the world.

We must never forget that for 2 precious months, because of lack of communication, the world was utterly ignorant of the outbreak in mainland China of a new virus causing what came to be known as Asian flu. The lack of warning during those 2 months delayed preparation of our vaccine. The result was that tens of millions of people were perhaps needlessly struck by Asian flu despite Herculean efforts in the vaccines' speedy preparation and innoculation. The next time, a virus or other epidemic originating on the mainland may not be as mild. The result could be infinitely more serious to the world. This judgment has been confirmed to the International Health Subcommittee by executive branch, WHO and other specialists.

Now, in response, perhaps to my own and other suggestions, mainland China medical publications are being imported and translated here, at long last.

In this connection, let me quote from the August 17, 1959, issue of Time in an article on an important new British discovery

on trachoma. This disease, together with infectious conjunctivitis, affects 400 million people throughout the world, as stated in our own Senate Report No. 161, 86th Congress. Time reports:

"Surprisingly, it was in the Chinese Medical Journal (which prints a lot of unscientific Communist quackery) that major progress was reported. T'ang Fei'Fan and colleagues in Peiping described scrupulously conducted experiments in which they grew generations of the virus in fertilized eggs, gave it to monkeys, which got something like trachoma."

This is simply an illustration of how medical discoveries can and should leap ideological boundaries. But mere exchange of publications is not enough.

There is no substitute for direct visits inside the mainland by competent American and other foreign medical scientists, any more than there is a substitute for mainland China physicians seeing for themselves the situation of medical science elsewhere in the world.

The Department of State chooses to tie up (a) the medical relations problem with Peiping with (b) the overall political problems of the United States and Red China. Red China is responsible for tying these up, too.

Indeed, it is Red China which carries the overwhelming blame. It alone is guilty of literally subordinating everything to its cruel, military-political policies. We, with a clean record against aggression, have retaliated through our restrictive, passport-visa policy.

But, is there no way out of this stalemate—which results in mainland China remaining almost a medical vacuum, so far as the rest of international science is concerned?

Can the Department suggest no imaginative means by which the medical needs of humanity can somehow be dissociated from political disputes. Cannot the healing arts be divorced from cold war tactics, at least on America's part?

Certainly, the American medical profession takes a broader view in principle than does the State Department. Let me quote from Dr. Gunnar Gundersen, now past president of the American Medical Association. In testifying before Chairman LISTER HILL and the Senate Committee on Labor and Public Welfare on February 25, 1959, Mr. Gundersen stated:

"Worldwide progress in medicine can continue in the future only through the free exchange of ideas between medical scientists in all countries.

"Last June at the presidential inaugural ceremony of the American Medical Association, at which time I was inaugurated I titled my address 'Physicians to the World.' If you will permit me, I would like to quote a few of the concluding lines from that address:

" 'In medical science there are no secrets, no Iron Curtains, no cold war. * * * Medicine exists to save life, not destroy it.' "

Dr. Gundersen rightly believes in the principle that medicine should penetrate the Iron and Bamboo Curtains. Does the Department propose to delay indefinitely in seeking to penetrate the latter curtain?

Apparently, the Department chooses to rely on the excuse of Red China's overall obnoxious tactics. The Department might, however, recall these words of the President of the United States. In his message on the state of the Union, January 9, 1958, President Eisenhower asked all peoples to join in the war against disease. His speech included with these passages:

"WORKS OF PEACE

"My last call for action is not primarily addressed to the Congress and people of the United States. Rather, it is a message from the people of the United States to all other peoples especially those of the Soviet Union.

"This is the spirit of what we Americans would like to say:

" 'In the last analysis, there is only one solution to the grim problems that lie ahead. The world must stop the present plunge toward more and more destructive weapons of war, and turn the corner that will start our steps firmly on the path toward lasting peace.

" 'Our greatest hope for success lies in a universal fact: The people of the world, as people, have always wanted peace and want peace now.

" 'The problem, then, is to find a way of translating this universal desire into action.

" 'This will require more than words of peace. It requires works of peace.'

"Now, may I try to give you some concrete examples of the kind of works of peace that might make a beginning in the direction.

"Another kind of work of peace is cooperation on projects of human welfare. For example, we now have it within our power to eradicate from the face of the earth that age-old scourge of mankind—malaria. We are embarking with other nations in an all-out, 5-year campaign to blot out this curse forever. We invite the Soviets to join with us in this great work of humanity.

"Indeed, we would be willing to pool our efforts with the Soviets in other campaigns against the diseases that are the common enemy of all mortals—such as cancer and heart disease.

"If people can get together on such projects, is it not possible that we could then go on to a full-scale cooperative program of science for peace?"

Does or does this not apply to 625 million mainland Chinese?

Of course, the United States cannot afford to ignore the overall past and future policies of the Peiping Government. Peiping has thrown every conceivable roadblock in the way of even minimal exchanges. These roadblocks have been piled still higher through its recent foul actions in Tibet and its violations of India's borders, grave matters which can hardly be ignored.

Let it be known, in no uncertain terms that I continue to oppose recognition of Red China or any action which might be construed as reward for her infamy.

Normal relations with Red China may, therefore, be years or decades away. But, cannot we, in the interim, through perhaps, contacts by the World Health Organization at least try to find some new approach for medical science's own relations with the China mainland? That does not imply that Peiping would be receptive to any suggestions.

On the contrary, Peiping seems absorbed in a policy of reckless troublemaking which deliberately outrages the conscience of the world. But that is no reason for us to abandon the concept of penetrating the Bamboo Curtain. It is, instead, reason for us being especially firm and careful in this, as in other respects, in dealing with Peking.

What I am in effect pleading for is bold U.S. initiative—action, not more talk—in making medical science truly international, truly universal. It seems to me we have much to gain and little to lose from seizing the initiative, by at least making specific offers of medical visits, assuming certain strict conditions are met, instead of sulking and sitting back, as we are now doing.

So, the question remains whether the United States will continue to follow a policy of retaliation as regards passports and visas, and thereby help, in this instance, to preserve Red China as a medical vacuum, so far as the rest of the world is concerned.

With kindest wishes, I am,

Sincerely,

HUBERT H. HUMPHREY.

EXCERPTS OF TRANSCRIPT OF HEARING ON JULY 16, 1959, BEFORE SUBCOMMITTEE OF SENATE COMMITTEE ON GOVERNMENT OPERATIONS INTERNATIONAL HEALTH STUDY—TESTIMONY OF DR. JAMES SHANNON

* * * * *

4. I must repeat what has been frequently said, that a basic condition of progress in science is free and unrestricted interchange amongst scientists and in their communication. Fortunately in the medical sciences we have been singularly free of overriding security issues which have imposed their troublesome restraints in other scientific areas. Nevertheless, we are now faced with the desirability of enlarging our scientific relationships with Iron Curtain countries and we are at the present moment denied any insight into the state of research in the health sciences in the other nonrecognized regimes. In fact, we face the prospect, if these problems are not solved, of the loss of the present U.S. position as the primary center of world progress in the medical sciences. I realize there are grave foreign policy issues involved here which cannot be treated lightly. Nevertheless, we are approaching the situation where the only neutral ground upon which a complete cross section of the world's scientists can meet to discuss their scientific endeavors is Moscow. This, to me, is close to the ultimate in absurdity.

A resolution of many of these policy problems will be difficult and troublesome because, as I have indicated, international scientific activity will inevitably expand and scientific interchange, collaboration in research, will become more extensive and more complex.

As I have mentioned, the United States and its governmental and nongovernmental scientific programs in the health sciences will occupy an important role in this development.

Generally speaking we have arrived, that is, we in the United States have arrived at a position in respect to world science where we have acquired a grave responsibility as a result of our achievements and our scientific capability. This responsibility is, as I have mentioned, to utilize our skills and resources in advancing the progress of science and the cause of human health both in our own interests and the interests of all people.

* * * * *

Senator GRUENING. I have listened to Dr. Shannon's very excellent presentation, and I have just one question.

On page 14 you say "we are approaching the situation where the only neutral ground upon which a complete cross section of the world's scientists can meet and discuss their scientific endeavors is Moscow." You say this would be the "ultimate in absurdity."

Why is that the only place where a complete cross section of the world scientists can meet?

Dr. SHANNON. It is primarily over the problem of visa trouble. There is a developing science in Red China at the present time. We would like to know what that is. A Red Chinese scientist can't obtain a visa to attend a scientific meeting in the United States, at least not very simply. We in turn can't obtain visas to roam around the laboratories in Red China to find out what is going on there.

To a lesser extent, this involves the Iron Curtain countries. True, the Russians can come, but there are restrictions upon their entering this country and what they can do after they arrive. This, as I say, obtains in the Iron Curtain countries.

They come under a feeling of not being wanted, of not belonging, if you will, to a scientific community that has developed in response to the immediate environment, because of the restrictions imposed upon them.

Quite contrary to that, as a world center, Moscow will accept any scientist from any

part of the world with relatively little, if any, restrictions on his attendance, or entrance.

In other words, as long as there exist restrictions of this sort, all of Western science is available to the Russians. Very little of Eastern science is available in the United States. It amounts to that, sir.

The only place—I shouldn't say that, because many of the countries will allow the Red Chinese, the Russians or the Iron Curtain countries to convene. But I am talking now about the developing centers of gravity in world science, one around the Russian sphere, one around the U.S. sphere; one permitting free congregation of scientists, the other not.

Senator GRUENING. Wouldn't the Chinese scientists be able to come to London?

Dr. SHANNON. Yes, but London is not developing as one of the centers of gravity in this sphere of science.

Senator GRUENING. That is a very depressing presentation, I would say, if our policies prevent the spread and interchange of scientific knowledge. I think that is something we ought to think very seriously about and see if we can't get a change of policy in this field.

Senator HUMPHREY. Senator GRUENING, when Mr. Cahn and I were at the World Health Organization, we heard a story there about the Asian flu epidemic. It was really very revealing as to how policy decisions in the field of foreign policy affect medical and other scientific knowledge.

We alluded to that in the report on the World Health Organization trip. That committee print has been published as a result of our notes and discussions. I think, as I recall it, that there was a lag of several weeks of knowledge in the world outside of Red China as to the development of the flu epidemic on the mainland. That lag prevented us from developing the vaccine as soon as we could have. Thereby, of course, the lag in time made possible much more illness, death, and, of course, considerable economic loss.

I recall that the way the epidemic was finally discovered was through reports via commerce. And there was a doctor, if memory serves me correctly, who had been educated in an American medical school, and who had friends outside the Communist bloc, one of those friends being in the World Health Organization, who sent information from Red China, to the outside, about the flu epidemic taking place in Red China. That epidemic was already spreading all over the world. But nobody knew from whence it emanated, where its central point was. Only by the good fortune of friendship did they overcome the road blocks of diplomatic policy. And we were able to track it down and to get at it and to develop a strain of vaccine that would do something about it.

You may recall we discussed this.

Dr. SHANNON. This was generally the way we were able to get strains and have specific knowledge of the disease, its characteristics, and its potential hazard, when it spilled out of Red China to Hong Kong and then into Manila. Those were our primary contacts with the disease.

If you take the geographical masses on half a sphere and paint over in red the so-called Red countries, you will realize that we have a tremendous area. Geopoliticians call this the central land mass. This is as important for an understanding of the genesis and spread of disease as it is for the genesis and spread of political philosophies and their impressions on other countries.

We are in relative ignorance of the happenings in this total area at the present time. This, I think, is bad.

Senator GRUENING. Nevertheless, the Asian flu came to our shores without passports or visas.

Dr. SHANNON. As a matter of fact, sir, we helped, because it came back with some of our own forces, too.

Senator GRUENING. I have no further questions.

Senator MUSKIE. May I ask at that point, Dr. Shannon: You speak about our ignorance of the genesis and spread of disease in this great land mass. Are you referring only to Red China, or also to Russia?

Dr. SHANNON. I am referring to Russia, too, and I can give you an example.

Senator MUSKIE. Recognition, then, is not the whole answer?

Dr. SHANNON. No; it is not only recognition of disease, but knowledge of what is being done with disease.

Let me give you a devastating example of this. The most serious epidemic disease in the early years of Korea was a disease, hemorrhagic fever, which was a completely new disease. Our physicians knew nothing about it. They had never seen it. Yet this was the one serious epidemic disease that carried a mortality rate of 20 to 30 percent.

In the early days, it was killing more people than were being killed by the Reds. The Army did a superb job in getting investigative teams into the field, pulling out civilians and developing combined units, and brought the mortality rate down rather quickly to 3 or 5 percent—I can furnish the figure for the record—and developed a concept on how the disease was transmitted. It was obviously some sort of insect-borne host. After much toil and trouble, I think they had the disease very well under control by the time the Korean conflict ended.

It turned up after the war with the first Russian visitor we had a professor from Moscow and some of his colleagues, that they had been studying and had definite information back as far as 1942 and 1943—1941 to 1943. They had recognized the disease in the late 1930's. The Russians don't publish vital statistics on disease. They don't give the mortality rate, they don't know what goes on.

Had we the knowledge of this disease as an important infectious disease, had we knowledge of its mode of transmission, we could have protected for that area. We could have looked for it and known it was there before we went in there and we would not have had the attack rate we had, nor would we have had the great mortality rate.

So when we say that you can't cut off a large segment of the world from the standpoint of medical knowledge and produce the type of protection that is essential to us as citizens within this country and to our nationals when they go outside, whether civilians or armed forces, this is not an expression of opinion, this is a fact.

Senator MUSKIE. When I listened to your prepared statement on this point, immediately the suggestion came to mind that perhaps political recognition is the answer to this problem, and that is what I was referring to earlier, and it is not.

Dr. SHANNON. I don't think that is it. I think that our greatest hope is through very strong support of the World Health Organization as a neutral body wholly outside the political sphere, which brings into its orbit some of the countries that have opposing political views. They can work faster in this area than can we as an individual government in a bilateral way. I think for this reason, if no other, we should support the activities of the World Health Organization to the hilt.

I think that when it comes to communications, exchange of scientists, the ability of scientists to move and exchange ideas, then I think this is something we have to do bilaterally. We can't get outside help for that, although even here the World Health Organization would be helpful.

Now, in the several conferences I have had in Geneva, called to discuss serious disease on a worldwide basis, the Russians have attended. They are as free and open in their discussions around the conference table as are our own scientists in this country. This constitutes a new ground for the purpose of discussion that has no substitute. That is why I say we have a strong responsibility to support this organization to the hilt, not only in its service programs but as it goes forward into a broadening research program.

Again I would say there are certain things we can do at home, too.

Senator MUSKIE. Are the Soviets inclined to cooperate in the program of the World Health Organization?

Dr. SHANNON. I think they are. They have given every indication that they are. In the executive committee last February, I believe, when the concept of broadening the World Health Organization program on research was first discussed, the strongest proponent was the Soviet—when I say "strongest," as strong as any proponent was the Soviet member. I think they, as we, can't move as rapidly, perhaps, as they would like. The Soviet representative at the World Health Assembly that discussed this did not have instructions, nor did many countries have instructions for their delegates, because the proposed program of research reached the countries too late, just before the people took off, so that the delegate came wholly uninstructed.

But I think on the basis of the comments of the Soviet representative at the executive committee, World Health Conference, we have every reason to believe that they are fully behind it.

Senator MUSKIE. To the extent that they will allow free entry to field research teams?

Dr. SHANNON. This remains to be seen. I think this will have to be on an individual case basis. I hope that within a year we will be able to come back and tell you, and say "yes."

Senator MUSKIE. You haven't had occasion to face that question yet?

Dr. SHANNON. No, sir; we have not.

Senator HUMPHREY. It is true, however, that there has been active participation by Iron Curtain countries in these conferences; has there not?

Dr. SHANNON. There has.

DAV SERVES KANSANS

Mr. SCHOEPPEL. Mr. President, another distinction has recently been conferred upon my home State of Kansas by the election of a longtime personal friend of mine, Bill H. Fribley, to the eminent position of national commander of the DAV—Disabled American Veterans—the only congressionally chartered association composed exclusively of America's disabled defenders dedicated to the program of extending much needed rehabilitation services to, by, and for our country's veterans and for their survivors and dependents.

Bill Fribley has been a member of the Kansas Legislature during the last 11 years, and is its able speaker pro tempore. He has long been active in the American Legion. As an overseas veteran of World War II, he is also a member of the VFW. Severely wounded by shell fragments, which resulted in the complete removal of his left arm and shoulder, he spent 25 months in U.S. Army hospitals in Europe and in this country.

Bill Fribley—his first name is actually Bill, not William—is the third Kansan to have become the national commander

of a congressionally chartered veterans' organization. He was preceded by our good mutual friend, Harry Colmery, who, in 1936, was elected as national commander of the American Legion, and by Wayne Richards, who, in 1953, was elected as commander in chief of the VFW. They were all "doers."

Before being elected national commander of the DAV, at its national convention in Miami Beach, Fla., August 17–21, 1959, Bill Fribley had served during the previous year as its national senior vice commander, and before that as a DAV national committeeman, first having gained much experience in various capacities in his own Sunflower chapter as Kansas DAV department legislative chairman and department commander.

Bill Fribley's leadership of the DAV nationally, will, I feel confident, be accompanied by continued DAV growth in membership and in constructive legislative and rehabilitation activities, with particular emphasis upon suitable useful employment of all disabled veterans—as well as of other employable handicapped Americans—utilizing their remaining abilities toward their own self-sustainment to convert them into assets in their own communities, and as willing taxpayers for the continued development of our country.

First things first, for America's war wounded and disabled veterans, and for their dependents and survivors, will be advocated throughout America, by Bill Fribley as national commander of the DAV.

Commander Fribley has revealed some very interesting facts to me about an exceptional record of vital rehabilitation services freely extended to thousands of Kansas citizens, which have not been sufficiently appreciated by those who have benefited thereby, directly, and indirectly.

DAV SETUP

Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have since then benefited every compensated disabled veteran. Presently, the DAV national adjutant is John E. Feighner in Cincinnati, Ohio; the national legislative director is Elmer M. Freudenberger; the national director of claims is Cicero F. Hogan; and the national director of employment relations is John W. Burris, all of whom are located at the DAV National Service Headquarters, 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—some 2 million—the DAV can never aspire to become the largest of the several veterans' organizations. Nevertheless, since shortly after its formation in 1920, the DAV National Headquarters, located at 5555 Ridge Avenue, Cincinnati, Ohio, has maintained a full-time, trained, national service officers staff to assist veterans with their problems. They are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration, and in its central office in Washington, D.C.

They have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these service officers are sympathetic and alert to the problems of other less informed claimants.

DAV SERVICES IN KANSAS

The DAV national service officer in Kansas is Mr. Floyd R. Mauk, located at the VA Center, 5500 East Kellogg, Wichita. The department commander is Mr. Oscar S. McMinn, of Independence, and the department adjutant is Mr. George P. Bartley, of Topeka.

There are three Veterans' Administration hospitals maintained in Kansas in which the DAV has nationally authorized representatives on the voluntary service advisory committee: Mr. Robert H. Dawson, 1901 South Elizabeth, Wichita, Kans., at the 252-bed GM hospital in Wichita, and Mr. John L. Strand, 305 West 13th Street, Topeka, Kans., at the 1,250-bed NP hospital at Topeka. There is also a 791-bed GM hospital at Wadsworth.

During the last fiscal year, the VA paid out $73,084,000 for its veteran program in Kansas, including $16,629,211 in disability compensation—about 20 percent of all VA expenditures—to its 15,741 service-disabled veterans, thereby furnishing substantial purchasing power in all Kansas communities.

DAV SERVICE ACCOMPLISHMENTS IN KANSAS

An outstanding record of personalized service activities and accomplishments of the DAV national service officer, in behalf of Kansas veterans and dependents during the last 10 fiscal years, is revealed by the following statistics:

Claimants contacted	20,290
Claim folders reviewed	16,908
Appearances before rating boards	5,020
Compensation increases obtained	1,040
Service connections obtained	445
Nonservice pensions	332
Death benefits obtained	245
Total monetary benefits obtained	$596,473.59

Bill Fribley points out that these figures do not include the accomplishments of other DAV national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, and in its three district offices, handling death and insurance cases.

During the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32; and in central office, they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Kansas veterans, their dependents, and their survivors.

SERVICE BEYOND STATISTICS

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel, and assistance extended to all of the claimants who have contacted DAV service officers in person, by telephone, and by letter.

Pertinent advice was furnished by them to all disabled veterans—only about 10 percent of whom are DAV members—their dependents, their survivors and others, in response to varied claims for service connection, disability, compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guaranty loans for homes, farms and businesses, and so forth. Helpful advice was also given as to counseling and placement into suitable useful employment, to utilize their remaining abilities, civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems.

Every claim presents a different problem. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult—too many times impossible.

A VA Claims and Rating Board can obviously not grant favorable action merely based on the opinions, impressions, or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential.

Acting as judge and jury, the VA cannot also prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award benefits, provided for under the laws administered by it, only under certain conditions.

Every expert national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what additional, factual evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence.

The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations, and schedule of disability ratings.

No national service officer of any veterans' organization, I feel certain, ever uses his skill, except in behalf of worthy claimants with justifiable claims.

More claims have been denied than have been allowed—because most claims are not properly prepared. As pointed out by the DAV assistant national director of claims, Chester A. Cash, a much higher percentage of those claims which have been prepared and presented with the aid of a DAV national service officer are eventually favorably acted upon, than is the case of those claimants who have not given their powers of attorney to any such special advocate.

RESULT IN LOSSES

Another fact not generally known is that, under the overall review of claims

inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued, and reduced as to about 27,300 others at an aggregate loss to them of more than $28 million per year.

Most of these unfortunate claimants were not represented by the Disabled American Veterans or by any other veterans' organization. Judging by the past, such unfavorable adjudications will occur as to an additional equal number or more during the next 3 years, before such review is completed. Every disabled veteran in Kansas is urged, therefore, to give his power of attorney to the national service officer of the DAV—or of some other veterans' organization, or of the American Red Cross—just as a protective measure.

COSTS OF EXTENDING SERVICE

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent expert national service officer.

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

METHODS OF PROVIDING SERVICE

Evidently, most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income on its Idento-Tag—miniature automobile license tags—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful, gainful employment.

Incidentally, without checking as to whether they had previously sent in a donation, more than 1,400,000 owners of sets of lost keys have received them back from the DAV's Idento-Tag department, 4,256 of whom during the last 8 years were Kansas residents.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints—labor unions, trade associations, and various religious, fraternal, and civic associations. All of America's veterans ought to be members of one or more of the patriotic, service-giving veteran organizations—the United Spanish War Veterans, the American Legion, the Veterans of Foreign Wars, the AMVETS, the Military Order of the Purple Heart, and the Disabled American Veterans. All of America's disabled defenders, who are receiving disability compensation, have greatly benefited by their own official voice—the DAV. If eligible, I would certainly be proud to be a life member of the service-giving Disabled American Veterans—the DAV.

THE JOURNAL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Journal for September 5, 7, and 8, be approved without reading.

Mr. MORSE. Mr. President, what was the request of the Senator from Texas?

Mr. JOHNSON of Texas. I asked unanimous consent that the Journals of the previous days be approved without reading.

Mr. MORSE. I object.

Mr. JOHNSON of Texas. The Senator objects?

Mr. MORSE. I object.

PRINTING OF ADDITIONAL COPIES OF REPORT ENTITLED "RIO GRANDE INTERNATIONAL STORAGE DAMS PROJECT—REPORT ON PROPOSED DIABLO DAM AND RESERVOIR"

Mr. JOHNSON of Texas. Mr. President, I submit a resolution and ask for its immediate consideration.

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

The CHIEF CLERK. A resolution for the printing as a Senate document of 1,500 additional copies of the report entitled "Rio Grande International Storage Dams Project—Report on Proposed Diablo Dam and Reservoir."

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

There being no objection, the resolution (S. Res. 189) was considered and agreed to, as follows:

Resolved, That the report entitled "Rio Grande International Storage Dams Project—Report on Proposed Diablo Dam and Reservoir", prepared by the United States section of the International Boundary and Water Commission, United States and Mexico, dated September 1958, be printed with illustrations as a Senate document.

SEC. 2. There shall be printed one thousand five hundred additional copies of such Senate document for use of the Members of the Senate.

PAYMENTS TO LOCAL GOVERNMENTS ACT OF 1959

Mr. HRUSKA. Mr. President, the growth of our Federal Government into giant size in these recent years has resulted in a curious mixture of benefits and detriments.

There are those who constantly and persistently work for enlarged scope of Federal activities, and even larger appropriations and jurisdiction for existing activities. They do so on the belief that governmental activities are better executed on a national rather than on a State or local basis. There are those who adhere to the time-tested principle that the Federal Government should be resorted to only in such cases where it is demonstrated that any given problem cannot be properly administered on a State or local level. These folk believe that the harms of increased size and activity of the national Government outbalance those things which might be considered good therein.

Whatever the merits of this basic conflict may be, there is one aspect in which we find great harm flowing from the ever-increasing activities of the Federal Government. This is in those instances where the National Government acquires a great deal of property in any given location. The immediate result of such action is to remove that property from the local tax rolls. Often this means a great burden and hardship upon all of the local taxing authorities, such as: cities, school districts, county government, special assessment districts of local nature, and the like.

For years, the fact of such burden and hardship has been recognized. Its impact is painful and the reaction of those who are hurt is vocal and direct. In recent years, such property acquisitions are greater and greater, so that the consciousness of the bad result has increased considerably.

Many organizations and individuals have protested and proposed remedies, the National Association of County Officials being one of the most persistent, and one of the most competent champions of seeking proper corrective measures.

Lack of progress is attributed somewhat to the difficulty of arriving at a formula which will be practical, and which will be within reasonable limitations insofar as avoiding undue restriction on Federal Government activities and functions. For example, it should be clear that any property acquired for purposes which have been historically considered normal governmental activities should not be included in any bill providing for payment in sums in lieu of taxes. Thus, any land acquired for post offices, penitentiaries, hospitals, Government offices, and so on are generally regarded as exempt from efforts to pass laws in this field.

On the other hand, real estate of industrial or commercial character falls in a different class. Usually it is found to be used in connection with some national defense or armament activity, but not always. But even if it were possible to classify such property in a practical way, the fixing of a date after which such real estate would be acquired and subjected to payments in lieu arises as a difficult problem.

Earlier this session, the Senator from Nebraska entered his name as a cosponsor of S. 910, the so-called Payments to Local Governments Act of 1959. Admittedly it is a bill of experimental nature and with very limited purview.

In brief, the authorization will provide for three categories under which payments may be made in lieu of taxes. The first relates to special assessments under certain specified conditions; the second relates to real property in the custody or control of taxable persons pursuant to a lease, contract, or permit executed by a Federal agency, if such property were

owned by a taxable person; and the third relates to real property first acquired by the Federal Government after June 30, 1950, and which is devoted to or held for predominantly commercial or industrial use. Applications are filed with a bipartisan Federal Board for Payments to Local Governments, which Board will pass upon the merits of the claim and will determine the amount to be paid.

In addition to that, the Board would be required to conduct a comprehensive study of the problems arising out of Federal immunity from local real and personal property taxes. Within 2 years it would be required to submit recommendations for the future treatment of the Government's real and personal properties in respect to local tax laws.

The bill is moderate in its reaches. While it is experimental, it is headed in the right direction toward a mature and sound program for payments in lieu of taxes.

Mr. President, the bill has been favorably reported by the Committee on Government Operations to which it has been referred.

The U.S. Treasury Department responded to the request of the chairman of that committee, the Honorable JOHN L. MCCLELLAN, for that Department's views on the bill.

In its letter reply, the Department points out that only last year there were four separate decisions of the U.S. Supreme Court bearing upon the requirement of the Government's contractors and leaseholders to pay local taxes on the possession or use of Federal real or personal property in their custody. In at least some of these situations, it is stated that the economic burden of the local taxes is on the Federal Government.

These decisions have changed the constitutional and fiscal relationships existing between the Federal Government and the States. Congressional legislation may be required for the purpose of defining the status of the Government's properties under State and local tax laws. It is reported that this field is currently under study by the Federal agencies concerned. Until that study is completed, it will not be clear what additional laws will be required.

In his letter of reply, David A. Lindsay, then Assistant to the Secretary of Treasury states, in this regard:

> Nonetheless, since the bill, S. 910, embodies principles the Department regards sound for a temporary program of payments in lieu of taxes on real properties in the possession of the Government, and would provide machinery for the ultimate development of permanent legislation in an area of vital interest to local governments, the Department does not counsel that its enactment be further delayed. It therefore supports enactment of S. 910, reserving the right to recommend such additional legislation as is deemed necessary with respect to the tax status of the Government's properties in the hands of contractors and leasees.

Mr. President, this favorable report from the Department of Treasury is good news. Mr. B. F. Hillenbrand, executive director of the National Association of County Officials, hails it as a major breakthrough.

It is a milestone and a vast step forward toward an equitable and practical solution of a vexatious and difficult problem.

Mr. President, the Senator from Nebraska is aware that the workload of the Senate is heavy and that individual Members are greatly burdened with many tasks, particularly in the closing days of a congressional session.

Nevertheless, it is my earnest hope that the Senate will be afforded an early opportunity to consider the bill, S. 910, which has been favorably reported by the Government Operations Committee.

The enactment of a law along these lines is long overdue. In large measure the faith in local Government's ability to retain its virility and strength will be demonstrated by the promptness with which we as a Congress will respond to the need for action.

CENTENNIAL OBSERVANCE OF ATTACK BY JOHN BROWN AND HIS RAIDERS ON HARPERS FERRY, W. VA.

Mr. BYRD of West Virginia. Mr. President, in a few weeks, the eyes of history-conscious Americans are going to be turned toward my State, as a city in the eastern panhandle marks the 100th anniversary of an event that shook our Nation in the turbulent days prior to the Civil War.

I am speaking of the famous attack on Harpers Ferry by John Brown and his raiders, which occurred on the 16th of October in the year 1859.

In commemoration of this occasion, the people of Harpers Ferry and Jefferson County, W. Va., have set aside 4 days of next month—the 15th, 16th, 17th and 18th—as a period for a centennial observance. Under the sponsorship of an organization known as the Harpers Ferry Area Foundation, an elaborate 4-day program has been arranged to emphasize the historical significance of this period. An impressive historical drama has been written for the observance, and many other activities have been planned to commemorate the raid which often has been credited with "lighting the fuse" of the War Between the States.

I take this opportunity, Mr. President, to offer an invitation to all Washingtonians and other interested Americans to visit nearby Harpers Ferry during the 4-day observance. I think it will be a very rewarding experience, one which will demonstrate the colorful historical heritage of this area of our Nation.

Mr. President, I desire to recall a bit of the drama of that flamboyant occurrence which is to be commemorated. Much has been written, over the years, of the story of the fiery-eyed abolitionist, John Brown, and of his wild career of slave freeing, which was brought to an end at Harpers Ferry. Thousands have called him a redeemer and a prophet of God; thousands have called him a madman. I am not capable of judging him, but I know that this much is certain: His attack on Harpers Ferry, W. Va., was a highly significant event that served to crystallize much of the intense feeling that existed in our country at that time.

A brief summary of the occurrence is contained in these sentences from an advertisement by the Baltimore & Ohio Railway:

> Harpers Ferry, W. Va., the town at the junction of the Potomac and Shenandoah Rivers, and where three States—Maryland, Virginia, and West Virginia—meet. It was a key railroad and canal center; and in 1859 it possessed a U.S. arsenal and rifle factory. This town presented an ideal setting for the dramatic and historical happenings of John Brown's stormy career as a rabid abolitionist. John Brown's raid occurred on the night of October 16, 1859, and, in the skirmish at Harpers Ferry, the B. & O. right-of-way was the scene of the first fighting, and two railroad employees were the first casualties. To quell the uprising, a detachment of 90 marines, under Col. Robert E. Lee, was sent to the scene. The abolitionist leader and his followers were captured after a pitched battle, and John Brown was tried and executed in nearby Charles Town, W. Va., on December 2, 1859. While the insurrection was a failure and was promptly suppressed, it was, no doubt, one of the chief factors that hastened the outbreak of the Civil War.

Mr. President, that is a brief, factual account of the John Brown raid. But a more elaborate telling of the story is necessary to fully convey the intense drama which unfolded as the event took place.

I am sure that the Senate is familiar, by now, with my penchant for prose and poetry. So I ask indulgence as I recite a few random lines from one of the greatest Civil War poems, "John Brown's Body," by Stephen Vincent Benét. In the 33d page of the epic, it begins—

They reached the Maryland bridge of Harpers Ferry
That Sunday night. There were twenty-two in all,
Nineteen were under thirty, three not twenty-one. * * *
These were some of the band. For better or worse
They were all strong men. * * *
They tied up the watchmen and took the rifle-works.
Then John Brown sent a raiding party away
To fetch in Colonel Washington from his farm.
The Colonel was George Washington's great-grand-nephew,
Slave-owner, gentleman-farmer, but, more than these,
Possessor of a certain fabulous sword
Given to Washington by Frederick the Great.
They captured him and his sword and brought them along
Processionally.
The act has a touch of drama,
Half costume-romance, half unmerited farce.
On the way, they told the Washington slaves they were free,
Or free to fight for their freedom.
The slaves heard the news
With the dazed, scared eyes of cattle before a storm.
A few came back with the band and were given pikes,
And, when John Brown was watching, pretended to mount
A slipshod guard over the prisoners.
But, when he had walked away, they put down their pikes
And huddled together, talking in mourning voices.
It didn't seem right to play at guarding the Colonel
But they were afraid of the bearded patriarch
With the Old Testament eyes. * * *
Meanwhile, there was casual firing.

A townsman named Boerley was killed, Meanwhile, the train
Passed over the bridge to carry its wild news
Of abolition-devils sprung from the ground
A hundred and fifty, three hundred, a thousand strong
To pillage Harpers Ferry, with fire and sword.
Meanwhile the whole countryside was springing to arms.
The alarm-bell in Charles Town clanged "Nat Turner has come!
Nat Turner has come again, all smoky from Hell,
Setting the slave to murder and massacre!"
The Jefferson Guards fell in. There were boys and men.
They had no uniforms but they had weapons.
Old squirrel-rifles, taken down from the wall,
Shotguns loaded with spikes and scraps of iron.
A boy dragged a blunderbuss as big as himself.
They started for the Ferry. * * *
Of course they were cut off. The whole attempt
Was fated from the first.
Just about noon
The Jefferson Guards took the Potomac Bridge
And drove away the men Brown posted there.
There were three doors of possible escape
Open to Brown. With this, the first slammed shut.
The second followed it a little later
With the recapture of the other bridge
That cut Brown off from Kagi and the arsenal
And penned the larger body of the raiders
In the armory. * * *
When the drunken day
Reeled into night, there were left in the engine-house
Five men, alive and unwounded, of all the raiders. * * *
There was no light, there. It was bitterly cold.
A cold chain of lightless hours that slowly fell
In leaden beads between two fingers of stone.
Outside, the fools and the drunkards yelled in the streets,
And, now and then, there were shots. The prisoners talked
And tried to sleep. * * *
Outside the blackened East
Began to tarnish with a faint, grey stain
That caught on the fixed bayonets of the Marines.
Lee of Virginia, Light Horse Harry's son,
Observed it broaden, thinking of many things,
But chiefly wanting to get his business done,
A curious, wry, distasteful piece of work
For regular soldiers. * * *
Brown watched them come. One hand was on his carbine.
The other felt the pulse of his dying son.
"Sell your lives dear," he said. The rifle-shots
Rattled within the bricked-in engine-room
Like firecrackers set off in a stone jug,
And there was a harsh stink of sweat and powder.
There was a moment when the door held firm.
Then it was cracked with sun.
Brown fired and missed.
A shadow with a sword leaped through the sun.
"That's Ossawattomie," said the tired voice
Of Colonel Washington.
The shadow lunged
And Brown fell to his knees.
The sword bent double,
A light sword, better for parades than fighting,
The shadow had to take it in both hands
And fairly rain his blows with it on Brown
Before he sank.
Now two Marines were down,
The rest rushed in over their comrades' bodies,
Pinning one man of Brown's against the wall
With bayonets, another to the floor.
Lee, on his rise of ground, shut up his watch.
It had been just a quarter of an hour
Since Stuart gave the signal for the storm,
And now it was over.
All but the long dying.

Mr. President, that terrible drama, which took place at Harpers Ferry, W. Va., a century ago, has long since assumed its place in the colorful historical heritage of America. That day is gone forever—October 16, 1859. The fierce passions that burned like lumps of coal in the breasts of men; the fiery words that galvanized those passions into bold and reckless action; the clash of steel on steel, the terrifying din of battle, and the awful, tomblike silence which followed, as the day the night—all these are gone. John Brown's men and the men of Lee—vanquished and victor—all have gone.

The dead are silent. Passionless and still
They lie in dreamless slumber, robed in peace.
They will not stir though raging armies fill
The air with frightful clamor. The sweet release
Of death has soothed their anguish. They have found
Within that timeless land the secrets men
Have sought since time begun. They are not bound
By fetters forged or race or creed * * * and when
The frantic living join the quiet dead
We, too, shall learn that in that gentle dust
All flesh is kin; within that narrow bed
There is no room for hate or fear or lust * * *
The living plague the gods with selfish cries;
The dead are silent—the dead are wise!

Mr. President, this is a part of our glorious heritage. And I believe that it is right that we should preserve this heritage and reflect upon it through observances such as that which is to take place in Harpers Ferry next month.

I repeat the invitation for all who wish to visit during this event. It is my understanding that special railway excursions are to be provided from several cities, during the 4 days of the centennial.

I wish to conclude my statement, Mr. President, by asking that three pertinent items be reprinted in the CONGRESSIONAL RECORD, as part of my remarks. The first is another portion of the Baltimore & Ohio Railway advertisement I mentioned previously, which tells of Harpers Ferry becoming a national monument. The second is a portion of a letter from the Honorable Cecil H. Underwood, Governor of West Virginia, to the people of Harpers Ferry. And the third is an account from a special centennial brochure which tells of the development of the Harpers Ferry National Monument. I ask unanimous consent that they be reprinted in the RECORD.

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

[Excerpt from advertisement]

Of the many places that were in a constant state of seige during the Civil War, Harpers Ferry suffered most heavily. The record of the Civil War disaster, from 1861 to 1865, was responsible for Harpers Ferry and the surrounding area becoming a historical landmark. * * * The thrilling history, of which it has been the scene, and the beauty of the surrounding Shenandoah Valley area add to the enjoyment and interest of the visitor today. It is located on the main line of the Baltimore & Ohio Railroad, 55 miles west of Washington, D.C. * * * The U.S. National Park Service established Harpers Ferry as a national monument in May 1955 and many historic landmarks are now in process of restoration.

[Excerpt from Governor's letter]

Just prior to the great civil conflict a century ago, the eyes of the world focused on Harpers Ferry. The legend of John Brown has lived with us for 100 years, and will linger into the years ahead. It is indeed fitting that an observance should be staged to recognize the centennial of such a historic event.

Even before the days of George Washington and Thomas Jefferson, this region had been known for its scenic beauty and dignified culture. It enjoys this same reputation today, and I am sure your city will continue to be an important gateway to West Virginia.

History has left its imprint here too. Located in this vicinity are many of the historical points which draw thousands of visitors to our State each year. This vital area has helped to make tourism one of West Virginia's industries.

[Excerpt from centennial brochure]

HARPERS FERRY NATIONAL MONUMENT

The interest of the Nation centered for a few days on Harpers Ferry, W. Va., in 1859. This year, a hundred years later, there is again special national interest in this historic site.

Authorized by act of Congress in 1944 a unit of the National Park Service of the Department of the Interior is being developed here in part to reflect the national interest in and national significance of the historic 1859 event. John Brown by his bold, but abortive stroke against slavery widened the breach which had been developing for a number of years between the North and South.

The mission 66 program of the National Park Service is designed to meet the anticipated needs of the visitors to all the areas of the Park Service in 1966. As part of this program at Harpers Ferry National Monument two major objectives have been reached. Primary source materials relating to the life and activities of John Brown which had been collected will be of increasing value to an understanding and interpretation of that man. Also, a temporary branch museum has been activated to tell objectively the story of John Brown.

The facts concerning this controversial figure have been so clouded by biased accounts in the hundred years since his death that it was considered necessary to collect pertinent primary data. This information incorporated in the interpretive program of the monument provides a sound basis of historical accuracy in retelling the John Brown story.

Although there are numerous places where parts of it are told, it was felt that Harpers Ferry National Monument was a logical location in which to recount the broader story

of Brown's whole life with special emphasis on the climatic chapters at Harpers Ferry and Charles Town. This is the basis for and nature of the John Brown Story Branch Museum at Harpers Ferry National Monument. Here you will find information on his early life, business activities, travels, and planning; the raid and subsequent trial and execution.

The John Brown raid is only one aspect of the planning and development of Harpers Ferry National Monument. The early history of the town, arms manufacturing, growth as a transportation center, and the Civil War are interesting segments of the town's history. A special research team has collected a vast quantity of primary source material on the physical history of the town. Based on the results of this work the pre-Civil War buildings will be authentically restored to their 1859–65 appearance. Although authorized primarily as a historical monument, there are scenic and natural history values that are not being overlooked.

The development of Harpers Ferry National Monument is based on a well-balanced approach to full visitor enjoyment. The research files are available to scholars, students of history, and casual visitors alike; the monument is available to any who may be interested in human or natural history. The monument as a national possession is available now and in the future will be more adequately prepared to provide for the needs and desires of all who wish to take time to enjoy an American heritage.

Mr. SCOTT. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from West Virginia yield to the Senator from Pennsylvania?

Mr. BYRD of West Virginia. Mr. President, I gladly yield to my colleague and friend, the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I congratulate the Senator from West Virginia on the statement he has made as a member of the Civil War Bicentennial Commission.

I was very much pleased to note that—with his usual tact—at various times in his remarks he referred to the Civil War, and at other times to the War Between the States.

Not a word that he read from Stephen Vincent Benét is unfamiliar to me. In fact, in my perhaps uninformed approach to American literature, I believe that book comes more nearly to being the great American novel than any other book yet written. I have read it again and again, and I have listened over and over to the recordings of its words.

I believe—and I am sure the distinguished Senator from West Virginia will agree with me—that every day there is heard in this land and in this Senate Chamber the long, quavering, mournful sigh of the expiring life of John Brown, and the voice of that strange man, part fanatic, part religionist, part idealist; perhaps wrong, perhaps right, but a man who set a nation to self-examination which has not yet ended, by any means; a man whose voice was raised, and will not die. The sound of his voice sweeps across our land from boundary to boundary, from shore to shore, and challenges the conscience of America, and says to us that, somehow, some day, this good land, with its heritage, may yet find the solution to its problems—to the problem to which John Brown and his adherents gave their allegiance, and to all the other problems which affect the American kind.

Mr. President, I conclude by repeating my thanks to the distinguished Senator from West Virginia for the splendid contribution he has made and for his references to the celebration which is to take place at Harpers Ferry.

Mr. BYRD of West Virginia. Mr. President, I thank my colleague and friend from my neighboring State of Pennsylvania, who has contributed in his usual eloquent and fine manner to this discussion.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 9, 1959, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 36. An act for the relief of Page A. Wilson;

S. 252. An act to authorize Col. Philip M. Whitney, U.S. Army, retired, to accept and wear the decoration tendered him by the Government of the Republic of France;

S. 825. An act to revise eligibility requirements for burial in national cemeteries, and for other purposes;

S. 1081. An act for the relief of Arshalouis Simeonian;

S. 1149. An act for the relief of Capt. Thomas J. McArdle;

S. 1164. An act to authorize the appointment of a commissioner for Grand Canyon National Park, Ariz.;

S. 1613. An act for the relief of Matilda Kolich;

S. 1891. An act for the relief of Donald G. Coplan;

S. 1973. An act to extend the validity of the passport to 3 years;

S. 2101. An act for the relief of Ourania Ben Blikas;

S. 2500. An act to authorize the appointment of Elwood R. Quesada to the retired list of the Regular Air Force, and for other purposes;

S. 2291. An act to authorize the erection of a plaque in honor of the late Honorable Sam D. McReynolds on or near the site of the Chickamauga Dam;

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; and

S.J. Res. 25. Joint resolution to change the name of Roosevelt Dam, Reservoir, and Power Plant in Arizona to Theodore Roosevelt Dam, Lake, and Power Plant.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until tomorrow at 9:30 a.m.

The motion was agreed to; and (at 8 o'clock and 10 minutes p.m.), under the order previously entered, the Senate took a recess until tomorrow, Thursday, September 10, 1959, at 9:30 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 9 (legislative day of September 5), 1959:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Estelle S. Killough, Ramer, Ala., in place of N. W. Hill, retired.

ARKANSAS

Everett L. Hall, Hazen, Ark., in place of L. A. Tyson, resigned.

CONNECTICUT

Philo J. Perham, Amston, Conn., in place of S. G. Turshen, deceased.

FLORIDA

Richard E. Sapp, Green Cove Springs, Fla., in place of A. V. Prevatt, retired.

GEORGIA

Robert L. White, Trenton, Ga., in place of E. L. Raulston, retired.

ILLINOIS

Glenn E. Jones, Bulpitt, Ill., in place of M. N. Ceyte, deceased.

Christian M. Willman, Jr., Deerfield, Ill., in place of J. J. Welch, retired.

Robert F. Baker, Oakwood, Ill., in place of E. R. Chestnut, resigned.

INDIANA

Harry R. Shidaker, Bremen, Ind., in place of H. G. Carbiener, retired.

Robert W. Jackson, Fountain City, Ind., in place of F. L. Scarce, retired.

Mary L. Butler, Pershing, Ind., in place of C. E. Rodenberg, deceased.

Ernest D. Chambers, Springport, Ind., in place of W. C. Bunner, deceased.

Lowell W. Rush, Windfall, Ind., in place of M. E. Martin, transferred.

IOWA

Ruth C. Matthias, Readlyn, Iowa, in place of H. F. Diekmann, retired.

KANSAS

Rex N. Shewmake, Baxter Springs, Kans., in place of I. T. Hocker, retired.

KENTUCKY

Mary F. Hill, Stone, Ky., in place of J. S. May, retired.

LOUISIANA

John T. Baldwin, Jr., Bernice, La., in place of M. M. Baldwin, retired.

MASSACHUSETTS

Robert G. Wood, Bass River, Mass., in place of E. L. Dunham, retired.

James A. Stowell, Marion, Mass., in place of A. L. Little, deceased.

MINNESOTA

Hardin H. Kindler, Lynd, Minn., in place of A. H. Roloff, retired.

MISSISSIPPI

James E. Brewer, Cascilla, Miss., in place of Mary Bloodworth, retired.

Kirby M. Graves, Sr., Roxie, Miss., in place of J. C. Graves, Jr., transferred.

NEW JERSEY

Stanford B. Tidaback, Newton, N.J., in place of M. N. Strader, retired.

NEW YORK

Mae M. Gibbs, East Nassau, N.Y., in place of P. J. Marsh, resigned.

Roy E. Jenne, Hermon, N.Y., in place of A. E. Cook, deceased.

Hazel M. Carr, Lisbon, N.Y., in place of E. E. Jones, deceased.

Dorann E. Oldenburg, West Lebanon, N.Y., in place of R. E. Watkins, resigned.

NORTH CAROLINA

John O. Gettys, Ellenboro, N.C., in place of W. C. Stockton, resigned.

James D. Cobb, Lumber Bridge, N.C., in place of D. G. Clifton, declined.

NORTH DAKOTA

Clifford W. Hackett, Sarles, N. Dak., in place of C. L. George, retired.

OHIO

Irven E. Scott, Kinsman, Ohio, in place of J. W. Fulton, Jr., resigned.

Charles R. Scott, Lodi, Ohio, in place of V. A. Miner, retired.

OKLAHOMA

Virgil W. Morris, Gotebo, Okla., in place of C. B. Bolar, transferred.

OREGON

Martha H. Anderson, Gardiner, Oreg., in place of V. A. Grubb, deceased.

PENNSYLVANIA

Stanley H. Ward, East McKeesport, Pa., in place of G. J. Hoke, deceased.

Robert C. Yeagley, Holtwood, Pa., in place of A. E. LeFever, resigned.

Leonard Farkas, Hostetter, Pa., in place of C. R. Andros, resigned.

Donald J. Hart, Laughlintown, Pa., in place of I. M. Ziders, retired.

William G. Fultz, Jr., Mammoth, Pa., in place of J. M. Tarosky, removed.

Miller L. Kerr, New Castle, Pa., in place of W. R. Hanna, deceased.

Henry H. Arnold, Robertsdale, Pa., in place of Margaret Truax, resigned.

Preston L. Allison, Shrewsbury, Pa., in place of Marea Stover, retired.

Edgar F. Benner, State College, Pa., in place of R. J. Miller, retired.

TENNESSEE

Thurman L. Jackson, St. Joseph, Tenn., in place of G. M. Bryan, retired.

Robert A. Emerson, Saulsbury, Tenn., in place of E. L. Goddard, deceased.

TEXAS

Charles O. Onstead, Sr., Ennis, Tex., in place of G. H. Barney, Sr., retired.

Wilbur W. Mueller, Flatonia, Tex., in place of W. J. Bludworth, retired.

John H. Garrett, Lone Star, Tex., in place of A. C. Mestayer, resigned.

Viola D. Hamby, Wimberley, Tex., in place of Rena Snodgrass, retired.

VIRGINIA

Richard L. Wingfield, Appomattox, Va., in place of E. L. Smith, retired.

John R. Pritchard, Jr., Emporia, Va., in place of R. M. Owen, deceased.

Ollie M. Brooks, Red Ash, Va., in place of B. E. Short, removed.

WISCONSIN

Harry V. Cooper, Patch Grove, Wis., in place of Grace Harper, deceased.

William P. Taylor, Rhinelander, Wis., in place of L. M. Byrns, retired.

Earl J. Murray, Webster, Wis., in place of R. D. Fahland, retired.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

FIRST LIEUTENANT TO CAPTAIN

Line of the Air Force

Abbott, Richard W., 46852A.
Abney, Kenneth L., 28633A.
Abney, Maurice R., 31013A.
Abolila, Paul A., 31300A.
Acton, John C., Jr., 53249A.
Adams, Harry C., 46202A.
Adams, Jarvis M., 3d, 46826A.
Adams, Jimmie R., 47029A.
Adams, William T., 30756A.
Adler, Gerald J., 30926A.
Aiken, Donald W., 25395A.
Aitken, Edward D., 30971A.
Akers, Harry R., Jr. 46961A.
Akitt, William J., 31056A.
Albright, Howard W., 53307A.
Albritton, Bobby G., 31297A.
Alder, John J., 31162A.
Alderete, Edward M., 30957A.
Aldrich, John P., 30662A.
Alexander, Edwin A., 53351A.
Alexander, Fernando, 28666A.
Alexander, Gerald F., 30727A.
Alexander, John R., Jr., 31191A.
Alford, James A., 45989A.
Alisouskas, Vincent F., 46367A.
Alldredge, Gordon D., 47027A.
Allen, Dan C., 30809A.
Allen, David E., 24977A.
Allen, Neyland F. Jr., 31136A.
Allen, Robert H., 27139A.
Aller, Robert O., 24978A.
Allison, Alan H., 31034A.
Allison, Cecil L., 31244A.
Amos, Louie W., 31084A.
Amos, William H., 30862A.
Anderegg, Charles R., 53255A.
Anderson, Arden A., 53205A.
Anderson, Gerald W., 28763A.
Anderson, Howard H., 30605A.
Anderson, Hugh P., 46295A.
Anderson, Jack K., 30820A.
Anderson, Phillip E., 46164A.
Anderson, Richard S., 30863A.
Anderson, Robert L., 30981A.
Anderson, William E., 31088A.
Andrada, Thiophilos, 27911A.
Andrews, John J., 46620A.
Andrews, Lewis S., 3d, 24980A.
Andrichak, Stephen J., 53198A.
Anthony, James I., 53348A.
Apel, Frank J., Jr., 31141A.
Appleby, Ivan D., 46689A.
Arbuckle, Robert V., 30715A.
Archer, Robert G., 31046A.
Arkle, Elmer D., 31170A.
Armani, Harry V., 31206A.
Armstrong, Donald C., Jr., 45841A.
Armstrong, Elmer L., 45813A.
Armstrong, Larry D., 46119A.
Armstrong, Wallace O., 53405A.
Arndt, Robert F., 45846A.
Arnold, Ned D., 46058A.
Artean, Donald K., 28760A.
Arthur, James R., 31228A.
Arthurs, Raymond W., 46545A.
Ascher, Wolf D., 46570A.
Ash, Rolland S., 45800A.
Assalone, Thomas E., 30832A.
Atherton, Thomas L., 53192A.
Austin, Hugh S., 53325A.
Autry, Robert C., Jr., 31231A.
Axley, John H., 24981A.
Babinski, John D., 47057A.
Bacchieri, Leo R., 46779A.
Bachman, Stanley L., 24982A.
Backus, George N., 30728A.
Badenhop, John C., 53236A.
Bailey, Clentis W., 46223A.
Bailey, Franklin E., 30814A.
Bailey, Robert W., 29533A.
Bain, Wilfred C., 30755A.
Baird, Leslie G., 30864A.
Baisden, James K., 28682A.
Baker, Charles C., 30821A.
Baker, Donald G., 24983A.
Baker, Jack L., 46309A.
Baker, James D., 28708A.
Baker, John D., 24984A.
Baker, Leonard K., 24985A.
Baker, Paul R., 46485A.
Bakies, Vincent P., 46270A.
Balcom, Paul R., 30928A.
Bales, John E., 46955A.
Balfe, Paul J., 28817A.
Balliles, Roy K., 31064A.
Ball, Daniel A., 28782A.
Ball, Fred R., Jr., 27862A.
Ball, Robert, 28743A.
Ballantyne, James, 3d, 27871A.
Ballard, William T., 30729A.
Ballinger, Walter A., 30812A.
Baltz, Frederick M., 46760A.
Barbero, Charles J., 46815A.
Barchiesi, Chester A., 24987A.
Bard, Richard D., 46869A.
Barker, Charles D., 46078A.
Barker, Robert R., 27949A.
Barker, Thomas H., Jr., 30778A.
Barkley, Gene A., 30810A.
Barlow, Earl C., 53267A.
Barner, Almer L., Jr., 53219A.
Barnes, Jerome R., 53356A.
Barnes, Kyle D., Jr., 28983A.
Barnes, Richard E., 45996A.
Barnett, Robert W., 31021A.
Baron, John C., 30608A.
Barrett, John O., 46377A.
Barrett, Lis S., Jr., 30790A.
Barrett, Sam B., 24988A.
Barrow, Floyd P., Jr., 24989A.
Bartalo, Anthony J., 53409A.
Barthello, Marc S., Jr., 28775A.
Barton, Robert B., 30639A.
Base, Robert L., 46571A.
Basinet, David J., 30625A.
Bass, Seymour R., 30833A.
Bassett, Charles A., 2d, 31222A.
Bateman, Thomas S., 28664A.
Bates, Kent S., 31012A.
Bath, Jack Jr., 28742A.
Batten, John M., 28677A.
Battle, Benjamin R., 24991A.
Beardsley, William H., 30974A.
Bearman, Richard S., 24992A.
Beason, James L., 30632A.
Beaucond, Robert T., 24993A.
Beaudoin, Jean P., 30817A.
Beaumont, Warren E., 27965A.
Becker, Thomas T., Jr., 46114A.
Becklin, Lynn H., 46550A.
Beiderbecke, Henry A., 24994A.
Belgau, Stephen A., 24995A.
Bell, Tommy I., 30690A.
Bell, William R., 24996A.
Bellamy, Richard E., 47042A.
Below, Howard D., 46870A.
Benbow, Donald N. 28780A.
Bendel, Eugene W., 31301A.
Bennett, Carmi I., 46452A.
Bennett, Charles F., 24997A.
Bennett, James R., 27150A.
Bennett, Jeff D., 30925A.
Bennett, Rex W., 27958A.
Bennett, Robert B., 28674A.
Bennett, Walter R., 31126A.
Bennington, James H., 46825A.
Beran, George W., 46379A.
Bergquist, George E., Jr., 30691A.
Bergschneider, Ethan A., 25406A.
Bergstrom, Vernon M., 30749A.
Berry, Bobby J., 30951A.
Berte, Allen E., 31275A.
Berthelot, Joseph A., 27136A.
Besley, Richard D., 46895A.
Best, Charles A., 24998A.
Betbeze, Gerald B., 30852A.
Betts, Richard L., 53328A.
Beveridge, Robert B., 24999A.
Bevier, Richard, 53354A.
Bevivino, Thomas R., 31278A.
Beyke, Joseph E., 46007A.
Biancardi, Andrew P., 31039A.
Bicknell, Robert S., 25000A.
Bigelow, Dwight E., Jr., 28783A.
Bigwood, Thomas P., 46252A.
Bingaman, Harold W., 30779A.
Birdsell, Ted P., 53344A.
Bishop, Charles E., 25001A.
Bishop, Joe D., 30952A.
Bissell, Schuyler, 46079A.
Bissinger, Fred A., 46711A.
Black, Byron E., 46376A.
Black, Doyce R., 46753A.
Black, Harley S., 28627A.
Black, James A., 27867A.
Black, Odell S., 46375A.
Black, Robert B., 31375A.
Blair, Jacky C., 31302A.
Blake, James E., 45994A.
Blake, John M., 28777A.
Blake, Marlin R., 46148A.
Blake, Thomas A., 28634A.
Blakeman, Helen J., 46224W.

Blanchard, Russell H., 30712A.
Blankenship, Henry J., 46039A.
Bleier, Robert W., 28746A.
Blessing, James J., 53394A.
Blocker, Clarence B., 46572A.
Blount, John E., Jr., 45981A.
Blout, Harry D., 46781A.
Blue, Patrick H., 45982A.
Bofenkamp, Richard L., 46706A.
Boggie, Edwin D., 30865A.
Bogoslofski, Bernard J., 46616A.
Bohannon, Charles L., 31303A.
Bohlke, Charles D., 48891A.
Bohn, Lowell F., 28623A.
Bohrer, Leroy P., 31204A.
Bonar, Vernon G., 46008A.
Bonfiglio, Eugene A., 47053A.
Bonham, Larry D., 46622A.
Bonifer, Arthur J., Sr., 30866A.
Boothby, Lloyd W., 25003A.
Borgersen, Carl I., 46009A.
Borgman, Louis H., 45838A.
Bornkessel, Donald A., 53265A.
Bornstein, Joseph B., 25004A.
Borrell, Charles M., 25005A.
Boswell, Richard D., 28800A.
Boudreau, Carlton F., 46697A.
Boughton, Alain G., 27933A.
Bouley, Richard C., 31220A.
Bourland, William C., 30963A.
Bowdish, Charles G., 25007A.
Bowen, John E., 31274A.
Bowersox, Ralph H., 30831A.
Bowles, Ben D., 46265A.
Bowles, William B., 45742A.
Bowling, Charles M., 25008A.
Bowling, George K., 31144A.
Bowman, George P., Jr., 45759A.
Bowman, Jack P., 46623A.
Boyd, Willis A., 53390A.
Boykin, Luke H., Jr., 46495A.
Boyle, Charles A., 30946A.
Bracher, Arch V., 53366A.
Brachtenbach, Leo, 25009A.
Bradley, James H., 30919A.
Bradley, Philip O., 53291A.
Bradley, Preston E., 46177A.
Brage, Carl W., 31189A.
Brake, James L., 53374A.
Brammer, Robert L., 46962A.
Branch, Harold P., 45888A.
Brandeberry, James R., 46532A.
Brannen, Richard L., 27832A.
Brazile, Floyd J., 46791A.
Breedon, Joseph H., 45942A.
Brehm, Fred E., 46963A.
Breitinger, Frederick L., 30767A.
Brennecke, Harold J., 30947A.
Brentnall, Burden, 25452A.
Brewer, Donald W., 48889A.
Brewer, Harry L., 46296A.
Briggs, James P., 53251A.
Brignac, Thomas P., 53292A.
Brill, Anthony J., 46173A.
Brinsfield, Earl E., 30843A.
Brock, Price W., 53268A.
Brockman, William F., 46964A.
Brodeur, Joseph E. A., 30721A.
Brooks, John R., 45955A.
Brooks, Roger L., 31298A.
Brooks, Vern H., 30771A.
Brown, Charles L., 27863A.
Brown, Donald E., 47014A.
Brown, Dunane R., 31036A.
Brown, Frank M., 25010A.
Brown, French C., Jr., 30930A.
Brown, George D., 29526A.
Brown, Gordon R., 27914A.
Brown, James R., 46798A.
Brown, Jerrold C., 30774A.
Brown, Joseph K., 25011A.
Brown, Lawrence L., 29381A.
Brown, Lawton C., 30978A.
Brown, Peter W., 30702A.
Brown, Ray L., 31294A.
Brown, Robert L., Jr., 46002A.
Brown, Stanford E., 46946A.
Brown, Thomas B., 30647A.
Brown, Thomas D., 30867A.
Brown, Thomas E., 46792A.
Brownlee, Charles R., 46856A.
Bruder, Richard H., 53306A.
Brundage, James W., 25013A.
Bruns, Willis J., 46157A.
Brunson, Clarence E., 3d, 25014A.
Brunson, Ted, 29530A.
Bryan, William G., 46297A.
Bryant, Charles, L., 44856A.
Buck, Robert E., 29357A.
Budd, Curtis E., Jr., 46310A.
Bulka, Edward G., 29375A.
Bull, George M., 46523A.
Bullock, James, 53262A.
Bullock, Robert M., Jr., 53207A.
Bunce, Robert D., 47039A.
Burch, Joseph D., 31242A.
Buden, Weldon L., 29368A.
Burdett, Richard F., 46565A.
Burg, Gerald G., 31087A.
Burgdorf, William, 28659A.
Burgess, Ray M., 45943A.
Burke, Leo R., 45900A.
Burke, William E., 46891A.
Burkitt, William B., 31305A.
Burks, Albert E., 30994A.
Burleson, Forrest H., 46533A.
Burns, Robert J., 46671A.
Busch, Richard J., 46936A.
Buschmann, Eugene F., 30795A.
Butch, Myron M., 46704A.
Butler, Charles M., 25017A.
Butler, Donald R., 46409A.
Butner, Oliver L., Jr., 46088A.
Butt, Charles E., 46739A.
Butt, James D., 28771A.
Buttrick, Lewis E., 31053A.
Buttyan, Eugene C., 46137A.
Buxton, Mark K., Jr., 46573A.
Bynum, John P., 46546A.
Byram, Jimmie H., 31089A.
Byrkit, Robert A., 28706A.
Byrnes, Donn A., 27868A.
Caceres, Jose, 46626A.
Cadena, Richard R., 47055A.
Caffery, William J., 46167A.
Cain, Weston M., Jr., 46625A.
Caldwell, Homer H., 53316A.
Caleb, Phillip I., Jr., 28665A.
Calhoun, Harry P., 30650A.
Calhoun, Winfred A., 53237A.
Calicott, Willis D., 45952A.
Callahan, Daniel B., 25388A.
Callero, Monti D., 29364A.
Calloway, Vern D., Jr., 55847A.
Camealy, John B., 30819A.
Cameron, Robert J., 25020A.
Campbell, Billy C., 45765A.
Campbell, Charles C., 46574A.
Campbell, Charles F., 25407A.
Campbell, Duane D., 29392A.
Campbell, Jesse W., 27851A.
Campbell, William J., 25021A.
Camstra, Frank A., Jr., 25022A.
Cappadona, Nunzio, 46996A.
Carbaugh, Clifford C., 53297A.
Cargile, Vinson G., 53322A.
Carlson, Charles A., 30955A.
Carlson, Ray W., 45851A.
Carlson, Walter G., 46236A.
Carmichael, John B., Jr., 25023A.
Carnahan, Jerald D., 27935A.
Carns, Donald L., 46232A.
Carpenter, Donald G., 27127A.
Carpenter, James, 53183A.
Carpenter, Raymond E., Jr., 46723A.
Carrington, John D., 30612A.
Carroll, David J., 25025A.
Carry, Theodore J., 30703A.
Carson, James M., 31288A.
Carson, Jesse W., 46244A.
Carter, Buddy V., 46124A.
Carter, Donald E., 27917A.
Carter, Donald L., 25026A.
Carter, Francis W., Jr., 30959A.
Carter, George B., 31090A.
Carter, Lorne E., 47050A.
Carter, Stephen, 30768A.
Carter, Swede, 53272A.
Cary, John F., 30859A.
Casity, Archie, 53229A.
Castellina, Valentino, 44164A.
Catron, Walter L., Jr., 45945A.
Caudry, Robert D., 46210A.
Cavanaugh, Robert T., 46472A.
Chadwick, Elbridge G., 28635A.
Chaffee, Court B., 45801A.
Chamberlen, Robert E., 30698A.
Chambers, Billie L., 46132A.
Chambers, William C., 25027A.
Chancellor, Billy J., 46427A.
Chapin, George P., 31014A.
Chapman, James N., Jr., 46228A.
Chapman, John F., 25028A.
Chappell, Richard G., 30759A.
Chapple, Richard L., 53331A.
Chatman, James I., 53388A.
Chiodo, Joseph B., Jr., 46271A.
Chisholm, Richard K., 46680A.
Chiu, Henry D., 46215A.
Christman, William C., 28628A.
Chu, Manuel, 46382A.
Church, Kenneth L., 46658A.
Cihak, Edward J., 45752A.
Cinotto, James V., Junior, 30657A.
Cinquemani, Vincent, 46505A.
Clairmont, Gary D., 46734A.
Clark, Robert S., 28636A.
Clark, William J., 3d, 46121A.
Clarke, William S., Jr., 29365A.
Clawson, Lyle D., 28602A.
Clements, Henry E., 25030A.
Clements, Herdis F., 25031A.
Clerihew, Walter M., 53338A.
Closs, Morgan G., Jr., 31363A.
Cobb, Darrel W., 31360A.
Cobb, Richard L., 46272A.
Coburn, Robert B., 30719A.
Coder, Ronald T., 53309A.
Coggins, Edward V., Jr., 25032A.
Cohn, Jerome S., 55317A.
Colangelo, Ralph K., 53275A.
Colasuonno, Vincent, 30667A.
Colclazier, Robert D., 31373A.
Cole, Charles O., Jr., 28637A.
Cole, Charles W., 25033A.
Collins, James Q., Jr., 27908A.
Collins, Jeremiah J., 46181A.
Collins, John D., 29382A.
Collins, Richard B., 25034A.
Coloney, Robert A., 31072A.
Colvin, Thomas E., 46634A.
Combs, David E., 45797A.
Comte, Carlton P., 53214A.
Conaway, Richard E., 31306A.
Conk, Arvil G., 27879A.
Conley, John T., 25035A.
Conner, Hendsley R., 53371A.
Connolly, Dudley J., Jr., 31249A.
Connor, Arthur H., 45924A.
Connor, Robert O., 25037A.
Cook, Fletcher M., Jr., 53326A.
Cook, Mark D., 30626A.
Cooke, Charles M., Jr., 25038A.
Cool, Brent A., 31307A.
Cooper, Billy R., 31308A.
Cooper, Edwin B., 30868A.
Cooper, Kenneth M., 53259A.
Cooper, Larry T., 31203A.
Cooper, Melvin G., 46220A.
Copeland, Robert N., 46095A.
Copperthite, Harry S., Jr., 46292A.
Coraine, Richard W., 45757A.
Corbisiero, John V., 45826A.
Corcoran, Joseph V., 46311A.
Corcoran, Lawrence A., Jr., 46843A.
Corder, Lloyd C., 31246A.
Cornell, Donald M., Jr., 31091A.
Cornellier, Joseph R., 46943A.
Cosper, Clifton G., 45847A.
Cossman, Donald R., 28616A.
Couch, Charles W., 46473A.
Couch, Gerald C., 30775A.
Couchigian, Donald E., 45922A.
Councill, James W., 53244A.
Couvillion, Donald D., 46151A.
Cowan, James E., 31059A.
Cox, Dennis J., 30801A.
Cox, Malcolm A., 46092A.
Cox, Robert G., 25039A.
Cox, William R., 30813A.
Cozine, Ellis L., 45770A.
Craft, Roby R., 27915A.
Cragin, John D., 46956A.
Cramer, Mercade A., Jr., 25041A.

Craver, Joseph W., Jr., 31045A.
Crawford, Archibald M., Jr., 44098A.
Crawford, Lowell L., 27962A.
Creedon, James S., 31124A.
Crimp, Edward A., 45842A.
Crist, Jerry A., 31277A.
Crooke, William J., 30950A.
Crooks, Kenneth E., 46730A.
Cross, Roger W., 30999A.
Crowder, Calie G., 27936A.
Crowder, Roscoe E., 46802A.
Crowley, Claude L., 46010A.
Culbreth, Winton W., 30969A.
Cullen, William J., Jr., 28784A.
Culp, Kenneth C., 28714A.
Cummings, George L., 30763A.
Cummings, Jack, 25444A.
Cunningham, John A., 46662A.
Cunningham, Thomas A., 30823A.
Cureton, Earl E., 31155A.
Curran, John D., 31273A.
Curry, Robert W., 27947A.
Curtis, Douglas L., 46312A.
Curtis, Fred G., 30665A.
Custer, Brice C., 27121A.
Cutler, Dale E., 45802A.
Czarnecki, Leonard S., 28757A.
Dade, James L., 25044A.
Daily, James M., 30620A.
Damon, Richard E., 46161A.
Dancer, Charles T., 28603A.
Daneu, Joseph E., 29369A.
Dangelo, Anthony P., 31250A.
Daniel, James E., Jr., 30849A.
Danis, Lionel A., 46803A.
Dannacher, Robert J., 46919A.
Darby, Harry L., 46199A.
Dardeau, Oscar M., Jr., 25045A.
Darden, Jerry J., 30730A.
Darden, Robert F., Jr., 46122A.
Dashney, George W., 53199A.
Daubs, Charles E., 31173A.
Dauenhauer, Ervin F., 28638A.
Daugherty, Bernard R., 31143A.
Davies, Albert D., 45975A.
Davies, Owen M., 25046A.
Davis, Donald J., 31252A.
Davis, Ed D., 25047A.
Davis, Frederick E., 28669A.
Davis, Glenn R., 46287A.
Davis, Grady E., Jr., 46575A.
Davis, Henry W., 25048A.
Davis, Jack R., 53334A.
Davis, John S., 46947A.
Davis, Norman B., 28735A.
Davis, Owen C., Jr., 27140A.
Davis, Paul E., 28678A.
Davis, William R., 25049A.
Davison, Richard E., 53269A.
Day, Jay H., 30644A.
Day, Richard L., 46708A.
Day, Robert F., 46941A.
Dayhoff, George W., Jr., 46468A.
Deal, William A., 53148A.
Deale, William W. M., 25051A.
Dean, Kenneth S., 46370A.
Dean, Robert V., 46380A.
Dean, Sidney N., 30616A.
Dearborn, James W., 53232A.
Dease, Hilton J., 53293A.
Deavies, Emmett G., 3d, 45928A.
Deboe, William C., 46952A.
Dees, Donald O., 30750A.
Deex, Arthur J., 25053A.
Degeneres, Frederick S., Jr., 25054A.
Degroote, Albert J., 28799A.
Dehoogh, John C., 29522A.
Delony, John H., 30985A.
Delvecchio, Vincent E., 28670A.
Demedicis, Jack, 30731A.
Demint, William M., 30604A.
Demoor, James F., 31000A.
Deneve, George F., 31346A.
Dennis, Norman B., Jr., 46638A.
Dent, Troy J., 46188A.
Dermen, Armen, 28744A.
Derr, Richard L., 27898A.
Desousa, Michael A., 46716A.
Detweiler, Robert M., 25055A.
Detwiler, Barry N., 46273A.
Devall, Larry S., 46510A.
Dewey, Robert G., 53317A.
Dewing, Donald R., 31054A.
Dial, Ramon C., 27873A.
Dick, Howard F., 48886A.
Dick, Miles D., 29366A.
Dickey, William R., 46313A.
Dickinson, Sidney H., 45953A.
Dickson, Paul A., 45958A.
Dicroce, Peter T., 46455A.
Dikeman, Eugene P., 29358A.
Dildine, Charles N., 30835A.
Dillingham, Frank R., 30802A.
Dillon, James H., 53160A.
Dillow, Billy G., 30869A.
Dillow, Homer G., 46428A.
Dineen, Donald C., 53410A.
Dineen, Robert A., Jr., 46003A.
Dinger, Don L., 31309A.
Dinwiddie, Richard A., 46448A.
Disher, Arthur J., Jr., 29383A.
Dix, Willard L., 31125A.
Dixon, Randall J., 29384A.
Dixon, Robert E., 30618A.
Dobbs, Thomas D., 53264A.
Dobson, Robert T., 31965A.
Dodson, Carl E., 46097A.
Dodson, Charles W., 53365A.
Doherty, Gerald L., 46940A.
Donahue, Robert M., 46141A.
Donegan, Daniel M., 30622A.
Donner, Paul G., 30760A.
Donoghue, John, 47024A.
Donohue, Donald J., 46576A.
Doran, Donald A., 31120A.
Dorsey, Richard M., 46406A.
Doryland, Charles J., 25056A.
Doty, Aultman, 25057A.
Doty, Charles D., 27859A.
Doubleday, Van C., 30792A.
Dourte, William G., Jr., 46486A.
Dowd, Mary E., 46314W.
Downey, John C., 45946A.
Downey, Lewis F., Jr., 46807A.
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Smith, Stanley O., 31241A.
Smith, Walter G., 46603A.
Smith, Walter L., 46477A.
Smith, Warren H., Jr., 31330A.
Smith, Wayne L., 46857A.
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Smithers, Ray C., 30670A.
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Sneed, Douglas T., 31367A.
Snider, John W., 31358A.
Sniezek, Edward S., 46037A.
Snodgrass, Richard N., 25379A.
Snodgrass, William F., 45778A.
Snyder, Charles B., 46805A.
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Snyder, James A., 27881A.
Snyder, Russell C., Jr., 27872A.
Sollars, John J., 25278A.
Sonnier, Lucien O., 45744A.
Soroka, Edward J., 45755A.
Soucie, Frederick A., Jr., 46628A.
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Sovern, Stanley B., 25279A.
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Spence, Alfred P., 31109A.
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Stallone, Meno J., Jr., 46032A.
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Standerwick, Robert L., 45790A.
Standish, Miles E., 46887A.
Stanton, Hubert G., Jr., 31331A.
Stare, George M., 45882A.
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Starn, Marvin A., 27141A.
Starnes, Charles C., Jr., 25283A.
Starnes, Francis H., 45825A.
Stater, Nat A., 25284A.
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Staubs, Harry L., 53185A.
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Stebbins, Harold F., Jr., 27861A.
Stech, James F., 27125A.
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Stein, Richard H., 46158A.
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Stem, Taylor F., Jr., 46661A.
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Stiles, Charles S., 45291A.
St. John, James W., 25243A.
Stokenbury, John P., 46726A.
Stone, Denver, 28624A.
Stone, Edwin A., Jr., 53357A.
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Stout, Kenneth E., 46648A.
Strand, William L., 31371A.
Streit, John F., Jr., 30997A.
Strickland, William A., 25288A.
Stringer, Henry D., Jr., 53399A.
Strobaugh, Donald R., 30900A.
Strohl, Thomas M., 46621A.
Strother, Byrne E., 27891A.
Stuart, Hudson W., 46771A.
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Studer, Thomas A., 46390A.
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Sublette, Richard A., 46393A.
Suderow, Stanley C., 46159A.
Sullivan, George W., 46302A.
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Summers, Kenneth W., 46118A.
Surridge, Allan J., 47011A.
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Sylvester, David N., 30903A.
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Szanyi, William L., 53221A.
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Tallmadge, Theodore, 25294A.
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Tardiff, Albert N., 25295A.
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Tatum, Lawrence B., 25296A.

Taylor, Fred S. 3d, 25297A.
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Taylor, James L., 53258A.
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Taylor, Joel B., 46605A.
Taylor, Max O., 30697A.
Taylor, Robert C., 30987A.
Taylor, Robert P., 29380A.
Taylor, Thomas C., 30617A.
Tebo, Jack, 46991A.
Templin, Max. L. 3d, 46796A.
Terrell, Bryce H., 31060A.
Terrell, Lester R., 46509A.
Terry, Eugene M., 46033A.
Tesch, John R., 46682A.
Tevebaugh, Kenneth P., 46090A.
Thiel, Donald R., 46269A.
Thimm, Fred W., 46749A.
Thoburn, Russell E., 28685A.
Thomas, Andrew H., Jr., 53155A.
Thomas, Cornelius A., 28649A.
Thomas, David M., 45873A.
Thomas, Douglas L., 46660A.
Thomas, Harry G., 46647A.
Thomas, James C., 28646A.
Thomas, James D., 47035A.
Thomas, James H., 28709A.
Thomas, Jerry H., 46457A.
Thomas, John R., 45906A.
Thomas, Joseph G., 46858A.
Thomas, Lloyd E., 25450A.
Thomas, William C., 53202A.
Thompson, Alastair W., 31350A.
Thompson, Hadley N., 46832A.
Thompson, Kenneth L., 46927A.
Thompson, Norman A., 45791A.
Thompson, Paul D., 28613A.
Thompson, Preston R., 46775A.
Thompson, Robert H., 29518A.
Thompson, Stanley L., 31166A.
Thompson, Thomas H., 27143A.
Thornton, William, 45836A.
Thorpe, Thomas J. V., 25298A.
Thrush, Edward H., 46992A.
Thulin, John H., 28626A.
Thurman, James A., 45837A.
Tibbetts, Douglas R., 46120A.
Tice, Fred R., 28688A.
Tichenor, Robert T., 53323A.
Ticknor, Eugene F., 31332A.
Tiernan, John F., 29355A.
Tietge, Jerry W., 46672A.
Till, Arthur N., Jr., 25400A.
Tilson, Philip A., 27857A.
Timm, Robert H., 27923A.
Timmons, Noble S., Jr., 53402A.
Timpe, Martin F., 46850A.
Tingelstad, Myron O., 46566A.
Tinsley, Henry G., Jr., 31071A.
Tissaw, George H., 46096A.
Tixier, Edward L. 24645A.
Tobey, Chester M., 31111A.
Todd, Marion A., Jr., 25299A.
Todd, Robert A., Jr., 31364A.
Todd, Robert E., 25393A.
Toepke, Clarence A., 45844A.
Tollefson, Joseph R., 30726A.
Tolsma, Charles S., 53230A.
Tomaseski, John H., 46606A.
Toner, John E., 46440A.
Toomey, James E., 30777A.
Toth, Joseph S., 46081A.
Townsend, Richard A., 25300A.
Townsend, William K., 30939A.
Townsey, William H., 28647A.
Tracy, John W., 46806A.
Tracy, William K., 25301A.
Trentman, Donald F., 31370A.
Treska, Milo, 53278A.
Trick, Harold L. 46171A.
Tripp, Russell C., 45614A.
Trombly, Claude A., 31359A.
Troop, Richard W., 46727A.
Trott, Allen L., Jr., 24641A.
Trott, William R., 46394A.
Troutman, Clarence W., 28618A.
Troxel, Edwin N., 46534A.
Truskett, Willard G., 31276A.
Truxal, Everett W., 46489A.
Tsirimokos, George X., 46733A.
Tucker, Joseph E., 31333A.
Tucker, Lester W., 28703A.
Tucker, Roger D., 46855A.
Tulberg, Ellsworth E., 45807A.
Tullett, Jack E., 27135A.
Turek, Edward H., 28683A.
Turk, Charles W., 25302A.
Turke, Charles W., 53298A.
Turnbaugh, Robert E., 31153A.
Turner, Alex, Jr., 46407A.
Turner, Charles J., 46166A.
Turner, Charles M., Jr., 45966A.
Turner, George W., 46418A.
Turner, Gerald L., 31196A.
Turner, Gregory A., 46001A.
Turner, Jack H., 27885A.
Turner, James A., Jr., 31041A.
Turner, Leland E., Jr., 46350A.
Turner, William L., 46607A.
Turpen, James R., 30762A.
Turpin, William D., 46787A.
Twinting, William T., 27119A.
Twohey, Francis G., 45956A.
Tyler, George E., 25303A.
Uebel, Victor J., Jr., 29536A.
Uhalt, Alfred H., Jr., 25436A.
Ulrich, Donald E., 28654A.
Umscheid, William L., 46925A.
Underwood, Donald J., Jr., 29532A.
Ungerott, Donald C., 27853A.
Uppstrom, Richard L., 46539A.
Vaicunas, Lawrence F., 46419A.
Valenti, Joseph M., 31289A.
VanBuskirk, Vern F., 27146A.
Vandegriff, Howe, L., 46413A.
Vandegrift, James R., 46511A.
VanDeMark, Daniel C., 46675A.
Vanderpyle, Ellis C., Jr., 53384A.
Vanduren, Charles E. A., 30641A.
VanPelt, Charles B., 31112A.
Vansickel, Daniel P., 46411A.
Vanwyk, John D., 25305A.
Vanyo, David J., 28764A.
Varnadoe, James E., 30982A.
Varnedoe, Zack, Jr., 46237A.
Vasiliadis, Charles C., 53233A.
Vasina, Howard R., 30991A.
Vaughan, John E., 46824A.
Vaughn, George M., 46878A.
Vaughn, Glede W., 31074A.
Vavra, Donald A., 46470A.
Vayda, Robert S., 46458A.
Vehling, David R., 28653A.
Vehrs, George J., 31355A.
Velez, Louis E., 46813A.
Vernia, Thomas J., Jr., 25306A.
Vest, Daurice C., 47047A.
Vesta, Don O., 45967A.
Vied, Lawrence M., 46351A.
Vieira, Albert P., 53135A.
Vigee, Edward E., 25307A.
Villaret, Albert L., 25308A.
Vincent, Gerald J., 47017A.
Vincent, Lewis J., 46608A.
Vinopal, William J., 46683A.
Violette, Ronald L., 47034A.
Vitale, Anthony M., 31024A.
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Vogel, Stephen J., 25309A.
Vogt, Donald A., 25310A.
Von Hausen, William W., 25311A.
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Vosper, Frederick J., 46527A.
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Waddle, Dannie T., Jr., 46641A.
Wadley, James L., Jr., 46225A.
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Wagner, Frank H., 46111A.
Wakham, Elvin J., 46548A.
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Walborn, Chester A., 27154A.
Walbrecht, Donald A., 30954A.
Walden, Aaron O., 31269A.
Waldron, David L., 25313A.
Waldron, Donald J., 28773A.
Walker, John T., 46903A.
Walker, Robert E., 31338A.
Walker, William K., 45951A.
Wallace, Charles B., 46227A.
Wallace, James L., 29367A.
Walsh, Donald R., 31113A.
Walter, Kenneth L., 46239A.
Walters, James R., Sr., 31270A.
Walters, Neil I., 28684A.
Waltman, Gerald, 28766A.
Ward, Glen C., 45971A.
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Ward, Jarvis D., 46041A.
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Ware, Joseph M., 31070A.
Warner, Milton J., Jr., 45822A.
Warton, Gerald B., 30904A.
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Watson, Everett B., 28648A.
Watson, James F., 46441A.
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Waxman, Saul, 28761A.
Waynick, Thomas A., 46766A.
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Weaver, Joseph B., 45792A.
Webb, Marion S., Jr., 30607A.
Webber, James H., 27149A.
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Wienstein, Gerald E., 25317A.
Weir, Charles B., 27886A.
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Wells, Robert L., 53150A.
Welsh, James C., 25318A.
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Wendt, Frederick W., 27945A.
Wenning, Jack H., 30966A.
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Wesbrook, Richard L., 45833A.
Wessen, Donald E., 53261A.
West, Bobby P., 31038A.
West, Herman G., 30683A.
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Westberry, James H., 27901A.
Wester, Ruric H., Jr., 28795A.
Westerfield, Luther, Jr., 31334A.
Westermeier, James T., 25319A.
Westfall, Bernard L., 46405A.
Westling, Laverne A., 29391A.
Weston, Elton L., 47018A.
Westphal, Curtis D., 30688A.
Wetesnik, Charles W., 46494A.
Whaley, John R., 46780A.
Wheeler, George H., 46035A.
Wheeler, Harold P., Jr., 25320A.
Wheeler, Joe F., 46073A.
Whipple, Alvin G., 27887A.
Whisenhunt, Henry L., 53336A.
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Whitely, Ronald E., 46430A.
Whitham, Charles R., 31171A.
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Wiegand, Karl L., 28704A.
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Wight, Frank R., 29520A.
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Wilfong, Charles E., 46358A.
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Wilson, Artman H., 46353A.
Wilson, DeLeon, Jr., 46860A.
Wilson, Frank, Jr., 46932A.
Wilson, Harold E., 46614A.
Wilson, James R., 53362A.
Wilson, Noel E., Jr., 24644A.
Wilson, Philip G., 30808A.
Wilson, Raymond D., 53319A.
Winemiller, William E., 27137A.
Winkels, Dennis W., 53308A.
Winkler, Serge T., 25423A.
Winn, Charles B., 2d, 45808A.
Winner, Richard L., 31256A.
Wise, James C., Jr., 47010A.
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Witt, Raymond J., 27943A.
Woika, Robert C., 46514A.
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Womack, Jack G., 46609A.
Wondrack, Walter M., 24691A.
Wood, Horace E., Jr., 46746A.
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Woolverton, Buel W., 46679A.
Worobetz, Nestor, 45916A.
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Wright, Dwayne P., 31198A.
Wright, Gary G., 53206A.
Wright, George R., 53194A.
Wright, John L., 31343A.
Wright, Marvin M., 46610A.
Wright, Merle L., 31114A.
Wright, Richard W., 46163A.
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Wynne, Harry J., 45923A.
Yale, John W., 25325A.
Yanke, Alvin L., 31272A.
Yasuhara, Thomas H., 46307A.
Yates, Earnie A., 31201A.
Yates, Elmer L., Jr., 30636A.
Yeager, Roland E., 45516A.
Yeschek, Robert L., 45760A.
Yirka, Robert C., 46631A.
Yoder, Ira L., Jr., 29379A.
Yoder, Tommy J., 31158A.
York, Robert L., Jr., 31115A.
Young, Allan L., 46264A.
Young, Gerould A., 46995A.
Young, James F., 30654A.
Young, James F., 46611A.
Young, Keith R., 45993A.
Young, Pearce H., Jr., 53321A.
Young, Virgil L., 53184A.
Yow, Frank L., Jr., 53158A.
Zaring, Harlan G., 53217A.
Zdunczyk, Richard J., 46612A.
Zeitner, Charles M., 46226A.
Zellmer, Milton E. L., 25327A.
Ziegler, John M., 29373A.
Ziff, Irwin R., 31069A.
Zimmerman, Dale H., 46136A.
Zoerlein, Ralph W., 28671A.
Zuhars, Raymond H., Jr., 53341A.
Zumstein, Donald G., 28758A.

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Adamson, Godfrey D., Jr., 51335A.
Ball, George, 49688A.
Branam, George E., 51346A.
Carden, Norman L., 49698A.
Carlson, Elmer C., 51343A.
Cowan, William R., 51337A.
Dahnke, George H., 51351A.
Darling, Richard M., 51340A.
Dennis, Lebaron W., 54944A.
Dewitt, Harvey J., 54942A.
Drummond, Jack N., 49687A.
Earp, William L., 51349A.
Eason, John R., 51344A.
Enders, Lawrence J., 55726A.
Gabriel, Arthur N., 51008A.
Goodman, Thomas A., 55215A.
Grigg, Kenneth A, 49696A.
Guillebeau, James G., 49692A.
Gustavson, Warner H., 49697A.
Hagood, Clyde O., Jr., 51566A.
Halsell, John T., 3d, 49685A.
Hinds, Manuel J. A., 49689A.
Houglum, Oris B., 49694A.
Karlin, Leonard J., 51348A.
Kobs, Tracy L., 51009A.
Ledbetter, Edgar O., 51565A.
Lucas, Richard N., 51341A.
Mattson, Richard H., 51336A.
McBain, John K., 51568A.
Minners, Howard A., 49693A.
Nelson, Maynard, 49695A.
Norfleet, Robert G., 3d, 49691A.
Olson, Robert L., 55212A.
Onkey, Richard G., 51345A.
O'Toole, Robert V., Jr., 51339A.
Phelps, Herschel R., Jr., 51342A.
Pratt, Kenneth L., 49690A.
Rasch, James R., 54941A.
Singleton, William P., 55214A.
Smith, Lawrence R., 51334A.
Stern, Louis H., 49686A.
VanMuyden, Wim F., 51338A.
Woodhead, David M., 54943A.

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Barad, Leonard R., 49711A.
Best, Harvey T., Jr., 31964A.
Blackman, Ronald B., 32388A.
Burke, Casper H., 51579A.
Burns, Donald L., 32385A.
Collins, Edward E., 32378A.
Croce, Raymond A., 32384A.
Culler, Max B., 32377A.
Drazek, Leonard J., 32394A.
Edwards, Jack, 32373A.
Fike, Robert A., 32370A.
Ford, Albert W., 32366A.
Ford, James E., 55218A.
Foreman, Thomas A., 32398A.
France, Charles C., Jr., 32368A.
Gibson, William A., Jr., 51578A.
Greco, George W., 32380A.
Hamrick, Joseph E., 32372A.
Hancock, Richard B., 32402A.
Hull, Caleb A., 51577A.
Isbell, Gerald M., Jr., 49710A.
Jordan, Jack E., 32396A.
Kampsen, Thomas R., 32383A.
Klinger, Roger E., 54946A.
Larson, Donald B., 51010A.
Mansolillo, Arthur L., 32389A.
McCorkle, Hutson E., 49712A.
Muth, Eugene R., 51581A.
Myers, Donald R., 32381A.
Orzolek, Louis M., Jr., 32369A.
Patteson, William R., 32379A.
Richey, Jerry D., 32367A.
Rue, Roland H., 32401A.
Rymarz, Frank P. R., 32371A.
Schreiber, John M., 32390A.
Spettel, Wilbur R., Jr., 32393A.
Stanford, Duane W., 32374A.
Strand, Harvey A., 32403A.
Swiatkowski, Donald G., 32376A.
Thompson, Robert B., 32382A.
Titterington, Wesley P., 32391A.
Tolman, Dan E., 51580A.
Weinacker, Karl, 32399A.

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Ellison, Patrick D., 55207A.
Hoffman, Rudolf A., 51129A.
Pebley, Earl C., 51133A.
Smith, Richard E., 51126A.
Williams, Joe T., 51130A.
Yarbrough, George M., 51125A.
Ziegler, Ralph F., 51132A.

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Anthony, Leonard S., 49054A.
Baddour, Robert A., 49070A.
Baird, Joseph A., Jr., 28005A.
Blakely, Robert A., 49063A.
Brown, Norris S., 49055A.
Buchwald, Frank C., 49064A.
Carden, John C., 49065A.
Crews, James M., Jr., 29511A.
Darling, Charles L., 32484A.
Edwards, Robert M., 32486A.
Fiocca, George L., 55348A.
Hall, Giles W., 49059A.
Hames, Eugene F., 49069A.
Hazel, James H., 49068A.
Hoffman, John E., Jr., 49062A.
Holder, William L., 49056A.
Hopper, Halbert J., 32488A.
Hunt, Joe E., Jr., 49061A.
Kamrass, Eugene J., 49057A.
Lapresto, Jasper, Jr., 49034A.
Loban, Corlys D., 55346A.
Lykins, Wheeler, 49060A.
Martin, Everett E., 49058A.
McNey, Thomas J., 55349A.
Parsons, Frank R., Jr., 27539A.
Powell, Charles H., 32485A.
Robertson, William J., 49040A.
Seefelt, Edward R., 49067A.
Siefarth, Ernest H., 55345A.
Suchenski, Richard C., 32489A.
Thomas, Horace D., 55347A.
Thomas, Russell J., 32487A.
Volkenant, John J., 32483A.
Williams, Benjamin H., 27656A.
Winney, Charles W., 49066A.

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Berge, Barbara J., 32462W.
Citro, Marian L., 54955W.
Corrigan, Jean A., 26670W.
Davis, Betty M., 32467W.
Feistel, Barbara V., 29515W.
French, Adele C., 51596W.
Hara, Chikako J., 32466W.
Herring, Shirley J., 32464W.
Hunt, Marilyn, 55386W.
Jones, Mary L., 49728W.
Keeley, Margaret R., 54954W.
Ladner, Goldie M., 49727W.
Mace, Laura I., 51380W.
Migliorino, Jean M., 32465W.
Monroe, Beverly W., 32603W.
Parker, Fay D., 54956W.
Ricco, Blanche A., 32463W.
Richey, Elsie V. T., 32461W.
Rideout, Helen M., 54957W.
Sailer, Irene C., 49726W.
Shealy, Katherine I., 29350W.
Snavley, Joyce M., 55876W.
Sullivan, Rosemary, 51382W.
Toth, Beatrice N., 29351W.
Truitt, Ernestine S., 32468W.
Vino, Jane M., 55385W.
Voght, Elizabeth C., 32602W.
Walsh, Virginia M., 55877W.
Wellman, Crescentia C., 55824A.

MEDICAL SPECIALIST CORPS

Bobo, Carolyn E., 29353W.
Neuhardt, Ernestine, 29516W.

CHAPLAIN

Arinder, Robert N., 48694A.
Baker, Charles A., 48701A.
Bell, Roscoe E., 55182A.
Bergeron, Robert E., 55186A.
Berry, John F., 55188A.
Boyd, William A., 55181A.
Calkins, Raymond J., 48550A.
Campbell, William W., 55187A.

Castellani, John J., 55194A.
Cmiel, John C., 55189A.
Colson, Zack, 55190A
Cortese, Patrick S., 55196A.
Cox, Porter B., 55195A.
Cruze, James A., 48691A.
Davis, Paul D., 55191A.
Edwards, Oakley E., 48706A.
Friske, John C., 48693A.
Guthrie, Wiley, C., 48690A.
Hampe, Philip R., 55184A.
Harlow, James D., 55193A.
Heide, Edwin G., 55178A.
Hendricks, Robert E., 48704A.
Henn, Carl W., 48705A.
Hermanson, Sheldon E., 48703.
Johnshoy, Norman C., 48699A.
Kelley, Leonard D., 48695A.
Klaric, George M., 48651A.
Kopelke, William F., 55183A.
Ledoux, Louis V., 55199A.
Lesko, John P., 55185A.
Naughton, John T., 55198A.
O'Leary, Cornelius P., 55180A.
Paulson, Wayne E., 48702A.
Sauer, Harold R., 48708A.
Smith, Jasper J., 48707A.
Tang, Theodore M., 48692A.
Thearle, Christian J., 48700A.
Viise, Michael G., 55179.
Walker, Jan C., 55192A.
Wasinger, Francis R., 55197A.
Zellers, Lawrence A., 48698A.

(NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.)

CONFIRMATIONS

Executive nominations confirmed by the Senate September 9 (legislative day of September 5), 1959:

DIPLOMATIC AND FOREIGN SERVICE

William A. M. Burden, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

Henry E. Stebbins, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Nepal.

DEPARTMENT OF THE TREASURY

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

DEPARTMENT OF DEFENSE

J. Vincent Burke, Jr., of Pennsylvania, to be General Counsel of the Department of Defense.

DEPARTMENT OF THE NAVY

Rear Adm. Paul D. Stroop, U.S. Navy, to be Chief of the Bureau of Naval Weapons in the Department of the Navy for a term of 4 years.

COLLECTOR OF CUSTOMS

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

U.S. CIRCUIT JUDGES

Henry J. Friendly, of New York, to be U.S. circuit judge for the second circuit.

Bailey Aldrich, of Massachusetts, to be U.S. circuit judge for the first circuit.

Phillip Forman, of New Jersey, to be U.S. circuit judge for the third circuit.

Paul C. Weick, of Ohio, to be U.S. circuit judge for the second circuit.

U.S. DISTRICT JUDGES

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

Fred Kunzel, of California, to be U.S. district judge for the southern district of California.

George L. Hart, Jr., of the District of Columbia, to be U.S. district judge for the District of Columbia.

Anthony Julian, of Massachusetts, to be U.S. district judge for the district of Massachusetts.

Lloyd F. MacMahon, of New York, to be U.S. district judge for the southern district of New York.

Charles M. Metzner, of New York, to be U.S. district judge for the southern district of New York.

Harold K. Wood, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

Joe J. Fisher, of Texas, to be U.S. district judge for the eastern district of Texas.

JUDGE OF THE DISTRICT COURT OF GUAM

Eugene R. Gilmartin, of Rhode Island, to be judge for the District Court of Guam for a term of 8 years.

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

John Lewis Smith, Jr., of the District of Columbia, to be chief judge of the municipal court of the District of Columbia, for the term of 10 years.

DeWitt S. Hyde, of Maryland, to be associate judge of the municipal court for the District of Columbia for the term of 10 years.

Milton S. Kronheim, Jr., of the District of Columbia, to be associate judge of the municipal court for the District of Columbia for the term of 10 years (serving in this office under an appointment which expired March 29, 1959).

U.S. PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

To be senior assistant surgeons

Joseph A. Barnes — J. Donald Hawthorne
Robert N. Butler — Albert Kapikian
Lawrence F. Dietlein, Jr. — Roger W. O'Gara
Louis Gillespie, Jr. — Donald C. Walsh

To be senior assistant dental surgeon

Robert O. Wolf

To be assistant dental surgeon

Rex A Warnick

To be senior scientist

Fay M. Hemphill

For permanent promotion:

To be senior assistant sanitary engineer

James H. McDermott

For appointment:

To be senior assistant scientists

Lyle C. Kuhnley — George R. Healy
Sotiros D. Chaparas — Conrad E. Yunker

To be assistant scientist

Kenneth O. Phifer

To be senior assistant health service officers

Virginia Pence — Claudia B. Galiher
William B. Parsons

To be assistant health service officers

Don M. Hufhines — Charles P. Froom

For permanent promotion:

To be senior assistant surgeons

James S. Sullivan — Paul G. Belau
Paul N. Vann — Donald E. McMillan
Joseph O. Dean, Jr. — Norris D. Buchmeyer
Charles A. Peterson

For appointment:

To be junior assistant sanitary engineer

Phillip E. Searcy

To be assistant pharmacist

Donald B. Hare

IN THE ARMY

The following-named officer for reappointment to the active list of the Regular Army of the United States, in the grade indicated, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be major general

John Taylor Lewis, O7000.

The following-named officer for advancement on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

John Taylor Lewis, O7000.

The officers named herein for promotion as Reserve commissioned officers of the Army to the grades indicated, under the provisions of title 10, United States Code, section 3384:

To be major generals

Brig. Gen. William Edwards Blake, O295362.
Brig. Gen. Gilbert William Embury, O233743.
Brig. Gen. John Simon Gleason, Jr., O398999.
Brig. Gen. Edward Foster Griffin, O198652.
Brig. Gen. Fernando C. Mencaccy, O278275.
Brig. Gen. Clarence Harris Pease, O355161.
Brig. Gen. George Weaks Trousdale, .O189048.
Brig. Gen. Loren Gregory Windom, O275591.

To be brigadier generals

Col. John Alvin Dunlap, O325757, Artillery.
Col. Herbert Barnard Eagon, O266877, Infantry.
Col. Will Esbitt, O291450, Infantry.
Col. Oliver Henry Gibson, O262499, Adjutant General's Corps.
Col. Robert Louis Hughes, O387135, Infantry.
Col. James Hugh Kidder, O248043, Medical Corps.
Col. Noble Owen Moore, O397127, Artillery.
Col. Richard John Quigley, O400101, Infantry.
Col. Frederick August Schaefer III, O434728, Infantry.
Col. Charles Goldsmith Stevenson, O233309, Adjutant General's Corps.

The officers named herein for appointment as Reserve commissioned officers of the Army to the grades indicated, under the provisions of title 10, United States Code section 593(a):

To be major generals

Brig. Gen. George Hilton Butler, O186922.
Col. Henry Vance Graham, O398163.
Col. Edwin Weston Heywood, O384274.
Col. Daniel Sylvester Tuttle Hinman, O313290.

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code sections 3284, 3306, and 3307.

To be major generals

Maj. Gen. Walter Bernard Yeager, O29464.
Maj. Gen. William Everett Potter, O17098.
Maj. Gen. Ralph Robert Mace, O17578.
Maj. Gen. Derrill McCollough Daniel, O29500.

To be major general, Medical Corps

Maj. Gen. Jack William Schwartz, O17823.

To be brigadier general

Col. Raymond Russell Ramsey, O29470.

To be brigadier generals, Medical Corps

Brig. Gen. Francis Willard Pruitt, O17812.
Brig. Gen. Carl Willard Tempel, O18284.
Maj. Gen. Thomas James Hartford, O18330.

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsec. (a) of sec. 3066, in rank as follows:

To be lieutenant generals

Maj. Gen. Emerson Charles Itschner, O15516, Chief of Engineers, U.S. Army.

Maj. Gen. John Honeycutt Hinrichs, O17174, Chief of Ordnance, U.S. Army.

Maj. Gen. Robert Frederick Sink, O16907, U.S. Army.

Maj. Gen. Leonard Dudley Heaton, O16960, The Surgeon General, U.S. Army.

The nominations of Gasper V. Abene and 316 other officers for promotion in the Regular Army of the United States, which were confirmed today, were received by the Senate on August 17, 1959, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations," beginning with the name of Gasper V. Abene, shown on page 16033, and ending with the name of Carlisle C. Dusenbury, shown on page 16034.

IN THE AIR FORCE

The nominations of LeRoy C. Pierce and 45 other officers for appointment in the Regular Air Force, which were confirmed today, were received by the Senate on August 21, 1959, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD of that date under the caption "Nominations," beginning with the name of LeRoy C. Pierce, which appears on page 16798, and ending with the name of William F. Ring.

IN THE NAVY

The following-named officers of the line and staff corps of the Navy for temporary promotion to the grade indicated, subject to qualification therefor as provided by law:

LINE

To be rear admirals

Samuel B. Frankel	Joseph A. Jaap
William T. Nelson	Louis A. Bryan
Edward A. Wright	Allen M. Shinn
Edwin B. Hooper	Alfred R. Matter
Henry A. Renken	Richard S. Craighill
Morris A. Hirsch	Daniel F. Smith, Jr.
Charles B. Brooks, Jr.	Thomas F. Connolly
William B. Sieglaff	Waldemar F. A. Wendt
Joseph W. Leverton, Jr.	Edwin S. Miller
	Bernard M. Strean
James C. Dempsey	Francis J. Blouin
John W. Byng	Arthur R. Gralla
Joseph D. Black	John J. Hyland
Andrew J. Hill, Jr.	Henry L. Miller
Frederick J. Becton	John M. Lee
Francis T. Williamson	Robert E. McC. Ward
Frederick J. Brush	Rhodam Y. McElroy, Jr.
Floyd B. Schultz	

MEDICAL CORPS

To be rear admirals

Cecil L. Andrews	James L. Holland
Cecil D. Riggs	

SUPPLY CORPS

To be rear admirals

James S. Dietz	Herschel J. Goldberg

CIVIL ENGINEER CORPS

To be rear admirals

Norman J. Drustrup	James R. Davis

The nominations of Albert W. Dewey and 244 other officers for appointment in the Navy and Marine Corps, which were confirmed today, were received by the Senate on August 13, 1959, and may be found in the Senate proceedings of the CONGRESSIONAL RECORD under the caption "Nominations," beginning with the name of Albert W. Dewey appearing on page 15822, and ending with the name of David P. Zeterberg, which is shown on page 15823.

IN THE MARINE CORPS

Lt. Gen. Vernon E. Megee, U.S. Marine Corps, to be placed on the retired list with the grade of lieutenant general pursuant to the provisions of title 10, United States Code, section 5233.

The following-named officers of the Marine Corps to be placed on the retired list with the grade indicated, pursuant to the provisions of title 10, United States Code, section 5233:

To be lieutenant generals

Edwin A. Pollock Merrill B. Twining

WITHDRAWAL

Executive nomination withdrawn from the Senate September 9 (legislative day, September 5), 1959:

POSTMASTER

Earl J. Thompson, to be postmaster at O'Fallon in the State of Illinois.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 9, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Timothy 2: 3: *Thou therefore endure hardness, as a good soldier of Jesus Christ.*

Almighty God, with a humble spirit and a contrite heart we are now earnestly beseeching Thee that daily we may have a vivid experience of Thy nearness unto us.

Help us to be more responsive to the influence and guidance of Thy Holy Spirit wherever we find ourselves confronted by hardships and heartaches.

Purge our souls from those aspirations which are alien to the mind and contrary to the will of our blessed Lord.

May nothing dull our capacities for whatever service Thou hast ordained and appointed us to render in our day and generation.

In Christ's name we offer our petition. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 9105. 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.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9035. An act 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.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 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.

INTERNATIONAL SITUATION

Mr. ANDERSON of Montana. 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 Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, I think it is unfortunate that certain reporters such as Mr. Colegrove and Drew Pearson have selected a time such as this to attack our position in Laos and Vietnam. Their dreary and outdated dredging up of old criticisms serves the purposes of the Communists well, but makes no contribution toward a solution of our problems in that part of the world.

It seems to me that in view of the need for a unified position with our allies in southeast Asia, we would do better to listen to such reporters as Ernest K. Lindley, of Newsweek, and Mr. Joseph Alsop, whose columns are published in the Washington Post. Where some reporters have looked only for sensationalism, Mr. Lindley and Mr. Alsop have visited southeast Asia and viewed the situation there openmindedly and objectively. They have analyzed developments in the Communist aggression in Laos and attempted subversion in Vietnam.

They face up to realities as they point to the difficulties of meeting communism in the jungles and uncharted country that abound.

Most importantly, though, they acknowledge our obligation and responsibility—yes, and our opportunity, to help contain and repel the Communist aggression in southeast Asia.

I am today inserting in the CONGRESSIONAL RECORD the analysis by Ernest K. Lindley which appears in the current Newsweek and the column by Mr. Joseph Alsop which appeared in yesterday's Washington Post.

I spent some little time in Laos, Vietnam, and other parts of southeast Asia last fall. I was tremendously impressed by the accomplishments of our mutual assistance program, by the dedicated and effective anticommunism of the governments of both Laos and Vietnam, and by the competence of our American representatives there.

In the light of my own on-the-ground observations, I feel that the presentations of Mr. Lindley and of Mr. Alsop are thoroughly sound. I hope all my colleagues will turn to the RECORD and read these two thoughtful and constructive articles.