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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, FIRST SESSION

SENATE

THURSDAY, SEPTEMBER 10, 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:

God of the nations, as we lift to Thee our fervent prayer for our land bright with freedom's holy light—

Not for battleships and missiles,
Not for conquests of the sword;
But for conquests of the spirit
Give we thanks to Thee, O Lord.

For the priceless gift of freedom,
For the home, the church, the school;
For the open door to manhood
In a land the people rule.

For our prophets and apostles
Loyal to the living word;
For all heroes of the spirit,
Give we thanks to Thee, O Lord.

God of justice, save our people
From the clash of race and creed,
From the strife of class and faction
Make our Nation free indeed.

Keep her faith in simple goodness
Strong as when her life began,
Till it finds its full fruition
In the brotherhood of man.

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

The PRESIDENT pro tempore. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I announce that we have already approved the usual morning hour for the transaction of routine business with a limitation of 3 minutes on statements; and I ask that the Journal of the legislative day of September 5, which includes the calendar days of September 5, 7, 8, and 9, be approved.

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On September 8, 1959:

S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers;

S. 417. An act to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota;

S. 551. An act to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams;

S. 1392. An act for the relief of Isabel M. Menz;

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site;

S. 1521. An act to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938;

S. 1557. An act for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim;

S. 1650. An act for the relief of Edmund A. Hannay;

S. 1667. An act for the relief of the widow of Colonel Claud C. Smith;

S. 1915. An act for the relief of Chung Ching Wei;

S. 2013. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds;

S. 2027. An act for the relief of William James Harkins and Thomas Lloyd Harkins;

S. 2050. An act for the relief of Leokadia Jomboski;

S. 2081. An act for the relief of Yadwiga Boczar;

S. 2102. An act for the relief of Irene Wladyslawa Burda;

S. 2238. An act for the relief of Kenzo Hachtmann, a minor;

S. 2334. An act to transfer from the Department of Commerce to the Department of Labor certain functions in respect of insurance benefits and disability payments to seamen for World War II service-connected injuries, death, or disability, and for other purposes; and

S. 2339. An act to amend the law relating to the distribution of the funds of the Creek Tribe.

On Sepember 9, 1959:

S. 539. An act for the relief of Mrs. Joyce Lee Freeman;

S. 669. An act to authorize the Secretary of Agriculture to convey certain lands to the Bethel Baptist Church of Henderson, Tenn.;

S. 685. An act to exempt from all taxation certain property of the Association for Childhood Education International in the District of Columbia;

S. 696. An act for the relief of Mrs. Annie Voisin Whitley;

S. 1071. An act for the relief of Nettie Korn and Manfred Korn;

S. 1298. An act for the relief of Concetta Meglio Meglio;

S. 1372. An act to extend the jurisdiction of the Domestic Relations Branch in the Municipal Court for the District of Columbia to cover the adjudication of property rights in certain actions arising in the District of Columbia;

S. 1453. An act to authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa to the city of Keosauqua;

S. 1792. An act for the relief of Lilia Alvarez Szabo;

S. 1921. An act to exempt from taxation certain property of the United Spanish War Veterans, Inc., in the District of Columbia;

S. 1947. An act relating to the authority of the Customs Court to appoint employees, and for other purposes;

S. 2021. An act for the relief of Irene Milios;

S. 2029. An act to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes;

S. 2118. An act to amend section 4488 of the Revised Statutes, as amended, to authorize the Secretary of the Department in which the Coast Guard is operating to prescribe regulations governing lifesaving equipment, firefighting equipment, muster lists, ground tackle, hawsers, and bilge systems aboard vessels, and for other purposes;

S. 2421. An act to amend the Klamath Termination Act; and

S. 2435. An act to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

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

PRESIDENT'S VETO OF PUBLIC WORKS LEGISLATION

Mr. MANSFIELD. Mr. President, the President has now vetoed for a second time the public works legislation. Members know that the Congress bent over backward to try to meet the President's wishes. Insofar as the budget is concerned, it is under the budget request of the Government, and insofar as the time limitation is concerned, the administration, I understand, offered 24 months' leeway. The Democratic leadership tried to meet the administration more than halfway and offered 18 months' leeway on new starts, but this offer was declined. We cut the amount across the board in an attempt to stay within his budgetary allotment for resource conservation and development.

Now, it has been said time and again that this measure is very close to the

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hearts of Members of Congress because it involves public construction and other activity in just about every section of the country. But is that something disgraceful? Is it shameful to want to seek to develop, to conserve, to utilize effectively the natural resources of this land, and to do it to a large extent on an absolutely reimbursable, repayable basis?

And who knows better what the needs are in this respect for particular sections of the Nation than Members of Congress? Yet, the superficial delight in calling this measure a pork barrel. The barrel, for the benefit of the superficial, happens to be the natural resources, the basic wealth of the Nation and, those benefited by the measure, happen to be millions of Americans in all parts of the land. It seems to me a grave matter for the President to reject such a measure on the grounds—implied or expressed—that it is wasteful or spendthrift. Equally, Mr. President, it is false economy to object to the measure on the grounds that it contains "new starts," that is, provision for new undertakings. Natural resources development is not a casual thing. There must be continuing improvements to keep up with a continuing expansion of human needs. And new starts are essential to continuing improvements.

It seems to me that the administration would be on much sounder grounds when it rejects on the grounds of economy, the concept of continuing development of natural resources at home, if it took the same view as regards continuing development of resources abroad under the foreign aid program. But does the administration do that? Oh, no, Mr. President, appropriations, new starts are described to us as essential when they are included in the foreign aid program. It is only when they are provided for at home that they become wasteful, spendthrift and even socialistic.

Mr. President, I have looked into what might be called—if we must use the term—the foreign aid pork barrel bill. It is not easy to pin down what the administration regards as not wasteful, not spendthrift, but essential in this respect. The best figure I have been able to come up with is in excess of $300 million under the bilateral aid program for 1960. What is this money going to be spent for? For purposes which have a familiar sound. For irrigation, forestry, fisheries, mining, power, and similar undertakings. Where, Mr. President? In Cambodia, Formosa, Indonesia, Korea, Laos, the Philippines, Vietnam, Jordan, Sudan, Liberia, Libya, Morocco, Somali, Tunisia, and Yugoslavia.

What about new starts, Mr. President, which are particularly singled out for condemnation by the administration? Yes, Mr. President, they, too, are contemplated in Morocco, Somali, and Tunisia.

This administration has no compunction about spending money on telecommunications in Liberia, on irrigation in Spain, on roads and bridges in Malaya, on a dam in Taiwan costing more than $20 million, on dredging in Thailand, on waterworks in Paraguay, on a sewage system in Pakistan, on waterworks in Vietnam, and on an airport in Bolivia.

Under the Development Loan Fund, moreover, we are contemplating new starts of a $125 million in Africa, $238 million in Europe, $255 million in the Far East, $71 million in Latin America, $474 million in the Near East, and $347 million in southeast Asia. But remember, Mr. President, these are not pork barrel projects. When the recipients are countries abroad rather than States of the Union, the term "pork barrel" is improper. The accepted term is "development." Of course, it is purely coincidental that the same types of projects are involved both in development abroad and pork barrel at home.

If these projects are for development abroad, they are urgent and essential. If these projects are to operate at home, they are spendthrift and socialistic. If these projects are for development abroad, then Congress must act and is admonished by the President to act. If these projects are for the States of the Union, the Congress is admonished not to act and if it does, its actions are negated by the Presidential veto.

Mr. President, I do not underestimate the significance of these projects which we are financing in one form or another abroad. They have great significance in countries which are poorly developed. They have much meaning for the well-being of those countries and hence, for the State of our relations with these countries. But, Mr. President, at the same time, I wish that the President of the United States would recognize that the public works legislation which he has just vetoed is also of the greatest importance to the people of the United States and particularly to those States whose natural resources are also in a condition of serious underdevelopment. The majority party has every wish to cooperate with the President in these essential international matters and has done so consistently.

I must ask, Mr. President, is it too much to expect this administration to recognize the needs of the States of the United States and to cooperate with the Congress in trying to meet those needs insofar as natural resource development and other highly useful public works are concerned?

PERSONAL STATEMENT BY SENATOR DODD

Mr. DODD. Mr. President, I rise to a point of personal privilege.

In this morning's Washington Post, is a column written by Mr. George Dixon with the following headline: "Gift $50 Checks Disturb 47 Senators."

The article goes on to state that 47 Senators who voted for the so-called McClellan bill of rights amendment to the labor bill last April received gift checks of $50 each. Among those named in the article is the junior Senator from Connecticut.

First of all, I wish to state that this is not a fact. I have never received any check or letter such as that described in the article. I have never heard of H. M. Forman.

I wish to point out to my colleagues the implications of this article. Every one of us should be disturbed that a reporter whose column is widely distributed should write an item of this kind without verifying the facts.

I do not speak for the other Senators named. I am sure they will speak for themselves. But I feel outraged about the situation, and could not let the day pass without setting the record straight.

PROPOSED SUPPLEMENTAL APPROPRIATION TO PAY CLAIMS FOR DAMAGES AND A JUDGMENT RENDERED AGAINST THE UNITED STATES (S. DOC. NO. 56)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims for damages and a judgment rendered against the United States, as provided by various laws, in the amount of $323,629, together with such amount as may be necessary to pay indefinite interest, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2230. A bill to amend the National Cultural Center Act (Rept. No. 991);

H.R. 616. An act to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam (Rept. No. 993); and

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the General Edgar Jadwin Dam and Reservoir (Rept. No. 992).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd (Rept. No. 996);

S. Res. 183. Resolution authorizing the printing of additional copies of part 3 of the Select Committee on Improper Activities in the Labor or Management Field;

S. Res. 184. Resolution authorizing the printing of additional copies of part 4 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field;

S. Res. 186. Resolution to print the study "Tensions in Communist China" as a Senate document;

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd (Rept. No. 994);

H. Con. Res. 404. Concurrent resolution providing for printing additional copies of the compendium of papers entitled "Compendium of Papers Submitted on Revision of the Federal Income Tax Laws"; and

H. Con. Res. 405. Concurrent resolution providing for printing additional copies of the hearings entitled "Hospital, Nursing Home, and Surgical Benefits for OASI Beneficiaries."

By Mr. CLARK, from the Committee on Labor and Public Welfare, with an amendment:

S. 743. A bill to amend the Federal Coal Mine Safety Act in order to remove the ex-

emption with respect to certain mines employing no more than 14 individuals (Rept. No. 995).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, without amendment:

H.R. 2982. An act to fix the official station of retired judges assigned to active duty (Rept. No. 998).

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

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week (Rept. No. 999); and

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year (Rept. No. 1000).

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

H.R. 2068. An act for the relief of Howard F. Knipp (Rept. No. 1002);

H.R. 7640. An act for the relief of James F. Conroy (Rept. No. 1003); and

H.R. 7935. An act for the relief of Father Kenneth M. Rizer (Rept. No. 1004).

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

S. 2673. A bill to provide for the appointment of additional circuit and district judges, and for other purposes (Rept. No. 997).

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

H.R. 6809. An act for the relief of Lt. (junior grade) James W. Little (Rept. No. 1001).

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

S. 609. A bill for the relief of the estate of Gregory J. Kessenich (Rept. No. 1005).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 173. Resolution commending the national Jaycee community development program.

PRINTING AS A SENATE DOCUMENT THE PROCEEDINGS OF CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF—REPORT OF A COMMITTEE

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 190) to provide for the printing of the proceedings of the 39th biennial meeting of the Convention of American Instructors of the Deaf, with illustrations, as a Senate document, which was placed on the calendar, as follows:

Resolved, That the report of the proceedings of the thirty-ninth biennial meeting of the Convention of American Instructors of the Deaf, held at Colorado Springs, Colorado, June 28 to July 3, 1959, be printed with illustrations as a Senate document, and that one thousand additional copies be printed for the use of the Joint Committee on Printing.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred and fifteen postmaster nominations.

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

John O. Henderson, of New York, to be U.S. district judge for the western district of New York; and

Girard E. Kalbfleisch, of Ohio, to be U.S. district judge for the northern district of Ohio.

Charles M. Merrill, of Nevada, to be U.S. circuit judge, ninth circuit.

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

Donald G. Brotzman, of Colorado, to be U.S. attorney for the district of Colorado.

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

Harry W. Hultgren, Jr., of Connecticut, to be U.S. attorney for the district of Connecticut.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. EASTLAND (for himself and Mr. JOHNSTON of South Carolina):

S. 2673. A bill to provide for the appointment of additional circuit and district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 2674. A bill to authorize the acquisition of certain lands for addition to Harpers Ferry National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. LONG of Louisiana (for himself, Mr. BARTLETT, Mr. BEALL, Mr. BIBLE, Mr. BUSH, Mr. BUTLER, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CARROLL, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DOUGLAS, Mr. ENGLE, Mr. ERVIN, Mr. FULBRIGHT, Mr. GREEN, Mr. GRUENING, Mr. HENNINGS, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN, Mr. JOHNSTON of South Carolina, Mr. KEATING, Mr. KEFAUVER, Mr. KENNEDY, Mr. KUCHEL, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. MUSKIE, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCNAMARA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. PROUTY, Mr. RANDOLPH, Mrs. SMITH, Mr. SPARKMAN, Mr. SYMINGTON, Mr. THURMOND, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. DODD):

S. 2675: A bill to amend title 38 of the United States Code in order to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Finance.

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

S. 2676. A bill to provide for the designation of a Hawaii Defense Highway System and to authorize appropriations therefor; and

S. 2677. A bill to provide for the designation of defense highways in the State of Hawaii as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HUMPHREY:

S. 2678. A bill to provide for the reorganization of the safety functions of the Federal Government, and for other purposes; to the Committee on Government Operations.

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

By Mr. BENNETT:

S. 2679. A bill to provide fishery conservation measures on the Provo River, Utah, and for other purposes; to the Committee on Interstate and Foreign Commerce.

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

By Mr. KEFAUVER (for himself, Mr. GORE, and Mr. O'MAHONEY):

S. 2680. A bill to revise the boundaries and change the name of the Stones River National Military Park, Tenn., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DODD:

S.J. Res. 140. Joint resolution proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HUMPHREY:

S.J. Res. 141. Joint resolution proposing an amendment to the Constitution of the United States with respect to the right of citizens to vote; to the Committee on the Judiciary.

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

RESOLUTION

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 190) printing of the Proceedings of the 39th Biennial Meeting of the Convention of American Instructors of the Deaf with illustrations, as a Senate Document, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. HENNINGS, which appears under the heading "Reports of Committees.")

ACQUISITION OF ADDITIONAL LAND FOR HARPERS FERRY NATIONAL MONUMENT

Mr. RANDOLPH. Mr. President, on behalf of my colleague, the junior Senator from West Virginia [Mr. BYRD], and myself, I introduce, for appropriate reference, a bill which would authorize the acquisition of certain lands for an addition to the Harpers Ferry National Monument and for other purposes.

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

The bill (S. 2674) to authorize the acquisition of certain lands for addition to Harpers Ferry National Monument, and for other purposes, introduced by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia), was received, read twice by its title, and referred to

the Committee on Interior and Insular Affairs.

Mr. RANDOLPH. Mr. President, the proposed legislation would authorize the United States to acquire 30 acres of land and improvements for addition to the Harpers Ferry National Monument in the State of West Virginia. Purchase and exchange would be authorized.

The property sought includes two parcels associated with historical events which are commemorated at the Harpers Ferry National Monument. The first is the old Federal arsenal tract which includes the original site of John Brown's Fort. The second parcel includes Camp Hill, the site of Storer College which adjoins and overlooks significant features of the national monument. Storer College contains historic structures associated with events commemorated at the monument. It also contains recent buildings which may be adapted to meet the administrative requirements of the monument.

The U.S. arsenal or musket factory at Harpers Ferry was situated on the low ground adjacent to the Potomac River on the south side. It was one of the primary objectives of the John Brown raiders when they seized Harpers Ferry in October 1859 in an effort at wholesale freeing of slaves. Brown, a few followers, and some 20 hostages finally sought refuge in the small brick fire engine house, since known as John Brown's Fort. A detachment of Marines under then Col. Robert E. Lee broke into the building and captured the raiders.

The arsenal buildings were destroyed by the Union Army in April 1861 to prevent capture by the Confederates, although the engine house, being of no military importance, was left standing. It was later dismantled, taken to the Chicago World's Fair, and again returned to Harpers Ferry. It was finally rebuilt on the grounds of Storer College, where it now is located a half mile or so from its original site. Foundations of the arsenal may still be seen.

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

Mr. RANDOLPH. I yield.

Mr. MUSKIE. I was interested in the remarks of the Senator from West Virginia concerning the musket factory. I remember with pleasure my visit to the Harpers Ferry National Monument with the distinguished Senator from West Virginia. As I recall, there was a name connected with that musket factory which I think should be in the RECORD.

Mr. RANDOLPH. The Senator is correct. The gun factory, turning out muskets at the rate of 10,000 a year, was identified with John Hall from the State of Maine. He received a contract in 1819 for the manufacture of a breech-loading flintlock rifle. Two years later, Hall's rifle plant was producing 1,000 muskets and rifles a month.

Mr. MUSKIE. May I say to the Senator that I was very much impressed by this monument area, which really is in its beginning stages, and I join with the Senator in his desire to expand the historical site which was authorized by his bill passed in 1944 when he served in the House of Representatives. It will be in the interest not only of the people of West Virginia and the citizens of Maine, but also people all over the country.

Mr. RANDOLPH. Mr. President, I am grateful for the observation of my friend, who comes from a State many hundreds of miles removed from where this monument presents such a historical appeal, not only to the people of the immediate area, but to the country as a whole and from other nations.

I think it is appropriate to indicate we have had more than 315,000 men, women and children sign the guest book at the U.S. Park Service headquarters of this monument so far this year. I am grateful that the Senator from Maine visited this monument. I hope that others will have the opportunity and feel the urge to come to this historic and scenic section of West Virginia within the near future.

Mr. President, following the establishment of the U.S. arsenal at Harpers Ferry in 1796, a number of residential structures were built for supervisory personnel, from time to time. Several of these were erected on the hill, overlooking the town, later the site of Storer College.

The oldest of these buildings still in existence is the Lockwood house, built in or about 1819. The Morrell and Brackett houses date from 1858, and a portion of Anthony Hall also antedates the Civil War.

These homes were important landmarks during the war and were occupied by soldiers or officers.

Harpers Ferry was occupied alternately by the opposing armies throughout much of the war. Thomas J. "Stonewall" Jackson drilled his men on the hill, known as Camp Hill, during the early summer of 1861. Later occupied by Union forces, it came under fire briefly during the last days of Jackson's famous Shenandoah Valley campaign of May-June 1862, when a detachment of his army looked down on Camp Hill from Loudoun Heights.

The Union men tried to hold the Harpers Ferry area during the Antietam campaign, with about 12,000 men, and were hemmed in and captured on September 15, again by the redoubtable Jackson, aided by men from Longstreet's corps. The quick capture saved General Lee from probable disaster at Antietam. The captives were paroled on Bolivar Heights and Camp Hill.

Part of McClellan's Union army encamped on the hill following Antietam, where they were visited by President Lincoln.

Expeditions were constantly being sent out from this camp to harass Mosby and other Confederate partisans.

The Storer College property and certain of the historically important buildings are especially adapted for use by the National Park Service in furtherance of the purposes of the Harpers Ferry National Monument including administrative purposes. These facilities will lend themselves for use as park headquarters, housing for personnel, utility shops, and training center for National Park Service personnel.

In addition to its historical values and its adaptability to important administrative purposes, Storer College adjoins and overlooks the Harpers Ferry National Monument. At present it is an integral part of the historic scene, but adverse use of the property of this now inactive college could gravely affect the historic setting of the monument.

SAFETY FUNCTIONS OF THE FEDERAL GOVERNMENT

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide for the organization of the safety functions of the Federal Government.

This bill is designed to reduce the Federal employee accident rate and the cost of accidents in Federal employment, both financially and in terms of human suffering, by providing for the promotion and establishment of improved safety educational programs and new safety inspection procedures.

The bill seeks to accomplish this objective by creating within the Department of Labor a Federal Safety Division, which would be responsible, under the supervision and direction of the Secretary of Labor, for the direction and coordination of all safety educational programs and related loss-prevention procedures conducted by the various Federal agencies in furtherance of existing legislation to encourage safety and accident prevention, and for all of the functions now vested in the Federal Safety Council. The Federal Safety Division would be headed by a Director, appointed by the Secretary of Labor, who would receive compensation at the rate established for GS–16, and would perform his duties under the supervision and direction of the Secretary.

Among the duties of the Director are first, collection and analysis of data relative present safety standards and programs in Federal agencies; second, development and promulgation of minimum standards for the conduct of safety educational programs and minimum safe working standards to be maintained by Federal agencies; third, providing a clearinghouse function in the Division to gather and make available to the Federal agencies appropriate assistance on all matters relating to employee safety; fourth, promotion of uniformity by assisting and cooperating with related health and fire prevention activities presently pursued by Federal agencies; fifth, periodic inspection of premises and interrogation of Federal agency personnel to ascertain if minimum standards developed and established are being maintained; sixth, annual recommendation to the Secretary of Labor for transmittal to agency heads and the Bureau of the Budget of the amount which should be included in each agency budget for carrying out its safety educational programs, based upon the need of each agency; seventh, preparation of an annual report for submission to the Congress by the Secretary of Labor showing Federal agency progress in the field of accident prevention, and the amounts recommended for inclusion in Federal agency budgets, together with action

taken with respect to such recommendations.

The bill provides further for first, the appointment by the Secretary of at least 10 qualified safety engineers, regional directors, and other appropriate employees, all of whom shall be appointed under civil service and solely on the basis of merit and qualifications; second, the establishment of a Federal Safety Advisory Committee composed of 27 members, appointed with regard to geographical representation, to the extent practicable, which would advise the Federal Safety Director concerning his functions under the act; third, entry by the Director or appropriate officers in his Division in order to inspect Federal agency premises and records and interrogate employees relative to facts, conditions, practices, and so forth; fourth, inclusion in the annual budget estimate of each Federal agency of an amount for safety educational programs at least equal to that recommended by the Department of Labor, unless the agency head determines the inclusion of such amount is inadvisable and forwards to the Secretary of Labor and the Director of the Bureau of the Budget a written report stating the reasons why such inclusion has been deemed inadvisable; and fifth, imposition of criminal penalties for Federal officers or employees who willfully falsify or conceal material facts relative to the injury or death of persons compensable under the Federal Employees' Compensation Act, or who make false or fraudulent statements or representations with respect thereto.

This bill is identical to S. 931 which I introduced on behalf of myself and 14 other Senators in the 85th Congress and which was favorably reported by the Committee on Government Operations without amendments.

Both of these bills are identical to S. 3517, also introduced by me in the 84th Congress, as revised by the Committee on Government Operations so as to meet some of the major objections as well as suggestions brought out during the extensive hearings. S. 3517, as amended, was unanimously approved by the committee and passed the Senate by unanimous consent on the call of the calendar on July 26, 1956—too late to permit action in the other body.

Work injuries sustained by Federal employees are far from uncommon. Some of my colleagues in the Senate would be surprised to know that in the last calendar year for which complete figures are available at this time—1957—over 94,000 civilian employees reported work injuries—41,000 of which were disabling.

The total direct cost of such injuries during 1957 amounted to $27.5 million. This amounts to $11.38 per worker when one divides the total of Federal employees into the cost of work injuries.

The total direct cost of such injuries, as might be expected in view of the rising number of Federal employees in the past 20 years and the increased costs of medical care, has risen significantly. For example, in 1937 the total cost of work injuries amounted to a little less than $4 million. By 1947, direct costs had risen to more than $10 million. And as I have already noted, the cost was $27.5 million in 1957.

I ask unanimous consent, Mr. President, that a table as prepared by the Bureau of Employees Compensation of the U.S. Department of Labor, which lists the yearly direct costs of work injuries as well as the total cost per employee, frequency rate, and severity rate, for the years 1937 through 1957 be inserted at the end of my remarks in the RECORD.

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

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, with a Federal civilian work force of over 2.4 million, both humanitarian and economic considerations dictate that we give very careful consideration to ways in which we may prevent work injury. Progress has been, and continues to be made, but there is more, much more, that we can and should do.

The bill which I am introducing today has such an objective in mind. In order that other Senators who may care to do so may join as cosponsor, I ask unanimous consent that the bill remain at the desk for 7 days.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2678) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Government Operations.

EXHIBIT 1

All Federal establishments

Calendar year	Average number of employees	Total direct cost	Total cost per employee	Frequency rate	Severity rate
1937	852,188	$3,994,844	$4.69	11.4	1,260
1938	862,861	4,096,021	4.75	11.7	1,270
1939	927,529	4,241,282	4.57	13.1	1,230
1940	1,036,485	4,402,553	4.25	13.1	1,210
1941	1,478,549	7,200,558	4.87	13.0	1,390
1942	2,291,225	12,106,662	5.28	12.5	880
1943	3,093,135	17,454,987	5.64	12.5	930
1944	3,211,516	18,785,001	5.85	11.0	920
1945	2,815,277	14,685,185	5.22	9.9	670
1946	2,625,797	12,560,828	4.78	9.2	760
1947	2,147,353	10,125,027	4.72	8.6	720
1948	2,085,736	9,092,711	4.36	8.1	550
1949	2,067,498	20,674,963	10.00	8.4	660
1950	2,070,625	22,942,168	11.08	8.6	680
1951	2,459,173	26,628,119	10.83	8.4	660
1952	2,572,152	23,371,749	9.09	8.0	560
1953	2,480,170	25,842,889	10.42	7.8	590
1954	2,380,715	25,738,244	10.81	7.7	589
1955	2,396,571	26,304,396	10.98	7.8	552
1956	2,433,698	29,203,216	12.00	8.0	568
1957	2,419,502	27,529,868	11.38	8.3	529

FISHERY CONSERVATION MEASURES ON THE PROVO RIVER

Mr. BENNETT. Mr. President, I introduce for proper reference, a bill which will provide fishery conservation measures on the Provo River, Utah, and for other purposes.

During the 85th Congress an appropriation of $500,000 was approved for reclamation and flood control measures on the Provo River. As this project has progressed, it has become evident that the program of channel revision on the Provo River will cause loss of fishing opportunities unless certain measures are taken to conserve the trout and other game fish in the stream. As a result, a number of meetings have been held with officials of the Bureau of Reclamation and the Fish and Wildlife Service to discuss the matter of fisheries mitigation, and the bill I am introducing today is the result of these conferences.

From the preliminary studies which have been made by local interests and by Reclamation and Fish and Wildlife officials, it has been determined that the most feasible means of mitigating the fishery damages is to construct a series of small fishing reservoirs and dams on the upper tributaries of the Provo River, and possibly develop the offchannel oxbow areas along the stream. This would result in the creation of a number of small lakes on the stream which passes through the Uinta and Wasatch National Forests and would be stocked with trout so as to provide needed fishing in the area.

One damsite has been studied in detail and a cost estimate has been prepared since the location has met with the approval of local groups and the government agencies concerned. This project is the Mill Hollow Dam, and construction costs are estimated at $70,000. Four additional sites have been located and an appropriation of $25,000 will be requested for engineering feasibility studies of these potential reservoirs.

This fishery conservation bill which I have introduced has the backing and support of the State of Utah Department of Fish and Game, and I am hopeful favorable reports will be forthcoming from the appropriate Federal agencies concerned so that work on these proposed dams and reservoirs might proceed at an early date.

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

The bill (S. 2679) to provide fishery conservation measures on the Provo River, Utah, and for other purposes, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO STATE TAXATION OF INCOME OF NONRESIDENT INDIVIDUALS

Mr. DODD. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals.

The operative part of the proposed amendment reads as follows: "The Congress shall have power to establish uniform laws prescribing the terms in conformity with which the States shall be permitted to levy and collect taxes on the income of nonresident individuals."

You may recall, Mr. President, that two other proposals on this subject have been introduced this session, and that

we had hearings on them earlier this year. They were Senate Joint Resolution 29, sponsored by the two Senators from New Hampshire, and Senate Joint Resolution 67, sponsored by the senior Senator from New Jersey and myself.

The hearings on these joint resolutions brought into bold relief the fact that the several States are making a veritable jungle out of what can best be described as interstate taxation. Some States are literally taxing everything they can get their hands on and some things they cannot.

If the matter were not deadly serious for the victims, it would be almost comic. For example, some States are levying and collecting income taxes on airline pilots who fly over but do not land within their territory. This is absurd. If all States followed this example, an airline pilot might have to pay 20 or 30 State income taxes each year.

I will grant that this is an extreme case, but there are numerous inequities which afflict a huge number of citizens who live in roughly 20 States, and who work across State lines in another State. For example, there are more than 200,000 citizens and residents of Connecticut and New Jersey who work in New York City and who are subject to the New York State income tax. They must pay this tax in addition to a full tax load in either Connecticut or New Jersey.

In my view, New York may be entitled to collect some taxes from them for services rendered. Yet, because of provisions in the New York law, these unfortunate individuals pay up to 45 percent more than New York residents on the same income.

Furthermore, they probably would not have to pay any New York tax if Connecticut and New Jersey, like Massachusetts, had an income tax which was applicable to nonresidents, including New Yorkers. Adoption of such taxes would result in mutual credits for income taxes paid in the State of residence.

At the moment, adoption of such a tax is the only defense for States which do not have an income tax. It is defense by retaliation, and it has been rejected, at least, for the moment, by the Governors of Connecticut and New Jersey.

Needless to say, if no other relief is furnished, every one of the 50 States will be forced into adoption of income taxes applicable to nonresidents. In the end, because of mutual credits, this will result in massive bookkeeping, but very little tax money for any State.

There is a similar problem with respect to State taxation of out-of-State corporations. However, under the interstate commerce clause of the Constitution, the Congress has power to deal with this problem. Very recently, Senate bill 2524 was passed by the Senate to solve at least a part of this vexing problem.

Unfortunately, Congress has no power to regulate interstate taxation of incomes of private individuals. This problem can only be solved by a constitutional amendment.

Personally, I favored the approach which is contained in Senate Joint Resolution 29 and Senate Joint Resolution 67, and which would, in effect, ban taxation of incomes of nonresidents. However, even if both Houses of Congress adopted such an amendment by a two-thirds vote, which is most unlikely, there is not much hope that three-quarters of the States would ratify it, since, roughly, 30 States now have taxes which apply to nonresidents.

During the hearings on Senate Joint Resolution 29 and Senate Joint Resolution 67, Governor Meyner of New Jersey suggested the alternative solution which is embodied in the joint resolution which I am introducing today. This proposed amendment would not ban taxation of incomes of nonresidents, but, rather, it would empower Congress to eliminate the inequities in such taxation.

It would forestall the 20 States which do not have an income tax from adopting one for purposes of retaliation and self-defense.

It would eliminate such inanities as taxation of pilots flying over a State.

It would get the several States out of the jungle into which they have gotten themselves in their wild scramble to lay hands on taxable income.

It is my hope that we can have hearings on this joint resolution soon. I believe it is a sound approach to a most serious problem.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 140) proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on the Judiciary.

RECOMMENDATIONS OF THE CIVIL RIGHTS COMMISSION

Mr. HUMPHREY. Mr. President, on September 9 there were published in the New York Times and in the Washington Post two excellent editorials commenting on the U.S. Commission on Civil Rights report which was issued yesterday. It is interesting to note that both editorials urge that the Congress act to extend the life of the Commission on Civil Rights.

In my statement in the Senate on Tuesday, in commenting on the report of the Commission, I pointed out that the continuation of the Commission is indeed imperative, as its work has really just begun. The Congress is, in my judgment, under an obligation to carefully study the thoughtful and reasonable recommendations of the Commission and to take action on the substantive recommendations contained therein.

One of the most glaring denials of civil rights, as pointed out by the Commission in its report, is in the area of voting. As the Commission stated:

> Few Americans would deny, at least in theory, the right of all qualified citizens to vote. A significant number, however, differ as to which citizens are qualified. None in good conscience can state that the goal of universal adult suffrage has been achieved. Many Americans, even today, are denied the franchise because of race. This is accomplished through the creation of legal impediments, administrative obstacles, and positive discouragement engendered by fears of economic reprisal and physical harm. With those Americans who of their own volition are too apathetic either to register or, once registered, too apathetic to vote, this report does not concern itself.
>
> But with the denials of the right to vote because of race, color, religion, or national origin, this Commission and the Congress of the United States are urgently concerned.

I have been convinced for a long time that the denial of voting rights to our Negro citizens is the chief road block standing in the way of efforts to obtain equality in fields such as education, housing, and employment. Once our fellow Negro citizens are no longer denied the franchise, because of their race, second-class citizenship will be well on the way to oblivion.

This is why it is so important that the Congress take action to see to it that the rights of American Negroes to participate in elections, as guaranteed to them by the Constitution itself, shall not be denied.

One of the most important recommendations of the Commission concerning voting is its recommendation No. 5, whereby temporary Federal registrars, as designated by the President of the United States, would be empowered to register for Federal elections voters who are qualified under State registration laws, but who are, nevertheless, denied the right to register and, thus, the right to vote, by reason of their race, color, religion, or national origin.

As the Commission noted in its report:

> The existing remedies under the Civil Rights Act of 1957 are insufficient to secure and protect the right to vote of such citizens.

It is worthy of note that this recommendation calling for temporary registrars was agreed to by all but one of the six Commission members, the only dissenter being Commissioner Battle. The other two southern members of the Commission, Vice Chairman Stroey and Commissioner Carleton, joined with the three northern members of the Commission in approving such recommendation.

I have studied this recommendation very carefully, and I am convinced that it is both a reasonable and a highly desirable proposal. I am presently having this recommendation prepared in the form of a bill, which I hope to introduce, time permitting, before this session of the 86th Congress adjourns.

Also contained in the Commission report is the proposal for a constitutional amendment to establish universal suffrage. I point out, to be perfectly fair, that this is a proposal, rather than a recommendation; and it was not approved by a majority of the members of the Commission. This constitutional amendment was proposed by Chairman Hannah and Commissioners Hesberg and Johnson. The three southern members of the Commission are in opposition to such a proposed constitutional amendment.

The argument in favor of such an amendment to the Constitution, as presented in the Commission's report, is to me most persuasive and logical.

As is stated in the report:

> In its investigations, hearings, and studies the Commission has seen that complex voter

qualification laws, including tests of literacy, education and interpretation have been used and may readily be used arbitrarily to deny the right to vote to citizens of the United States.

Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws. The difficulty of proving discrimination in any particular case is considerable. It appears to be impossible to enforce an impartial administration of the literacy tests now in force in some States, for where there is a will to discriminate, these tests provide the way.

Therefore, as the best ultimate solution of the problem of securing and protecting the right to vote, we propose a constitutional amendment to establish a free and universal franchise throughout the United States.

An important aim of this amendment would be to remove the occasion for further direct Federal intervention in the States' administration and conduct of elections, by prohibiting complex voting requirements and providing clear, simple, and easily enforcible standards.

The proposed constitutional amendment would give the right to vote to every citizen who meets his State's age and residence requirements and who is not legally confined at the time of registration or election.

I agree with this proposal; and, therefore, I introduce at this time such a proposed amendment, for reference to the appropriate committee. I ask unanimous consent, Mr. President, that my proposed amendment to the Constitution be printed at this point in the RECORD.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 141) proposing an amendment to the Constitution of the United States with respect to the right of citizens to vote, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the editorials from the New York Times and the Washington Post, to which I have already made reference, be printed at this point in the RECORD.

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

[From the Washington Post, Sept. 9, 1959]

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.

[From the New York Times, Sept. 9, 1959]

CIVIL RIGHTS REPORT

The report of the Federal Civil Rights Commission to the President makes important, though unhappy, reading. It describes in detail what every informed American should be aware of—that large numbers of Negroes in the South are prevented from voting by methods which range from physical violence to legal trickery, that the Supreme Court decision outlawing school segregation has been far from implemented and that racial discrimination in housing forces Negroes, Puerto Ricans, and similar groups to provide disproportionate percentages of the Nation's slum dwellers. No American who takes seriously the ideas of freedom and equality in this Nation's heritage can feel anything but shame about the basic situation described in this report, even though progress has been and is being made in the area of extending civil rights to all.

What can be done to eliminate these evils in our democratic society? The recommendations of the Commission have already come under attack, particularly from those who benefit from the disqualification of many Negro voters in the South. But on the whole the proposals and recommendation of the Commission are moderate in nature and worthy of serious consideration by all men of good will.

The proposal that temporary Federal registrars be appointed to take over in southern areas where State and local officials prevent Negroes from voting has drawn immediate opposition from the diehards. Yet those who have begun shouting "States rights" must answer the grim story the Commission's report tells of how many State officials in the South have labored to prevent Negro Americans from voting. It is no answer to say merely, as does Commissioner Battle in his dissent, that "present laws are sufficient to protect" the right to vote. Too many Negro Americans are being denied the right to vote to take that claim seriously.

On housing, the Commission is constructive in its emphasis upon the need for more housing and for "equal opportunity to secure decent housing." On education the three northern members of the Commission should find a sympathetic reaction to their proposal that Federal aid be withheld from institutions of higher education which exclude students on racial grounds. We still have far to go to reach the ideal in the civil rights field, but the Commission's report promises to help us make progress. And it is certainly to be hoped that the move begun in the Senate yesterday to continue the life of the Civil Rights Commission beyond next November will be successful.

MUTUAL SECURITY APPROPRIATION BILL, 1960—AMENDMENTS

Mr. GORE submitted amendments, intended to be proposed by him, to 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, which were ordered to lie on the table and to be printed.

Mr. ROBERTSON (for himself, Mr. ELLENDER, and Mr. HUMPHREY) submitted an amendment, intended to be proposed by them, jointly, to House bill 8385,

supra, which was ordered to lie on the table and to be printed.

Mr. JAVITS (for himself and Mr. KEATING) submitted an amendment, intended to be proposed by them, jointly, to House bill 8385, supra, which was ordered to lie on the table and to be printed.

Mr. HAYDEN submitted an amendment, intended to be proposed by him to House bill 8385, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments, intended to be proposed by him to House bill 8385, supra, which were ordered to lie on the table and to be printed.

JOINT COMMITTEE ON FEDERAL-STATE ECONOMIC RELATIONS—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. KEATING. Mr. President, by some oversight, the name of my distinguished colleague the senior Senator from Connecticut [Mr. BUSH] was omitted from the list of cosponsors of the concurrent resolution (S. Con. Res. 70) to create a Joint Committee on Federal-State Economic Relations, when the concurrent resolution was printed. I do not know the reason for the omission. I apologize to the Senator from Connecticut [Mr. BUSH], and I ask unanimous consent that the name of the Senator be added to the list of cosponsors of the concurrent resolution.

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

PROPOSED SUMMER RECESS FOR CONGRESS

Mrs. SMITH. Mr. President, yesterday I submitted a concurrent resolution (S. Con. Res. 77) proposing that the Congress have a regular summer recess each year. I propose that in the even-numbered years we have a recess from the middle of August to the middle of November in order that Members have an opportunity to get back home to their constituents. For the odd-numbered years, I propose that the recess start 15 days earlier, on August 1, and last until November 1.

The difference in those proposed periods is due to the fact that elections are held in the even-numbered years and it would not be practical to be in session when the national elections are held in the first week of November.

There is nothing to preclude recessing at earlier dates than the first or middle of August if by such times Congress can complete all legislation on which there is an extreme time urgency. But there must be a firm deadline each year if we are not to be continually faced with the unsatisfactory conditions of legislating that every year mark the end of the session.

This year the situation is no different basically than in past years. The pressures have built up on the one hand to terminate the session because of the impending visit of a foreign dignitary, whose policies and practices are not approved by the American people whom we in Congress represent.

But the pressures have built up on the other hand to extend the session regardless of the timing of that visit—to extend the session long enough to complete the legislative business rather than leaving such business uncompleted.

Frankly, the Congress is in a dilemma. If we adjourn prior to September 15, we are subject to the charge of being scared out of Washington by a visiting foreign dignitary. But if we stay in session past September 15, we are in the position of either complying with diplomatic protocol in a manner offensive to the American people—or of pointedly rejecting such diplomatic protocol to the extent of risking impairment of peace potentials and aggravating further the dangerous tensions in the world.

While Congress itself is largely to blame for the dilemma in which it now finds itself, the contribution to this end result must be shared in some degree by the executive branch of the Government.

Regardless of where the blame rests, all of this could have been avoided if Congress had a set deadline date for recessing or adjourning each year and a date for returning after a summer recess. Definitely set legislative schedules would have avoided the dilemma.

My point is that whether we adjourn or not by a certain date should not be controlled by the time of a visit of a foreign dignitary. It should be controlled by whether we have finished the business at hand or not.

Yet, the visit of a controversial foreign dignitary—to put it mildly—should not be scheduled while the Congress is in session because of the obvious diplomatic embarrassment it causes.

Neither of these results would have been created if Congress had a set date for a summer recess—such as my proposal of recessing from August to November. If such a proposal were in effect the visit of the controversial foreign dignitary would have been scheduled during a time when Congress was not in session. If such a proposal were in effect the Congress of the United States would not be in the sorry spectacle of scrambling to get out of town before the foreign dignitary gets here—and of being vulnerable to the charge of being scared out of town before it completes its work on all urgent legislative measures. It reminds one of the song title of "Get Out of Town Before It's Too Late."

The pressures under which Congress works every year at this time of year do not make for orderly business, for clear thinking, for control of tempers and emotions, for sound legislating, or for the health of the Members. Whether it is this year—or any other year—these pressures create disorder, confused thinking, harmful emotions, destructive tempers, unsound and unwise legislation, and ill health with the very specter of death hanging over Members of Congress, including the key leaders.

I do not claim that the concurrent resolution I have submitted would solve all these problems or would remove and prevent all these conditions and results. But I am confident that such a proposed change of legislative schedule would go far to remove and prevent these results.

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

Mrs. SMITH. I yield.

Mr. MORSE. I heartily endorse the proposal offered by the Senator from Maine. I think it is a very sound proposal, and I hope that when the Congress reconvenes next January the concurrent resolution will be adopted at a very early date. If time permitted, I would wish that we could adopt it before Congress adjourns.

Some of the parliamentary discussions we have had in recent days in the Senate have caused many Senators to take a good, long, hard look at our procedures in the Senate. I believe that this is one of the procedural changes we should make. There are others.

As I stated on the floor of the Senate the other night, we should also make some procedural changes in regard to the daily schedule of the Senate, in order to expedite our business in the most efficient manner. We should set aside certain days of the week for Senate sessions, and other days for committee sessions, increasing the number of Senate meetings as the session proceeds and committee work grows less.

There is no reason, in my judgment, for not adopting a more businesslike schedule for the work of the Senate.

Mr. KUCHEL. Mr. President, here is one Senator who wishes to join enthusiastically in supporting the concurrent resolution introduced yesterday by the senior Senator from Maine [Mrs. SMITH]. I hope that early next year Members of the Senate and the House of Representatives can sit in judgment on the question of modernizing the Rules of Procedure, with particular relation to the time when Congress should adjourn for a summer recess, and when, and under what circumstances, it should reassemble in the fall for a short time.

The brains God gives us to think with are pretty well abused by 7 consecutive months of constant punishment and harassment. So far as I am concerned, I will give my modicum of support to the senior Senator from Maine in her sound and needed resolution. I hope my brethren on the Democratic side, as well as on the Republican side, will be given an opportunity to vote for the proposal which my friend from Maine is advancing.

STEEL COMPANIES SHOULD BARGAIN IN GOOD FAITH

Mr. YOUNG of Ohio. Mr. President, we have followed the impasse that exists in the steel strike with the greatest interest and concern. Not only does it vitally affect the prosperity and security of our Nation, but in my own State of Ohio more than 100,000 people are out of work and many others have been deeply affected by this strike. In Youngstown, Lorain, and other Ohio cities families of steelworkers are on relief rolls in terrifying increasing numbers.

I was delighted to read that the President of the United States is now showing an active interest in the steel negotiations taking place in New York. I assert

there appears a somewhat belated interest on the President's part, inasmuch as this steel dispute has now lasted longer than any since World War II, and the President had not heretofore taken an active part in trying to get the strike settled for the good of all concerned.

Be that as it may, the most important fact is that President Eisenhower now has shown concern and determination to end this unfortunate shutdown. I read his letter and the reply of David J. McDonald, the president of the United Steel Workers of America, with the greatest interest. Both letters, I thought, had considerable merit to them.

But, Mr. President, I was frankly amazed that the 12 steel company presidents, to whom President Eisenhower also addressed his communication, did not see fit to reply immediately to the Chief Executive of our Nation. Instead, the answer of the management of steel companies to the President was issued by their employee in these negotiations, R. Conrad Cooper.

The facts are that leaders of the steel workers' union have been contending all along that one clear indication that those representing the steel companies have not been willing to bargain in good faith has been the absence of their leading executives from the collective bargaining table.

The fact that Mr. Cooper, an employee, took it on himself to answer the President, even though the President's communication was not addressed to him, seems to give some substance to this contention by the union.

Mr. President, are the steel companies now ignoring the President of the United States just as they appear to have ignored the legitimate practice of collective bargaining in this controversy? When their employee in these negotiations answers a letter from our Chief Executive which was not addressed to him, it would suggest that they quite possibly are.

Of course, those of us who have closely followed this dispute may not be surprised at this attitude. It coincides with that of Roger Blough, the president of the United States Steel Corp., who recently declared that if the Government would not intervene in the steel strike, the price of steel probably would not be raised. But Mr. Blough added a very pointed threat: Government intervention very probably would lead to steel price increases.

Mr. President, I submit that this is an attitude toward the Government of the United States which has not been voiced by industrial leaders since the days of the "public-be-damned" moguls of a best forgotten era in U.S. history. Are the steel companies, swollen from the greatest peacetime profits in our history, trying to turn back the clock, not only in labor-management relationships, but in their attitude toward the U.S. Government?

Incidents such as I have mentioned give one cause to wonder, Mr. President. Officials of the steel corporations of America should meet President Eisenhower's challenge and finally sit down and bargain in good faith with the representatives of the union. The steel workers' union, as Mr. McDonald has clearly pointed out in his reply to the President, is now, and has been, willing to engage in honorable and bona fide collective bargaining. The national interest and the welfare of millions of Americans demand that the steel companies join the union in this effort.

SERIOUSNESS OF THE STEEL STRIKE

Mr. SYMINGTON. Mr. President, almost 90 percent of the steel capacity of this country has been closed down for 8 weeks.

There is far more at stake in this situation than how the income from the sale of steel will be divided between workers and stockholders.

After these 8 weeks of idle plants and idle workers, the economic balance sheet shows that we have lost the output of more than 17 million tons of steel; and also 15 million tons of coal.

We have lost more than 200 million man-hours of productive labor.

The Federal Government has lost hundreds of millions of dollars in tax revenues.

American families have lost several billion dollars of purchasing power.

During these 8 weeks, our steel industry has produced about 2.7 million tons of steel, while the Soviets have been producing an estimated 10½ million tons.

In other words, the balance has swung from where the United States was producing more than twice as much steel as the Soviets to where they are producing almost four times as much as we.

Last April, Allen Dulles, director of our Central Intelligence Agency, stated that Khrushchev predicted the United States future industrial growth "will be only 2 percent a year." Regarding that forecast, Mr. Dulles stated, "If this is true, the United States will be virtually committing economic suicide."

Consider what the prolonged shutdown of this country's steel plants is doing to support that prophecy.

It is becoming increasingly clear how little concern this administration has for the rapidly shrinking steel supplies of countless small and medium sized companies, or the suffering of millions of people whose wages have now been cut off for over 8 weeks.

It now appears the administration will only consider the situation serious after the planned swollen inventories of the great corporations have been liquidated, and those companies need some steel to continue operation.

There has been much talk about whether wages and price practices in the steel industry are inflationary. But the effects of this strike in themselves will be inflationary—especially in that black markets in steel already exist.

It is a fact that shortages cause price increases much faster than manipulations of the money market, monopolistic practices of large organizations, or Government deficits.

Businessmen who use steel know only too well what happens when it becomes necessary to go into the black market. Their costs jump up.

Again, I am not urging the President to enter the collective bargaining process. But I do urge him to give the American people specific details about just what this strike has done, is doing, and will continue to do the economy of the country.

If his intentions are to wait until these planned swollen inventories are liquidated and then to invoke the Taft-Hartley law, why does he not say so now, so that everybody can plan accordingly?

CENTENNIAL OBSERVANCE OF LAW SCHOOL OF UNIVERSITY OF MICHIGAN

Mr. HART. Mr. President——

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Chair recognizes the Senator from Michigan.

Mr. HART. Mr. President, science has put into the hands of man the means of destroying large numbers of people and of laying waste vast areas of the world. The tools of war now include items of almost world-ending power. People everywhere react to new spaceship achievements and avidly follow the discovery of the secrets of the sea's floor. Nevertheless, there is the recurring fear that these achievements may be turned to our destruction.

The increasing insistence that the "rule of law" become the ultimate and only means of resolving conflict between nations reflects this concern and fear and hope of mankind.

It is in this setting of a broader interest in the rule of law as the only means of survival that I invite the attention of the U.S. Senate to the centennial celebration of the Law School of the University of Michigan.

Beginning on Thursday, October 22, and continuing through Saturday, October 24, in the beautiful town of Ann Arbor, this program will develop the theme "Frontiers in Law and Legal Education." A complete summary of the program is, I believe, the most effective and persuasive invitation I could issue.

The purpose of the centennial observation is more than merely the marking of a milestone in the law school of a great university. It will look less to the past and more to the future. It will be directed to basic, fundamental matters, with the treatment having a philosophical rather than a purely technical orientation.

The main part of the program will consist of a series of lectures and addresses. The speakers will all be men of great distinction in public life and in their respective areas of the legal profession.

The Honorable John R. Brown, judge of the U.S. Court of Appeals for the Fifth Circuit, of Houston, Tex., will be one of the two speakers on Friday morning, October 23. He is planning an analysis of the relation between the National and State Governments in our Federal system.

Ralph M. Carson, of New York City, will be the second speaker on that Friday morning. Mr. Carson's discussion will be devoted to the subject of individual liberty in the modern state. The

effects of the ramifying state on personal liberty in the field of private law will be considered.

At a noon luncheon on Friday, the Honorable G. Mennen Williams, Governor of Michigan, and the Honorable John Dethmers, chief justice of the Michigan Supreme Court, will speak.

On that Friday afternoon, there will be addresses by Dean Erwin N. Griswold, of the Harvard Law School, and Dean Edward H. Levi, of the University of Chicago Law School. It is expected that these speakers will present their respective general philosophies of legal education with particular reference to purposes and goals.

On Friday night, at the centennial banquet, the principal speaker will be the Right Honorable Lord Hartley Shawcross, of London. He will speak on the rule of law in international affairs. Certainly, this is a "legal frontier," perhaps in these times the most critical of all.

At the convocation on Saturday morning, October 24, the principal address will be given by Mr. Justice Harlan, of the Supreme Court of the United States. He will discuss the place of the lawyer as a leader in American society in the formulation of basic public policies.

Mr. President, I hope that all who can do so will plan to attend any or all of these functions. I feel certain that in the next 100 years, as has been true in the past 100 years, the Law School of the University of Michigan will contribute men to all the States of the Nation and to many of the nations of the world men and women who will be leaders in their communities and professions, scholars, jurists, public servants, business leaders, and educators.

The preservation of civilization happens to be the assignment of this generation. The increasing application of the "rule of law" is, I suggest, the one means available if we are to fulfill this heavy assignment.

Again, on behalf of the Law School of the University of Michigan, I extend an invitation to all of the Members to attend the centennial observance. As an alumnus, I am proud to express the greetings of the Senate to the Law School of the University of Michigan on this centennial day.

PERSONAL STATEMENTS

Mr. MORSE. Mr. President, a few moments ago I listened to the Senator from Connecticut [Mr. DODD] discuss a newspaper article, published this morning, which maligns him and a group of other Senators.

In view of the fact that—for a change—in the article I do not happen to be smeared, I wish to raise my voice in defense of my colleagues who have been smeared.

Until recently, the author of the article was generally recognized around here as a sort of journalistic jester whose word clowning, which has characterized his writings, has—on occasion—been entertaining. But recently I have noticed that he has been inclined to use his pen as a yellow smear point, and has been making charges aimed at trying to destroy the reputation of good character of Members of the United States Senate, in particular.

In his article published this morning, he does an obvious injustice and smear job on a group of Senators who are entitled, I am certain, to words of character defense; and at the present time I shall speak a few of those words.

When that journalist proceeds to leave the reading public the sinister implications which he leaves in the article about men such as the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Connecticut [Mr. DODD], the Senator from Ohio [Mr. LAUSCHE], the Senator from Arizona [Mr. GOLDWATER], the Senator from South Dakota [Mr. MUNDT], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. AIKEN], the Senator from New York [Mr. KEATING], the Senator from California [Mr. KUCHEL], and the Senator from Colorado [Mr. ALLOTT], I do not propose to remain silent, because these men are the elected representatives of the people of sovereign States, and they are serving in the greatest parliamentary body that freedom knows today.

It is well known that I do not share the political viewpoints of some of these Members of the Senate, but I have the highest respect for their character and their integrity; and I do not propose to let that attack—sinister, subtle, canny, and cunning—remain in print without these words in testimony in behalf of and in support of the character of these Senators.

As Senators, I do not think we can permit such libelous, smear attacks on Senators to go unanswered, because let us not think for a moment that unanswered libelous assaults such as this one do not have sinister effects on American public opinion.

I am much concerned, anyway, about the tendency in this country to believe that if one is in politics, he must be just a little bit crooked, just a little bit expedient, or that he must have sacrificed, at least a little bit, his principles. Of course, not only do I deny that, but the record of the Members of this Senate is a living denial of it.

When the Senator from Colorado [Mr. ALLOTT], for example, is attacked—as he is—in the article, I believe a response must be made. I do not know anything about what the Senator from Colorado may or may not have said; but even if he said or wrote what is printed in the article, what is wrong with that? If a man sends him a $50 check, which he refuses and returns, obviously the one who sent it did so because he wanted to make a political contribution. What was wrong when the Senator from Colorado said, as stated in the article, "If you want to make a political contribution, I suggest that you might want to make it to the Republican National Committee."

That was a perfectly proper suggestion to make, and that would be a perfectly proper thing to do. But that is not the impression that is left by the article. I rise to protest such a smear.

The Senator from Connecticut [Mr. DODD] says he does not even have any recollection of having received such a check. But he has made perfectly clear what his position would have been if he had received it.

The great liberal Senator from Vermont [Mr. AIKEN] likewise is impliedly criticized in the article.

Mr. President, when such false charges or smear attacks are made upon Senators, in my judgment they are made upon the Senate and upon the integrity of the Senate.

Of course, Mr. President, if we ever have in our midst anyone who does not have the character and the integrity which we know are necessary in order to fulfill the solemn obligations of the office that Senators fill, we will have the duty—and we will exercise it—to take the proper steps.

But in this case false charges are made, and there is left the obviously incorrect impression that the Senate is composed of Members who, allegedly, are to be influenced by a $50 check; and in that connection, I point out the last sentence of this sinister and nasty article:

> A number of other recipients assured me they wouldn't think of keeping the palm-grown $50 either, even if it came from such a "frondly" source—
>
> Meaning "friendly," I suppose—
>
> but I fancied the palms of several itched.

Mr. President, what viciousness.

I assume that apparently the writer was writing from the standpoint of his own moral standards.

Mr. DODD. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Connecticut.

Mr. DODD. I thank the Senator from Oregon for what he has said.

I should like to make clear that I have not received any such letter or any such check—not as late as quarter of 10 this morning, at any rate—either in my office here in Washington, or in Hartford, or anywhere else. That is the first point I wish to make, namely, that the charge is absolutely false, insofar as I am concerned.

But I am pleased that the Senator from Oregon has pointed out the other implications of the article.

Mr. AIKEN. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from Oregon yield to the Senator from Vermont?

Mr. MORSE. I yield.

Mr. AIKEN. Mr. President, I presume that the Senator from Oregon has been speaking about an article which was called to my attention this morning, in which my name was listed. I do not know what prompted the author of the article to use the names mentioned without ascertaining the facts. I would doubt that he had any legal right to do so.

At any rate, the first I ever heard of the incident to which reference has been made was when it was called to my attention this morning. I never heard of the person who is presumed to have sent all of the $50 checks. I never heard of

such a check, never saw such a check, have not received any such check.

Any person who makes such efforts—in fact, I will not call them efforts, because I do not think all of them are intentional, although some are—by means of false statements in an article, to discredit the legislative branch of the Government, certainly bears a great deal of responsibility. So far as I am concerned, the statements in the article are false.

Mr. ALLOTT. Mr. President, I came on the floor of the Senate in time to hear the Senator from Oregon mention my name, and I had no idea until just this moment, when I had placed before me the column by George Dixon, of the subject of his comments. In fact, I did not know what the subject matter of his comments was.

I would like to say only this. I did receive such a letter and such a check and, in conformity with my long practice, I returned the check, and returned it promptly. In fact, unless the typewritten transcript was delayed by a day, it went out of my office the same day that it came in.

As I said, I did not hear the remarks of the Senator from Oregon [Mr. MORSE]. All I wish to say is this: The columnist asked me yesterday if I had received such a check, and I told him that I had. I can see no point in lying to a newspaperman who asks me an honest question; and since I did not originate the check, nor did any of my friends originate the check, I am in the same position as the Senator from Oregon would be in if I sent a check to him.

I did what I think was the only sensible and honest thing to do under the circumstances, which was to return the check. I did suggest that he might, if he still felt the same way after considering the matter, offer it as a gift to the Republican National Committee.

This is the whole story so far as I am concerned, and I am satisfied to leave it there. Where Mr. Dixon got his information about other Senators I do not know. He did not get it from me, nor do I know what any other Senators who may have received such checks did with theirs. I know what GORDON ALLOTT did, and I am perfectly happy with what GORDON ALLOTT did in this instance.

Mr. KEATING. Mr. President, I received a check for $50. The columnist is correct in that one statement. I do not know where he got it. So far as I know, he did not contact my office. Perhaps he did. I did exactly what Senator ALLOTT says he did. I promptly returned it to the donor. I did not suggest what he do with it. I thought I would leave that to his discretion.

I never heard of the man in Florida referred to in the article before. The check came as a complete surprise. I was somewhat amused by it. As I said, I never had heard of this man before, but I doubt if he thought he was doing anything improper.

People get peculiar ideas. One time an immigrant who had recently come to this country came into my office and planked $500 on my desk and said, "I need some help in a problem." I do not think that man realized he was doing anything wrong.

It may be the man who sent these checks did not.

I have been more severely attacked in columns than I have been in the column mentioned today. I am not worried too much to be listed among such distinguished colleagues. The only thing I am worried about is that the implication might result from the article that the Senator from Colorado [Mr. ALLOTT] and the Senator from Maryland [Mr. BUTLER], who are the only two Senators mentioned as returning them, were actually the only two who returned the checks.

I think it might be well to find how many still have the checks in their jeans. I doubt if there are any left at this moment. But all I can say is that I am not too concerned about it. I hope this is as severe an attack as is ever made upon me in any column. My conscience is perfectly clear. I bear no ill will toward the man who sent the check or toward the columnist who wrote the article.

Mr. KUCHEL. Mr. President, I did not receive a check for $50 or for any other amount of money from Mr. H. M. Forman nor from anyone else. Moreever, I have just telephoned my office to ask if any member of my staff knew of the receipt of such a check. The answer was "No." I want to add, had I received such a check I would have had it returned.

My friend George Dixon the columnist is simply incorrect. He is wrong. I am sure when he learns of his error he will correct it.

But, Mr. President, I want to defend Mr. Dixon as a newspaperman of honor and of probity who, like all the rest of us, can be guilty of error from time to time. I must say Mrs. Kuchel enjoys turning the morning newspaper to the editorial page to read Mr. Dixon's rather sparkling columns day after day. So do I. Sometimes the senior Senator from California is mentioned, perhaps with a little caustic humor. Maybe a little fun is poked at him, and he rather enjoys the column himself.

That is all I have to say.

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

Mr. KUCHEL. I yield to my friend from Kansas.

Mr. CARLSON. Mr. President, I wish to state that I did not receive a check. I do not know this man. I do not even know his name this morning. I have no doubt that he is one of our good citizens who felt, as a citizen, he had an interest in regard to a problem before the Congress of the United States. I do not think we should censure him too severely for what he did.

I do not approve of his actions. As I say, I did not receive a check, but I can readily understand his great interest and great feeling about the labor legislation which was so prominently before our Nation. Perhaps he thought, as a private citizen, he not only had a duty to petition the Congress but to reward Members for action he hoped they would take or had taken.

Mr. KUCHEL. I thank my friend. Like my friend from Kansas, I do not know this person, Mr. Forman, either personally or by reputation.

Mr. McGEE. Mr. President, I was not present when the discussion on this subject started this morning. Though I did not receive a $50 check from the same gentleman referred to in the column, I did receive some mimeographed tirades on matters affecting the labor bill, and I wonder, following the commendable action of the Senator from Colorado [Mr. ALLOTT] in suggesting, according to the press, that the check be forwarded to the Republican National Committee, if I might be privileged to forward the mimeographed sheets I received from the same source to the Republican National Committee and thus discharge any debt I may have to the correspondent involved in the article referred to this morning.

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

Mr. McGEE. I yield to the Senator from Colorado.

Mr. ALLOTT. I would suggest that the Senator might send it to the Democratic National Committee.

Mr. McGEE. I only wished to follow the example of the Senator from Colorado.

THE COAL INDUSTRY

Mr. McGEE. Mr. President, the matter I now desire to mention has nothing to do with the labor question in terms of labor-management legislation, but it has a great deal to do with labor in terms of labor productivity. Only so long as we have full employment can we realize our resource development, and the converse is true. As long as we pursue a program of resource development, we are going to encourage full employment.

I make this statement this morning because of a subject that is of deep concern to my distinguished freshman colleague from West Virginia [Mr. BYRD], as well as my colleague from Wyoming [Mr. O'MAHONEY], the Senator from Colorado [Mr. ALLOTT], and others. I refer to the future of coal.

We know that we have coal reserves in this country which would permit us to produce power unlimited, and the production of more and more power can encourage industrial expansion which can utilize the great resource and wealth of the West.

In my own State of Wyoming, for example, we have recoverable reserves of 60 billion tons of coal. That is enough to supply the United States for 150 years at the consumption rates of 1958, and because of the potential and the possibility, that resource development still holds. In the face of the antiresource development demonstrated by the repeated vetoes of this administration, I think it is important that we remind ourselves of what we really have, the riches that we command, and the power that we can produce here in America.

Along the line of this thought, I ask to insert at this point in my remarks in the RECORD an interesting study of the coal industry in Wyoming and in general

which appeared in the Laramie Daily Boomerang on Tuesday, September 1, 1959.

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

RESURGENCE OF COAL INDUSTRY TO MEAN MILLIONS TO WYOMING

WASHINGTON.—King Coal, the fuel which made possible the world of today, is slated for a critical role in the world of tomorrow, and its expected resurgence in the next few decades will mean millions of dollars and hundreds of jobs to the people of Wyoming.

Depressed in recent years by the loss of many of its historic markets, the bituminous coal industry is now girding to meet growing demands which are expected to reach total tonnage levels at least double present output by 1975.

Already contributing well over $7 million annually to the economy of Wyoming and supplying jobs to hundreds of its citizens, the industry will be called on for tremendous expansion to keep pace with America's growing population and powerfed industrial complex, a survey by the National Coal Policy Conference has disclosed.

ELECTRIC ENERGY EXPLOSION

America is on the verge of an almost unbelievable surge in total electric power capacity, in the opinion of both government and private economists. And by far the greatest portion of the fuel for the planned new capacity during the next two or three decades must come from America's almost limitless reserves of bituminous coal.

Philip Sporn, president of the American Electric Power Co., Inc., one of the Nation's leading utilities, predicts that total electric generating capacity of the Nation will have to be increased by some 360 million kilowatts in the next 20 years, compared to present capacity of about 150 million. Only about 40 million kilowatts of this new capacity is expected to come from nuclear energy and about 25 million will be hydroelectric, Sporn declares. The rest must be supplied from steamplants burning fossil fuels, the bulk of which will be coal. His predictions are comparable to those of other industry leaders and government experts.

The U.S. Bureau of Mines has estimated that America's growing population and industrial complex will create a demand for the equivalent of 1 billion tons of coal in new electric energy by 1980. It also sees a steadily increasing demand for fuels to supply other industrial and commercial needs of the Nation. Much of this new fuel will have to come from America's inexhaustible coal mines.

If coal continues to supply only its present 30 percent of the total energy market, the expanded U.S. demand for energy will mean an annual market for more than 800 million tons of coal in the next 20 years, or double total production in 1958, the Bureau of Mines estimates.

ECONOMIC BOON FOR WYOMING

This great increase in the need for coal power is expected to prove a boon to the economy of Wyoming, the National Coal Policy Conference survey pointed out.

In 1958 Wyoming mines produced 1,550,000 tons of bituminous coal, with a value of more than $5 million. The industry provided employment for over 1,000 men, with payrolls of more than $4 million. Add the taxes, payrolls and dividends paid by railroads, barges and truckers who transport this fuel, plus the earnings of various suppliers and we get an idea of the importance of the coal industry to Wyoming's total economy.

Even this contribution by coal could multiply in the next two or three decades. With Wyoming playing a leading role in the great industrial expansion of the Mountain States, the demand for electric power and other energy is certain to grow correspondingly, and much of this may be supplied from the State's own mines.

The U.S. Bureau of Mines reports that Wyoming has recoverable reserves of bituminous coal in excess of 60 billion tons—or enough to supply the entire United States for 150 years at 1958 consumption rates. If increased production in the State only parallels the predicted national trend, the coal industry would provide at least an additional $14 million a year to Wyoming's economy within the next two decades.

Coal is expected to assume an even larger proportion of steam electric production in Montana than in some other States, however. One reason is coal's cost advantage over competing fuels. Data compiled by the Federal Power Commission shows that in 1958 the average cost of coal to utilities in the Mountain States, including Wyoming, was only 21.9 cents per million B.t.u.'s (British thermal units). This was a decrease of 6.3 cents since 1952 and compared to an average cost of 25.2 cents per million B.t.u.'s for oil and 22.7 cents for gas—the latter up 6.7 cents since 1952.

INDUSTRY MOVES TO MEET DEMAND

With the vast increase in national consumption expected soon, the coal and transportation industries are moving now in a combined effort to be ready to meet the demands it will face. The industry has been in a depressed state for several years, due to the loss of such traditional markets as steam railroad locomotives, home heating plants and others beyond its control, and present mining and transportation facilities are far below the level that would be needed to produce and ship more than 800 million tons of coal per year.

This has resulted in the formation of the National Coal Policy Conference, a unique organization of producers, the United Mine Workers of America, coal carrying railroads, representatives of utilities and coal industry suppliers.

Joseph E. Moody, Washington, D.C., conference president, has warned that recent low production levels have left the industry in a precarious position to meet substantially increased demands, particularly in case of a sudden national emergency.

Unworked mines deteriorate, machinery is moved out or may not be maintained, producing companies may go out of business, and skilled workers drift into other industries and even other geographical areas, he explained. Total mines in operation in 1958 were about 2,000 less than in 1950. In addition, the railroads cannot afford to maintain or replace unused and deteriorating hopper cars, locomotives and other coal transportation facilities. In the last 3 years almost 50,000 hopper cars have had to be scrapped—several thousand more than have been put into service.

CONGRESS CONSIDERS NATIONAL FUEL POLICY

"Factors which have caused this production decline must be corrected so that the coal and railroad industries can move now into an orderly, year-by-year expansion of facilities to be able to meet the great new demands the Nation will place on them in the next two decades," Moody warned this week.

"In furtherance of this program, Congress now has before it a proposal by the National Coal Policy Conference for the establishment of a sound national fuels policy to insure that all of the Nation's fuel resources will be utilized to the best advantage economically and to the greatest safety of the country.

"It is hoped that this proposal will result in recommendations which will enable the coal industry to meet the Nation's requirements, to the great advantage of the economy of Wyoming and other coal producing States."

THE PROBLEM OF INFLATION

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a remarkably fine article written by the distinguished editor of the Wall Street Journal, Mr. Vermont Royster, on the subject of the dangers of inflation.

It is my conviction that inflation is our No. 1 domestic problem. We have lost more than 52 percent of the purchasing power of the dollar since 1940. In many ways we have planted the seed which can and I think will germinate into an inflation which will be very harmful, if not disastrous. It must be curbed in every possible way.

I hope this article will be read with care.

Following the signed article by Mr. Royster, I ask unanimous consent also to have printed in the body of the Record an editorial entitled "Time To Pay for Prodigality," from the Wall Street Journal of September 10.

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

[From the Wall Street Journal, Sept. 10, 1959]

FISCAL CRISIS: FEDERAL OFFICIALS SEE NEED FOR DRASTIC ACTION TO BAR HUGE INFLATION—THEY ASK TIGHT BUDGET CURB, POWER TO LIFT BOND RATES—IKE MAY RECALL CONGRESS—SOME FEAR A MONEY PANIC

(By Vermont Royster)

WASHINGTON.—A fiscal crisis of major proportions.

This is the grim prospect which the men who manage the money for the U.S. Government confess they see before them in the next 12 months—and perhaps sooner.

So concerned are the top officials of the Eisenhower administration that they are even now seriously considering both a special session of Congress this fall and a nationwide television appearance by the President himself to tell the country candidly the dimensions of the problem.

Mr. Eisenhower has already expressed his willingness to take both steps. The final decision to take them is being held up only by the hope that the crisis can be deferred until after the first of the year—and by the fear that to thus dramatize the extent of the Government's plight might precipitate the very chain of events that must be avoided.

NEEDED: DRASTIC STEPS

Yet the dimensions of the problem are already clearly revealed in the harsh and impersonal figures of the Government's fiscal position. After years of spending billions more than its income, the Government's debt is now $290 billion, the highest ever, including World War II. At last, the figures show, the Government is not only running out of money but also out of all the "easy" ways of raising money in the mammoth sums required. Whatever the next steps may be, they will have to be drastic ones.

The seriousness of the problem is clearly seen by the top officials at the Treasury Department, at the Federal Reserve Board, at the White House and also by those in Congress who have been willing to look. And privately, if not yet publicly, these deeply worried officials are wiling to give voice to some of the consequences they foresee if stern measures are not soon taken.

Here are some of the things they see: At the very least a sharp rise in interest rates, with the rate of the rise rapidly increasing in the months ahead.

At the very least, then, a severe "money shortage" that will make the recent tight money situation modest by comparison.

This would have a severe impact on the whole economy because it would squeeze all borrowers, Government and private alike.

Beyond this almost certain probability, some of the best-informed officials in the administration see worse possibilities which, though frankly recognized, are as yet spoken only in whispers.

A LOSS OF CONFIDENCE

The worst of these is risk of a loss of confidence in the Government's will, or ability, to face up to its fiscal responsibilities. This would breed fears of not just a slow and moderate inflation but of large and rapid inflation. Such fears could undermine the market for U.S. Government securities at home and create abroad a companion loss of confidence in the U.S. dollar, some faint signs of which have already appeared. The result, in the words of one high administration official, could bring a real money panic which would paralyze business and bring widespread unemployment.

This is truly a grim picture, and it may be that out of their deep harassment these officials draw it too darkly. But it is drawn with equal starkness in the executive offices along the Potomac and in some of the legislative offices on Capitol Hill. And even among those in Congress who have consistently dismissed all such concerns as "foolish fears," some now are beginning to wear worried frowns as they look at the hard figures that confront the U.S. Government.

Those figures, at best, do not present a cheerful picture. Here, in bare outline, is what they show:

Within the next 12 months the U.S. Government must try to borrow $78 billion merely to stay in the same place; that is, it must borrow this huge sum merely to pay off old debts it has coming due in that space of time. Actually the figure will be somewhat larger because some of the money will be borrowed on very short-term notes and bills which must be paid off by second borrowings before the 12 months have passed.

In addition to this heavy borrowing, the U.S. Treasury must somehow raise an additional $7 billion between now and Christmas to meet the spending bills that are piling up.

Thus the U.S. Government in 1 year must borrow a sum greater than the whole year's budget—a whopping $85 billion.

ONLY THE BEGINNING

But this only begins to sketch the difficulty. For these many billions must be raised in a money market already squeezed by the demands of the other borrowers—State governments, local governments, school districts, public authorities of one sort or another, plus record demands from private industrial borrowers.

How tightly the money market is stretched shows clearly in the record of the past few weeks. Last Friday the Treasury had to pay 3.9 percent interest to borrow money for only 13 weeks, the highest rate for such short-term bills since that dark March of 1933, when all the banks were closed. Its latest issue of 26-week bills drew an interest rate of 4.4 percent. This week the prices for U.S. Government bonds already on the market plummeted to their lowest prices on record and pushed the yields on these bonds (the effective interest rate) to the highest level for Government bonds since 1932.

The ordinary citizen can get a clearer idea of how high these interest rates are by reflecting that a decade ago the Government was borrowing money for 10 years on its savings bonds at a cost of 2.9 percent, whereas today it pays 4.4 percent for a 26-week loan. As late as 1958, it paid 1¼ percent for 1-year money; today it must pay more than 4¾ percent. The Treasury's lowest outstanding coupon rate on old bonds is 2⅛ percent; today the Government cannot borrow any money on long-term bonds at 4¼ percent, the present legal ceiling—it is simply out of the question.

This bar against long-term borrowing, if not lifted, means that the squeeze on the short-term money market will grow intense in the months immediately ahead. A 5-percent interest charge for even very short-term money no longer seems unlikely to anyone; the prime rate for commercial borrowers is already 5 percent. Some top officials expect it to soar even higher under the impact of the huge Treasury borrowings. "It's about ready to jump into the stratosphere," says one of them gloomily.

LUBRICANT FOR BUSINESS

The effect of this could be staggering. Long-term borrowers who use the money for capital investment can sometimes postpone their borrowings. But short-term loans are the lubricant for business; they are used to buy steel, to sell automobiles, to stock inventories. A short-term rate that did jump into the stratosphere would play havoc not only with the Treasury's money managers, but with the economy generally.

It is this prospect that lends urgency to the debate over whether to call a special session of Congress. At the current session the administration asked the authority to pay more than 4¼ percent on bonds so that it could shift a portion of its debt into longer term securities. So far this has been denied by Congress, and there is some feeling within the administration that the severity of the Treasury's money plight was not sufficiently dramatized.

A special session, particularly if it was coupled with a radio and TV talk by President Eisenhower explaining the gravity of the problem in simple language, would provide the sense of urgency. But against this—and here is what gives the administration pause—is the argument that it might also arouse public fears. And fear could set off a chain reaction to a real calamity.

For grim as is the immediate outlook for the money market, the real ghost that stalks the Treasury corridors these days is the specter of a sudden and wholesale loss of confidence in the U.S. Government's ability to meet its financial obligations without inflation.

PROBLEM FEEDS ON ITSELF

One of the highest administration officials puts it this way:

"No matter what we do, money is going to get tighter and everybody is going to be pinched. That means we have got to the point where the problem feeds on itself. The Government's huge demand for money pushes interest rates up, and the higher interest rates rise the more the Government's costs rise, which in turn means a bigger demand for money the next time around and so on.

"But the real crisis will come if people ever get the idea that the U.S. Government can't, or won't, face up to the facts.

"If the Government now tries to ease the pinch on itself by having the Federal Reserve supply its needs—which is what some people in Congress tell us to do—that would serve notice on everybody that we had abdicated. Then even the high interest rates wouldn't persuade foreigners to leave their money in dollars. Can you imagine what would happen if foreigners decided they would prefer to hold guilders or pounds or something to dollars?

"Or what would happen if Americans ever got persuaded—I mean really persuaded—that their Government was going to cut out paper dollars to pay its bills?"

The "what would happen," with regard to foreigners, refers not to the gold holdings of foreign governments here, although they too might be affected, but to the more than $18 billion of short-term securities held by foreigners in this country. Of this amount almost $7 billion are held by private citizens and businesses.

All these sums are, in effect, demand claims on the U.S. dollar; they could be liquidated and withdrawn at any time. And they probably would be, if ever confidence were lost abroad in the U.S. dollar. Such a flight from the dollar would mean further acute tightening of our money market, and still another spur to domestic inflation if the foreign fears spread to people at home.

The situation with regard to U.S. savings bonds could be almost as precarious. Americans today hold some $50 billion of these and they are entitled any day they choose to demand cash for them. In recent months more and more Americans have been cashing in their bonds anyway, under the lure of higher interest rates elsewhere and the bitter lesson since World War II that the dollars they receive at the end of 10 years are worth less than the dollars they pay for them.

In July alone the rate of redemption on savings bonds was more than double the rate of sales. Some $775 million of these bonds were presented for cash; only $350 million were sold, and most of those were sold through automatic check-off programs in business. This already adds to the squeeze on the Treasury's funds, but it is nothing to what the effect would be if the public really started cashing in their bonds wholesale.

Treasury officials hope that congressional permission to increase the interest rate payable on savings bonds, which may be forthcoming at this session of Congress, will help stem the tide of these cash-ins. But they are not even positive of that if at the same time interest rates generally are jumping higher and higher. "I'm not so sure," explains one official, "that the interest rate is nearly as important to the smaller saver as his confidence that the Government will pay him back dollars as good as those he spent for the bonds."

Confidence, then, is the key. And there is no question that some of the confidence of the men who manage the U.S. Government's money is already badly shaken.

At the Treasury there is a feeling that the Government can get through the immediate months ahead without a crisis, although not without difficulty. Treasury borrowings will be heavy between now and the year-end, and the upward pressure on interest rates will grow, but the squeeze should ease somewhat beginning in January when new tax money starts flowing in. If demands for cash aren't too high, the debt might even be reduced somewhat.

The problem of managing the debt would also be greatly eased if Congress gives the Government some better tools to work with. If the interest rate ceiling is lifted, the Treasury will probably put out some long-term bond issues, high interest rates or no, in an effort to reduce the pressure of conconstantly going to the money well for short-term loans.

SPENDING IS THE KEY

But there is no responsible official in the administration who pretends any of this will offer more than temporary relief if next June sees another large deficit to heap upon the $12 billion deficit of the fiscal year which ended last June. Spending is the key to the problem.

Since 1950 (to go back no farther) the U.S. Government has been running a parade of deficits of enormous proportions. The list of them tells the story: $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion. In only 3 years of this decade has the Government spent less than its income, and then the difference was only small amounts. So the story is one of a cumulative demand, measured in many billions, on the Nation's money markets.

What gives administration officials here their deepest concern is what the future bill will be if the Government cannot stop its spending and is forced to resort to open and undisguised inflation on a mammoth scale. To these officials the key to the future, as well as to the past, is what happens to the Government's spending.

But though a lot of people here are plainly shaken by what lies in front of them, there is still a lot of what might be called "worried confidence."

In a large and ornate office overlooking the marbled buildings of Washington, one of the best informed of the money managers meditates: "I just can't believe that the country will refuse to face up to the fact that the picnic's over and the money's running out. So I think we'll get through this crisis all right. But not, I suppose, until everybody recognizes that that's the word for it."

[From the Wall Street Journal, Sept. 10, 1959]

TIME TO PAY FOR PRODIGALITY

It cannot be an easy decision for the President to make public acknowledgement that the Government of the United States is in financial straits.

For one thing, such an acknowledgement must partake of the nature of a confession by those who make it; it must also carry implications of blame for many past errors by others. Thus it would be bound to raise a tremendous political furor.

For another, there is the sheer difficulty of explaining the problem, of relating the Government's fiscal difficulties, seemingly so remote, to the workaday lives of the people. It would require considerable skill to do this with the right sense of proportion.

And finally there is the very real fear that dramatic gestures might carry such a tone of desperateness as to make matters worse. It is this that pinions the President and those about him upon the horns of a dilemma; they may need dramatic gestures to give a sense of urgency to action, but the same gestures could conceivably turn a sense of urgency into one of panic.

So we can understand the doubts and hesitation over the plan, now being discussed within the administration, to call a special session of Congress to deal with pressing fiscal problems and to have the President personally explain to the country, by television and radio, the dimensions of that problem.

Yet it seems to us that the time has come for something to dramatize the Government's fiscal plight. The risks involved, we think, are far outweighed by what is to be won.

The fiscal problem as viewed by the men who manage the Government's money, and whose views are reported elsewhere in this newspaper, is serious, beyond doubt. But it is not calamitous, much less hopeless—if the right actions are taken promptly. And we have not lost our conviction that the people of the United States will support the right actions, once they are told the truth plainly and honestly.

That truth, in its simplest form, is that time has caught up with a prodigal country. For more than a decade this country has spent money like the proverbial drunken sailor. We have poured out billions to make life more pleasant for farmers, to pay handsome rewards to veterans, to give ourselves a luxury of houses and roads and any sort of welfare that came happily to mind. We have poured many billions of hard-earned money all over the globe.

And we have done all this with a blatant disregard of the deficit the billions accrued in our accounts. Many politicians led us on by dangling before us all the wonderful things we could buy with these billions. Worse, many learned economists reassured us that all those deficits were of no consequence; the supply of money was endless. Still worse, we as a people believed all this, too intoxicated to remember that even the richest purse is not bottomless.

Well, now the men who manage the money see that the bottom is not far away. The technical problem that grabs the headlines—the rising interest rates for borrowed money—is merely a warning sign of what lies beneath. It says that the barrel is running dry not only for the Treasury of the United States but for everybody.

But a warning is also an opportunity. Here the opportunity is time to choose between two paths. One is to choose inflation; not the modest inflation we have heard so much about but inflation in mammoth doses. The other is to choose to put our house in order.

This means, first of all, to pay the price of our past prodigality. Congress must give the Government the legal authority to shoulder long-term debts regardless of the cost, in interest rates, of that debt; the managers must have the tools to manage with. But it means most of all that we must stop our prodigal spending.

Neither the President, the Secretary of the Treasury, nor anyone else needs suppose that it is any secret to the informed people of the world that the United States has come to this choice. Not to speak of it, not to say frankly what must be done, will only hide it a little longer from the great body of the citizens.

So we think it is far better to speak plainly and act boldly. This county has had more than a decade of dancing to a feverish spending tune. But nobody need despair of it if it shows it is now ready to pay the piper.

CREATE INTERNATIONAL PERSONAL FRIENDSHIPS THROUGH PROJECT HOPE

Mr. WILEY. Mr. President, on numerous occasions I have stressed the vital importance of private citizens voluntarily working together in order to best solidify the ties with other countries on a warm, human, individual-to-individual basis. We all recognize that tangible, material, nation-to-nation help has long been manifest in the billions of dollars expended in foreign aid by the American Government throughout the free world. In addition, the recent Nixon-to-Moscow trip, the U.S. exhibit in Moscow, and other significant events have demonstrated that there is increased reason to believe that the East-West struggle may well be won by the free world through an effective presentation of our ideas, ideals, and goals to the minds of the world.

However, as I have pointed out, the people-to-people concept is based on the belief of individual Americans that better understanding among the peoples of the world can be achieved on a personal level through friendship, through sharing knowledge, through helping others to help themselves. People-to-people diplomacy means thousands of part-time ambassadors all working for better relationships among all peoples; and such contacts will help to form the basis of a lasting peace. When we Americans share with peoples of other lands our knowledge and experience and seek theirs on a truly personal level, we are portraying America as we believe it to be: A peace-loving nation trying to be partners with our friends. And we accept for a friend anyone who genuinely holds out the hand of friendship to us.

An indication of the deep concern felt by Americans for other people throughout the world can be found in a meeting taking place today in New York City. There a number of the foremost leaders in American business, industry, communication, labor, and other fields are gathered to insure the ultimate success of Project Hope.

Project Hope, an outgrowth of President Eisenhower's people-to-people program, was started some 8 months ago by the People-to-People Health Foundation, which is the corporate entity of the Committee on Medicine and the Health Professions of the people-to-people program. The Foundation is the mechanism by which the Committee will achieve its primary objective of "health opportunity for people everywhere." In an effort to provide a means of exchanging medical information between American medical people and the medical professions of newly developing nations, Project Hope is engaged in staffing and outfitting a mothballed Navy hospital ship which will sail for southeast Asia early next year.

Staffed with medical experts, nurses, and technicians, and carrying medical supplies, equipment, and teaching aids, the ship will serve as a floating medical center and school. Rather than attempt the direct treatment of the afflicted millions in that part of the world, Hope will endeavor to help local physicians, nurses, and health personnel improve their own medical skills and techniques.

Mr. President, I wish to emphasize that the $3.5 million needed to operate this ship for a year will be raised entirely from private sources; which will include donations from business and industry, as well as from thousands of individuals throughout the country.

By waging peace in ways such as this, we not only help the afflicted of other countries, but we help ourselves as well. At the cost of a few million dollars contributed by private citizens and industry, we are able to show conclusively that the American public is vitally concerned with the peoples of other nations. Recognition that health is essential to the attainment of national dignity is the basis of the project being initiated. No country can grow strong without a basically healthy population and no nation can attain leadership if it loses its people soon after they reach a maturity of mind and body. As standards of living are improved and productivity increase, people of newly developing nations will less and less be forced to depend upon aid from other nations.

In speaking of Project Hope, President Eisenhower recently stated:

> I have been impressed with the merit of the proposal developed by your Committee, which you have referred to as Project Hope and wish to commend you and the Committee for it and for the great effort both in time and money which your associates envisage devoting to this basically private project.

In order to acquaint my colleagues with the names of those who are participating in today's New York meeting, thereby helping to demonstrate in a most effective way to peoples everywhere the peaceful intentions of our Nation, I ask unanimous consent that the list of the

officers and board of directors of Project Hope be printed in the RECORD.

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

PROJECT HOPE

OFFICERS

William B. Walsh, M.D., president; Joseph T. Geuting, Jr., vice president; Eugene M. Zuckert, secretary-treasurer.

BOARD OF DIRECTORS

Francis Boyer, chairman of the board, Smith, Kline & French; Eugene Carusi, attorney at law, Washington, D.C.; John T. Connor, president, Merck & Co.; Justin Dart, president, Rexall Drug Co.; Mrs. Preston Davie, New York City; Spencer S. Eccles, president, Mountain States Implement Co., Ogden, Utah; Fred F. Florence, chairman, executive committee, Republic National Bank of Dallas; Joseph T. Geuting, Jr., manager, Utility Airplane Council, Aerospace Industries Association; Dr. Elmer Hess, former president, American Medical Association; Conrad N. Hilton, president, Hilton Hotels Corp.; C. D. Jackson, vice president, Time, Inc.; Eric Johnston, president, Motion Picture Association of America; George Killion, president, American President Lines; P. C. Lauinger, president, Oil and Gas Journal, Tulsa, Okla.; Edwin A. Locke, Jr., president, Union Tank Car Co.; L. F. McCollum, president, Continental Oil Co.; George Meany, president, AFL–CIO; Frank Pace, Jr., chairman of the board, General Dynamics Corp.; Morehead Patterson, chairman of the board, American Machine & Foundry Corp.; John G. Searle, president, G. D. Searle & Co.; Gen. L. J. Sverdrup, president, Sverdrup & Parcel Engineering Co.; Juan Trippe, chairman of the board, Pan American Airways; William B. Walsh, M.D., president, the People-to-People Health Foundation; Eugene M. Zuckert, attorney at law, Washington, D.C.

FEDERAL JUDGESHIPS

Mr. WILEY. Mr. President, I came to the Senate Chamber while there was a discussion with relation to checks. Apparently someone has been distributing checks. I know nothing about that, but I want to say a few words about what I think is necessary in relation to a check.

One might say that the administration of justice in many places in this country is very inadequate simply because we do not have enough justices to handle the volume of work. There was a recommendation, as I recall, for 45 additional Federal judges. I remember that was cut to about 27 or 28, but the bill to provide the judges is still pending. We are getting nowhere. The result is that justice delayed is justice denied. That is a check which should be removed. It is a very serious check.

Forty-five additional Federal judges are needed to adequately handle the business that is now crowding the Federal courts, and it is the duty of Congress to see that the people's right and desire for speedy justice are not denied by partisan politics. The people demand that justice be timely—not political.

I welcome the approval by the Judiciary Committee of 10 pending judicial appointments earlier this week. Nine more appointments, some dating back to last winter, still remain to be acted upon. It is necessary not only that we proceed to fill all existing judicial vacancies with due speed, but also that we expand the existing judicial machinery so that the people do not have to wait 2, 3, 4, or even 5 years for a trial of a civil case. Effective and unbiased justice is one of the vital differences between our free system of government and that existing under totalitarian communism. But none of us—Congress, judges, or lawyers—can escape the charge that a system which functions so slowly is defeating one of its primary objectives.

Three years ago, the Judicial Conference of the United States, which is the governing body for the whole Federal judiciary and which includes the Chief Justice of the U.S. Supreme Court and the chief judges of all Federal circuit courts of appeal, recommended that 45 additional judgeships be distributed among the districts and circuits with the most crowded calendars. As yet, this recommendation has gotten nowhere in Congress. One reason, it is said, is the reluctance of the Democrats to give such a big list of appointments to a Republican President. But those who suffer are the American citizens who are deprived of their speedy day in court.

Mr. President, as one who practiced for 30 years, I know justice delayed is really justice denied in many instances.

Recently, the administration has demonstrated its desire to remove partisan considerations from this needed reform when Attorney General William P. Rogers assured the annual convention of the American Bar Association that President Eisenhower is willing to fill half of the seats with Democrats if Congress creates additional Federal judgeships. I believe that the President's offer of judicial bipartisanship is an important step toward judicial improvement.

Mr. President, I have seen Republicans and Democrats appointed to the bench. After those men received their appointments they shed their so-called political color and no longer were active. Once in a while they did not. I remember one man particularly who could not seem to do so. He was always meddling in partisan politics. In many ways it reflected upon his ability as a judge.

When the present administration came into power in 1953, about 80 percent of the Federal judges were Democrats, but at present the number of Republicans and Democrats is about even. The American people have a tremendous investment in the Federal judiciary. The cost of operating the Federal courts is about $45 million a year. These courts handle litigation involving billions of dollars. Of even greater importance, however, is the fact that the courts serve to protect and preserve the most vital rights of citizens. We must make certain, therefore, that political considerations do not hinder the operation of our judicial machinery.

I most heartily welcome the administration's offer for bipartisan judicial appointments and a continuation of the balance between the two major parties. I now urge my colleagues to exercise the same degree of public responsibility and maturity by providing for new judgeships and by speedily filling existing judicial vacancies.

JUVENILE DELINQUENCY AND THE NEED FOR A YOUTH CONSERVATION CORPS

Mr. MORSE. Mr. President, one of the most serious domestic problems facing the American people is the problem of juvenile delinquency. The newspapers are full of discussions of this problem almost every day. The so-called gang warfare between and among teen-aged gangs is breaking out in many parts of the country.

We have pending, Mr. President, a juvenile delinquency bill. It is a bill which I certainly hope will be subjected to full debate, on motion, and voted upon before we adjourn, even if it carries the session far over into next week.

Mr. President, there is pending on the House side the bill to establish a Youth Conservation Corps, the youth camp program upon which the Senator from West Virginia [Mr. RANDOLPH] did such a marvelous job in the Senate. The bill has passed the Senate. Some of my advisers on the House side are rather pessimistic about action on the bill.

Mr. President, we should face the fact that this is another one of the very important domestic issues that Congress owes to the American people to consider before adjournment. That means we should go over into next week in order to consider this type of problem.

The youth corps bill, of which I am proud to be one of the cosponsors, is a bill which has been pushed on this side of the aisle, with some assistance from a few on the other side of the aisle, and is a Democratic-sponsored bill in the Senate.

It is interesting to note that the Republican Governor of the State of New York in a New York Times story yesterday took a very clear position in regard to the need for youth camps as an antidelinquency program. The headline reads: "Rockefeller Calls for Youth Camps, Easier Work Law—Antidelinquency Program by State Also Would Speed New Detention Facilities."

I ask unanimous consent that the article referred to be made a part of my remarks at this point in the RECORD.

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

ROCKEFELLER CALLS FOR YOUTH CAMPS, EASIER WORK LAW—ANTIDELINQUENCY PROGRAM BY STATE LAW WOULD SPEED NEW DETENTION FACILITIES—THIRTY CIVIC LEADERS MEET—MOVES OUTLINED AFTER TALK WITH MAYOR AND OTHERS—POLICE CUT EXTRA FORCE

(By Peter Kihss)

Governor Rockefeller announced a wide State move against juvenile delinquency yesterday.

The program includes developing new youth work camps, speeding construction of more detention facilities and increasing probation and parole supervision.

In a joint news conference with Mayor Wagner, the Governor also proposed revising laws to permit greater work opportunities for youngsters 14 years old and older. The State will also confer with management and unions to increase job apprenticeships for teenagers.

Meanwhile, Police Commissioner Stephen P. Kennedy said the police roundup of teenagers suspected of delinquency, which started

September 1, would continue. By 4 p.m. yesterday 334 youths had been picked up.

EMERGENCY FORCE CUT

However, there was a cut in the force of policemen who had been shifted to emergency patrol duties August 31. The 1,400 extra men had included 300 to 400 detectives, who were put on patrol on their days off. Chief of Detectives James B. Leggett said these men were now being given their regular days off again.

Governor Rockefeller said he could not estimate the costs of the new State program. But he reported that it was costing the State $2,800 a year for each of the 100 or so youths in the 2 existing camps.

He said he hoped to get this down to the $1,900 to $2,000 a year it costs to maintain a youth in correctional institutions. This would mean that it would cost $200,000 a year just for maintenance for every 100 youths brought into the new camp or detention programs.

THREE PERCENT OF YOUTHS INVOLVED

Mayor Wagner, in response to questions, said the city's juvenile delinquency problem involved only 3 percent of the city's youngsters—but that this included 25,000 to 30,000 who might have had some brush with the law.

The Governor and mayor held a news conference after a closed meeting at the Governor's office, 22 West 55th Street. Thirty officials and civic leaders attended the meeting, which was called last week by the Governor.

The meeting lasted from 10:45 a.m. to 1:25 p.m.

Later, Governor Rockefeller reported agreement that "greater parental responsibility" was the crux of a solution; that prevention was less expensive than cure in institutions and jails and that great progress could be achieved by more effective coordination.

Under the State program, two types of youth camps would be developed for work on State lands and forests. A preventive type operated by the conservation department cooperating with the education and social welfare departments would voluntarily enroll potential delinquents. The other type would add to the present two correction department rehabilitation camps for youths sentenced for lesser offenses.

The Governor said that the camp programs would provide vocational skills, moral values and discipline, and that the number who could benefit could run into the thousands.

The construction of State detention facilities also would be accelerated to relieve overcrowding. Mayor Wagner said this had been a bottleneck for years and had forced judges here to turn back to society youths who should have been sent away. He said other youths were being released too soon.

LAWS TO BE REVISED

A review of the laws that limit part-time work for 14- to 16-year-olds would be undertaken with a view to directing youngsters who are unable to profit from regular school programs to jobs instead of delinquency. Those under 18 must now obtain employment certificates to get jobs; those of 16 who have not yet completed high school must now attend continuation school 4 hours a week; those 14 and 15 may now get only vacation work permits.

Overhauling the outmoded continuation school program would also be undertaken. Governor Rockefeller said the present requirements for part-time day schooling were ineffective and inadequate and proposed that night education be considered.

The State program would also seek a more effective apprenticeship training program for 16- to 18-year-olds by cooperation among industrialists, union leaders, and the State labor department.

While the Republican Governor and the Democratic mayor indicated friendliness throughout their news conference, a political note was injected later by Michael H. Prendergast, chairman of the Democratic State committee. Mr. Prendergast charged the Governor with political hypocrisy on youth camps.

SAYS WORK WAS HALTED

Mr. Prendergast said the Rockefeller administration had begun by halting construction on a youth camp for which appropriations had already been set aside by the 1958 legislature and full plans drawn by the department of public works.

Appropriations asked by the outgoing Democratic administration for two more camps, he said, were shelved by the Republican-controlled legislature without protest from Governor Rockefeller.

Mr. Prendergast also charged that the Republican-controlled legislature in 1958 had refused to reimburse New York City for $250,000 in salaries for probation officers after the staffs had been expanded on the strength of a promise of 50 percent State reimbursement.

Yesterday's meeting took up an agenda for immediate and long-range action worked out last Friday by the Governor and the mayor. Governor Rockefeller praised the city for having moved on the security aspect with decisiveness to increase the police force and the number of policemen on patrol.

There was no weight at this discussion to complaints about coddling of youths here, Governor Rockefeller said. Nor was there any discussion of parents' legal responsibility for delinquent children, according to Mayor Wagner.

The Governor's office made public a memorandum saying that the State was paying $1,852,032 of the $4,285,455 cost of the New York City Youth Board program this year, representing 60 percent of the $3,200,000 total in aid distributed by the State youth commission.

All State programs against juvenile delinquency throughout the State were listed as follows:

Child welfare services	$4,350,000
Public school programs	1,275,000
Mental health programs through clinics	4,930,000
Mental health treatment in institutions	8,210,000
Reform institutions for youthful offenders	12,800,000
Probation and parole services	1,650,000
Work camps	370,000
Foster care	19,000,000
Youth bureaus	206,000
Recreation	1,600,000
Youth service projects	1,374,000
Youth commission administrative cost	330,000
Total	56,095,000

PROPOSALS BY THE GOVERNOR

Following is the text of a program of action proposed yesterday by Governor Rockefeller to combat juvenile delinquency:

"1. Establish two types of work camps for youth.

"A. For prevention and designed for known potential delinquents. Develop immediately plans for work camps to be operated by the department of conservation in cooperation with the departments of education and social welfare. In these potential delinquents would do needed work on State lands and in forests. Programs for developing vocational skills useful in urban areas would be geared into the outdoor program. The plan calls for a survey of all facilities which might be obtained and used for these purposes.

"B. For rehabilitation of youths sentenced for lesser offenses. Accelerate expansion of camps under the correction department similar to the two now functioning (North Pharsalia in Chenango County and Monterey in Schuyler County). A program similar to that above but with more security regulations should be adopted for those who can benefit.

"2. Accelerate additional facilities for detention of youth to avoid overcrowding.

"Rush completion of planned expansion of institutional facilities to relieve overcrowding of State institutions and review immediately the needs for new or expanded institutions for young people subject to commitment by the courts.

"3. Augment probation and parole services.

"Extend probation and parole facilities to provide additional supervision of young offenders, particularly those living in high delinquency areas.

"4. Review laws on youth and work.

"Consult immediately with labor and management on revision of the laws governing part-time work for the 14–16 age group. Youngsters unable to profit from regular school program become early troublemakers, disrupting classrooms and destroying school discipline. This proposal is designed to facilitate their being directed toward useful employment to avoid their falling into a pattern of delinquency.

"5. Overhaul outmoded continuation school program.

"Present requirements on part-time day schooling are ineffective and inadequate. Prompt review of the entire continuation school law is essential with particular emphasis on providing for part-time education at night.

"6. Action program with management and trade unions for part-time work for 16–18 year group.

"This calls for working with union leaders, industrialists, and the division of employment of the labor department to initiate a cooperative approach to the employment of youngsters who cannot benefit from further academic instruction and developing a more effective apprenticeship training program. A meeting will be called in the near future to start this program."

Mr. MORSE. Mr. President, there is no question about what the authorities in the field of juvenile delinquency, who testified before our committee, had to say about the subject. I sat on that committee and attended many of the hearings, and at a few I acted as chairman.

Mr. President, we owe it to the parents of this country and to the teenagers of this country to do something about the juvenile delinquency bill and the youth camp bill before we adjourn.

If the people of this country wish to know why I have been taking the parliamentary position that I have been taking in trying to assure full consideration of these matters and to delay adjournment until they can be considered, here is a good example of the many that I will stress before the day is over. I will take them up one at a time, but I wish to say early this morning that these two pieces of legislation are legislative proposals that Congress cannot justify walking out on by an early adjournment.

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

Mr. KUCHEL. Mr. President, will the Senator withhold the suggestion for a moment?

Mr. MORSE. No. I am going to have 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:

Allott	Green	Moss
Anderson	Hart	Murray
Bartlett	Hayden	Muskie
Bible	Hill	Prouty
Bridges	Hruska	Randolph
Byrd, Va.	Javits	Robertson
Byrd, W. Va.	Johnson, Tex.	Smith
Cannon	Keating	Sparkman
Carlson	Kuchel	Talmadge
Douglas	Long, Hawaii	Thurmond
Eastland	McGee	Wiley
Ervin	Mansfield	Young, Ohio
Frear	Morse	

Mr. MANSFIELD. Mr. President, I announce that 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 in Warsaw, Poland.

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 PRESIDING OFFICER. 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 PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BEALL, Mr. BENNETT, Mr. BUSH, Mr. BUTLER, Mr. CAPEHART, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DIRKSEN, Mr. DODD, Mr. DWORSHAK, Mr. ELLENDER, Mr. ENGLE, Mr. FONG, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GORE, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. LANGER, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. NEUBERGER, Mr. PASTORE, Mr. PROXMIRE, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Is there further morning business?

INDIAN LAND AND CREDIT POLICY

Mr. MURRAY. Mr. President, Senators may recall that on several occasions I have spoken in criticism of the policies of the Bureau of Indian Affairs under the Eisenhower administration. Without going into burdensome details, it has sometimes seemed to me that the administration, insofar as it was concerned with the welfare of the American Indians, was preaching principles or doctrines which failed to take into account sufficiently the simple fact that the real objects of Federal Indian policy are human beings, men, women, and children.

For example, the administration, by emphasizing the desirability that Indian children should attend public schools, and making a showing that this objective is being rapidly reached, has shown much less concern over some of the attendant social and economic problems which such a policy entails. Also I have no doubt that Federal Indian schools have provided a more suitable education, therefore a better education, than could be provided in some of the poorer rural schools.

I am not one of those who argues that Indians must in perpetuity receive special services from the Federal Government. But I do say that the Federal Government has an obligation not only to Indians but to the States and the local communities not to terminate its responsibility and abandon the Indians, until it is certain that the Indians and the Indian communities will survive, if they so wish, on a social and economic level at least as high as that of their non-Indian neighbors. I was pleased that the Secretary of the Interior voiced similar sentiments in a campaign speech in Arizona during the fall of 1958. I am, however, disappointed that he has not as yet seen fit to endorse the resolution I introduced early this year, Senate Concurrent Resolution 12, which is an almost word-by-word copy of his own words, and which would, if enacted, give his campaign utterance the force of congressional approval.

It has been heartening to see that my views, which are not unique to me, have slowly made way against the prior opinions and policies of the Eisenhower administration. Almost from the beginning of the present Commissioner's tenure, I have complained about two major issues of policy. One of these involves credit for Indians, particularly the niggardly management of the revolving loan fund established under the act of June 18, 1934. The second has been the unrealistic attitude of the Bureau regarding the land problem.

Let me say a few words first about credit. For a number of years, the annual reports of the Commissioner of Indian Affairs, or of his subordinate in charge of credit operations, have showed that roughly one-half of the money available for loans to Indians has been left idle in the Treasury. The Commissioner has argued, like the banker that he is, that Indians should be encouraged to borrow money from other agencies, Federal or private, and that they should learn to do business, or at least their banking business, as other citizens do. So the Commissioner each year points with pride to the rapid increase in Indian indebtedness to agencies other than the Bureau of Indian Affairs.

I admit that I am not convinced of the soundness of the Commissioner's views when I read that the largest item in the large increase in indebtedness is for "automotive equipment." I suspect that this is a euphemism for secondhand cars, some of which may be running still and all of which may be needed. But even if all the expansion of non-Government credit is for laudable purposes, that is far from proving that it is desirable for Indians who have not previously enjoyed extended credit from Sears, Roebuck, General Motors and other great corporations, to expand their indebtedness three, four, or five times in as many years.

I am reminded of the story of one automobile dealer, not in Montana, but another State, who sold a secondhand car to an Indian for $1,500. The Indian made a downpayment, and two or three subsequent monthly contributions. Then he sent word to the dealer to come get the car, that he would make no more payments. The dealer discussed his problem with a representative of the Bureau of Indian Affairs, who said that the dealer should be pleased, for he had been paid $200 and would still have his car. Scornfully the dealer replied, "The damn thing isn't worth $200."

So I repeat, Mr. President, that this rapid expansion of credit of which the Commissioner boasts may not be wholly a blessing. I am the more inclined to this belief because the Commissioner, or perhaps the Secretary of the Interior over his head, seems to have reversed policy. Less than a year ago, after holding about one-half of the fund idle in the Treasury, the Commissioner rapidly loaned or committed all the money in the fund. Presto, he was out of money. To the tribes which then sought loans, the answer was: "So sorry, we have no money."

Of course I am not informed as to the reasons for this seeming reversal of policy. But it came shortly before the November elections. I note, too, that a substantial increase in loans to the Alaska natives occurred about the time of Secretary Seaton's visit to Alaska. Even so, as Members of the Senate know, the Secretary's proteges for the Senate and for Governor of Alaska were not elected.

Now let me say a few words about the Indian land problem. I admit that some reservations do not have enough land to support the present population in farming or ranching. Yet that does not seem to me to justify the policy of the past 6 years, which has encouraged the Indians to sell their lands. Speaking through the Commissioner, the Bureau has said repeatedly that it must not deprive the individual of the sacred right to sell his land if the Bureau decides a sale to be in his interest. The Commissioner subordinated the interests of the Indian community, even though these might be affected adversely, and he ignored the fact that the individual Indian had a piece of land because he was a member of the tribe. Parenthetically, most tribes did not want their lands allotted to individuals. That policy was rammed down the throats of Indians by people who were intent on doing good for the Indians without regard to Indian views. Under the present administration hundreds of thousands of acres of Indian land have gone out of Indian hands. One of the tragic aspects of this

trend has been that more than half of the land sold has been offered at supervised sales, conducted by Bureau officials. That means, in words which all will understand, that the Bureau admitted that those Indian owners were incompetent.

Although my protests were reinforced by those of many tribes and by outsiders interested in Indian welfare, the Department continued its policy substantially unchanged until last year. Then I asked for a moratorium on land sales until the end of the last session, in order that the Congress might look at the problem. You are well aware, Mr. President, how difficult it is to focus congressional attention on some of these Indian problems. Inevitably the Congress adjourned without taking any remedial action.

Nevertheless, two important things happened. First, our Committee on Interior and Insular Affairs sent out questionnaires, the answers to which provide some data for an overall attack on this problem of Indian land. Second, after all these months and years, the Secretary of the Interior appears to have reversed Bureau policy again. With the approval of the Bureau of the Budget, that is, with administration approval, he has asked the Congress to amend the Indian Reorganization Act of 1934, by increasing the loan fund authorization from $10 million to $25 million. And what is more, he wants to use the increased amount to buy land, land presently in Indian ownership, but that ownership so broken into inherited interests that no one family or group can make use of it.

I wish to make several comments on the Secretary's proposal submitted on June 4.

He seems to chide me because I have not been able to stop the sale of Indian lands. He should know that I could not stop them, but he could. Temporarily he did, at my request. Now he is seeking a remedy. His remedy is good, but it does not go far enough or soon enough. I wish to make two points:

First. Twenty-five million dollars today has the purchasing power, approximately, of $10 million in 1934. So the Secretary's request, if approved, would only get the Indians back to the level of 1934.

Second. Even if the Congress approves the Secretary's request, it will be several years before any money will be available. There is no possibility of enactment at this session. If it is enacted at the next session, it is possible that an appropriation to begin to carry out this program might be made for the fiscal year 1962, but it might be later.

In this situation, recognizing that the Secretary now admits a need for action, I have addressed a letter to the Secretary, which I will ask to have printed in full at the conclusion of my remarks. In brief, I have urged the Secretary to include in the Bureau's budget for fiscal 1961, the estimate which will come to the Congress next January, a request for $5 million to begin the land readjustment program. If my suggestion is followed and approved by the Congress, money for loans to Indians would be available next July 1.

My plan has one other merit, which may appeal to some Members of the Congress. Any money appropriated will be loaned to Indians, and when the loans are repaid the money will be returned to the Treasury.

If the Secretary's proposal is followed, the authorization for the Indian loan fund will be increased at some uncertain future date. Whatever money might be appropriated pursuant to such an authorization would be placed in the revolving loan fund. I do not object to that proposal, but I want to see something done promptly. I believe that on many reservations the situation is critical. If we do not move now, we shall have more and more Indians dependent on Federal bounty in the rural communities, or grudgingly, inadequately given relief by the States and local communities, or else we shall be relocating them, also at Federal expense, in the hope that they will be able to adjust to city life and there earn a decent living.

So, Mr. President, my proposal is that we return to the Snyder Act of 1921 which is still the basic act for appropriations to the Indian Bureau. Under that act, appropriations for loans to Indians were made each until 1944. These loans were designated as "advances" or "reimbursable loans." There is no doubt in my mind that this statutory authorization is still effective. In recent justifications for appropriations, addressed to the Congress, the Bureau has stated that it is winding up the program under this authorization, but obviously the Congress could reverse the Bureau's position. I suggest that, rather than wait several years for a new law which would perhaps make more money available, the Department and the Congress use the existing statutory authority. I have suggested an appropriation of $5 million. By the time the Congress has acted on the Secretary's request for legislation, the Department would have had the use of some immediate funds, and it would be in much better position to inform the Congress as to the total problem.

Let me sum up. The Secretary now admits that he should make more loans, especially to keep Indian lands in Indian ownership. We should say to the Secretary, "Good, we agree with you. We have been trying to convince you of this need. Now that you finally concur with us, we want to help you now by appropriating some money for you to make a start on this program." The Secretary of the Interior should not be left in the position of chiding the Congress, rightly or wrongly, for failing to do what he says is wise, particularly as some of us in the Congress have been telling him what we think he should do. Now that he concurs, let us give him the means to start the program.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following these remarks, my letter to the Secretary to which I have alluded.

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

U.S. SENATE,
Washington, D.C., September 9, 1959.

Hon. FRED A. SEATON,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: In response to a request from this committee for a report on my bill S. 51, your Department, over the signature of Assistant Secretary Ernst, proposed a number of significant amendments, only one of which I intend to discuss in this letter, the proposal to increase the revolving loan fund for Indians from $10 million to $25 million. I have no doubt that in due course the Subcommittee on Indian Affairs and later the full Committee on Interior and Insular Affairs will consider your proposals in detail.

For the moment I wish to make two brief comments and one request for action which need not await passage of the amended bill.

First, as to the sum you recommended, $25 million, you concede in your report that the amount of the loan fund that may be needed * * * is difficult to estimate. I point out that $25 million today has approximately the purchasing power of $10 million in 1934. So, even if your suggestion is approved by the Congress, the Indians would be back at the 1934 level. It may well be, therefore, that your recommendation would not be adequate to carry on your enlarged program.

Second, even if the bill as you recommended should be enacted in the 2d session of the 86th Congress, it is not certain that an appropriation would immediately follow. In all probability, if I may judge the Bureau of the Budget fairly, it could conceivably take 3 to 5 years before the Department would be permitted to ask for the total sum authorized. Fiscal year 1962 would certainly be the first year in which any money could reasonably be expected.

Third, my proposal for immediate action is that in your Department budget for the next fiscal year, 1961, you ask the Congress for $5 million to be immediately available for loans to Indians. This appropriation would not require an amendment to the Indian Reorganization Act. For more than 20 years the Bureau made loans under the authority of the Snyder Act, approved November 21, 1921, the basic law under which appropriations are made to the Bureau. As a matter of fact, both before and after the approval of that act, the Congress appropriated money for advances or reimbursable loans to Indians. So far as I know, no question has ever been raised as to the authority for these appropriations. Each year, in essentially the same language, the Congress appropriated moneys:

"For the purpose of encouraging industry and self-support among the Indians, and to aid them in the culture of fruits, grains, and other crops * * * dollars, or so much thereof as may be necessary, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided,* That said sum shall be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States on or before June 30, 19—."

Someone may object that the language used for many years does not expressly authorize loans for the purchase of land. I believe that the same objection might be raised to the section of the Indian Reorganization Act establishing the revolving fund. As the Department has approved loans out of the fund for land adjustment programs, neither the Department nor the Congress need object to my request. The

sum I have suggested, $5 million is only one-third of the total recommended by you. It would be adequate, I believe, to tide over the Department until the larger authorization could be obtained. It would be a simple matter, however, to modify the appropriation language so as to remove any doubt.

Finally, Mr. Secretary, let me assure you again of my concern for the preservation and extension of the Indians' land base, their homelands. Naturally I am delighted that you now assert the need for a land program, and have asked congressional support and approval.

Sincerely yours,

JAMES E. MURRAY,
Chairman.

PROMPT ACTION BY THE MONTANA DELEGATION ON EARTHQUAKE

Mr. MOSS. Mr. President, the senior Senator from Montana [Mr. MURRAY], the junior Senator from Montana [Mr. MANSFIELD], and Montana's two sterling Representatives, LEE METCALF and LEROY ANDERSON, constitute a legislative team that works constantly for the benefit of both the Nation and the State of Montana. Their response to the earthquake disaster is but another example of their constructive leadership. I would be remiss if I did not make some mention of their vigorous and effective action. My close association with their work on this matter gave me a vivid demonstration of how effectively this team operates.

SENATOR MANSFIELD TELLS GOVERNOR THERE IS AN EARTHQUAKE

The most remarkable event was that Senator MANSFIELD knew about the earthquake in Montana on the morning of August 18 before the Governor did. This reflects, partly, the speed of radio communications that news can reach the four corners of the earth as it happens. But MIKE MANSFIELD was, as usual, alert, and, as usual, up early; and when he heard of the catastrophe, the first thing he did was call the Governor to offer all assistance. The Governor could not be located at the capitol in Helena. He was on his farm at Cut Bank, so the Senator alerted other people to advise the Governor.

DELEGATION GOES INTO ACTION

On August 19 the delegation met to discuss the problem, and Senator MURRAY and LEE METCALF suggested that an on-the-scene review be made. Arrangements were immediately started so that members of the Senate and House Public Works and Interior and Insular Affairs Committees could go to the earthquake area the weekend of August 22 and 23. Representative LEE METCALF and Representative LEROY ANDERSON led the group, which included Representative PFOST, Representative JOHNSON of Colorado, Representative MORRIS of New Mexico, and Representative BALDWIN of California.

There were also representatives for Senators DWORSHAK, CHURCH, and O'MAHONEY, as well as the staffs of the House Public Works and the Senate Interior Committees. In addition, the Federal agencies were represented by the Forest Service, Park Service, Fish and Wildlife Service, and the Corps of Engineers.

I was most fortunate in being able to go and see the disaster wrought by this earthquake and I can assure the Senate that it was an amazing sight.

The people on the ground—Forest Service smokejumpers, engineers, park and highway crews, law officers, Red Cross, and others—did a tremendous job in alleviating the damage.

POLICY CONFUSION AT STATE LEVEL

One thing which stood out in contrast to the effective on-the-ground work was the policy confusion at the State level. The Governor and his representatives came to meet us. In fact, the Governor had planned to go to Canada for the weekend but canceled his plans and came back to work with us. He kept emphasizing that he needed all Federal aid available but he seemed reluctant to declare a disaster area or else did not have a full grasp of the procedures available under the Federal Disaster Act and other subsidiary disaster authorities.

We left Montana only with the plea that we find out what Federal help was available and the assurance from the Governor that he needed it. I had the feeling that the Governor believed a disaster declaration might hurt Montana's tourist business. Already the radio, TV, and papers across the Nation had carried banner headlines on the earthquake and Life magazine came out with full pictorial coverage. The west Yellowstone route of Yellowstone Park was sealed off. The need was not to avoid publicity. This could not be done. The need was to write a final chapter of dramatic restoration so that the suffering of the people was alleviated and the economic life of the region saved.

Mr. President, I make these statements because the facts demonstrate that Montana's State Government needs to gear its governmental machinery to cope with disasters. I think that to varying degrees this is true of all States and our Federal agencies as well. But let me emphasize again that the people on the ground saving people's lives, reconstructing roads and maintaining law and order did a very creditable job.

MONTANA'S CONGRESSIONAL DELEGATION MAPS A PROGRAM

As we returned, we discussed the disaster and what the Federal Government could do. One salient fact was that a great deal of the damage strangling the economic life of the region had occurred on Federal lands—the national forests and the national park. Another was that road damage was a major problem.

As we returned, we agreed that the Governor should notify the President that he had a disaster situation. Representative METCALF also suggested the possibility of amending the Highway Act to permit 100 percent use of the emergency fund. The other possibilities were to obtain assistance from the Small Business Administration, also to permit commutation of VA and FHA loans under a President's disaster declaration, and to get aid for the schools so badly damaged that they wouldn't be safe for children. A major problem was assessment of the new dam a mile long and 150 feet deep which was creating a huge lake. Here the Corps of Engineers, with its customary dispatch, was moving in aggressively.

Upon returning to Washington the Montana delegation went to work. The heads of the various departments were contacted on August 24 to make certain they appreciated the urgency of the situation. Each, in turn, pledged support and promised to have representatives meet with the Governor on August 28 to give him much-needed advice and counsel.

DELEGATION CUTS ROADBLOCKS

The most significant action by the delegation occurred on the road problem affecting Federal lands.

On August 25 the Department of Commerce was asked to provide a draft of legislation to amend the Highway Act and on August 26 it was received. Consultation with key Members of Congress on August 27 brought assurance of active assistance to amend the Highway Act. The delegation then met with Highway Director Tallamy on the morning of August 31 and on that afternoon introduced legislation to make the highway emergency fund available.

With effective work well under way, the Public Works Committee acted promptly and the Highway Act, which passed the Senate on September 5 contained the Montanans' provisions.

In my opinion, this is a legislative record for positive action.

DISASTER AID INFORMATION

Another example of cooperation was the assistance offered by the able senior Senator from Minnesota [Mr. HUMPHREY]. He rushed to print a comprehensive "Federal Disaster Relief Manual." In the space of a few days the Senators from Montana had secured a special printing and had sent it on to the people of their State. This put into the hands of the people full information on the types of Federal assistance available. It told the people how to get help and where to get it.

THE DELEGATION WORKS FOR THE PUBLIC WELFARE

Mr. President, the members of the Montana delegation are, as I said, a team. This is the key to their effectiveness. They have between them over 50 years of legislative experience. When a problem occurs they are both ready to act and capable of moving.

The senior Senator from Montana [Mr. MURRAY] has a warm and complete understanding of the truth that the people's welfare is our most important public consideration. He has been a long-time leader in every piece of legislation that will provide opportunity to mankind.

I marvel at the capabilities of the junior Senator from Montana [Mr. MANSFIELD]. He stands here in the well of the Senate day after day conducting the important business of the Nation. He does this with one hand on the pulse of Montana, the other on the pulse of the Senate.

The House team of LEE METCALF and LEROY ANDERSON is outstanding, and

this is remarkable in that larger body where capabilities are harder to discern. LEE METCALF, in particular, has a natural reputation for his yeoman work in conservation and in the field of education. Representative ANDERSON, who brings to the House a wealth of military experience, is an agricultural expert of great ability.

I have no doubt that Montana will recover from the devastating effect of this earthquake. The process has been speeded and the needs of the people better met because in the Halls of Congress the Treasure State is represented by such capable people.

I want to salute them today because of their one major fault. The entire delegation is modest. Others may claim the credit for the work they do, and this does not deter them or even disturb them. I think their accomplishments should receive note because the single step of revising the Highway Act is going to provide future benefits to the West where Federal lands are so dominant.

TELEVISION PROGRAMING

Mr. McCARTHY. Mr. President, for almost 5 years, Joe McCaffrey's television program, "Celebrity Parade," has served the public interest in the Washington area by presenting week after week excellent informative interviews of public figures and private citizens, all concerned with political and social problems affecting the welfare of large numbers of our citizens.

On September 27 of this year "Celebrity Parade" will leave the air. In its place, station WMAL–TV will show by video tape a football game played the previous day. The football game will be shown from 12:45 until 2 p.m., and will usurp the 1:30–2 time now allotted to "Celebrity Parade." Mr. McCaffrey and his sponsor, the Retail Clerks International Association, were informed by WMAL–TV that the only time now available to "Celebrity Parade" would be 12 noon on Sundays, an hour universally acknowledged to be very poor television time in terms of the numbers of viewers. WMAL–TV says that no other time is available for "Celebrity Parade."

The fate of "Celebrity Parade" is a matter of concern to all thoughtful citizens who in recent years have observed to their dismay the similar plight of other worthwhile programs. It is, moreover, particularly regrettable that a program which so clearly reflected and served the interest of the Washington community should be forced to leave the air in this area.

In an interview in Look magazine for August 18, 1959, Edward R. Murrow observed:

> I believe that this country is in mortal danger, yet the TV audience is being fed a diet of pap during peak hours. Surely we will pay for using this powerful instrument to insulate the citizenry from hard realities.

I believe that Mr. Murrow's point is well illustrated in WMAL–TV's action in replacing "Celebrity Parade" with a day-old football game.

I am sure that it was the intent of Congress when it passed the Federal Communications Act of 1934 and that it is the intent of Congress now that broadcast licensees should have a responsibility to inform as well as to entertain the public. As Senators know, Federal Communications Commission regulations provide for the review of a station's programing at the time of renewal of the station's 3-year license to broadcast. At that time, the FCC may raise the question of whether a station is actually operating in the public interest. There are, however, no definite requirements as to the percentage of broadcast time which must be given to public information programs, and no explicit guidelines for determining whether the amount of time given by the station is adequate, or whether the airing time is desirable from a point of view of listenership.

Mr. President, I am in complete agreement with section 326 of the Federal communications law, which forbids any censorship of station programing by the FCC. I believe, however, that steps should and must be taken to assure that our broadcast media exercise in full their responsibility to serve the public interest, a responsibility they incur when they are licensed to broadcast. Surely one aspect of this public responsibility is the allotment of desirable viewing time to worthwhile and informative programs which clearly serve the public interest by alerting citizens to the great problems which face them.

Mr. President, I am of the opinion that unless the television stations themselves exercise this responsibility, the Congress will have to assume it in the near future.

COMMITTEE HEARINGS IN TEXAS ON PROPOSED PADRE ISLAND NATIONAL SEASHORE AREA

Mr. YARBOROUGH. Mr. President, it was indeed gratifying to me to receive from the distinguished and very able chairman of the Senate's Interior and Insular Affairs Committee, the Senator from Montana [Mr. MURRAY], a letter informing me that later this year, hearings will be held in Texas on my bill to set up a national seashore area on Padre Island.

I feel sure that when the members of the committee see for themselves that beautiful place, so rich in natural beauty with a 110-mile-long unchanged, natural shoreline, and with outstanding potential recreational facilities, they will understand why the movement to preserve this unspoiled area of our Nation's rapidly vanishing open shoreline is gaining such momentum. And I feel sure the people of Texas and the Nation will demonstrate to the committee their strong support of the proposal.

Senator MURRAY's statement came in reply to a letter from Senator LYNDON JOHNSON, Representative JOHN YOUNG, Representative JOE KILGORE, and me. We will welcome the committee to Texas at whatever time is deemed best for the hearings.

In deference to the Senators from Texas, in whose State this area lies, the committee has not fixed a definite place or a definite date for the hearings; but the committee has indicated that the hearings will be held.

Mr. President, among all the areas across the country that are being considered as prospective national seashore areas, this is the longest and the largest one that still is in an unspoiled state. A great part of the heritage of the American people will be saved if this area is established as a national seashore area.

Mr. JOHNSON of Texas. Mr. President, will my colleague yield to me?

Mr. YARBOROUGH. I yield.

Mr. JOHNSON of Texas. Mr. President, I have been informed, as has my colleagues, that the committee will delegate some of its members to hold the hearings in Texas. I believe that is largely the result of the vision and foresight of the very able junior Senator from Texas [Mr. YARBOROUGH] in introducing the bill and in awakening public opinion in regard to this very vital matter.

I commend him for his activity in this field, and I applaud the efforts of the Members of the Texas delegation in the other body who have supported him in his attempt to see that this valuable heritage is preserved.

Mr. YARBOROUGH. Mr. President, I thank the distinguished majority leader, my senior colleague from Texas, for his kind remarks, and also for his action in signing the letter appealing to the chairman of the committee to have the hearings held and to have the appropriate information gathered, for the benefit of the Congress and the people, in regard to the great opportunity to preserve this area.

It is most important that immediate steps be taken, because, although the island is 118 miles long, development has begun at each end, and 2 or 3 miles at each end have been built up, and plans are in their incipiency for further construction. So unless the area is now preserved as a part of the heritage of the American people, it will be lost forever, inasmuch as so large an unspoiled area will not long lie untouched.

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

Mr. YARBOROUGH. I yield.

Mr. MORSE. Is the Senator from Texas submitting an amendment?

Mr. YARBOROUGH. No, Mr. President; I am commenting upon the proposed seashore national area and the bill I have introduced in that connection and the fact that the committee has written a letter in which it states it will hold hearings this fall on the bill which I have introduced, to create the area.

Mr. President, I request unanimous consent to have printed in the RECORD an editorial entitled "Texans Push Padre Island Project," from the Beaumont, Tex., Enterprise for Sunday, September 6, 1959.

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

[From the Beaumont (Tex.) Enterprise, Sept. 6, 1959]

TEXANS PUSH PADRE ISLAND PROJECT

Every Texan whose soul is stirred by the wondrous works of Mother Nature will welcome wholeheartedly the news that certain

Members of Congress from the Lone Star State are pushing for establishment of a national shoreline area on Padre Island.

Even those who make a profession of proclaiming the perils of Federal encroachment could hardly afford to object to this move for preservation of the longest remaining undeveloped beach area in the Nation.

The people of no State will drink so fully of the island's lonely and unspoiled beauty as those of Texas. Even so, the area should prove a powerful magnet each year for thousands of outsiders—men and women and children who'll route many a dollar into the economy of this commonwealth.

Letters to Secretary of the Interior Fred A. Seaton and Senator JAMES E. MURRAY, of Montana, Senate Interior Committee chairman, pressing for establishment of the shoreline area, were cosigned by Senators LYNDON B. JOHNSON and RALPH YARBOROUGH, and Representatives JOE M. KILGORE and JOHN YOUNG.

The letter said: "Here at Padre Island the United States has its last opportunity to preserve a substantial length of beach area in its natural state."

Such action has been recommended by the National Park Service, the Interior Department Advisory Board, and other groups.

PERSONAL STATEMENT

Mr. PASTORE. Mr. President, I have just now returned from the Senate reading room, where I picked up a copy of the Wednesday issue of the Providence Journal in which I read—for the first time—a front page article, as follows:

Senators dreamed happily yesterday of what could be a most pleasant junket—a mass visit of all Members to Hawaii.

By way of making the dream more realistic, Senate Republican Leader EVERETT M. DIRKSEN, of Illinois, disclosed that he has drafted a resolution calling for a $200,000 outlay to cover the expenditures of Senators for such a trip.

I ask unanimous consent that the entire article be printed in the RECORD, in full.

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

U.S. SENATORS DREAM HAPPILY OF $200,000 HAWAIIAN JUNKET

WASHINGTON.—Senators dreamed happily yesterday of what could be a most pleasant junket—a mass visit of all Members to Hawaii.

By way of making the dream more realistic, Senate Republican Leader EVERETT M. DIRKSEN, of Illinois, disclosed that he has drafted a resolution calling for a $200,000 outlay to cover the expenditures of Senators for such a trip.

A cabled invitation from Gov. William F. Quinn for the Senators to attend a statehood celebration beginning Thanksgiving Day provoked what Mr. DIRKSEN described as "hilarity and exuberance of spirit" when it was read to the Senate Republican Policy Committee.

Mr. DIRKSEN said, "There were some who shouted, 'When do we leave?' This was a demonstration of the Members' fatigue and need for a rest. There is doubt that tropical palms and blue waters lapping on the white beach would help wash their fatigue away."

As for House Members, Mr. DIRKSEN said he will have to leave any decision on the trip to them. He observed that the Representatives seem expert in taking care of themselves in such matters.

Mr. PASTORE. Mr. President, my observation is this. I hope this statement is in jest. I hope it is not serious. I do not know of anything which could hurt the prestige of the Senate more than to have the people of the country feel that there is any truth to such a story—a mass junket on the part of the Senate at a cost to the taxpayers of $200,000. The idea is unthinkable, and I certainly want the people of my State to understand that even if there is any truth to the article, the junior Senator from Rhode Island has no intention at all of traveling to Hawaii at the expense of the taxpayers.

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

Mr. PASTORE. I yield.

Mr. MORSE. Is it the Senator's understanding that any such proposal would have to be implemented by a resolution presented to the Senate for a vote?

Mr. PASTORE. I understand that is true. I also understand that no resolution has yet been introduced, and I hope none will be. I hope this will be kept on a level of levity.

Mr. MORSE. We will get a chance to vote on this if it is offered, and I want the Senator from Rhode Island to know I completely agree with his observation, and I certainly think any such resolution would be entirely inappropriate.

A 1964 WORLD'S FAIR IN NEW YORK

Mr. KEATING. Mr. President, I have addressed the Senate on several occasions on the need for action regarding the selection of an American site for the next World's Fair. I intend to speak on this subject again when the Senate takes up Senate Resolution 169, the resolution introduced by Senator FULBRIGHT which would give the President certain responsibilities to decide whether an American World's Fair would be a good idea, and if so to appoint a commission of citizens to determine which of the several competing cities in this country would be best suited for this event.

I am strongly convinced that for a number of important reasons New York City should be and, in fact, will be selected as America's nominee for this honor when the International Bureau of Expositions meets in Paris in November of 1960 to select a site for the next World's Fair.

This morning I want to call attention to an excellent and enthusiastic letter from the Queens Chamber of Commerce which outlines some of the reasons that the fair should be held in New York, and pledges the full support of this fine organization.

Mr. President, I ask unanimous consent that this letter be printed at this point in the RECORD.

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

CHAMBER OF COMMERCE
OF THE BOROUGH OF QUEENS,
New York, N.Y., August 28, 1959.

Senator KENNETH B. KEATING,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR KEATING: The Queens chamber, speaking for 1,600 business and industrial firms, is vitally interested in securing approval for a 1964 World's Fair in New York.

At this time, therefore, we strongly urge your utmost influence and cooperation toward this important objective. It is imperative that we drum up an avalanche of support for the selection of our New York site.

It seems inconceivable that the World's Fair of 1964 would be conducted anywhere but in New York City, the Nation's greatest metropolis boasting a regional population of more than 15,000,000.

Similarly, 1,257-acre Flushing Meadow Park in Queens, site of the 1939–40 World's Fair, still ranks as the best location—in the heart of the city of New York—for the World's Fair of 1964.

We have everything here—rapid transit, buslines, passenger railroads, two airports, highways, expressways—all the facilities so necessary to insure the success of a World's Fair. And let's not overlook a Queens population alone of nearly 2 million persons who represent a rich resource of proximity "repeater" fair attendance.

Of great importance, too, would be enthusiastic participation in the World's Fair in Queens by New York City business and industry as well as firms throughout the Nation whose headquarters are, naturally, located here.

At the 1939–40 World's Fair, the Queens chamber erected and serviced the "Queens Borough Host House", the only chamber of commerce with a building at the Fair.

I intend to appoint a vibrant, hard-working World's Fair Committee—as soon as the site has been approved—to work with other groups in New York City to make this the biggest and most successful World's Fair in world history.

Sincerely,

IRA H. GENET,
President.

A NEW PROFESSIONAL FOOTBALL LEAGUE

Mr. McCARTHY. Mr. President, recently in this country our hopes have been raised that another professional football league will be formed. I believe another professional football league should be formed in this country.

During the hearings which were conducted by the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary, the present National Football League indicated that it would welcome the formation of another professional football league. A representative of Commissioner Bell of the National Football League informed my office that the league was favorable to the formation of another league.

In the Twin Cities of Minneapolis and St. Paul there is a great deal of interest in the organization of such a professional football team, to be associated with the new league.

I am now informed that the National Football League is attempting to undercut the efforts to organize teams for the proposed new league.

Mr. President, I am hopeful that the National Football League will not prevent the formation of such a new league and the organization of a professional football team to be associated with it in Minneapolis and St. Paul. I certainly cannot understand why there should be any opposition to the new teams or to the new league, for it seems to me that the interest of professional football would be advanced by the formation of such a new league.

YOUTH CONSERVATION CORPS

Mr. RANDOLPH. Mr. President, the Senate of the United States has affirmatively acted to create a Youth Conservation Corps. The measure is pending in the House of Representatives. It is too much to expect action there during the present session, although it is highly desirable that the other body approve, as has the Senate, this important measure.

It is with reluctance that I anticipate a possible adjournment of the 1st session of the 86th Congress without the enactment on Capitol Hill of this vital legislation.

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

Mr. RANDOLPH. I yield to my colleague from Oregon.

Mr. MORSE. I want to plead with my colleague not to be of such little faith. I want him to be more hopeful.

The PRESIDING OFFICER (Mr. CANNON). The Senate will be in order.

Mr. MORSE. I stand shoulder to shoulder with my colleague in trying to get the bill passed. I will say to the Senator from West Virginia, "You are my leader in regard to this proposed legislation. Do you not think we ought to make a plea to Representative HALLECK, who seems to be 'calling the shots' on the House side in many particulars, to get the Republican Party lined up in support of the youth of the country, also? Do you not think that Mr. HALLECK ought to recognize the importance of getting the bill passed?"

Our majority leader, with whom I am not in complete agreement all of the time, did a magnificent job in assisting the Senator from West Virginia and the rest of the committee, including the chairman of the committee, the Senator from Alabama [Mr. HILL], in having the bill passed by the Senate.

I think the public ought to know what is stalling the bill on the House side. I think it is about time the American people made clear to the House of Representatives they think passage of the bill is sorely needed to meet the problem of juvenile crime, and that it should be passed without further delay.

Mr. RANDOLPH. Mr. President, I appreciate the observation made by the energetic Senator from Oregon. I am delighted to note the presence of Members who were vigorous in support of the bill, the chairman of the Senate Committee on Labor and Public Welfare, [Mr. HILL], the Senator from Rhode Island [Mr. PASTORE], the Senator from Alabama [Mr. SPARKMAN], the Senator from Ohio [Mr. YOUNG], and the Senator from Maine [Mr. MUSKIE].

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

Mr. RANDOLPH. I yield.

Mr. PASTORE. I merely want to say to the distinguished Senator from West Virginia that the entire Nation has been shocked in recent weeks by the stories which have been printed in various newspapers throughout the country with reference to delinquency on the part of the youth of America.

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order.

The Senator will not proceed until the Senate is in order.

The Senate will be in order.

The Senator may proceed.

Mr. PASTORE. This problem apparently is extremely pressing in the State of New York. I say that with full respect to the State, because it could happen anywhere.

In reference to the status of the youth problem in the State of New York, I read an article in the newspaper only the other day. My eyes were caught by the headline I noted in the story that a public figure who is a very prominently mentioned candidate for the Republican nomination for the Presidency has come out with a similar idea of youth conservation for his own State of New York.

I merely wish to say that there was some doubt on the other side of the aisle as to whether the proposal we had before us was an expedition in wastefulness. Many of us who voted for the measure pleaded that any time we invest in the youth, in the human fiber of this Nation, surely we do not create waste. We voted for the measure, which went through the Senate, I must say, by a very slight majority. I hope the Members of the other body, whether Republicans or Democrats, will realize the full essence and substance of the measure passed by the Senate, and that something will be done about it expeditiously.

I do not say that the youth conservation program will eliminate delinquency completely, but idle hands and idle minds are most susceptible to temptation. If these young people who cannot go to school and who cannot find jobs have to drift along the streets of America they are going to get themselves into trouble. There must be some decent places for them to go, so that they may let off youthful steam. There can be places where they may be trained to do things in life which will bring them credit in future years rather than cause them disgrace and in many cases imprisonment.

Mr. RANDOLPH. Mr. President, I am grateful for the contribution of the Senator from Rhode Island to a discussion of this important subject.

Mr. President, I ask unanimous consent that a letter to the editor of the Sunday, Washington, D.C., Star, in that newspaper on August 30, 1959, and written by Charles L. Stout, in which Mr. Stout disagrees with the editorial opposition of the Star to the Youth Conservation Corps, be printed at this point in my remarks.

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

FAVORS CCC

In your editorial of August 21, "No Need for a New CCC" you were, I judged, careful not to argue that there is no need for the sort of conservation work the enrollees might be expected to do. I am sure you realize that even before President Eisenhower introduced his policy of inaction or reduced action, with reference to conservation there was already plenty of need for that sort of work. Evidences of such a need exist within less than a hundred miles of this city. The same or similar need exists in most all parts of our country.

As for the cost, about $3 for each U.S. resident per year, I think we can manage that as well as many other, possibly less essential Government services.

It is true that a new plan will encounter some difficulties not encountered by the old. The fine corps of Reserve officers, many of them engineers, which was available in the depression years will not be available now. Good leadership is essential to such a plan. I do have faith that Senator HUMPHREY and others interested in the reinstituted CCC will have an answer to that problem. There may be no great rush of enrollees. Not because of the lack of a depression, some areas are still depressed, but because many boys may not welcome the challenge of the outdoors life, regular hours and a certain flexing of muscle which any CCC program would promise. The boys might just prove me wrong there, too. The plan certainly deserves a thorough trial. Admittedly, the backers of such a plan did not present it as a reform school but if boys with criminal records or with such tendencies did happen to enroll the very nature of the life would do much to straighten them out. Petty thievery in a barracks may not be difficult but it is often very unhealthful.

The life of a CCC boy would not be a bowl of jelly. The program would not solve all of our problems but it would do much for a rather large segment of our population which needs a helping hand. I say give the plan another try.

CHARLES L. STOUT.

KHRUSHCHEV GUEST OF PRESIDENT

Mr. YOUNG of Ohio. Mr. President, early last January in a news column which I send regularly to many Ohio newspapers and many individuals, I wrote as follows:

If appeasing the Soviet Union is a stupid policy—and let us agree it is—is not hating the Soviet Union and its officials and citizens equally stupid, and also very dangerous? Should not the American people desire their leaders to take the initiative toward ending nuclear tests and stopping the tremendous international armaments race by binding agreements with the Soviet Union plus adequate safeguards against violations and breach of trust? We should all agree that enforcible and adequate inspection arrangements and safeguards are a must.

I concluded the article I wrote last January with the statement:

There should be more conferences with leaders of the Soviet Union and Red China at the summit, seeking to avoid a nuclear war which would exceed the destruction of all wars in the history of the world.

That was some 8 months ago. At that time, Mr. President, some newspaper editors in Ohio said it was obvious from the statement of the junior Senator from Ohio that he was not giving any thought to reelection. That is correct. Today, I reassert that I was correct in my view, and I reiterate that statement.

Mr. President, through the years, there has been a cardinal policy that I have applied, and I am sure all of my distinguished colleagues have diligently adhered to the same rule: when a man is a guest in my house, he receives the utmost courtesy.

Many times, there have been guests in my house whom I did not like. But the rule applied to them as well as to dear friends. In my house they received if not affection, at least courtesy.

Mr. President, in a very few days, the Premier of the Soviet Union, Mr. Khrushchev, will arrive in America as a guest of our President and our Nation.

Though we have heard expressions of horror, disgust and anger that the dictator of the Soviet Union has been invited to our country, I assert, Mr. President, that we are faced with an accomplished fact. The invitation has been tendered by our President, the Commander in Chief of our Armed Forces. It has been accepted by Mr. Khrushchev. He will be among us soon. It is conceivable—though I know there are many here who feel otherwise—that much good may result from Mr. Khrushchev facing America and America facing Mr. Khrushchev.

He will be a guest in our house.

In view of this, it is a matter of grave concern to our Government that Americans everywhere treat Mr. Khrushchev with the respect and dignity normally accorded a representative of a foreign nation. No more, no less.

Violent demonstrations, the ripe tomato treatment, sloganeering pickets—all of these could nullify any good that might emerge from face-to-face discussion between the President of the United States and the Premier of the Soviet Union.

After all, Mr. President, we must be aware of one thing: We are likely to be confronted with Mr. Khrushchev for many years.

In fact, may I assert, Mr. President, that one of the issues in the coming 1960 campaign for the Presidency of the United States, if not the paramount issue, is: Who of the candidates will be best fitted and is best qualified by his experience to meet face to face with this man, the dictator of the Soviet Union, with whom we may have to deal for several years to come.

To my mind this prerequisite eliminates the Governors of the various States, although quite frequently in the past my party has gone to them to make its selection of a presidential candidate. However, this quality—who is best fitted and qualified by experience and leadership to deal with Khrushchev—can be found in any one of several gentlemen who are receiving serious consideration as prospective candidates for the Presidency.

I refer to the Vice President, who has been mentioned as a prospective Republican candidate, and who has had experience in dealing with foreign nations, and to four of our colleagues in the United States who are prominently mentioned as candidates of the Democratic Party. I am looking right now at one of them, who is very prominently mentioned as a candidate for President, the distinguished and very able majority leader of the Senate [Mr. JOHNSON]. Although he says he is not a candidate for President, the American people, I feel sure, have absolute confidence in his experience in and knowledge of foreign affairs. Others are the senior Senator from Missouri [Mr. SYMINGTON], the junior Senator from Massachusetts [Mr. KENNEDY], and the senior Senator from Minnesota [Mr. HUMPHREY]. All four are distinguished U.S. Senators who have dealt wisely and ably with problems of foreign policy throughout the years. They would not have to be oriented on that subject, as would the Governor of a State, or any other prominent American inexperienced in this vital field. They know the problems confronting this Nation in the threat of the Soviet Union.

The American people could have faith and confidence that any one of them could be trusted to deal face to face with Khrushchev or any other dictator of the Soviet Union without giving an inch, without vacillating, without appeasing. Each, as leader of the free world, would at all times keep in mind the supreme necessity for dealing in a most determined manner with the dictator of the Soviet Union.

Mr. President, Mr. Khrushchev will shortly begin his visit here.

We cannot wish him away, nor can we turn our backs and pretend he is not here when every day's newspaper will make it plain he is.

He will be here, and he will be engaged in discussing matters of utmost importance with President Eisenhower. It is incumbent upon all of us in Congress, and all Americans, at this time to encourage our President, to let him know that, the decision having been made, he has our support regardless of personal feelings.

Mr. President, for more than a decade our Nation and the Soviet Union have been throwing stones across the street, so to speak. I am glad to say these have been mostly verbal missiles.

I remember as a young boy in Ohio, when groups of cocky youngsters hurled stones across the street at one another long enough, one of the gangs eventually would cross that street and a rousing fist fight would result.

I know that each of us here would prefer face-to-face discussion to hand-to-hand combat. And I know that each of us here would do all in his power to make certain that Russian or American armies never "cross the street."

It is for this reason that we must demonstrate our support of President Eisenhower in the crucial days ahead when the dictator of the Soviet Union is in this country. None of us, I am sure, would want to do anything that would jeopardize in any way the possibility of something good, something concrete emerging from discussions between our President and Premier Khrushchev.

And I am sure that with the example of cooperation and support of President Eisenhower shown by Members of this Congress, the American people will respond in kind.

Personally, it would have been my wish to see Mr. Khrushchev come to America not as a guest of our Government but, instead, as the head of an official Soviet delegation to discuss peace in the forum of the United Nations.

But, since he is coming as a guest in our house, I hope that Americans will greet him with respect.

I do not suggest that the American people roar a false approval of the Soviet Dictator. To most of our citizens this would be abhorrent, for most Americans well know the record of bloodshed and horror written by successive leaders of the Soviet Union.

However, Mr. President, I do hope that, in the typical American way, our people will walk to the halfway mark, extending a willing hand of friendship.

Mr. MORSE. Mr. President, I wish to make a brief comment on the remarks of the Senator from Ohio.

We have come to know the Senator from Ohio since he became a Member of this body as a man of great fairness, as a man of common sense. He has just made one of the most sensible speeches on a very difficult problem which I have yet heard on this subject.

Mr. President, the Senator from Ohio pointed out the point of view that many of the rest of us have expressed on different occasions. We did not prefer to have the Russian Premier come to this country under the type of invitation under which he is coming to our country. However, the President certainly was within his prerogatives to issue such an invitation, and if in his judgment that kind of conference with the Premier of Russia might help us along on the road toward peace, better American-Russian relationships, and an honorable understanding, we ought to see to it that the President gets our complete support and cooperation.

The Senator from Ohio pointed out that he would have preferred—as I have said for weeks—that the Russian Premier come as the head of an official Russian delegation to a United Nations conference with regard to the entire subject of peace and war. I believe that sooner or later we shall have to have such a conference, to be participated in by the leaders of all nations, large and small. The question of relationships between the United States and the other Western nations on the one hand, and Russia on the other, is no longer a matter that falls within the province of those nations only. The question of peace or war is a matter which involves the rights of all nations, large and small.

I think there is too great a tendency for people to accept the false premise that these are matters to be settled by the United States, Great Britain, France, the Germans, and Russia.

These are issues with respect to which every nation in the world has the right to speak up and propose solutions for settlement. That is why I have favored a United Nations conference on this subject, rather than a series of conferences by the heads of Russia and the Western states. I have always taken the position that the summit conference should be held under the auspices of the United Nations.

What I think is so sensible in the speech of the Senator from Ohio today is his pointing up the fact that, after all, the President has placed himself in a position in which, as Chief Executive of this Republic of ours, he is to be a host of the Russian Premier. I think that calls upon all Americans to extend to the President of the United States good manners; and we are not extending good manners to the President of the United States if, during the period the Russian

Premier is visiting the United States, we are insulting a guest in our house.

He has been made a guest in our national house by the President of the United States; and I am for extending to him politeness and decent hospitality, which does not mean that we agree with his ideology or that we approve of his record.

So I am somewhat at a loss to understand what good is hoped to be accomplished by such full page advertisements as we read in the press this morning, by the Allen-Bradley Co. of Milwaukee, Wis. It is certainly not an advertisement which will be at all helpful to the President of the United States. It is not an advertisement which will make the President's task of host any easier.

In view of the fact that the President has made the decision he has made, I suggest that it is incumbent upon all of us to extend to the President the courtesies the President is entitled to receive from the American people, as the host to the Russian Premier, keeping in mind what the President has said he is seeking to do, namely, to find out, as best he can, what, if anything, can be done to reach an understanding with Russia, which will give us the peace we want.

What is the alternative for a company which publishes such an advertisement as that which appeared in the press this morning, which, of course, cannot be read without the knowledge that it was designed to be insulting to the head of the Russian Government? The alternative is war. We either try in good faith to find some honorable basis on which we can promote honorable peace with the Russians, or we shall end up in war with them.

I propose no appeasement and no surrender; but I do propose that we owe it to future generations to exercise restraint at this time, and give the Russian Premier an opportunity to confer with the President. Give him an opportunity to see freedom at work, which he will see no matter where he goes in the United States during his visit here. We should make it clear that we have no intention of surrendering a single American principle; that we have no intention of appeasing but that we are willing, through the United Nations, under the system of international justice through law, for which the late Senator Vandenberg pleaded so many times, to sit down with the Russians and the heads of other States and try to find an honorable basis for an honorable peace.

Mr. YOUNG of Ohio. Mr. President, may I thank the distinguished senior Senator from Oregon [Mr. MORSE] for his expression of approval. I hold the Senator in the highest admiration as a profound thinker, courageous public servant, and outstanding American.

RECOMMENDATIONS BY THE CIVIL RIGHTS COMMISSION

Mr. TALMADGE. Mr. President, the oldest daily newspaper in the South is the Augusta, Ga., Chronicle, established in Augusta, Ga., in the year 1785. The leading editorial in its issue of Wednesday, September 9 deals with the report of the Civil Rights Commission. The editorial is entitled "Unconstitutional, Obnoxious."

The editorial is so clear and strong in its language that I believe every Member of Congress should have an opportunity to read the views of this editor on the Commission's report. I therefore ask unanimous consent that the editorial be printed in the body of the RECORD at this point as a part of my remarks.

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

UNCONSTITUTIONAL, OBNOXIOUS

The report of the Federal Civil Rights Commission, which has just been released in Washington, proves two things conclusively:

1. The life of the Commission should not be extended because it is not doing the kind of job conducive to harmony and progress for Negroes or whites. It is nothing more than another attempt to emphasize racial hatred and to pave the way for a greater exercise of power by the Federal Government and its politically appointed bureaus.

2. The Commission, moreover, has plainly disclosed that it is willing to wreck completely the Constitution of the United States in order to further sociological and political aims, using the tattered rag of alleged racial discrimination as a banner for cohorts of agitators who seek to nullify constitutional guarantees of the rights of the States through which freedom and self-government are assured.

Most infuriating of all are the specious statements which seek to clothe the recommendations of the Commission with constitutional respectability. The members of the Commission who went on record as endorsing these recommendations had the audacity to suggest that new powers to control voting and elections be conferred upon the Federal Government when the Constitution itself has already provided all necessary safeguards to insure proper exercise of the right of citizens to vote. As the Commission report itself points out, section 4 of article I of the Constitution authorizes Federal protection of voting in Federal elections against interference of any sort. The question of racial discrimination is already covered by existing provisions in the Constitution. No new legislation is needed therefore.

Negroes, moreover, can register and vote anywhere in the United States. The Commission has offered no proof to negate that statement. The report merely states blandly that "it is apparent that legislation presently on the books is inadequate to assure that all our qualified citizens shall enjoy the right to vote." This, declares the report, with a hypocritical semblance of virtue, "is a moral gap. It runs counter to our traditional concepts of fair play. It is a partial repudiation of our faith in the democratic system. It undermines the moral suasion of our national stand in international affairs. It reduces the productivity of the Nation."

Words. Mere words. Words that would be ludicrous, in view of the existing situation throughout the United States, were it not for the tragic thought that all these smooth-sounding words are being used to camouflage a direct attempt to destroy the constitutional rights of the States.

The framers of the Constitution were concerned primarily with safeguarding the right of the people to vote as they choose without any outside interference with that right—and that includes interference by the Federal Government itself.

Senator STROM THURMOND, of South Carolina, has summed up the iniquities of the proposed new civil rights (?) program as follows:

"The Civil Rights Commission, which was established by the unconstitutional Civil Rights Act of 1957, is making some very radical, vicious, unconstitutional, and obnoxious proposals to the President and the Congress. They range from virtually stripping the States of their rights to decide who should vote in elections to the withholding of Federal aid funds from schools which refuse to integrate. Other proposals would authorize Federal registrars to supervise elections, have the Federal Government integrate all housing by executive fiat through the VA and FHA home loan programs, utilize the Commission as a conciliation and advisory service for speeding school desegregation, and have the Federal Government interfere in the operation of private schools, private real estate boards, and other areas which have nothing whatsoever to do with Government action.

"I warned my Senate colleagues in 1957 that they were creating an awesome monster which would stir up racial tensions, strife, hatred, and bitterness that could last for years to come. That was one of the principal reasons why I made my extended address of more than 24 hours. I regret that the proposals of the Commission—none of the worst carry the endorsement of a majority of the Commissioners—have made my prediction come true.

"I commend Commissioner Battle and concur in his sentiments that the report 'is not an impartial statement * * * but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.'

"The people of the United States have been warned, time and time again, by southern leaders of the dangers that threaten the whole country—not the South alone. It is time for an alerted and united people to act to halt continuing aggressions against the rights of the people."

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Engle	Long, La.
Anderson	Frear	McGee
Bartlett	Gore	Mansfield
Bible	Hart	Morse
Butler	Hickenlooper	Muskie
Cannon	Hill	Neuberger
Capehart	Javits	Schoeppel
Carlson	Johnson, Tex.	Sparkman
Chavez	Keating	Talmadge
Cotton	Kefauver	Thurmond
Dodd	Kerr	Wiley
Dworshak	Kuchel	Williams, N.J.
Eastland	Lausche	Young, Ohio

The PRESIDING OFFICER. A quorum is not present.

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

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. BUSH, Mr. BYRD of West Virginia, Mr. CARROLL, Mr. CASE of New Jersey, Mr. COOPER, Mr. CURTIS, Mr. DOUGLAS, Mr. ELLENDER, Mr. ERVIN, Mr. FONG, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HENNINGS, Mr. HOLLAND, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KENNEDY, Mr. LANGER, Mr. LONG of Hawaii, Mr. MAGNUSON, Mr. MARTIN, Mr.

McCARTHY, Mr. MCCLELLAN, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. PASTORE, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

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

Is there further morning business? If not, morning business is closed.

THE CALENDAR

The PRESIDING OFFICER. Under the order, the call of the calendar, commencing with Calendar No. 939, will now be had.

PERSONAL EXEMPTION FOR CHILDREN PLACED FOR ADOPTION

The Senate proceeded to consider the bill (H.R. 47) to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption, which had been reported from the Committee on Finance, with amendments, on page 1, line 3, after the word "That", to insert "(a)"; at the beginning of line 11, to strike out "SEC. 2." and insert "(b)"; in the same line, after the word "by", to strike out "the first section of this Act" and insert "subsection (a)", and on page 2, after line 2, to insert:

SEC. 2. (a) Section 1371 of the Internal Revenue Code of 1954 (relating to definitions applicable to certain small business corporations) is amended by adding at the end thereof the following new subsection:

"(c) STOCK OWNED BY HUSBAND AND WIFE.—For purposes of subsection (a)(1) stock which—

"(1) is community property of a husband and wife (or the income from which is community income) under the applicable community property law of a State, or

"(2) is held by a husband, and wife as joint tenants, tenants by the entirety, or tenants in common, shall be treated as owned by one shareholder."

(b) Section 1374(b) of the Internal Revenue Code of 1954 (relating to allowance of net operating loss to shareholders of electing small business corporations) is amended by inserting after "the taxable year of the corporation ends" the following: "(or for the final taxable year of a shareholder who dies before the end of the corporation's taxable year)".

(c) Section 1504(b) of the Internal Revenue Code of 1954 (relating to definition of includible corporation) is amended by striking out paragraph (8) thereof.

(d) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1959. The amendments made by subsection (b) and (c) shall take effect on the day after the date of the enactment of this Act.

The amendments were agreed to.

Mr. SPARKMAN. Mr. President, I offer an amendment which I send to the desk and 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 insert the following new section:

SEC. 3. (a) That section 542(c) of the Internal Revenue Code of 1954 (relating to exceptions from definition of a personal holding company) is amended—

(a) By inserting ";" in lieu of "." at the end thereof; and

(b) By adding at the end thereof the following new paragraph (11):

(11) A small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act. This paragraph shall not apply if any shareholder of the small business investment company owns at any time during the taxable year directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)) a 5-percent or more proprietary interest in a small business concern to which funds are provided by the investment company or 5 percent or more in value of the outstanding stock of such concern.

(b) The amendment made by this Act shall apply to taxable years beginning after December 31, 1958.

Amend the title of the bill accordingly.

Mr. WILLIAMS of Delaware. Mr. President, this bill deals with the adoption of children. The bill was approved unanimously by the Finance Committee. The amendment submitted by the Senator from Alabama, as I understand it, proposes a change in the tax laws, and affects investments and small business. I do not think the amendment has been considered by the committee. I hope the amendment will be submitted to the committee, for its consideration.

Mr. SPARKMAN. Mr. President, this matter was submitted to the House by means of a letter written by Wendell B. Barnes, of the Small Business Administration, with budget clearance, and it also is approved by the Treasury Department. I took this up with the chairman of the commitee, and I think he understands what it is. There is nothing drastic in it; I think it will be most helpful for small business.

The Senate Finance Committee handled the Small Business Act, so the amendment is certainly germane, if the question of germaneness is raised.

Mr. BYRD of Virginia. Does the Senator from Alabama have the letter to which he has referred?

Mr. SPARKMAN. Yes, and also a statement on the bill. I ask unanimous consent that they be printed at this point in the RECORD.

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

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., September 2, 1959.

The Honorable RICHARD M. NIXON,
President of the Senate,
U.S. Senate, Washington, D.C.

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

DEAR MR. PRESIDENT AND MR. SPEAKER: Enclosed are four copies of a draft bill to amend section 542(c) of the Internal Revenue Code of 1954 (relating to exceptions from the term "personal holding company") to exempt small business investment companies from the personal holding company tax.

The attached explanation describes the effect of the amendment and its importance to the successful operation of the small business investment company program.

I respectfully urge early enactment of this bill as a means of improving the program conducted by this Agency to meet the needs of small business for equity capital and long-term loans. The Bureau of the Budget has advised us that it has no objection to the presentation of the bill to the Congress for its consideration.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

EXPLANATION OF A BILL TO AMEND THE INTERNAL REVENUE CODE TO EXEMPT SMALL BUSINESS INVESTMENT COMPANIES FROM THE PERSONAL HOLDING COMPANY TAX

The Small Business Investment Act of 1958 authorizes the Small Business Administration to encourage the formation and growth of small business investment companies to provide equity capital and long-term financing to small business concerns.

Under existing law, a small business investment company is not accorded any exemption or other relief from the imposition of the surtax on undistributed personal holding income. This tax, when applicable, subjects a small investment company to an additional surtax of approximately 85 percent on undistributed earnings. Since the basic income of an investment company may consist principally of dividends and interest and, because dividends and interest typically constitute personal holding company income, an investment company is considered to be a personal holding company when more than 50 percent of the value of the investment company's outstanding stock is owned by not more than five individuals.

Because of the punitive nature of the personal holding company surtax, the effect of the application of this tax to an investment company is to prevent investment companies from being formed by family interests or other small groups of shareholders. Potential investors are unwilling to proceed with their plans to organize companies until the threat of the personal holding company surtax is eliminated.

At the present time, out of 105 applications for licenses for investment companies only one application has been made for the minimum size company where all the funds have been provided by members of a family. In contrast, many discussions have been held with private individuals who express active interest in forming investment companies but only in the event that these companies are not subject to the holding company surtax. It is expected that adoption of the recommended amendment would bring a substantial amount of new private capital into the Small Business Investment Company program.

The recommended exemption of investment companies from the personal holding company surtax is not inconsistent with the development and purpose of the surtax. This tax was devised to eliminate a form of tax avoidance whereby an individual may form a corporation and exchange for its stock his personal holdings in income-producing property. Under this plan the income from the property would be subject to the corporation tax but no surtax would be paid by the individual if the income were not distributed.

Traditionally, financial and investment institutions have received exemption from or special treatment under the personal holding company tax. Banks, trust companies, life insurance companies, and surety companies were exempted under the original 1934 legislation.

Subsequently, other forms of financial organizations were similarly exempted. These include personal finance companies licensed under State supervision, other lending companies engaged in small loan business, and industrial loan or investment companies.

The same considerations which led to these present exemptions would apply in the case of small business investment companies whose function is similar to, if not identical with, institutions presently exempted. Thus enactment of an amendment to section 542 (c) of the Internal Revenue Code of 1954 exempting small business investment companies from the personal holding company tax would be consistent with the purpose of that tax and would implement the declared policy of the Congress that the provisions of the Small Business Investment Company Act of 1958 be carried out by the Small Business Administration in such manner as to insure the maximum participation of private financing sources.

Mr. BYRD of Virginia. Mr. President, the staff has also approved the amendment; and the chairman of the committee has no objection.

The PRESIDING OFFICER. The Chair could not hear what the Senator from Virginia said.

Mr. BYRD of Virginia. I said the staff of the committee has approved the amendment, and the Treasury and the Small Business Administration have done likewise; and, that being the case, I would be willing to accept the amendment.

Mr. WILLIAMS of Delaware. Mr. President, may this matter go to the foot of the calendar? I should like to look further at the amendment.

Mr. BYRD of Virginia. There is no objection, so far as I am concerned, to placing it at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask consent to return to the consideration of Calendar No. 939, H.R. 47. The Senator from Delaware [Mr. WILLIAMS] has received a letter which was not available a few moments ago, and the amendment of the Senator from Alabama is agreeable.

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

The LEGISLATIVE CLERK. A bill (H.R. 47) to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption.

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

There being no objection, the Senate resumed the consideration of the bill.

Mr. KEATING. Mr. President, I want to indicate my strong support for H.R. 47, a bill which would amend the Internal Revenue Code of 1954 in such a way as to permit an individual to claim a regular $600 exemption for a child placed with him for adoption by an authorized placement agency.

I feel that it is entirely proper that such an exemption be granted to persons in this position and urge favorable action.

Mr. BYRD of Virginia. Mr. President, H.R. 47, as reported by the Committee on Finance, consists of two sections.

Section 1, which passed the House August 18, amends the definition of a dependent for purposes of claiming a $600 dependency exemption, to treat in the same manner as a natural born child and a legally adopted child, a child placed with the taxpayer by an authorized placement agency for legal adoption by him if the child is a member of the individual's household. Under present law an exemption can be claimed for such a child, assuming other required tests are met, only after he has been in the home of the taxpayer for an entire year. The effect of the bill is to waive the entire year requirement where the child is placed in the home by an authorized placement agency. This provision will be effective for taxable years beginning after December 31, 1958.

Section 2 of the bill, which was added by the committee, makes certain changes in the statute relating to election of certain small business corporations as to their taxable status.

Subsection (a) amends section 1371 of the Internal Revenue Code to provide that in determining the number of shareholders of a small business corporation, a husband and wife owning stock jointly or as community property shall be counted as only one shareholder. Under existing law such a corporation must have not more than 10 shareholders. From the manner in which the word "shareholder" is used in the present law, it is clear that each person having a common or community interest in stock must be counted as a shareholder. For all other purposes of subchapter S, including the requirement that all shareholders consent to the election, each spouse would continue to be considered as a separate shareholder. Subsection (a) would apply to taxable years beginning after December 31, 1959.

Subsection (b) amends section 1374 of the code to make clear that a deceased shareholder will not be denied his pro rata share of a small business corporation's net operating loss. Under present law a shareholder who dies before the end of the corporation's taxable year is deprived of his share of the net operating loss which occurs in the corporation's taxable year in which he dies. This results from the fact that the statute requires the deduction to be taken for the shareholder's "taxable year in which or with which the taxable year of the corporation ends." In the case of death, this condition cannot be met. This amendment would take effect on the day after the date of enactment of this act.

Subsection (c) strikes out paragraph (8) of section 1504(b) of the code and thereby clarifies the definition of a small business corporation. The existing statute defines a small business corporation as one which, among other things, is not a member of an affiliated group. This rule is intended to preclude the accumulation of corporate earnings in a subsidiary and thus avoid the taxation of those earnings to the shareholders of the subchapter S corporation. However, paragraph (8) of section 1504 (b), which was enacted to insure this result, actually has the opposite effect by permitting the acquisition of a subsidiary by a small business corporation after the election has been made. This amendment would prevent acquisition of an 80-percent-owned subsidiary at any time. Subsection (c) would take effect on the day after the date of enactment of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

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

The bill (H.R. 47) was read the third time, and passed.

The title was amended, so as to read: "An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status."

EDUCATION AND REGULATION OF PRACTICING NURSES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1870) to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 6, line 19, after the word "by", to strike out "the" and insert "a"; on page 10, line 14, after the word "practice", to strike out "medicine", and in line 17, after the word "practical", to strike out "nurse, or by a nurses' registry" and insert "nurse"; 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 this Act shall be known and may be cited as the "District of Columbia Nursing Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(b) The word "person" includes corporations, companies, associations, firms, partnerships, societies, and schools of professional or practical nursing, as well as natural persons.

(c) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(d) The term "school of professional nursing" means a school or institution for the education of professional nurses.

(e) The term "school of practical nursing" means a school or institution for the training of practical nurses.

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

SEC. 4. (a) No person shall in the District of Columbia in any manner whatsoever represent herself to be a professional, registered, certified, graduate or trained nurse or allow herself to be so represented unless she is registered as a registered nurse in accordance with the provisions of this Act.

(b) Any person holding a valid certificate of registration issued under the authority of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, shall be deemed to be registered under the provisions of this Act.

(c) Any person registered to practice as a registered nurse in the District of Columbia shall have the right to use the title "Registered Nurse" and the abbreviation "R.N.". No other person shall assume such title or use such abbreviation.

(d) Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided,* That such person so nursing shall not represent herself as being a professional, registered, certified, trained, or graduate nurse, or licensed practical nurse.

SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall assume such title or use such abbreviation.

SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

SEC. 7. The Commissioners may establish a Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided,* That the graduate nurse members of such Board shall be in the majority; shall be registered under this Act; and shall have had at least five years of experience since graduation in the nursing service: *Provided further,* That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *Provided further,* That the practical nurse members of such Board shall participate only in such functions delegated by the Commissioners to such Board as shall affect or pertain to practical nursing: *And provided further,* That no action of any nature affecting or pertaining to practical nursing shall be taken by such Board at any meeting thereof unless at least two practical nurse members of such Board shall be present. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine. The Commissioners may appoint an executive secretary of such Board who shall not be a member of such Board, but who shall be registered under this Act and shall possess administrative ability and shall perform such functions and duties as may be imposed upon or delegated to her by the Commissioners. The executive secretary of such Board shall receive a salary to be fixed in accordance with the Classification Act of 1949, as amended.

SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for registration and licensure under this Act. They may provide for surveys of such schools and programs at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, register, license, and renew the registration and license of any duly qualified applicant.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756(c), D.C. Code, 1951 edition).

SEC. 9. (a) An applicant for registration to practice as a registered nurse shall submit to the Commissioners written evidence, verified by her oath, that she (1) is of good moral character; (2) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (3) has completed at least an approved four-year high school course of study or the equivalent thereof as determined by the Commissioners; and (4) has completed a program of study of at least two years in an accredited school of nursing and holds a diploma therefrom. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, an applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Such written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a certificate of registration to practice nursing as a registered nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a certificate of registration to practice nursing as a registered nurse without examination to an applicant duly licensed or registered as a registered nurse, by examination, under the laws of any State or Territory of the United States, the Commonwealth of Puerto Rico, or foreign country, provided that the applicant meets the qualifications required of registered nurses in the District of Columbia.

An applicant for registration to practice as a registered nurse shall at the time such application is made pay the required fee for an original registration. An application shall be closed and filed as closed and incomplete at the end of a year from the time the application was received if the applicant has failed to take all steps required of her to obtain registration. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original registration.

SEC. 10. (a) Except as provided in section 11, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of any State or Territory of the United States, the Commonwealth of Puerto Rico, or foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

SEC. 11. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided,* That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse.

SEC. 12. (a) The registration or license of every person registered or licensed under the provisions of this Act shall expire on June 30, of each year and be annually renewed On or before May 31 of each year, the Commissioners shall mail an application for renewal of registration or license to every person who at the time of such mailing holds a valid registration or license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon

receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any registrant or licensee who allows her registration or license to lapse by failing to renew the registration or license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

(b) Any person registered or licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a registered nurse or as a licensed practical nurse in the District of Columbia. Application for renewal of registration or license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a registered nurse or licensed practical nurse.

SEC. 13. (a) Any person conducting or desiring to conduct a school of professional nursing in the District of Columbia may apply to the Commissioners for registration, and, with the exception of schools of nursing owned and operated by the United States or the District of Columbia, shall pay the required fee at the time application is made. Such person shall submit with such application evidence that (1) such person is prepared to give a course of theoretical instruction and practical experience in nursing as prescribed in the curriculums approved by the Commissioners, which instruction and experience may be secured in one or more institutions approved by the Commissioners; (2) such person is prepared to meet all other standards established by this Act and by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of professional nursing are met, they shall approve such school as an accredited school of professional nursing.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of professional nursing in the District of Columbia. If the Commissioners determine that any accredited school of professional nursing in the District of Columbia is not maintaining the standards required by this Act, or by the Commissioners pursuant to authority contained in this Act, notice thereof in writing specifying the defect or defects shall be given to such school. Any such school which fails to correct such defect to the satisfaction of the Commissioners, within such time as the Commissioners prescribe, shall after hearing, be removed from the list of accredited schools of professional nursing.

SEC. 14. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than twelve months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in the District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this Act and by the Commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

SEC. 15. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For registrations and licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each high school record of a candidate for admission to a school of professional nursing; (4) for verification of records; (5) for a duplicate certificate of registration upon proof acceptable to the Commissioners that the original certificate has been lost or destroyed; (6) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (7) for duplicate certificates of renewal of registration or licenses; (8) for mailing a certificate a second time if no timely notification of change of address has been made; (9) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

(b) All funds derived from fees and charges for examinations, registrations, and other services rendered pursuant to authority contained in the Act of February 9, 1907 (34 Stat. 887; ch. 4, title 2, D.C. Code, 1951 edition), remaining after payment of all expenses of administering said Act prior to July 1, 1954, and all moneys collected after the effective date of this Act for such fees and charges shall be paid into the Treasury to the credit of the District of Columbia.

SEC. 16. The Commissioners are authorized and empowered to deny, revoke, or suspend any registration, certificate of renewal of registration, license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any registration, license, or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commissioners pursuant to authority contained in this Act; or

(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such registration or license. The Commissioners are hereby authorized to furnish a list of names and addresses of persons to whom registrations, renewal of registrations, licenses, or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of any State, Territory, or possession of the United States, upon written request of such board.

SEC. 17. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any registration, renewal of registration, license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the Municipal Court of Appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

SEC. 18. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, certificate of registration, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a registered nurse or licensed practical nurse under cover of any diploma, license, certificate of registration, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fraudulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a registered nurse or licensed practical nurse unless duly registered or licensed so to practice under the provisions of this Act; or (d) practice nursing as a registered nurse or licensed practical nurse during the time his or her registration or license issued under the provisions of this Act shall be suspended or revoked.

SEC. 19. Any person who shall violate any of the provisions of section 4, 5, or 18 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

SEC. 20. (a) Prosecutions for violations of any provision of section 4, 5, or 18 of this Act shall be conducted in the name of the District of Columbia in the Municipal Court for the District of Columbia by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

SEC. 21. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 22. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

SEC. 23. The Act entitled "An Act to define the term 'Registered Nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, is hereby repealed: *Provided,* That licenses issued pursuant to the provisions of such Act shall be valid until the expiration of the term for which they were issued, unless sooner revoked or suspended pursuant to authority contained in this Act.

SEC. 24. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

The amendments were agreed to.

Mr. MORSE. Mr. President, I offer four clarifying amendments which I send to the desk; and I request their consideration.

The PRESIDING OFFICER. The amendments submitted by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 7, line 14, after the word "of", it is proposed to strike out "any State or Territory of the United States, the Commonwealth of Puerto Rico, or" and insert, in lieu thereof, "a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a".

On page 9, line 6, after the word "of", to strike out "any State or Territory of the United States, the Commonwealth of Puerto Rico, or" and insert, in lieu thereof, "a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a".

On page 12, line 8, after the word "the", where it appears the first time, to strike out "curriculums" and insert, in lieu thereof, "curricula".

On page 16, at the beginning of line 11, to strike out "of any State, Territory, or possession of the United States," and insert, in lieu thereof, "of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country,".

Mr. MORSE. Mr. President, I ask unanimous consent that these amendments be considered en bloc.

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

The question is on agreeing to the amendments submitted by the Senator from Oregon.

The amendments were agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that a brief statement explanatory of the bill be printed in the RECORD.

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

STATEMENT BY SENATOR MORSE

This bill provides for the examination, licensing, registration, and for the regulation of professional and practical nurses, and for nursing education in the District. The bill also sets up the necessary machinery to accomplish these purposes.

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

The bill (S. 1870) 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 shall be known and may be cited as the "District of Columbia Nursing Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(b) The word "person" includes corporations, companies, associations, firms, partnerships, societies, and schools of professional or practical nursing, as well as natural persons.

(c) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(d) The term "school of professional nursing" means a school or institution for the education of professional nurses.

(e) The term "school of practical nursing" means a school or institution for the training of practical nurses.

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

SEC. 4. (a) No person shall in the District of Columbia in any manner whatsoever represent herself to be a professional, registered, certified, graduate or trained nurse or allow herself to be so represented unless she is registered as a registered nurse in accordance with the provisions of this Act.

(b) Any person holding a valid certificate of registration issued under the authority of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, shall be deemed to be registered under the provisions of this Act.

(c) Any person registered to practice as a registered nurse in the District of Columbia shall have the right to use the title "Registered Nurse" and the abbreviation "R.N.". No other person shall assume such title or use such abbreviation.

(d) Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided,* That such person so nursing shall not represent herself as being a professional, registered, certified, trained, or graduate nurse, or licensed practical nurse.

SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall assume such title or use such abbreviation.

SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

SEC. 7. The Commissioners may establish a Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided,* That the graduate nurse members of such Board shall be in the majority; shall be registered under this Act; and shall have had at least five years of experience since graduation in the nursing service: *Provided further,* That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *Provided further,* That the practical nurse members of such Board shall participate only in such functions delegated by the Commissioners to such Board as shall affect or pertain to practical nursing: *And provided further,* That no action of any nature affecting or pertaining to practical nursing shall be taken by such Board at any meeting thereof unless at least two practical nurse members of such Board shall be present. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine. The Commissioners may appoint an executive secretary of such Board who shall not be a member of such Board, but who shall be registered under this Act and shall possess administrative ability and shall perform such functions and duties as may be imposed upon or delegated to her by the Commissioners. The executive secretary of such Board shall receive a salary to be fixed in accordance with the Classification Act of 1949, as amended.

SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for registration and licensure under this Act. They may provide for surveys of such schools and program, at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, register, license, and renew the registration and license of any duly qualified applicant.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756(c), D.C. Code, 1951 edition).

SEC. 9. (a) An applicant for registration to practice as a registered nurse shall submit to the Commissioners written evidence, verified by her oath, that she (1) is of good moral character; (2) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (3) has completed at least an approved four-year high school course of study or the equivalent thereof as determined by the Commissioners; and (4) has completed a program of study of at least two years in an accredited school of nursing and holds a diploma therefrom. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, an applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Such written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a certificate of registration to practice nursing as a registered nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a certificate of registration to practice nursing as a registered nurse without examination to an applicant duly licensed or registered as a registered nurse, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, provided that the applicant meets the qualifications required of registered nurses in the District of Columbia.

An applicant for registration to practice as a registered nurse shall at the time such application is made pay the required fee for

an original registration. An application shall be closed and filed as closed and incomplete at the end of a year from the time the application was received if the applicant has failed to take all steps required of her to obtain registration. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original registration.

SEC. 10. (a) Except as provided in section 11, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

SEC. 11. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided*, That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse.

SEC. 12. (a) The registration or license of every person registered or licensed under the provisions of this Act shall expire on June 30, of each year and be annually renewed. On or before May 31 of each year, the Commissioners shall mail an application for renewal of registration or license to every person who at the time of such mailing holds a valid registration or license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any registrant or licensee who allows her registration or license to lapse by failing to renew the registration or license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

(b) Any person registered or licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a registered nurse or as a licensed practical nurse in the District of Columbia. Application for renewal of registration or license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a registered nurse or licensed practical nurse.

SEC. 13. (a) Any person conducting or desiring to conduct a school of professional nursing in the District of Columbia may apply to the Commissioners for registration, and, with the exception of schools of nursing owned and operated by the United States or the District of Columbia, shall pay the required fee at the time application is made. Such person shall submit with such application evidence that (1) such person is prepared to give a course of theoretical instruction and practical experience in nursing as prescribed in the curricula approved by the Commissioners, which instruction and experience may be secured in one or more institutions approved by the Commissioners; (2) such person is prepared to meet all other standards established by this Act and by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of professional nursing are met, they shall approve such school as an accredited school of professional nursing.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of professional nursing in the District of Columbia. If the Commissioners determine that any accredited school of professional nursing in the District of Columbia is not maintaining the standards required by this Act, or by the Commissioners pursuant to authority contained in this Act, notice thereof in writing specifying the defect or defects shall be given to such school. Any such school which fails to correct such defect to the satisfaction of the Commissioners, within such time as the Commissioners prescribe, shall, after hearing, be removed from the list of accredited schools of professional nursing.

SEC. 14. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than 12 months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in the District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this act and by the commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

SEC. 15. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For registrations and licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each high school record of a candidate for admission to a school of professional nursing; (4) for verification of records; (5) for a duplicate certificate of registration upon proof acceptable to the Commissioners that the original certificate has been lost or destroyed; (6) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (7) for duplicate certificates of renewal of registration or licenses; (8) for mailing a certificate a second time if no timely notification of change of address has been made; (9) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of the District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

(b) All funds derived from fees and charges for examinations, registrations, and other services rendered pursuant to authority contained in the Act of February 9, 1907 (34 Stat. 887; ch. 4, title 2, D.C. Code, 1951 edition), remaining after payment of all expenses of administering said Act prior to July 1, 1954, and all moneys collected after the effective date of this Act for such fees and charges shall be paid into the Treasury to the credit of the District of Columbia.

SEC. 16. The Commissioners are authorized and empowered to deny, revoke, or suspend any registration, certificate of renewal of registration, license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any registration, license, or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commis-

sioners pursuant to authority contained in this Act; or

(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such registration or license. The Commissioners are hereby authorized to furnish a list of names and addresses of persons to whom registrations, renewal of registrations, licenses or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, upon written request of such board.

SEC. 17. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any registration, renewal of registration, license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the Municipal Court of Appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

SEC. 18. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, certificate of registration, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a registered nurse or licensed practical nurse under cover of any diploma, license, certificate of registration, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fradulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a registered nurse or licensed practical nurse unless duly registered or licensed so to practice under the provisions of this Act; or (d) practice nursing as a registered nurse or licensed practical nurse during the time his or her registration or license issued under the provisions of this Act shall be suspended or revoked.

SEC. 19. Any person who shall violate any of the provisions of section 4, 5, or 18 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

SEC. 20. (a) Prosecutions for violations of any provision of section 4, 5, or 18 of this Act shall be conducted in the name of the District of Columbia in the Municipal Court for the District of Columbia by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

SEC. 21. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 22. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

SEC. 23. The Act entitled "An Act to define the term 'Registered Nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, is hereby repealed: *Provided,* That licenses issued pursuant to the provisions of such Act shall be valid until the expiration of the term for which they were issued, unless sooner revoked or suspended pursuant to authority contained in this Act.

SEC. 24. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

BETTER REGISTRATION OF BIRTHS IN THE DISTRICT OF COLUMBIA

The bill (S. 2327) to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, 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 the last paragraph of subsection (a) of the first section of the Act entitled "An Act to provide for the better registration of births in the District of Columbia, and for other purposes", approved March 1, 1907 (34 Stat. 1010; sec. 6–301, D.C. Code, 1951 edition), as amended, is amended to read as follows:

"Upon receipt of any report aforesaid, the Director of Public Health shall forward to the father of the child, or, if his address be unknown, to the mother, an acknowledgment of the receipt of such report, and if the infant delivered be not stillborn, and such report does not contain the given name of the child born, a blank form on which the father or mother may certify over his or her signature the name of such child, which form, if thus executed and returned to said Director, shall be a part of the official record of such birth. In those cases in which no given name of a child has been certified to said Director, and a certificate cannot be executed by a parent because both parents are deceased, unknown, or physically or mentally incapacitated, the Director is authorized to accept and make a part of the official record of the birth of such child a certificate made in accordance with such rules and regulations as may be promulgated by the Commissioners of the District of Columbia, who are hereby authorized to make rules and regulations governing the certification of the given name of a child where the birth record pertaining to such child does not include such given name."

SEC. 2. The first section of said Act approved March 1, 1907, as amended, is amended by adding the following subsection:

"(c) Wherever in this Act the terms 'health officer', 'Director of Public Health', or 'Director' are used, such terms shall mean the Director of the Department of Public Health of the District of Columbia established by the Commissioners of the District of Columbia pursuant to the authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824)."

SEC. 3. This Act shall not be considered as affecting the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), and the performance of any function vested by said plan in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners in accordance with section 3 of such plan. Any function vested by this Act in any office or agency established pursuant to such plan shall be deemed to be vested in said Board of Commissioners and shall be subject to delegation in accordance with said plan.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in explanation of the bill.

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

STATEMENT BY SENATOR MORSE

This bill amends the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes," so as to authorize the Commissioners of the District of Columbia to establish rules and regulations permitting the certification of given names for birth records in those cases where such names have never been properly certified, and where, because of death or incapacity upon the part of parents, proper certification cannot be executed. The Director of Public Health would be authorized to accept certifications made in accordance with the regulations authorized by this bill to be issued and to make appropriate entries upon the official records.

CONFERRING THE DEGREE OF MASTER OF ARTS IN EDUCATION BY DISTRICT OF COLUMBIA TEACHERS COLLEGE

The bill (S. 2445) authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree 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 the Board of Education of the District of Columbia is authorized to grant the degree of master of arts in education to students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, with the intention of working for such a degree and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree.

Mr. MORSE. Mr. President, I ask unanimous consent that a brief statement explanatory of the bill be printed in the RECORD.

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

STATEMENT BY SENATOR MORSE

This bill would correct an inequity unintentionally imposed upon those students who, in good faith at present and in the past, with the intention and expectation of acquiring a master's degree in education, have taken courses which would normally lead to such a degree, but who were not able to obtain the degree because no authority now exists to grant the degree.

The authority granted to the Board of Education to confer the degree would extend only to those students who will have successfully completed the appropriate graduate courses initiated by the District of Columbia Teachers College in 1955, and who will have met all other requirements for the degree by July 1, 1961.

It is contemplated by the Board of Education that no further graduate degrees will be granted other than those authorized by the proposed legislation and that graduate courses, except for inservice training of District schoolteachers, will be discontinued after July 1, 1961.

ESTABLISHMENT OF JUNIOR COLLEGE DIVISION IN THE DISTRICT OF COLUMBIA TEACHERS COLLEGE

The bill (S. 2466) to authorize the establishment of a Junior College Division with the District of Columbia Teachers College, 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 the Board of Education of the District of Columbia is hereby authorized to establish a Junior College Division within the District of Columbia Teachers College which shall offer a two-year program leading to the degree of associate in arts, which degree is hereby authorized to be granted upon certification by the president and faculty of the District of Columbia Teachers College that all requirements for the granting of such degree have been met.

SEC. 2. (a) The Board of Education of the District of Columbia, with the approval of the Commissioners of the District of Columbia, is authorized to establish and determine, from time to time, tuition rates for resident students at the District of Columbia Teachers College including the Junior College Division thereof: *Provided,* That all moneys received for tuition payments shall be deposited in the Treasury to the credit of the general revenues of the District of Columbia.

(b) The Board of Education of the District of Columbia, with the approval of the Commissioners of the District of Columbia, is hereby authorized to establish, and determine, from time to time, fees to be paid by students at the District of Columbia Teachers College and the Junior College Division thereof, and receipts from such fees shall be deposited into a revolving fund to be known as "District of Columbia Teachers College Student Fund" in a private depository in the District of Columbia, which fund shall be available, without fiscal year limitation, for such purposes as the Board of Education of the District of Columbia shall approve, and the Board of Education is authorized, with the approval of the Board of Commissioners of the District of Columbia to make all necessary rules concerning deposits and withdrawals from such fund.

SEC. 3. The Board of Education of the District of Columbia is authorized to promulgate such rules and regulations as may be necessary to carry out the purposes of this Act.

SEC. 4. Nothing in this Act shall be construed to modify, repeal, or supersede the Act approved March 3, 1889 (30 Stat. 1056), as amended (sec. 31–301 D.C. Code, 1951 edition), and as supplemented by the last paragraph under the subheading "Capital Outlay" under the heading "PUBLIC SCHOOLS" in the District of Columbia Appropriation Act of 1950 (63 Stat. 303, 309; sec. 31–306, supp. VII, D.C. Code, 1951 edition).

SEC. 5. This Act shall take effect July 1, 1959.

Mr. MORSE. Mr. President, I ask that a brief explanatory statement be printed in the RECORD.

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 Board of Education of the District of Columbia to (1) establish a 2-year junior college program leading to the degree of associate in arts within the District of Columbia Teachers College; (2) determine tuition rates for the District of Columbia Teachers College, with the approval of the Commissioners, including the junior college division and it is provided that tuition payments shall be deposited to the credit of the general revenues of the District; (3) set fees for students attending the District of Columbia Teachers College, including the junior college division, with the approval of the Commissioners, which fees shall be deposited in a revolving fund, to be available without fiscal year limitation for expenditure for purposes authorized by the Board of Education; (4) make all necessary rules covering the deposits and withdrawals from the revolving fund; and (5) promulgate such rules and regulations as may be necessary to carry out the purposes of the bill.

The bill would preserve the authority contained in existing law to charge nonresident students tuition when they attend the public schools of the District.

CREDITABLE SERVICE FOR RETIREMENT PURPOSES OF CERTAIN TEACHERS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2439) to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 6, after "(60 Stat. 875)", to insert "as amended,"; in line 9, after the word "him", to strike out "after June 30, 1940,", and on page 2, line 9, to strike out "period." and insert "period: *Provided,* That in order to receive such retirement credit a teacher must produce evidence satisfactory to the Superintendent of Schools of the District of Columbia that the authorized leave of absence without pay was taken for educational purposes."; 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 any teacher who, on or after the date of enactment of this act, retires pursuant to the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended, shall be entitled to have included in the years of service creditable to him for retirement purposes any period of authorized leave of absence which was taken by him without pay, and for educational purposes; except that credit for any such period shall be conditioned upon the deposit by such teacher to the credit of the teachers' retirement and annuity fund of the District of Columbia of a sum equal to the accumulated contributions and interest which would have been credited to his individual account if he had remained on active duty in the public schools of the District of Columbia during any such period: *Provided,* That in order to receive such retirement credit a teacher must produce evidence satisfactory to the Superintendent of Schools of the District of Columbia that the authorized leave of absence without pay was taken for educational purposes.

The amendments were agreed to.

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

Mr. MORSE. Mr. President, I ask that a brief explanatory statement be printed in the RECORD.

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

STATEMENT BY SENATOR MORSE

This bill would permit teachers of the public schools in the District of Columbia (as defined in the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended, to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such employees for educational purposes.

The bill as introduced would have limited the crediting for retirement purposes of authorized leave without pay for educational purposes to periods subsequent to June 30, 1940, the date on which Public Law 610, 76th Congress was enacted. Public Law 610 is the sabbatical leave law which authorizes teachers to take leave for educational purposes on the recommendation of the Superintendent of Schools and the approval of the Board of Education of the District of Columbia.

The committee, in removing the time limitation, did so in the belief that while few, if any, teachers might wish to contribute to the retirement system the amounts necessary to credit leave without pay taken for educational purposes for periods before 1940, if such employees wished to do so, proper provision ought to be made to permit them to do so.

CERTAIN TAX EXEMPTION FOR VETERANS OF FOREIGN WARS REGARDING CERTAIN PROPERTY IN DISTRICT OF COLUMBIA

The bill (H.R. 7683) to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization, but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF LIFE INSURANCE REGULATIONS IN THE DISTRICT OF COLUMBIA

The bill (H.R. 7145) to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, 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 (H.R. 4283) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such act was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2653) to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems was announced as next in order.

Mr. HART. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

MINERAL GRANTS ON CERTAIN LANDS IN THE CROW INDIAN RESERVATION, MONT.

The Senate proceeded to consider the bill (H.R. 6508) to grant minerals including oil and gas on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD items covering the purpose, the need, and the cost of this measure. I may say the cost is nothing.

There being no objection, the excerpt from the report (No. 1047) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 6508, introduced by Representative ANDERSON of Montana, is to modify and clarify a section of the act of June 4, 1920 (41 Stat. 751), as amended, which relates to mineral deposits on the Crow Indian Reservation, (a) by changing the term for which leases may be entered into from 10 years with an option to renew for an additional 10 years to "10 years and as long thereafter as minerals are produced in paying quantities," as provided in the act of May 11, 1938 (52 Stat. 347, 25 U.S.C. 396a–f); (b) by providing that mineral rights may go to an allottee's devisees, as well as the allottee himself and his heirs, when the tribal interest ends in 1970 and that the ownership of the allottee, his heirs, or devisees in 1970 shall be subject to then outstanding leases; (c) by providing that no conveyance of the surface of the land, whether heretofore or hereafter made and regardless of reference or lack of reference to minerals, shall carry with it mineral rights; and (d) by providing that the Indian allottee or his successors in interest shall take a trust title in the minerals unless the surface of the land is held in fee.

NEED

The 1920 act cited in the bill provided for the allotment of land on the Crow Reservation to individual Indians. Section 6 of that act was amended in 1926 to reserve to the Crow Tribe for a period of 50 years after June 4, 1920, all minerals, including oil and gas, on the allotted lands unless otherwise authorized by Congress. Provision was made for leasing the reserved minerals during the 50-year period for a term of not more than 10 years with an option to renew for one additional term of 10 years. At the end of the 50-year period the minerals become the property of the allottee. The result, as of the present time, is that oil and gas development on the reservation is discouraged, since leases cannot now be entered into for more than 10 years. H.R. 6508 overcomes this problem by putting the Crow lands under the law generally applicable to mineral leases on Indian lands and by providing that allottees, when they come into possession of their subsurface rights in 1970, shall take subject to then outstanding leases.

H.R. 6508 also clarifies the earlier acts in other respects, the most important of which is its provision (included pursuant to a reservation of right in earlier law) that even if a Crow Indian has purported to sell his interest in subsurface minerals, the title thereto will belong to him or his heirs or devisees beginning in 1970.

COST

The enactment of this legislation will require no expenditure of Federal funds.

The PRESIDING OFFICER. If there be no amendment to be submitted, the question is on the third reading of the bill.

The bill (H.R. 6508) was ordered to a third reading, read the third time, and passed.

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

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

Mr. ALLOTT. Mr. President, to what bill does the motion relate?

Mr. MANSFIELD. To House bill 6508, in regard to the Crow Indian Reservation.

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

The motion to lay on the table was agreed to.

JOINT RESOLUTION PLACED AT FOOT OF THE CALENDAR

The joint resolution (H.J. Res. 465) approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of this measure?

Mr. HART. Mr. President, I ask that the joint resolution be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, it will be placed at the foot of the calendar.

SHUT-INS' DAY

The joint resolution (S.J. Res. 93) designating the first Sunday of June of each year as "Shut-Ins' Day" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first Sunday of June of each year is hereby designated as "Shut-Ins' Day", and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and urging the people to observe the day by remembering the sick and disabled through personal visits, flowers or other gifts, messages, or other acts of kindness.

ADDITIONAL RELIEF FOR LOSSES IN TEXAS CITY DISASTER

The bill (H.R. 4821) to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster was announced as next in order.

Mr. PROUTY. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 955, H.R. 4821. The calendar committee objected to the consideration of the bill originally, but it was in error.

There being no objection the bill (H.R. 4821) to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster was considered, 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. ALLOTT. I move to lay that motion on the table.

Mr. MORSE. Mr. President, I did not hear the motion.

Mr. JOHNSON of Texas. I moved to reconsider the vote by which the bill was passed, and the Senator from Colorado moved to lay that motion on the table.

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

The motion to lay on the table was agreed to.

GEORGIA KAOLIN CO.

The bill (H.R. 4894) for the relief of the Georgia Kaolin Co. was considered, ordered to a third reading, read the third time, and passed.

APPORTIONMENT OF BIG BLUE RIVER AND ITS TRIBUTARIES TO KANSAS AND NEBRASKA

The bill (S. 1605) granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States 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 the consent of Congress is hereby given to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the interests of such States in the waters of the Big Blue River and all its tributaries, and providing for an equitable apportionment between said States of the waters of the Big Blue River and its tributaries and for matters incident thereto: *Provided,* That one

qualified person appointed by the President of the United States shall participate in such negotiations as Chairman, representing the United States, and who shall make a report to the President and to the Congress on the proceedings and on the compact. No compact, the negotiation of which is authorized by this Act, shall be binding upon the parties thereto until it has been ratified by the legislatures of each of the respective States, and approved by the Congress of the United States.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided,* That such representative, if otherwise employed by the United States, shall not receive additional salary for services performed in connection with the compact negotiations authorized herein.

PEONY PARK, INC.

The bill (H.R. 3096) for the relief of Peony Park, Inc., and others, was announced as next in order.

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

Mr. MORSE. Mr. President, it seems a large sum of money is involved in this bill. May we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is called for.

Mr. HART. Mr. President, this bill would authorize payment to a number of ballroom operators in the State of Nebraska in settlement of their claims against the United States for a refund of taxes paid on receipts for food, refreshments and merchandise sold by them from September 1948, through October 1951.

It appears that there was an especially eager internal revenue collector who worked in Nebraska, and a ruling in 1942 from the national office of the Collector of Internal Revenue resulted in a holding that Peony Park operated primarily as a dance hall, and therefore admissions to the dances were subject to a tax on admissions. This also included receipts from sales of food and refreshments, which were not subject to the cabaret tax.

The same situation is applicable to the other half dozen claimants covered by this bill.

The Seventh Circuit Court of Appeals held that a dance hall was a roofgarden, and that proceeds from the operation of a checkroom in connection with a roofgarden were subject to tax as amounts paid for services at such place; and as a result of this Seventh Circuit Court of Appeals ruling, the earlier ruling of the internal revenue was revoked and this latter ruling was applied uniformly throughout Nebraska.

Following these decisions the Revenue Act was amended so as to avoid the broad construction placed upon the statute earlier in the case of the six or seven claimants covered by this bill.

The claimants would obtain relief on the ground that this sequence of events resulted in their being subjected to taxation in an unfair manner. The claimants did file court action before coming to Congress for relief. The court found, however, that while the course of action as to the collection of this tax in Nebraska was not uniform as to other States, nevertheless there was no intentional discrimination against these claimants, holding that the lack of uniformity in this matter prior to 1951 was due to uncertainty in the interpretation of the law. The claimants assert that this inconsistency plus the subsequent amendment of the law demonstrates that their cases merit legislative relief. The Treasury Department, in opposing the legislation, states that an undesirable precedent would be created by the action proposed in this bill.

The Judiciary Committee considered this matter carefully, and it concurs in the conclusion reached by the House that in this instance legislative relief is warranted.

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

Mr. HART. I yield.

Mr. KEATING. As I recall the discussion in the Committee on the Judiciary of this bill—and the Senator will correct me if I am wrong—Nebraksa was the only jurisdiction where the internal-revenue collector insisted upon the collection of this tax from the ballroom. It was a unique situation. It might be called the Nebraska rule. It was felt that an inequity was created because the tax was not collected in any of the other States of the Union.

Mr. HART. The recollection of the Senator from New York [Mr. KEATING] is correct. This could not be said to be unjust enrichment, technically, but merely the correction of an inequity.

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

Mr. HART. I yield.

Mr. ERVIN. I ask if, in short, this happened: The Internal Revenue Service had held that businesses of this kind were not subject to the cabaret tax. Nevertheless, a very energetic collector in Nebraska collected a tax from these particular firms. Then, after he had collected the tax from these firms, the court of appeals upheld the liability of persons carrying on this type of business and the cabaret tax.

Then Congress amended the law so as to relieve all persons, under the circumstances, from liability to pay the tax, the tax having been collected from these particular cabarets in Nebraska, the only place in the country not given relief by the congressional act, because they had already paid the tax, and it only relieved persons who had not paid the tax of liability. So if the bill is not passed, the Nebraska firms will be the only people in the United States who have ever paid the cabaret tax on the type of business they were doing.

Mr. HART. It is my impression the Senator from North Carolina [Mr. ERVIN] correctly states the case.

Mr. MORSE. I thank the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KEATING], and the Senator from North Carolina [Mr. ERVIN] for their explanation of the bill. I think it is good to have the legislative history in the RECORD. I have no objection.

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

There being no objection, the bill (H.R. 3096) was considered, ordered to a third reading, read the third time, and passed.

COMPACT RESPECTING THE BOUNDARY BETWEEN WEST VIRGINIA AND VIRGINIA

The bill (H.R. 7474) granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1447) to amend section 161, title 35, United States Code, with respect to patents for plants was announced as next in order.

Mr. PROUTY. Over.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE subsequently said: Mr. President, I should like to have the attention of the acting majority leader. I have looked into Calendar No. 960, Senate bill 1447, a bill to amend section 161, title 35, United States Code, with respect to patents for plants.

When I saw it on the calendar, it sort of rang a bell with me, and I looked into my files. That is why I asked for an explanation. I should now like to ask unanimous consent to return to consideration of the bill, because I believe it was placed at the bottom of the calendar, to be explained later. I wonder if I may have unanimous consent to have the bill considered now.

Mr. HART. Mr. President, it is my impression that the request that the bill go over came from the Republican side.

Mr. MORSE. I understood the bill went to the bottom of the calendar.

Mr. KEATING. No.

Mr. MORSE. Then, Mr. President, I ask unanimous consent that a statement I previously made on the bill 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 OF SENATOR WAYNE MORSE BEFORE THE SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS OF THE SENATE COMMITTEE OF THE JUDICIARY ON S. 1447, JULY 9, 1959

Mr. Chairman, I appreciate this opportunity to appear before your subcommittee to testify in behalf of S. 1447. For many years in the Senate I have consistently supported the principle that the protection of substantive rights can only be achieved through the procedural rights which are available to the individual. S. 1447 is designed to provide the procedures whereby those who are working in the field of research may protect their rights in the benefits created through extended periods of work and research. Under this bill they would be given rights equivalent to that enjoyed by horticulturists in other segments of agriculture.

You will note that enactment of S. 1447 will not require the expenditure of Federal funds, nor does it even envisage an extension of any existing Federal service. Its purpose solely, as I have said, is to extend equal treatment in the field of patents to those who are striving to improve the strains of potatoes; it removes the tuber exclusion provision of the Plant Patent Act.

I might add, Mr. Chairman, that those of us from Oregon who have been privileged to partake of the Klamath and Deschutes netted gem variety are convinced that the Oregon potato at present reaches toward perfection. However, we wish to assure you that should an even better potato be grown, difficult though this may be to achieve, the originator thereof ought, in all fairness, receive the just reward and protection that a patent would afford.

I have been assured that this legislation has the support not only of the National Potato Council as well as Certified Seed Producers and Processers in my own State.

I have brought to the attention of the subcommittee the letter of Mr. Don Palmer, administrator of the Oregon Potato Commission urging that S. 1447 receive favorable consideration by your subcommittee. I thank you.

MRS. ELBA HAVERSTICK CASH

The bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash was announced as next in order.

THE STEEL STRIKE

Mr. JAVITS. Mr. President, I would like to ask the indulgence of the Senate for 5 minutes, inasmuch as the senior Senator from Vermont [Mr. AIKEN] must return to a conference on the bill concerning Public Law 480.

Mr. President, I think Senator AIKEN and I were both disappointed with the words of Secretary Mitchell in respect to what would occur if facts he proposes to publish on the steel strike did not produce a settlement, and we shared the disquiet voiced here on the floor this morning by the Senator from Missouri [Mr. SYMINGTON] as to the steady progression of events which seems to be leading nowhere but to an injunction.

The reaction of both sides in the 58-day-old steel strike to President Eisenhower's stern letter released Tuesday, advising them to get down to intensive uninterrupted and good faith bargaining and reach agreement, must prove far more responsive and fruitful than previously if a national emergency is to be avoided and the use of the 80-day injunction period under Taft-Hartley is to be averted.

Mr. President, we invite the attention of the Senate to the fact that in 1952 this process led to an illegal seizure of the steel plants. This is pretty serious business for our country, at a time when the cold war is going on at the pace which obtains now.

Therefore, Mr. President, the Senator from Vermont [Mr. AIKEN] and I have issued a statement making the following recommendations.

We urge upon the President that he notify both management and labor that at a specific time proximate to now—and we suggest 1 week, September 17—the President will appoint a fact-finding committee which, on the basis of the facts already gathered by the Secretary of Labor, together with the facts to be gathered through whatever additional inquiry is considered necessary by the committee, will report its finding to the President, the next time with recommendations for settlement of the strike, so that the issues may be narrowed to the point where a settlement will be made.

Mr. President, we feel that the alternative—which would be very unwise—would be to await the 80-day injunction, which will only result in keeping the mills open until Christmas, and then bringing the crisis on again, because it is clear to us that nothing will be settled by the 80-day injunction period, except that period when the mills may again be put to work.

Mr. President, we are deeply concerned that management may be marking time and awaiting a Taft-Hartley injunction. We would consider this to be a great wrong.

We note from the press reports that President McDonald of the Steelworkers has given the solemn assurance that the Steelworkers' negotiators have the will and the authority to agree.

Therefore, Mr. President, we feel that positive action must be taken now to avert a national emergency. We point out that the idea of a factfinding committee follows the pattern which was followed in 1949 when, prior to the beginning of the threatened steel strike, President Truman appointed such a factfinding board, which turned in board findings and recommendations.

That strike only lasted 30 days, Mr. President, and the United Steelworkers made the statement that the findings and recommendations of the factfinding board formed the framework of the steel settlement.

We suggest this as a way to break the Gordian knot.

Mr. President, I ask unanimous consent to have printed in the RECORD in my remarks the exchanges of letters between the President and the head of the United Steelworkers, an editorial on this subject suggesting methods of settlement, and two news stories on the same subject.

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

TEXTS OF EISENHOWER AND MCDONALD LETTERS

PRESIDENT'S LETTER

GENTLEMEN: Immediately upon my return from Europe I received another report from the Secretary of Labor concerning the negotiations between the steel companies and the United Steelworkers of America.

It is disappointing to me and disheartening to our people that so little apparent progress toward settlement has been made thus far. Tomorrow the strike will begin its ninth week. For this extended period a half-million employees of the steel companies have been out of work. Over 85 percent of the steel-producing capacity of the Nation has been shut down. About 145,000 workers, who have no connection with the strike but whose jobs depend on steel, have been forced into idleness.

The preservation of freedom in America is not an exclusive responsibility of Government. Every individual to a greater or lesser extent shares that responsibility. In these times, when the continuing strength of the Nation is so paramount to this task, the responsibility that rests upon the steelworkers and the steel companies is a heavy one. The American people have a right to expect a measuring up to this responsibility.

Disputes between labor and management must be settled by collective bargaining between the parties. It is only when the national safety and health are imperiled that Federal law should be invoked. All these weeks the Federal Mediation and Conciliation Service has been attempting to assist the parties to reach agreement. Secretary Mitchell has made available to the public an assessment of the economic facts bearing upon the dispute. The Secretary's report has demonstrated clearly that there is a reasonable basis for a settlement that will be responsive to the requirements of the public interest as I have previously outlined them in public statements.

This dispute is not a test of power. The people of the United States do not look to the economic strength of either side to govern the settlement. They will be satisfied only by a just settlement, voluntarily arrived at, that will serve the interests of all our citizens.

Half-hearted bargaining is not enough. Intensive, uninterrupted, good-faith bargaining with a will to make a responsible settlement is required. Compromising differences is a process with which I am familiar. I have seen far more difficult problems than the steel dispute resolved in far less time by people who spoke different languages and had diverse backgrounds. Everything in my experience leads me to believe that where there is a will to agree on both sides, there is a way to agree. The steelworkers and the steel companies must find that way expeditiously.

Sincerely,

DWIGHT D. EISENHOWER.

M'DONALD'S REPLY

DEAR MR. PRESIDENT: This is in response to your letter of September 8 which the Steelworkers Union deeply appreciates. The United Steelworkers of America shares your disappointment that so little apparent progress toward settlement of the steel dispute has been made thus far.

We agree that a voluntary settlement should be made by the parties.

We agree that Taft-Hartley will settle nothing and indeed frustrate bargaining.

We agree that Secretary Mitchell's report has demonstrated clearly that there is a reasonable basis for settlement.

We agree that this dispute should not be settled by economic strength but rather by a just and reasonable settlement.

We agree that half-hearted bargaining is not enough and that reasonable men should be able to effectuate a just compromise.

Mr. President, this is precisely what the union has been seeking these many months. We have been trying to negotiate a reasonable settlement with the industry since early in May. But there must be two parties, both responsible and willing to negotiate a settlement. The union cannot do this alone, and thus far the representatives of the steel companies with whom we have been meeting, have either refused or lacked the authority to negotiate, except on the basis of complete denial of any justice to the steelworkers.

Mr. President, I give you my solemn assurance:

The steel workers' negotiators have the will to agree. The steel workers' negotiators have the authority to agree. The steel workers' negotiators have been seeking and will continue to seek good-faith, uninterrupted, wholehearted bargaining with the objective of achieving a reasonable settlement.

Mr. President, we ask no more than this. We can only hope that your appeal will result in a change of attitude on the part of

the industry, a change of attitude which will make a reasonable settlement possible.

Respectfully yours,

DAVID J. McDONALD,
President.

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

SILENCE ON STEEL

The dearth of information about the steel strike may mean good news, but it is more likely to mean that nothing constructive is happening. Although the strike has dragged on for 7 weeks, it has not yet hurt grievously despite the enormous loss of production and income. Accumulated steel inventories have shielded other industries, and savings plus the backlog of vacation pay have enabled most workers to avoid desperation. But the time is very rapidly approaching when the pinch will be real for everyone, when a continued shutdown of the country's most basic industry will become a national emergency.

What with the evident broad support of a tough antiracketeering bill in Congerss, some of the steel companies are said to view this as a propitious moment to crack down on labor. An effort seriously to weaken the unions would, we think, be highly unwise. But to the extent that the company position represents a determination to curtail featherbedding—one of the most indefensible union practices—and to resist an inflationary settlement, it is entitled to respect.

High wages earned by productivity, including reasonable concessions in work rules, are a desirable aspect of an expanding economy. But an extravagant settlement would not be in the public interest. Even though the steel industry itself might be able to absorb a substantial wage increase without increasing prices, the pattern which such a wage boost would set for other industries in a less favorable profit position could be highly inflationary and even disastrous for price stability.

At the same time, the lavish profits of the steel industry make a stand-pat position untenable and renew the question of whether the division of earnings is equitable. Many responsible economists and financiers think that the companies could reduce prices without injury to their capital position; and some companies are even said to have considered such proposals but to have discarded them because of possible customer difficulties.

In the circumstances a model settlement would be one which encompassed all three elements: a moderate wage increase based upon productivity, union concessions on wasteful labor practices, and a price cut which would promote stabilization. A voluntary compromise is much to be preferred to governmental intervention. But unless bargaining in earnest begins quickly, the national interest will compel invocation of the Taft-Hartley Act.

[From the New York Times, Sept. 10, 1959]

ROOTS OF STEEL IMPASSE: WHY WHITE HOUSE PLEAS AND ECONOMIC PRESSURES FAIL TO SPEED A SETTLEMENT

(By A. H. Raskin)

A distinguished group of experts on labor-management relations, meeting at Arden House 2 days before the steel deadlock began last May, warned that appeals by Government officials for restraint and responsibility in collective bargaining seldom accomplished much. The soundness of this judgment has been borne out by the ineffectiveness of the increasingly insistent pleas made by President Eisenhower to the striking United Steelworkers of America and the 12 biggest steel companies.

The total absence of headway toward a settlement in 4 months of negotiation has stirred fresh doubt about the adequacy of collective bargaining as an instrument for preventing strikes and safeguarding the public welfare in industries as essential as steel.

The extent to which past disputes—in 1946, 1949, 1952, and 1956—have involved White House intervention provides little foundation for confidence that any multiplication of bargaining hours will bring a direct agreement between the parties.

BOTH SIDES WILLING TO TALK

What has blocked progress up to now has not been the unwillingness of either side to spend enough time in the same room. It has been a joint recognition that the irreconcilability of their basic positions makes sessions meaningless until one side or the other is ready to shift ground.

In the absence of that readiness, the conferences called by Joseph F. Finnegan, Director of the Federal Mediation and Conciliation Service, have been exercises in frustration that would have sent a less jovial peacemaker to a psychiatrist long ago.

The nature of the steel industry immunizes the parties against much of the economic pressure that normally forces settlements in other strikes. The industry's productive capacity has become so great that it can satisfy all its customers' annual requirements in 9 months, even when business is booming.

This means it can sustain a strike of 2 or 3 months with only minor loss in total sales. As a further cushion, at least half of its out-of-pocket losses during the shutdown are eventually offset by adjustments in Federal taxes.

The hardship on the union's rank and file is much swifter. However, relatively few have yet completed the last turn of the wringer and had to petition for public relief. In the Chicago district, the union reports that 4,200 strikers still have unclaimed 2-week paychecks waiting for them.

The union has $60 million in its own treasury and in the funds of its locals to provide emergency aid. Moreover, the very size of the walkout and its pivotal importance as a patternsetter for other unions have made the idle workers the ward of the merged labor federation. It has guaranteed that it will not let them be "starved back" to the blast furnaces.

All this makes it certain that the huge stockpiles of metal built up before the strike will melt before either side is obliged to surrender.

At this danger point for the total economy the President has indicated that he will move for an 80-day injunction under the national emergency provisions of the Taft-Hartley Act.

The worst part of this procedure is that it settles nothing. It merely means that after 10 or 12 weeks of economic blood-letting the country will be able to look forward to a brief spasm of renewed output, followed by a new blackout at Christmastime.

The ironic aspect of the entire situation is that each side is defending its wage stand as the only sound one from the platform of the national interest. The President has stressed for many months his conviction that the result of the steel negotiations will have a vital bearing on the welfare of all Americans.

This raises the question of why it is desirable to leave public decisions of such moment to private decision by parties with no elective grant of authority from the general citizenry—especially when they show themselves incapable of deciding.

The more energetically the Democrats suggest that the right solution is the appointment of a Presidential factfinding board to evaluate all the wage and price considerations in this exceedingly complex dispute, the more emphatically the White House tosses the ball back to the industry and the union.

In the end their refusal to pick it up, coupled with the lack of governmental guidance on how the fruits of increased production should be shared among consumers, workers and stockholders, may lead to the same kind of public clamor for economic controls that expressed itself in the passage of a stiff labor-reform bill last week.

[From the Washington Post, Sept. 10, 1959]

STEEL IMPORTS RISE SHARPLY

NEW YORK, September 9.—Imports of steel mill products from foreign countries climbed sharply in June and exceeded exports for the seventh straight month, according to the American Iron and Steel Institute.

Citing prestrike buying as a factor in the rise, the Institute noted that the June import figure was 410,005 tons, up 25,218 tons from May, and 283,597 tons from the June, 1958, level.

Exports of steel mill products meanwhile stood at 191,355, compared with 165,856 in May and 163,309 in June a year ago. Imports for the first half more than trebled to 1,911,797 tons, from 589,640 during the comparable half of 1958.

Mr. JAVITS. I yield to my colleague from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, if I may have time on the bill before the Senate, I wish to join with the Senator from New York in repeatedly urging that every effort be made to secure a settlement of the steel strike before a national crisis develops. It does not seem to me that we should wait until a committee is appointed under the Taft-Hartley Act. The process of injunction and the resort to law and that type of procedure is not likely to prove effective.

If the strike continues, Mr. President, it will not be very long before we will hear talk about price and wage controls in the Congress. That may have to be effected.

If these two opponents, labor and industry, persist in continuing what appears to be not very sincere efforts to settle the strike until a national crisis occurs, it will affect everybody and it will have serious repercussions.

I am glad the President finally has spoken out. I think he should do more than to speak out. I think we should have, as the Senator from New York stated, a committee appointed which will not only find facts but also will make recommendations. A resort to the Taft-Hartley Act is not likely to prove to be effective. There is a strong possibility it will make matters worse.

Mr. JAVITS. Mr. President, I thank the Senate for its indulgence.

UNANIMOUS CONSENT AGREEMENT TO CONSIDER EN BLOC AMENDMENTS TO BILLS REPORTED BY COMMITTEE ON THE JUDICIARY FOR CONSIDERATION DURING THE CALL OF THE CALENDAR

Mr. EASTLAND. Mr. President, with respect to the bills on the calendar, which are to be passed if there is no objection, reported from the Committee on the Judiciary, I ask unanimous consent that amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

MRS. ELBA HAVERSTICK CASH

The PRESIDING OFFICER. Is there objection to the consideration of the bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash?

There being no objection, the Senate proceeded to consider the bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$21,700" and insert "$5,000", and on page 2, after line 14, to strike out:

SEC. 2. Upon the enactment of this Act, all pension payments to Mrs. Elba Haverstick Cash as authorized by the provisions of section 31 of the Act of March 28, 1934 (48 Stat. 526; 38 U.S.C. 501a), shall be terminated.

And, in lieu thereof, to insert:

SEC. 2. The enactment of this Act shall not in any way terminate or affect the pension payments to Mrs. Elba Haverstick Cash as authorized by the provisions of section 31 of the Act of March 28, 1934 (48 Stat. 526; 38 U.S.C. 501a).

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.

BILLS PASSED OVER

The bill (H.R. 3781) for the relief of Mrs. Anna Loftis, was announced next in order.

Mr. PROUTY. Mr. President, I have no personal objection to the bill, and probably would vote for it if it were before the Senate by motion, but I think the bill would establish a precedent, and should not be passed at this time.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PROUTY. Mr. President, the same would be true with regard to Calendar No. 963, H.R. 3782, for the relief of the estate of Williard Phillips, and I ask that that bill also be passed over.

The PRESIDING OFFICER. The bill (H.R. 3782) will also be passed over.

ELEANOR CONSTAN

The bill (S. 1193) for the relief of Eleanor Constan 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, notwithstanding the provisions of the War Claims Act of 1948, as amended, limiting the period of time within which claims may be filed thereunder, the Foreign Claims Settlement Commission of the United States shall have jurisdiction to receive and to determine the validity and amount of the claim of Eleanor Constan of West Newton, Massachusetts, for civilian detention benefits under subsections (a) through (e) of section 5 of that Act of 1948, as amended, and shall certify to the Secretary of the Treasury for payment out of the War Claims Fund any award made thereunder. The Secretary of the Treasury shall pay to the said Eleanor Constan the amount of any such award so certified by the Commission.

GIM BONG WONG

The bill (S. 2309) for the relief of Gim Bong Wong 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 sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Gim Bong Wong, shall be held and considered to be the natural-born alien child of Chin Get Wong and Yee Yoke Ying Wong, citizens of the United States: *Provided,* That the natural parents of the said Gim Bong Wong shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

RAUL J. HERMITTE AND GINETTE N. HERMITTE

The Senate proceeded to consider the bill (S. 1703) for the relief of Raul J. Hermitte and Ginette N. Hermitte, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Raul Jorge Jose Hermitte has resided and was physically present in the United States or any State since September 23, 1953, shall be held and considered as compliance with the residence and physical presence requirements of section 316 of said Act.

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 Raul Jorge Jose Hermitte."

GERARDO RAFAEL DOBARGANES Y TORRES

The bill (H.R. 1455) conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres was considered, ordered to a third reading, read the third time, and passed.

GORDON LANGLANDS JOHNSTON

The bill (H.R. 1499) for the relief of Gordon Langlands Johnston was considered, ordered to a third reading, read the third time, and passed.

EVA GURMAN

The bill (H.R. 1520) for the relief of Eva Gurman was considered, ordered to a third reading, read the third time, and passed.

MRS. ELLEN LESCHNER

The bill (H.R. 1701) for the relief of Mrs. Ellen Leschner was considered, ordered to a third reading, read the third time, and passed.

CITY OF MADEIRA BEACH, FLA.

The bill (H.R. 2390) for the relief of the city of Madeira Beach, Fla., was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. HART. The bill reflects a payment to the Florida municipality which would have been the obligation of the Government of the United States had the bulkhead or the seawall which was put in by the city in front of the Veterans' Administration hospital in that community been an obligation which the city could assess against a Federal unit. Actually, the Veterans' Administration hospital had been contemplating the construction of a comparable facility in front of the hospital. The municipality undertook across the frontage of the city, to construct a seawall or buttress. The bill reflects fairly the benefit accruing to the Government at the installation.

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

There being no objection, the bill (H.R. 2390) was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF NATHANIEL H. WOODS, DECEASED

The bill (H.R. 2631) for the relief of the estate of Nathaniel H. Woods, deceased, was considered, ordered to a third reading, read the third time, and passed.

MRS. LEONARD O. ERICKSON

The bill (H.R. 3410) for the relief of Mrs. Leonard O. Erickson was considered, ordered to a third reading, read the third time, and passed.

PETER F. DE ULLMANN

The bill (H.R. 4839) for the relief of Peter F. de Ullmann was considered, ordered to a third reading, read the third time, and passed.

PROCEEDINGS IN FORMA PAUPERIS

The bill (H.R. 5257) to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. Mr. President, this bill would amend section 1915(a) of title 28, United States Code, which relates to proceedings in courts of the United States without prepayment of fees, costs, or security under certain circumstances. Specifically, the proposed amendment is to substitute the word "person" for the word "citizen."

The Department of Justice submitted a draft of this proposal and recommended its enactment. The Judicial Conference of the United States likewise recommends favorable consideration of the legislation, and the Administrative Office of the U.S. Courts has estimated that the annual expense under this proposal would not exceed $5,000.

As pointed out by the Department of Justice, under present law any court of the United States may authorize the commencement, prosecution or defense of civil or criminal litigation, including appeals, without prepayment of fees, costs, or security "by a citizen who

makes affidavit that he is unable to pay such costs or give security therefor." It is the view of the Department of Justice that it would be consonant with the ideals and policies of the United States to afford indigent aliens the same privilege of proceeding in forma pauperis as is now afforded citizens.

The committee believes that the proposed legislation is meritorious and recommends that the bill H.R. 5257 be considered favorably.

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

There being no objection, the bill (H.R. 5257) was considered, ordered to a third reading, read the third time, and passed.

CHRISTOPHER J. MULLIGAN

The bill (H.R. 5645) for the relief of Christopher J. Mulligan was considered, ordered to a third reading, read the third time, and passed.

ZELDA GLICK

The bill (H.R. 5910) for the relief of Zelda Glick was considered, ordered to a third reading, read the third time, and passed.

VUKASIN KRTOLICA

The bill (H.R. 6405) for the relief of Vukasin Krtolica was considered, ordered to a third reading, read the third time, and passed.

ANDREW CHOA

The bill (H.R. 6720) for the relief of Andrew Choa was considered, ordered to a third reading, read the third time, and passed.

LILIANA CAPRARA

The bill (H.R. 6886) for the relief of Liliana Caprara was considered, ordered to a third reading, read the third time, and passed.

FROL MARTIN SIMONOV

The bill (H.R. 6954) for the relief of Frol Martin Simonov was considered, ordered to a third reading, read the third time, and passed.

MISS REMEDIOS VILLANUEVA

The bill (H.R. 7256) for the relief of Miss Remedios Villanueva was considered, ordered to a third reading, read the third time, and passed.

GIUSEPPA FERRANTE (SISTER CANDIDA)

The bill (H.R. 2090) for the relief of Giuseppa Ferrante (Sister Candida) was considered, ordered to a third reading, read the third time, and passed.

RUDOLPH ROZMAN

The bill (H.R. 7518) for the relief of Rudolph Rozman was considered, ordered to a third reading, read the third time, and passed.

VARTANOUCHE KALFAYAN

The bill (H.R. 7550) for the relief of Vartanouche Kalfayan was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TITLE 28, UNITED STATES CODE

The bill (H.R. 7979) to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla., was announced as next in order.

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

Mr. PROUTY. Mr. President, I believe we should have an explanation of the bill. The report does not indicate the necessity for this legislation. The court is already permitted to sit at Durant but has not done so because suitable quarters have not been available. The General Services Administration now proposes to remodel the Federal building to include quarters for the court and this bill would waive a section of the law permitting U.S. district courts to sit only where suitable quarters are available or are furnished without cost to the United States. Since the court is already permitted to sit at Durant, the necessity for the legislation has not been made clear.

Mr. KERR. Mr. President, the facilities are wholly inadequate, and in order to avoid a situation whereby either the court cannot sit there or build a new building, the Department has proposed that existing facilities be remodeled. Actually there is a limited way to make it possible both for the court to sit and avoid the cost of a new building. It has been thoroughly canvassed and investigated. The bill was passed unanimously by the House, and the Committee on the Judiciary reported it unanimously.

Mr. EASTLAND. I should like the RECORD to show that the bill is recommended by the General Services Administration. They say its enactment is necessary.

Mr. PROUTY. I should like to understand the necessity.

Mr. MONRONEY. The Senator will observe that unless these facilities are provided, it will mean that this area of the State is 150 miles from the nearest place where the court can sit. This is the job that will enhance the value of the post office and the public building, and only by the expenditure of some $300,000 in the improvement and remodeling and extension of the post office to provide for these court facilities. It is in a section of the State where the State and the county governments did not provide an adequate chamber, suitable for the large number of witnesses and jurors who must be available for the trial of Federal cases.

Mr. PROUTY. May I say to the Senator that I have no objection to the court sitting in Durant, but I understand that the facilities are going to be provided by GSA, and I cannot understand why this legislation is necessary.

Mr. KERR. They will not have the facilities without this proposed legislation. That is the situation.

Mr. PROUTY. I have no objection to the purpose. I am not clear as to why the legislation is necessary.

Mr. ERVIN. Will the Senator yield?

Mr. PROUTY. I yield?

Mr. ERVIN. I think I could explain the situation. There is a provision in existing law which applies in a great many cases. It provides that the Federal court can sit at Durant, Okla., only if the court sessions can be held there without expense to the Federal Government; that is, only if the facilities are available without expense to the Federal Government.

They are enlarging the post office, I understand, at Durant so as to include a Federal courtroom. So they want to remove this limitation that the Federal court can sit there only if the court sessions can be held without expense to the Federal Government. As far as that provision is concerned "without expense to the Federal Government," that is a manifest impossibility since they will have to build a courtroom.

That is the only purpose of the bill.

Mr. PROUTY. I should like to call the Senator's attention to section 142 of title 28, United States Code, which provides that "court shall be held only at places where Federal quarters and accommodations are available, or suitable quarters and accommodations are furnished without cost to the United States."

I understand that Federal court quarters or accommodations are or will be available in Durant.

Mr. ERVIN. Yes, but the Senator will find there are a great many bills authorizing amendments to the bill that provide that they can hold courts at other places, other than the existing quarters, if the facilities are available without cost to the Federal Government. We have a good many courts like that in my Federal district, at Shelby, N.C., and Bryson City, in both of which it is necessary to get the county courthouse free of expense to the Federal Government. This will clear up the ambiguity with reference to the law as it applies to Durant, Okla.

Mr. PROUTY. I thank the Senator. I shall not object.

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

There being no objection, the bill H.R. 7979 was considered, ordered to a third reading, read the third time, and passed.

AGNES LORRAINE PANK

The Senate proceeded to consider the bill (H.R. 2302) for the relief of Agnes Lorraine Pank, which had been reported

from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee", to strike out the comma and "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".

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.

MRS. BARBARA MAY BOSWELL

The Senate proceeded to consider the bill (H.R. 6884) for the relief of Mrs. Barbara May Boswell, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "Act", to strike out "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:".

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.

RELIEF OF STATE OF OKLAHOMA

The bill (H.R. 7605) for the relief of the State of Oklahoma, 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, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the numerals "25,", to strike out "1951" and insert "1941".

Mr. MORSE. Mr. President, there is a great deal of money involved. May we have an explanation?

Mr. EASTLAND. Mr. President this proposed legislation will pay to the State of Oklahoma, for the sole use of highway projects of such State, the sum of $652,-019.71. The payment of this sum will be in full settlement of all claims of the State of Oklahoma against the United States by reason of an agreement made by the United States under a stipulation filed on February 25, 1941, in the case of United States against Phillips and others, U.S. District Court for the Northern District of Oklahoma. The determination of the liability of the United States for the amount stated in the bill has been made by the court of claims as the result of a congressional referral for a report of its findings of fact and conclusions to the Congress. The court of claims in its opinion rendered June 3, 1959, determined that the plaintiff, the State of Oklahoma, would be entitled to recover under the stipulation as a matter of law. It is, therefore, recommended that the findings, conclusion and recommendations of the court of claims be adopted and H.R. 7605, as amended, be favorably considered.

Mr. MORSE. I have one question. Will the chairman of the committee tell me what the claim was for?

Mr. EASTLAND. That is in the report. I do not know what the claim is for. It is a judgment.

Mr. KERR. A copy of the decision of the Court of Claims is contained in the committee report, which is available to the Senator. Further, this amount of money was included in legislation which was before the Senate some years ago. It was objected to because it had not been adjudicated, and therefore it was referred to the Court of Claims. The matter was tried and adjudicated and a decision reached for the amount of money stated in the report.

Mr. EASTLAND. As I understand, it involves highways which were inundated by the Grand River Dam, and the highways were destroyed. We are compensating the State of Oklahoma under a judgment of the Court of Claims which held the Federal Government liable in this amount.

Mr. MORSE. That is what I wish to find out. I have not had a chance to read the report. The proposed legislation recompenses the State of Oklahoma for Oklahoma highways which were in effect destroyed because a dam was built and the water covered the highways. The State of Oklahoma was therefore obligated to build highways in other locations to the amount of the judgment.

Mr. EASTLAND. That is correct.

Mr. LAUSCHE. Mr. President, does this subject have any relationship to the item which was under discussion in the civil works bill 2 years ago, when a $12 million claim was held by the Government, which was sought to be eliminated by the passage of a post facto law?

Does the Senator from Oklahama remember the item I have in mind?

Mr. KERR. I do not remember the item of which the Senator speaks. Does my colleague remember it?

Mr. MONRONEY. The claim was for more money than the Court of Claims allowed, but the action of the Judiciary Committee was to refer it to the Court of Claims to determine the damages under the agreement.

Mr. EASTLAND. Congress referred it to the Court of Claims, and we are obligated to appropriate the money to pay that judgment.

Mr. KERR. The amount adjudicated to be due.

Mr. LAUSCHE. The item I have in mind arose about 2 years ago, when, in the public works bill, there was inserted a provision to which the Department of Justice objected, stating that the provision took from the Department of Justice a defense which it set up in an answer to a petition that was filed by the State of Oklahoma against the U.S. Government, asking for damages because of inundation of land caused by the United States.

Mr. KERR. If I am correct in my memory, we were seeking action by the Congress anticipating what this decision might be. As I recall, it was taken out of the bill because of the objection of the Department of Justice, to the effect that the provision, if left in, would prejudice its position in this case. That is my recollection.

Mr. LAUSCHE. I should like to look into the case. I know that I objected at that time to the Congress passing a law intended to take away from the U.S. Government a defense which it had.

Mr. KERR. The Senator succeeded.

Mr. LAUSCHE. The President vetoed the bill, and I believe he set forth in the veto this particular item as one of the reasons.

Mr. KERR. Congress did not take away the defense. The Department made its defense. The Court of Claims has adjudicated the matter, and the Court of Claims judgment is the basis of the bill.

Mr. MONRONEY. Mr. President, the only question that could be raised is that, under strict interpretation of the law, the statute of limitations has run.

Mr. EASTLAND. That question was decided by Congress when it referred the bill to the Court of Claims. It has no bearing here. If any rights were waived, they were waived by the Congress years ago, when the bill was sent to the Court of Claims. There a determination was made. This is the judgment, and we are obligated to pay that judgment.

Mr. LAUSCHE. Has there been any objection raised to the passage of this bill by the Department of Justice? Has the Department of Justice been informed of the bill?

Mr. EASTLAND. No. We do not refer back to the Department of Justice or any other department of the Government a judgment of the Court of Claims.

Mr. GORE. Mr. President, this bill would merely authorize and direct the Secretary of the Treasury to pay a judgment which the Court of Claims has rendered.

Mr. EASTLAND. Certainly.

Mr. GORE. I had occasion to look into this question 2 days ago. If the Senator will examine the report, he will see that almost the entire report is the judgment of the Court of Claims in this case.

Mr. EASTLAND. This is the first time to my knowledge in which a judgment of the Court of Claims has been questioned. I may be mistaken in that statement, but that is the best of my knowledge.

Mr. LAUSCHE. The Senator from Oregon made the statement that $650,-000 was involved.

Mr. KERR. He asked for an explanation, and it has been given.

Mr. LAUSCHE. I asked for an explanation, too, and I think on good grounds. I know that 2 years ago an effort was made to write into the public works bill language which deliberately took from the Department of Justice the defense which it had to an action——

Mr. KERR. I will say to the Senator that he succeeded in that effort. The bill which was passed was vetoed. The bill which was passed and signed did not contain that provision.

Mr. LAUSCHE. The Department of Justice and the administration will undoubtedly have the opportunity to look at this bill; and if the Department feels that its rights were not protected——

Mr. EASTLAND. The Department of Justice represented the U.S. Government before the Court of Claims.

Mr. JOHNSON of Texas. Mr. President, I should like to read a paragraph from the decision:

> It necessarily follows that the State of Oklahoma, but for the possible bar of the statute of limitations, has a legal claim against the United States. Under the terms of the stipulation the State is entitled to receive $652,019.71 in Federal aid for highway construction. It is the opinion of the court that Congress should make this amount available to the State, together with the requirement that such funds be employed solely for highway projects.

Mr. MORSE. Mr. President, I call the attention of the Senator from Ohio to the fact that that stipulation was a stipulation which the Department of Justice, representing the Federal Government itself, entered into.

Mr. LAUSCHE. I believe that if there is any infirmity in the bill, the administration can handle it by veto.

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

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT FOR CERTAIN ALIENS

The joint resolution (H.J. Res. 446) to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the joint resolution?

Mr. EASTLAND. Mr. President, this resolution waives certain excluding provisions of existing law in behalf of four persons who are close relatives of U.S. citizens or lawful resident aliens of the United States. In three cases, provision is made for the posting of a bond as a guarantee that the beneficiaries will not become public charges.

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

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

EXCLUSION OF CERTAIN ALIENS

The joint resolution (H.J. Res. 477) relating to the exclusion of certain aliens was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the joint resolution?

Mr. EASTLAND. Mr. President, this joint resolution waives certain provisions of the Immigration and Nationality Act relating to the excludability of aliens in behalf of four persons. In two cases provision is made for the posting of a bond as a guarantee that the beneficiaries will not become public charges.

Mr. MORSE. Does that mean that we are asked to adopt excluding provisions which apply specifically only to four people for the purpose of making it possible for the immigration authorities to send them out of the country, whereas others would be——

Mr. EASTLAND. The purpose is to let four people into the country.

Mr. MORSE. And the provisions seek to provide a guarantee that they will not become public charges?

Mr. EASTLAND. Yes.

Mr. MORSE. I have no objection.

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

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

PERMANENT RESIDENCE AND DEPORTATION OF CERTAIN ALIENS

The joint resolution (H.J. Res. 478) relating to permanent residence and deportation of certain aliens was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation?

Mr. EASTLAND. Mr. President this joint resolution grants the status of permanent residence in the United States to 11 persons. Provision is made for appropriate quota deductions where necessary, and for the payment of the required visa fees. The joint resolution also provides for cancellation of outstanding deportation proceedings in behalf of six persons and further provides that a former native-born U.S. citizen may regain her citizenship which was lost by protracted residence abroad. In five cases, provision is made for the posting of a bond as a guarantee that the beneficiaries will not become public charges.

Mr. MORSE. I have no objection.

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, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 4, after the word "Act", to insert "Anna Almo,"; on page 2, at the beginning of line 1, to strike out "case" and insert "cases of Anna Almo and"; in line 4, after the word "Act", to insert "Alexander Antoniou,"; at the beginning of line 19, to strike out "issued in the cases of Antonia Grova, Mah Wah Yong, Alvin Ergin (Ahmet Hamdi Ergin), Maria Mariani Guidi, and Serpuhi Klavuzoglu: *Provided*, That nothing in this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act as they apply to Alvin Ergin (Ahmet Hamdi Ergin). From and after the date of" and insert "issued in the cases of Nicola Peretta, Roberto Garcia Marquez, Salomon Chehebar, Mah Wah Yong, Maria Mariani Guidi, and Serpuhi Klavuzoglu. From and after the date of", and on page 3, line 6, after the word "have", to strike out "issued." and insert "issued: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the cases of Nicola Peretta, Roberto Garcia Marquez, and Salomon Chehebar."

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.

ENTRY OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 479) relating to the entry of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, after the resolving clause to strike out "That, for the purposes of the Immigration and Nationality Act, Luigi Filice shall be deemed to be a nonquota immigrant."; at the beginning of line 6, to strike out "Sec. 2. For" and insert "That, for"; at the beginning of line 11, to change the section number from "3" to "2"; on page 2, at the beginning of line 8, to change the section number from "4" to "3"; at the beginning of line 16, to change the section number from "5" to "4"; at the beginning of line 24, to change the section number from "6" to "5"; on page 3, at the beginning of line 4, to change the section number from "7" to "6"; after line 8, to strike out:

> SEC. 8. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Bronislawa Nowak, shall be held and considered to be the natural born alien child of Mr. and Mrs. Stanley Novak, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

At the beginning of line 17, to change the section number from "9" to "7"; at the beginning of line 25, to change the section number from "10" to "8"; on page 4, at the beginning of line 5, to change the section number from "11" to "9"; at the beginning of line 13, to change the section number from "12" to "10"; at the beginning of line 21, to change the section number from "13" to "11"; on page 5, at the beginning of line 4, to change the section number from "14" to "12"; at the beginning of line 12, to change the section number from "15" to "13"; at the beginning of line 20, to change the section number from "16" to "14"; on page 6, at the beginning of line 4, to change the section number from "17" to "15"; at the beginning of line 13, to change the section number from "18" to "16"; at the beginning of line 21, to change the section number from "19" to "17"; on page 7, at the beginning of line 4, to change the section number from "20" to "18"; at the beginning of line 9,

to change the section number from "21" to "19"; after line 13, to insert a new section, as follows:

SEC. 20. In the administration of the Immigration and Nationality Act, Kim Myon Yon, the fiancée of Thomas P. L'Esperance, a citizen of the United States, and her minor child, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Kim Myon Yon is coming to the United States with a bona fide intention of being married to the said Thomas P. L'Esperance and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of said Kim Myon Yon and her minor child, they 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 that the marriage between the above-named persons shall occur within 3 months after the entry of the said Kim Myon Yon and her minor child, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kim Myon Yon and her minor child as of the date of the payment by them of the required visa fee.

On page 8, after line 10, to insert a new section, as follows:

SEC. 21. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Wong Ting Quey shall be held and considered to be the minor natural-born alien child of Mr. and Mrs. Chun Pang Leung, citizens of the United States.

After line 15, to insert a new section, as follows:

SEC. 22. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Wong Bick Sue, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Chun Pang Leung, citizens of the United States.

And, after line 20, to insert a new section, as follows:

SEC. 23. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Saeko Higa shall be held and considered to be the minor alien child of Kame Higa, a lawful permanent resident of the United States.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. Mr. President, this joint resolution grants to 20 children adopted or to be adopted by U.S. citizens or lawful permanent residents the status of nonquota immigrants or third preferance status. In six of these cases, minority is preserved. The joint resolution also preserves nonquota or third preference status in behalf of three persons, to which they would normally be entitled were it not for the fact that they have reached their majority. The joint resolution further provides for the admission of one person for the purpose of marriage to her citizen fiance, and her minor child. Provision is made for an adjustment of their status to that of lawful resident aliens if the marriage occurs within 3 months after admission to this country.

Mr. MORSE. Mr. President, I wish to commend the chairman and other members of the Committee on the Judiciary, and also the very able staff of the committee, for the way in which they handle the individual immigration cases. I hope that in the next session of Congress we will make their tasks a little lighter by having Congress itself go into the problem of reviewing the immigration laws, because I think there is a need for a review of them.

As the Senator from Mississippi knows, I have been among those who for some years have felt that there should be some general legislation on the general subject with regard to the handling of our immigration problems. But until such legislation is enacted, I desire the RECORD to show that I think the Senate is fortunate to have the benefit of the very conscientious work which is done for us by the chairman and the members of the Committee on the Judiciary, and its very able staff.

Mr. EASTLAND. I thank the Senator from Oregon.

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.

ORDER OF BUSINESS—VETO MESSAGE

Mr. JOHNSON of Texas. Mr. President, I am informed that the House of Representatives has overridden the President's veto of the civil functions appropriation bill by a vote of 280 to 121. The message from the House is on the way to the Senate.

A number of Senators desire to keep commitments which they have made. I should like to ask that we attempt to vote on the veto message in the neighborhood of 2 o'clock. I should like to set a time certain for the vote, but I want the leadership on both sides of the aisle to explore the possibilities of doing so. I ask the aides of the Senate, on both sides of the aisle, to notify Senators who may be keeping luncheon engagements or who may be at other places, that the message is en route to the Senate. The moment it reaches here I expect to have it laid before the Senate.

Since the bill has been thoroughly discussed—and discussed several times, as a matter of fact—and since the distinguished minority leader said last night that he desired to take 3 minutes on behalf of the minority, I would expect the vote to occur very promptly. If this could be done, we would accommodate a half a dozen or more Senators who have engagements this afternoon at other places.

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. Do I have any reason to believe that the statement of the majority leader might mean that by accommodating half a dozen or more Senators this afternoon, the rest of us might look forward to a reasonably early adjournment this evening?

Mr. JOHNSON of Texas. I would do anything I could to please the distinguished senior Senator from Oregon and the rest of my colleagues.

Mr. MORSE. It is always very pleasant to hear the Senator from Texas say so; but I will keep that possibility in mind.

Mr. JOHNSON of Texas. I think if we could finish the call of the calendar and call up by motion a few general bills—I understand there is no serious objection to them, but that it is necessary to call them up by motion—the Senate could conclude its business at a reasonably early time this evening.

I do not expect the Senate to be able to conclude its action on the mutual security bill on Saturday. If it is possible to make real progress on it, I hope we may be able to conclude our action on it on Monday.

We expect to have a call of the calendar on Monday and also to call up by motion Calendar No. 921, S. 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine, a bill introduced by the Senator from Arkansas [Mr. FULBRIGHT] and other Senators; and Calendar No. 828, Senate Resolution 169, submitted by the Senator from Arkansas [Mr. FULBRIGHT], concerning the desirability of holding an international exposition in the United States. I am informed that there will be some discussion of that resolution. Both of those measures will be called up by motion on Monday, and there will be a call of the calendar on Monday.

It is planned to have the Senate convene early on Monday. If we have not concluded action on the mutual security bill on Saturday—as I do not anticipate that we will—I hope we may reach a final yea-and-nay vote on the mutual security bill on Monday.

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

Mr. JOHNSON of Texas. I yield.

Mr. PROUTY. Did I correctly understand the Senator from Texas to say that he planned to call up by motion on Monday the oleomargarine bill?

Mr. JOHNSON of Texas. The Senator is correct.

Mr. PROUTY. I think I should tell the Senator that there may be considerable debate on that bill.

Mr. JOHNSON of Texas. I cannot control the amount of debate; I shall simply give Senators on both sides of the aisle an opportunity to express their views, and to give them ample notice of the bills it is proposed to call up. I appreciate the notice given by the Senator from Vermont on the oleomargarine bill, so that all Senators who are interested in that bill, one way or another, may take notice.

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

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. Do I correctly understand from the statement the Senator from Texas made that he thinks the probabilities are good that the Senate will be in session on Monday?

Mr. JOHNSON of Texas. I beg the Senator's pardon; I did not quite hear all of his question.

Mr. MORSE. I ask the majority leader if my understanding is correct that he thinks the probabilities are good that the Senate will be in session on Monday.

Mr. JOHNSON of Texas. Yes. I do not think it is good; I think it is bad. But I think we will be here. [Laughter.]

Mr. MORSE. It is matter of the point of view. I was particularly pleased with the possibility that after we have finished the business which the Senator has suggested should be transacted today, we may leave at a reasonable time. I say this quite facetiously. I have a year-old grandson who has just arrived to see me. I think he would do me much more good, along the lines the Senator from Texas has suggested, than if we were kept in session tonight.

Mr. FREAR. Mr. President, I may say that it is something to have a year-old grandson arrive. [Laughter.]

Mr. JOHNSON of Texas. Mr. President, in view of the fact that at least seven Senators, now, will be accommodated by having a time certain set for the vote on the veto message, I ask unanimous consent that the Senate vote on the question of overriding the veto of the civil functions appropriation bill at not later than 2:30 o'clock.

Mr. MORSE. Mr. President, I think the message ought to be available to us for discussion. I shall have to object.

Mr. JOHNSON of Texas. Mr. President, I want the Senator's grandson to understand that it will be no fault of mine if his grandfather is not present. [Laughter.]

RESUMPTION OF CALL OF THE CALENDAR

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

NATIONAL MINING AND MINERALS POLICY

The bill (S. 1537) to establish a national mining and minerals policy 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 this Act may be cited as the "Mining and Minerals Policy Act of 1959".

SEC. 2. The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage (1) the development of an economically sound and stable domestic mining and minerals industry, (2) the orderly development of domestic mineral resources and reserves necessary to assure satisfaction of industrial and security needs, and (3) mining, mineral, and metallurgical research to promote the wise and efficient use of our mineral resources. It shall be the responsibility of the Secretary of the Interior to carry out this policy in such programs as may be authorized by law other than this Act. For this purpose the Secretary of the Interior shall include in his annual report to the Congress a report on the state of the domestic mining and minerals industry, including a statement of the trend in utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this Act.

DEPRESSED DOMESTIC MINING AND MINERAL INDUSTRY

The concurrent resolution (H. Con. Res. 177) declaring the sense of Congress on the depressed domestic mining and mineral industries affecting public and other lands was considered and agreed to.

PERMISSION OF GOVERNMENT OF GUAM TO BE SUED

The Senate proceeded to consider the bill (H.R. 4603) to amend the Organic Act of Guam for the purpose of permitting the Government of Guam, with the consent of the legislature thereof, to be sued, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 1, line 8, after the word "be", to strike out "sued." and insert "sued upon any contract entered into with respect to, or any tort committed incident to, the exercise by the Government of Guam of any of its lawful powers."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to read a third time.

The bill was read the third time, and passed.

AMENDMENT OF REVISED ORGANIC ACT OF VIRGIN ISLANDS

The bill (H.R. 7870) to amend the Revised Organic Act of the Virgin Islands, as amended, was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF LAND ON GUAM BY SECRETARY OF THE NAVY

The bill (H.R. 3608) to authorize the Secretary of the Navy to acquire certain lands on the island of Guam was considered, ordered to a third reading, read the third time, and passed.

BERNARD BARRETT

The bill (H.R. 2077) for the relief of Bernard Barrett was considered, ordered to a third reading, read the third time, and passed.

RACHEL NETHERY

The bill (H.R. 3111) for the relief of Rachel Nethery was considered, ordered to a third reading, read the third time, and passed.

CONCEALMENT OF ASSETS IN CONTEMPLATION OF BANKRUPTCY—BILL PASSED OVER

The bill (H.R. 5747) to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. The purpose of the bill is to provide that individuals who knowingly and fraudulently transfer or conceal their property in contemplation of their own bankruptcy shall be held to the same degree of accountability as the law now provides for agents and officers of potential bankrupts.

The proposed legislation has been requested by the Attorney General. It has also been recommended favorably by the Administrative Office of the U.S. Courts. It was the subject of a subcommittee hearing.

The committee believes that the proposed legislation is meritorious.

Mr. MORSE. Mr. President, I request the reading of the engrossed bill.

The PRESIDING OFFICER (Mr. CANNON in the chair). The Chair is advised that the engrossed bill is not now available at the desk; and, therefore, the bill will be ordered over.

MRS. MARY D'AGOSTINO

The Senate proceeded to consider the bill (H.R. 1387) for the relief of Mrs. Mary D'Agostino, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

The Administrator of Veterans' Affairs is authorized and directed to consider the claim heretofore filed by Mrs. Mary D'Agostino, mother of Michael R. D'Agostino, XC-2943574, under section 602(d)(2) of the National Service Life Insurance Act of 1940, to have been filed within the time specified in section 602(d)(5) of that Act, and to adjudicate such claim under that Act, notwithstanding its repeal.

SEC. 2. In considering such claim, the line-of-duty status of the death of Michael R. D'Agostino shall be determined under the criteria set forth in section 105, title 38, United States Code.

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.

INTER-COUNTY TELEPHONE & TELEGRAPH CO., FORT MYERS, FLA.

The Senate proceeded to consider the bill (H.R. 2695) for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.

Mr. MORSE. This bill involves a great deal of money, and I should like to have an explanation of the bill.

Mr. EASTLAND. Mr. President, the bill would reimburse the Inter-County Telephone & Telegraph Co., of Fort Myers, Fla., in the amount of $22,390.28 for construction and engineering expenses incurred in connection with a planned U.S. Air Force installation which was abandoned. The committee has previously recommended, and the Congress has provided, legislative relief (Public Law 85-546) to the city of Fort Myers, Fla., and Lee County, Fla., for their expenses contracted at the request

of the Government in connection with the planned installation which was abandoned.

The claim of the telephone company has been validated by the Air Force in the amount of $22,390.28; and, after careful consideration, the committee believes that the claim is meritorious in this amount. The circumstances out of which this claim grows are set forth in detail in the committee report.

Mr. MORSE. In other words, the Air Force admits that liability, does it?

Mr. EASTLAND. Yes; and these installations and this work were done at the request of the Air Force.

Mr. MORSE. That is all I need to know.

I have no objection.

Mr. HOLLAND. I thank the Senator from Oregon.

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

The bill (H.R. 2695) was ordered to a third reading, read the third time, and passed.

RETIREMENT COMPENSATION FOR DIRECTOR OF METROPOLITAN POLICE FORCE BAND

The Senate proceeded to consider the bill (H.R. 3030) to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, at the beginning of line 3, after the resolving clause, to strike out:

That the second sentence of the first section of the Act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force", approved July 11, 1947, as amended, is amended by striking "such" where it first appears and by striking "as may request such a detail".

SEC. 2. Said Act of July 11, 1947, as amended, is amended by inserting after section 2 thereof the following new sections:

And, in lieu thereof, to insert:

That the Act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force", approved July 11, 1947, as amended, is amended by inserting after section 2 thereof the following new sections:

And on page 3, line 13, after the word "purpose", to insert "Annuities authorized by this section shall be computed on the basis of compensated service rendered after July 11, 1947.".

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.

The title was amended, so as to read: "An act to amend the act entitled 'An act to authorize the establishment of a band in the Metropolitan Police force' so as to provide retirement compensation for the present director of said band after 10 or more years of service."

AMENDMENT OF POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

The Senate proceeded to consider the bill (H.R. 3735) to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 3, after "(a)", to insert "the amount of relief or retirement compensation payable to"; on page 2, at the beginning of line 4, to strike out "United States Secret Service, shall, for the purposes of such amendments of 1957, be held and considered to have retired from such force, Department, or Service, on such effective date" and insert "United States Secret Service is hereby increased by 10 per centum"; on page 3, line 1, after the word "the", to insert "first day of the month following the"; after line 2, to insert:

(d) No increase in relief or annuity shall be payable by reason of the enactment of this Act for any period before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, and this Act shall not be applicable in the case of any widow or any child otherwise entiled to benefits under this Act who died on or after October 1, 1956, but prior to the date of enactment of this Act.

And, at the beginning of line 11, to strike out "(d)" and insert "(e)".

Mr. DWORSHAK. Mr. President, may we have an explanation of the bill?

Mr. BIBLE. Mr. President, the bill, as amended by the committee, will provide a 10-percent increase of present retirement annuity to former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the Secret Service, who retired prior to October 1, 1956. The bill, as passed by the House, provided for an average increase of 33⅓ percent. It was the view of the committee that the 10-percent annuity increase represents an equitable upward adjustment for this group of former employees, and that a greater increase at this time would widen too greatly the existing disparity of treatment accorded the members of other retirement systems under the District government, specifically, the teachers and civil service retirees.

The bill also extends the benefits of the 1957 amendments to the Policemen and Firemen's Retirement and Disability Act to the widows and surviving minor children of deceased firemen and policemen who died prior to the effective date of the 1957 amendments.

The committee concurred strongly with the position of the Board of Commissioners of the District that relief was due, in equity, to the widows and surviving minor children of the deceased members of the various branches of the services. For example, the increased benefits for a widow and one child would rise from the present $150 a month to $200 a month.

The bill was unanimously approved by the committee, which believes that the bill, when enacted, will make the retirement benefits more equitable for the policemen and the firemen who left the services before October 1, 1956.

The committee noted that widows and surviving children have not had an increase in their annuities since 1949.

Mr. MORSE. Mr. President, I may say to the Senator from Idaho that the committee's decision is not very popular among the District of Columbia police and fire retirees; but we have reported what we believe is a fair bill. It provides for substantially less than the provisions made by the House of Representatives, but it follows, I believe, the same percentage increase as that provided for other civil service retirees last time. In that connection, I ask the chairman of the committee to check on the accuracy of that statement.

Mr. DWORSHAK. My sole interest is to determine whether any preferential treatment would be accorded those in these groups, or whether the treatment they would receive would be comparable with that received by other civil service employees.

Mr. MORSE. I state now, as I said in the committee, that we thought we should follow the same principle; and that if these employees were to receive any increase, they should reconcile themselves to the fact that they could not expect additional preferential treatment.

Mr. BIBLE. We think this measure will go a long way toward correcting some of the problems which exist in connection with the retired personnel of the police and fire services and their surviving dependents.

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

Mr. JOHNSON of Texas. Mr. President, I ask that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The question now is on agreeing to the committee amendments.

The amendments were agreed to.

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

The bill was read the third time and passed.

The title was amended so as to read: "An act to increase the relief of retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police

force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children."

STUDY COMMISSION ON DEVELOPMENT OF RIVERS AND PORTS AND DRAINAGE BASINS IN THE STATE OF ALASKA

The bill (S. 2628) to establish the U.S. Study Commission on the Development of the Rivers, Ports, and Drainage Basins (and intervening areas) of the State of Alaska was announced as next in order.

Mr. KEATING. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, the chairman of the Committee on Public Works is on the floor, and will go into the details of the bill.

However, at this time let me say that the provision of this measure is the most economical way to coordinate a water study and comprehensive water development plans. Such plans have been prepared in the past for certain areas; and we have found them to be of great value in the formulation and selection of the projects authorized. Examples of these studies are the comprehensive report on the New York-New England regions, and the equally comprehensive report on the Arkansas-White River-Red River Basin, in Southwestern United States. Other comprehensive studies have been made on the Columbia River, the Missouri River, the Mississippi River, and the Ohio River.

Congress has recently authorized similar study commissions for the southeastern river basins, as I recall—involving Georgia and Alabama—and for certain southwestern river basins involving Texas.

We have found that by bringing together the Corps of Engineers, the Reclamation Service, those whom the President appoints, and in whom he has confidence, and the State authorities, a great deal of time and money can be saved by using one coordinated plan.

The Commission will require a relatively small appropriation at the beginning stage. In the second year, the cost probably will amount to a few hundred thousand dollars.

As I recall, the Texas Commission had seven-hundred-thousand-odd dollars this year. At that time, Texas was the largest State in the Union, although I suppose that now Alaska has taken that honor from Texas.

I imagine that the appropriation would be in a similar amount.

At this time, I yield to my friend, the Senator from New Mexico [Mr. CHAVEZ], who was responsible for the bill, and reported it.

Let me say that I was speaking on behalf of the Senator from Alaska [Mr. BARTLETT], who had to go to the Pentagon.

Mr. CHAVEZ. Mr. President, I shall be glad——

Mr. KEATING. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Texas.

Mr. KEATING. May I inquire how he got it.

Mr. JOHNSON of Texas. I thought the Senator from New York requested an explanation.

Mr. KEATING. I did, but I assumed that I was retaining the floor.

Mr. JOHNSON of Texas. Mr. President, I have no desire to have the floor. I was merely trying to comply with the Senator's request.

Mr. KEATING. I was merely trying to comply with the rules of the Senate; and I was requesting an explanation. I wish to state my reasons for requesting an explanation.

Mr. CHAVEZ. I merely wished to answer the questions of the Senator from New York.

Mr. KEATING. The information I would like to have specifically is this: The report seems to be silent on the subject of costs. Can the distinguished Senator from New Mexico [Mr. CHAVEZ] verify the implication contained in the statement of the distinguished Senator from Texas [Mr. JOHNSON] that this is only a matter of a few hundred thousand dollars? I cannot find anything in the report pertaining to that matter.

Mr. CHAVEZ. I will answer the Senator from New York in the best of faith. We have to estimate what the cost of this study would be. I believe there would not be a better study or one more important to the country than a study of potential water and land resources in Alaska. All we have had heretofore were studies of the Columbia, and studies in the State of Missouri and the southeast United States. In the southeast, which includes Georgia, Alabama, and other States, there is no limit to the time of the study, and there is no limit to the time of the study in the State of Texas.

Under the proposed legislation there is a limitation of 7 years. The study in Texas is costing an average of $800,000 a year. In the southeast, the cost is more or less the same. In Alaska there is a limitation of 7 years.

Mr. KEATING. In other words, the commission authorized by the bill would last for only 7 years?

Mr. CHAVEZ. The Senator is correct, 7 years, and due to the shortness of the season, the water and land problems in Alaska cannot be studied as they can be studied in another State such as Georgia.

Mr. KEATING. May I ask the Senator from New Mexico when the expenditure of the $800,000 would end?

Mr. CHAVEZ. I cannot answer my good friend from New York, but I can say that there is a resolution pending now which provides for a 7-year study, and due to the weather conditions, it will not cost as much as it will in Texas, in southeastern United States, or elsewhere, including the Hudson.

Mr. KEATING. Alaska is a much bigger State than Texas. I would think there would be more to do there than in Texas.

Mr. JOHNSON of Texas. Mr. President, do I have the floor?

Mr. CHAVEZ. May I finish answering the Senator's question? Instead of $800,000 a year, I believe the studies in Alaska will be between $400,000 and $500,000 a year.

Mr. KEATING. That is the Senator's estimate for the total of 7 years?

Mr. CHAVEZ. No, yearly. The figure of $800,000 which I have given the Senator is the average for the study of the Columbia, for the Hudson, for the Delaware, and for all of the rivers in the United States, and the study in Alaska will cost between $400,000 and $500,000 a year.

Mr. JOHNSON of Texas. Will the Senator yield?

Mr. KEATING. I thank the Senator from New Mexico for his explanation.

Mr. CHAVEZ. I have some further information. The Army Engineers informed me the study in Texas will be completed within the next 5 years.

Mr. JOHNSON of Texas. Mr. President, I was attempting to give to the Senator from New York the information I thought he had asked for, and that is why I sought recognition.

Mr. KEATING. I understand perfectly that no discourtesy was intended by the distinguished majority leader.

Mr. JOHNSON of Texas. I had no desire to interrupt needlessly.

Mr. KEATING. I think the colloquy was helpful. I have no objection to the bill, but I thought the report was silent on the subject of cost and this factor should be brought out. I am happy to see we are not spending as much in New York as is being spent in Texas.

Mr. JOHNSON of Texas. I do not know what will be spent in Texas. I am sure it will be much less than the amount spent in New York because we are much more economical in our section of the country. Our study does not plan to go but 3 years.

Mr. KEATING. May I ask the Senator from New Mexico how much would be spent in New York State?

Mr. CHAVEZ. I could not tell the Senator at the moment.

Mr. KEATING. Does the Senator believe it would be as much as would be spent in Texas?

Mr. CHAVEZ. A member of the technical staff of the Committee on Public Works informs me that it cost about $12 million and it is already completed.

Mr. KEATING. Does not the bill authorize the spending of $800,000 in perpetuity?

Mr. CHAVEZ. No.

Mr. JOHNSON of Texas. Three years is the time for the plan of study in Texas.

Mr. CHAVEZ. May I add this in the best of faith. I come from a State which is short of water. That is one of the reasons why I am so deeply interested in water. I realize, as I stated before, the potentials to the American people in the creation of wealth and taxable property. I think this bill provides the best study of this type, I have seen in this body since I have been here, and I have been here 25 years.

Mr. KEATING. There is no question the Senator from New Mexico is absolutely correct. The amount and use of water is one of the great problems which faces our country. I agree with the

Senator wholeheartedly, and I have no objection.

I yield to the distinguished Senator from North Dakota.

Mr. LANGER. Mr. President, I should like to inform the Senate that in the Missouri Basin the Governors of four States, Montana, Minnesota, North Dakota, and South Dakota, have met together in order to arrive at the best way to solve this water problem.

I believe the bill before the Senate is a good bill, and I hope it will pass.

Mr. JOHNSON of Texas. I will say to the Senator, if he cares to have further information, our people think they will finish the Texas study. Of course, the amount of time to be taken will be determined by the amount of money allowed. They have asked for considerably more in this year's budget than the Bureau of the Budget felt should be allowed in this 1 year. Therefore they will plan the study over an additional 3 years. It could have been expedited had we received more money.

Last year, as I recall, the amount of money devoted to the study in Texas—and I assume there would not be too great a difference between a study in Texas and a study in Alaska—was $170,000 for the first year. This year I believe the House proposed to spend $720,000. The President asked for $800,000, and the Senate restored the House proposal to that figure. We expect to complete the study in an additional 3 years following this year's appropriation.

Mr. KEATING. If they do, they will have spent less than was spent in the New York study.

Mr. JOHNSON of Texas. Yes, we expect to do that because of the way we handle matters. I will quote the Chairman, and he said at the initial meeting that the Commissioners would direct their efforts toward completing their report at the end of 3 years. That includes both the Commissioners for the six Federal agencies and those nominated by the State.

Mr. KEATING. I know the distinguished Senator will see the study is terminated as soon as it can be practically completed.

Mr. CHAVEZ. May I say to my good friend from New York that when I mentioned the amount which was included in the study, it included seven States. New York for once joined the Union.

Mr. KEATING. New York was one of the original 13 States.

Mr. CHAVEZ. That is correct. It was part of the Union.

Mr. KEATING. It was part of the Union even before some of the other States.

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 Public Works, with amendments, on page 5, line 13, after "(3)", to strike out "Eight" and insert "Seven"; in line 15, after the word "section", to strike out the comma and "two of which shall be a resident of each of the four Federal judicial divisions into which the Territory of Alaska was divided", and on page 12, line 4, after the word "within", to strike out "five" and insert "seven"; 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 purpose of this Act is—

(a) to provide for an integrated and cooperative investigation, study, and survey by a commission created pursuant to this Act and composed of representatives of certain departments and agencies of the United States, and of the State of Alaska, in connection with, and in promotion of, the conservation, utilization, and development of the land and water resources of the various rivers, ports, and drainage basins (and intervening areas) of the State of Alaska in order to formulate a comprehensive and coordinated plan for—

(1) flood control and prevention;

(2) domestic and municipal water supplies;

(3) the improvement and safeguarding of navigation;

(4) the reclamation and irrigation of land, including drainage;

(5) possibilities of hydroelectric power and industrial development and utilization;

(6) soil conservation and utilization;

(7) forest conservation and utilization;

(8) preservation, protection, and enhancement of fish and wildlife resources;

(9) the development of recreation;

(10) salinity and sediment control;

(11) pollution abatement and the protection of public health; and

(12) such other beneficial and useful purposes not herein enumerated; and

(b) to formulate, within the time provided for in section 9 of this Act, a basic, comprehensive, and integrated plan of development of the land and water resources within the area described in this section for submission to, and consideration by, the President and the Congress, and to make recommendations, after adequate study, for executing and keeping current such plan. It is not the purpose of this Act to create any continuing or permanent instrumentality of the Federal Government or to take from, or reassign, the duties and powers of any department or agency of the State of Alaska, or of the United States, represented on the Commission, except as herein provided in this Act.

SEC. 2. In carrying out the purposes of this Act it shall be the policy of Congress to—

(1) recognize and protect the rights and interests of the State of Alaska in determining the development of the watersheds of the rivers herein mentioned and its interests and rights in water utilization and control, as well as the preservation and protection of established uses;

(2) protect existing and authorized projects and projects under construction whether public or private;

(3) utilize the services, studies, surveys, and continuing investigational programs of the departments, bureaus, and agencies of the United States;

(4) recognize an important body of existing Federal law affecting the public lands, irrigation, reclamation, flood control, grazing, geological survey, national parks, mines, and minerals; and

(5) to recognize the primary responsibilities of the State of Alaska and local interests in such State in developing water supplies for domestic, municipal, industrial, and other purposes, and that the Federal Government should participate and cooperate with such State and local interests in developing such water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, irrigation, or multiple-purpose projects.

SEC. 3. (a) In order to carry out the purposes of this Act, there is hereby established a commission to be known as the United States Study Commission on the Development of the Rivers, Drainage Basins, and Ports of the State of Alaska (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fifteen members appointed by the President, as follows:

(1) One member, who shall serve as Chairman, and who shall be a resident of Alaska and who shall not, during the period of his service on the Commission, hold any other position as an officer or employee of the United States, except that a retired military officer or a retired Federal civilian officer or employee may be appointed under this Act without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $12,000 in any one calendar year;

(2) Six members, of whom one shall be from the Department of the Army, one from the Department of Commerce, one from the Department of Health, Education, and Welfare, one from the Department of Agriculture, one from the Department of Interior, and one from the Federal Power Commission; and

(3) Seven members, nominated by the Governor of Alaska subject to the provisions of subsection (c) of this section.

(c) In the event of the failure of the Governor of the State of Alaska to nominate a person or persons in accordancce with the provisions of paragraph (3) of subsection (b) of this section satisfactory to the President within sixty days after a request by the President for such nomination, the President shall then select and appoint a qualified resident from the State of Alaska.

(d) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) Within thirty days after the appointment of the member of the Commission by the President, and funds have been made available by the Congress as provided for in this Act, the Commission shall organize for the performance of its functions.

(f) The Commission shall elect a Vice Chairman from among its members.

(g) Eight members of the Commission, of whom at least four shall have been appointed pursuant to subsection (b)(3) or (c) of this section, shall constitute a quorum for the transaction of business.

(h) Members of the Commission shall report from time to time to their respective departments or agencies, or to the Governor of the State of Alaska if appointed pursuant to subsection (b)(3) or (c) of this section, on the work of the Commission and any comments and suggestions pertaining to such work from such departments, agencies, or governor shall be placed before the Commission for its consideration.

(i) The Commission shall cease to exist within three months from the date of its submission to the President of its final report as provided for in section 9 of this Act. All property, assets, and records of the Commission shall thereupon be turned over for liquidation and disposition to such agency or agencies in the executive branch as the President shall designate.

SEC. 4. The Commission may, for the purpose of carrying out the provisions of this Act, hold such hearings, sit and act at such times and places, take such testimony, administer such oaths, and publish so much of its proceedings and the reports thereon as it may deem advisable; lease, furnish, and equip such office space in the District of Columbia and elsewhere as it may deem necessary; use the United States mails in the

same manner and upon the same conditions as departments and agencies of the United States Government; have printing and binding done in its discretion by establishments other than the Government Printing Office; employ and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended; purchase or hire, operate, maintain, and dispose of such vehicles as it may require; secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman, and employees of the departments or agencies from which persons have been appointed to the Commission pursuant to section 3(b)(2) of this Act may be assigned upon request by the Chairman of the Commission to temporary duty with the Commission without loss of seniority, pay, or other employee status; pay travel in accordance with standardized Government Travel Regulations and other necessary expenses incurred by it, or any of its officers or employees, in the performance of duties vested in such Commission; and exercise such other powers as are consistent with and reasonably required to perform the functions vested in such Commission under this Act.

SEC. 5. Responsibility shall be vested in the Chairman for (1) the appointment and supervision of personnel employed under the Commission, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds: *Provided*, That in carrying out his functions under the provisions of this section, the Chairman shall be governed by the general policies of the Commission.

SEC. 6. (a) Members of the Commission appointed pursuant to section 3(b)(2) of this Act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members of the Comission other than those appointed pursuant to section 3(b)(2) of this Act, shall each receive compensation at the rate of $50 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties, but the aggregate compensation received by the members of the Commission pursuant to this subsection shall not exceed $12,000 per annum in the case of the Chairman, and $7,500 per annum in the case of members of the Commission other than those members appointed pursuant to section 3(b)(2) of this Act.

SEC. 7. In the formulation of a comprehensive and coordinated plan or plans for (a) the control, conservation, and utilization of the waters of the various rivers, ports, and drainage basins of the State of Alaska (and intervening areas), (b) conservation and development of the land resources of such area; (c) flood control, navigation, reclamation, agriculture purposes, power, recreation, fish and wildlife, and (d) such other needs as are set forth in paragraph (a) of the first section of this Act, the Commission shall—

(1) seek to secure maximum public benefits for the State of Alaska and the Nation consistent with the specific directions contained in section 8 and elsewhere in this Act;

(2) utilize the services, studies, surveys, and reports of existing Government agencies and shall encourage the completion of such current and additional studies and investigations by such agencies as will further the purposes of this Act, and such agencies are authorized to cooperate within the limits of available funds and personnel to the end that the Commission may carry out its functions as expeditiously as possible.

(3) take into consideration the financial, physical, and economic benefits of existing and prospective Federal works constructed or to be constructed consistent with the purposes of this Act;

(4) include in its plan or plans estimated costs and benefits; recommendations relating to the establishment of payout schedules (areawide or otherwise) taking into account the Federal Government's present and prospective investment in the area; costs reimbursable and nonreimbursable; sources for reimbursement; returns heretofore made from existing projects and estimates of returns from recommended projects; repayment schedules for water, irrigation, industrial, and other uses; power rates and recommendations for the marketing thereof in such manner as to encourage its most widespread use at the lowest possible rates consistent with the return of capital investment and interest thereon; and

(5) offer in its plan or plans proposals for the construction and operation of the projects contained therein, and designate the functions and activities of the various Federal departments and agencies in connection therewith consistent with existing law, except that no such plan or plans shall include final project designs and estimates.

SEC. 8. In the formulation of its plan or plans and in the preparation of its report to the President, the Commission shall comply with the following directives:

(1) The report shall contain the basic comprehensive plan for the development of the water and land resources of the State of Alaska (and intervening areas) formulated by the Commission in accordance with the provisions of, and to accomplish the purposes of, this Act;

(2) The Commission and the participating Federal departments and agencies shall comply substantially with the intent, purposes, and procedure set forth in the first section of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control and other purposes", approved December 22, 1944 (58 Stat. 887).

SEC. 9. (a) The Commission is authorized and directed to prepare a final report, within seven years after the appointment of the members of the Commission by the President, for submission to the President. Before the Commission takes final action on the approval of such report for submission to the President, it shall transmit a copy of such report to each department and agency referred to in subsection (b) of section 3 of this Act, and to the Governor of the State of Alaska. Within ninety days from the date of receipt by each such department and agency, and by the Governor of the State of Alaska of such proposed report, the written views, comments, and recommendations of such department, agency, and Governor shall be submitted to the Commission. The Commission may adopt in its report to the President any views, comments, and recommendations so submitted and change its report accordingly. The Commission shall transmit to the President, with its final report, the submitted views, comments, and recommendations of each such department and agency, and of the Governor of the State of Alaska whether or not adopted by such Commission.

(c) The President shall, within ninety days after the receipt by him of the final report of the Commission, transmit it to Congress with his views, comments, and recommendations.

(d) The final report of the Commission and its attachments shall be printed as a House or Senate document.

SEC. 10. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

The amendments were agreed to.

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

Mr. BARTLETT subsequently said: Mr. President, by passing S. 2628 earlier in the day, the Senate took the first step in establishing in Alaska a commission which can, and I am sure will, make a very real contribution toward Alaska's development.

S. 2628 will create a U.S. Study Commission to inquire into the vast water resources of the 49th State, and to recommend a comprehensive plan for their use.

I was not on the Senate floor when S. 2628 was passed. Shortly before it came up for consideration, I was required to go to the Pentagon for a meeting long since arranged with Secretary of Defense McElroy and Chairman of the Joint Chiefs of Staff Twining on a matter of significance in regard to the defense situation in Alaska.

I express my warmest appreciation to the majority leader, the distinguished Senator from Texas [Mr. JOHNSON], and to the distinguished Senator from New Mexico [Mr. CHAVEZ], chairman of the Committee on Public Works, for their spirited, factual, and effective presentations made while the bill was being considered. I am most grateful to them, as I know the people of Alaska will be.

Mr. President, if the House also acts affirmatively, we shall be in a position to evaluate Alaska's water resources and its needs, and arrive at a plan for filling those needs. I think this could well result in a great overall saving of money, because a plan worked out in advance will be a better and a more efficient plan than to proceed by the trial and error method.

Mr. JOHNSON of Texas. Mr. President, I thank the distinguished Senator from Alaska for his generous comments. It is always a pleasure to cooperate with the Senator from Alaska, particularly because the Senator is associated with me on the Committee on Armed Services.

Mr. GRUENING. Mr. President, I join with my colleague in expressing great appreciation to the distinguished majority leader and to the distinguished chairman of the Committee on Public Works for their cooperation and assistance in having the Senate pass the splendid water conservation bill, which is for the benefit not only of Alaska, but for the resources of the entire Nation, as well.

Mr. BARTLETT. Mr. President, I ask unanimous consent that my statement and that of the distinguished junior

Senator from Alaska may appear immediately after the consideration of the bill.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the 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 message also announced that the House had passed the bill (S. 2208) to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House having proceeded to reconsider the 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, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was—

Resolved, That the bill pass, two-thirds of the House of Representatives agreeing to pass the same.

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

H.R. 529. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes; and

H.R. 8684. An act to provide transitional provisions for the income tax treatment of dealer reserve income.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled 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, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Finance:

H.R. 529. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes; and

H.R. 8684. An act to provide transitional provisions for the income tax treatment of dealer reserve income.

TOLL BRIDGE ACROSS RIO GRANDE NEAR LOS INDIOS, TEX.

The bill (S. 2531) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex., was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I move that the bill be indefinitely postponed, since we will next take up the House bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

The bill (H.R. 8582) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex., was announced as next in order.

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

Mr. JOHNSON of Texas. Mr. President, this is a bill which was reported by the Committee on Foreign Relations of the Senate. The House has passed H.R. 8582.

We know of no way to effectively provide for transportation between our State and our neighboring Republic of Mexico other than these toll bridges. The population is very small in the area. State funds are not available for the construction of bridges. The Federal Government is unwilling to construct bridges.

Year after year we have received authority from the Congress, since it involves an international river, to construct the bridges. In many instances it has not been possible to finance the bridges, even though the authority has been provided.

In the case of the next bill on the calendar, Calendar No. 1010, I am informed that for almost 20 years the people of the little community of Rio Grande City in Texas, across the river from a Mexican community, have tried to find financiers who would take the gamble and build the bridge, but have been unable to do so.

Two years ago Congress passed an identical bill. I am informed there is considerable opposition to the bill in its present form. The Senator from Iowa [Mr. HICKENLOOPER] raised objection in the committee. My friend the Senator from Ohio raised rather serious objection.

I do not know that the bridge could be financed if the bill were passed in its original form, but since those Senators are very actively opposing the bill unless a termination date is provided, I have conferred with my colleague [Mr. YARBOROUGH], the author of Calendar No. 1008, S. 2531. I have attempted to reach the people who plan to try to finance the bridge contemplated in Calendar No. 1011, but I have been unable to do so.

I thought the better course of wisdom would be to agree to the amendments proposed by the opponents of the bill, to accept the amendments, and then attempt to say to the people who want to finance the bridges, "If you can get financing under these conditions, do so. If not, we will have to try to persuade our colleagues in the Senate that the situation requires further consideration."

We do have a competitive situation in regard to some of the bridges. Some people do not want to have any more bridges built, but would rather require people to drive 30 or 40 miles to use a bridge already in existence. There are some very influential people involved.

Mr. DOUGLAS. Mr. President, reserving the right to object, and I do not intend to object, I have a few comments to make regarding the four bills which deal with the authorization of two toll bridges.

I think these bills raise questions of general policy. I am not particularly interested in these two toll bridges, and I do not intend to offer any objection to the passage of these measures, but I think we need to go into the administration of all the toll bridges much more carefully than we have in the past.

Each year we authorize the construction of several toll bridges and the collection of tolls for varying periods of years. Over the course of time, therefore, we have accumulated a large number of toll bridges which in the aggregate have very large revenues. I am trying to get a cumulative list of the toll bridges which Congress has authorized.

I have checked into this matter, and I find there is very little supervision over the operation of these bridges. I notice that it is very hard ever to get a toll bridge discontinued. When the bonds are paid off the authorities generally wish to have the toll bridge rights continue, and want to use the continuing funds for other purposes.

We have had some experience in connection with the bridges over the Wabash River between Indiana and Illinois, which indicates there are frequently administrative irregularities and that sometimes the administrative costs are excessive. The very able State's attorney in Rock Island County, Mr. Bernard J. Moran, and the U.S. Department of Justice recently have been able to obtain indictments of some 15 toll collectors on the bridge between Rock Island and Davenport, Iowa. Confessions which have been published apparently indicate that this group has been taking from $75,000 to $100,000 a year in tolls for themselves, despite the fact that the bridge allegedly had an automatic toll system.

I do not wish to make any public charges about other bridges, but I can say that in my judgment this case to which I refer is not unique.

Mr. President, the Committee on Public Works should institute an investigation, in cooperation with the Department of Justice, of all these toll bridges to determine whether the administrative expenses are excessive and to determine whether the tolls are being collected properly or whether some of the tolls are being taken by officials or employees of various toll commissions.

My own judgment is that the minimum which is required is an act to provide for an annual audit of the accounts of these various toll bridge commissions.

Mr. President, I shall not raise any objection to the passage of the two specific bills, but I wish to impress upon the Senate and upon the country the need for a very thorough analysis and probing of this whole situation. I hope the Public Works Committee will take this matter under its wing. We in Congress have granted these rights, and then we have gone off and have not supervised the administration of the toll bridges which we have authorized.

I think the Department of Commerce and the executive branches of the Government have also been grossly derelict in their duties.

Mr. JOHNSON of Texas. Mr. President, I am not in a position to disagree with the Senator from Illinois. I rather concur in the viewpoint the Senator has expressed. I think Congress might well give additional consideration to the Bridge Act of 1906, and have a very thorough study of it.

I know nothing about the thievery, the corruption, and the excessive salaries which may be involved in the situation to which the Senator has referred.

There are 19 international bridges across the Rio Grande. They were approved as a result of acts of Congress since 1908.

I doubt that we will ever have a bridge built under the conditions set forth in the bill, which I am hopeful will pass today. We have passed an authorizing bill again and again and again for several years, but have never been able to get the bridge financed.

There are several reasons for that. First, the traffic in this area is not very heavy. Second, the tolls that are charged, according to the agreement with the Mexican Government are so low that the revenue is such that there is not very great incentive to any private investor to risk his investment. So we have been unable to get them financed.

The pedestrian toll over the Santa Fe Street Bridge is 2 cents per pedestrian. Over the Stanton Street Bridge it is 2 cents. Over the Del Rio-Villa Acuna Bridge it is 10 cents. Over the Eagle Pass-Peidras Negras Bridge it is 5 cents; and for car and driver over the Eagle Pass-Peidras Negras it is 15 cents, and so forth.

Mr. DOUGLAS. I am not making any reference to any bridges in Texas over the Rio Grande. I am not making any implications about any specific bridge. I merely wish to take these bills as an occasion to urge a very thorough investigation by the Public Works Committee on the whole matter of toll bridges. There are charges of the mishandling of funds and of excessive costs, and so forth, and I have seen enough outcroppings of evidence to convince me that this has been a neglected field, one which we have neglected in the past and one which we continue to neglect, and someday unless we act it will be coming back to haunt us.

Mr. MANSFIELD. Mr. President, may I say in the case of the Camargo Bridge, that has been before the Senate previously, I believe, 17 years, and it has passed the Senate three times. As to the specific question raised by the Senator from Illinois, and it is a good one, that request was raised in the committee by the distinguished Senator from Ohio [Mr. LAUSCHE] and the distinguished Senator from Iowa [Mr. HICKENLOOPER]. I notice the Senator from Ohio has introduced legislation covering that very point.

Mr. DOUGLAS. I am very glad to hear that, and I wish to commend both the Senators for their alertness in this matter. As one Member of the Senate I shall be very glad to join with them in any effort which they may make to see that this matter is gone into, and if abuses in the management of toll bridges become evident, that they may be rectified.

Mr. JOHNSON of Texas. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I filed minority views objecting to the passage of the bill, or the bills dealing with the two bridges. I did so because I believe that bridges operated by private enterprise across international rivers ought not to be burdened with perpetual tolls.

My position is that when the builders of a bridge have been completely reimbursed for their capital investment and have been reimbursed for their operating costs and have made a reasonable profit on the bridge, at that time it ought to become toll free except for the possibility that tolls would be charged for maintenance.

My dissenting opinion is contained in the report, and I ask unanimous consent that what I said in that minority report be transcribed into the RECORD as though I had read it on the floor at this time.

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

MINORITY VIEWS OF MR. LAUSCHE

The Committee on Foreign Relations has reported S. 2531, S. 2590, and H.R. 3180 favorably to the Senate by a vote of 7 to 6, with four members not voting. I voted against reporting these bills to the Senate because, as a matter of principle, I strongly oppose S. 2531 and S. 2590, authorizing the San Benito International Bridge Co. and the Starr-Camargo Bridge Co. to build bridges across the Rio Grande and charge tolls in perpetuity. As a general proposition, I object to the practice of the U.S. Government granting a franchise to build a bridge to any authority and at the same time giving such authority the right to charge tolls forever. I see no reason why a bridge should not be toll free after the cost of the bridge has been amortized through the collection of tolls and a sinking fund has been established to provide for future maintenance and operating costs.

I want to make it clear, however, that I am not opposed to the enactment of H.R. 3180, authorizing the International Bridge Authority of Michigan to construct, maintain, and operate a toll bridge or series of bridges connecting the State of Michigan with the Dominion of Canada. The construction authorized by H.R. 3180 is to be undertaken by a governmental authority and the bill provides that, after the cost of construction has been amortized, the bridges or series of bridges shall be maintained and operated free of tolls. In addition, provision is made for the keeping of an accurate record of the cost of the bridges or series of bridges, the expenditures for maintaining, repairing, and operating them, and of the daily tolls collected. H.R. 3180, in my opinion, is a sound bill and I expect to vote for its passage when it is taken up in the Senate.

WHAT THE BILLS WILL DO

S. 2531 and S. 2590 authorize the San Benito International Bridge Co. and the Starr-Camargo Bridge Co., respectively, to construct, maintain, and operate toll bridges across the Rio Grande River. The authority granted is to be carried out in accordance with the Bridge Act of 1906, subject to the approval of the International Boundary and Water Commission, United States and Mexico, and the proper authorities in Mexico. The companies are authorized to fix and charge tolls in accordance with the laws of the State of Texas and the United States, and they are given the right to sell, assign, transfer, and mortgage all their rights, powers, and privileges to any public agency, or to an international bridge authority or commission. Construction of the bridges must be commenced within 3 years and completed within 5 years from the date of enactment of the bills.

H.R. 3180 extends for an additional 3 years the time within which the State of Michigan, acting through the International Bridge Authority of Michigan, may commence the construction of a toll bridge or series of bridges, causeways, and approaches thereto across the St. Mary's River from Michigan to the Dominion of Canada. The International Bridge Authority of Michigan is authorized to fix and charge tolls for transit over such bridge, or series of bridges, causeways, and approaches thereto.

The major difference between H.R. 3180 and S. 2531 and S. 2590, however, is that H.R. 3180 (Michigan bridge) provides that the bridge, or series of bridges, shall be toll free after the costs of construction have been amortized and a sinking fund has been established for maintenance, repair, and operating costs. In addition, H.R. 3180 provides that this shall be accomplished as soon as possible, but within a period of not to exceed 40 years. No such provisions are contained in S. 2531 and S. 2590.

BASIS FOR OBJECTION

S. 2531 and S. 2590 authorize the San Benito International Bridge Co. and the Starr-Camargo Bridge Co. to fix and charge tolls in perpetuity. This is the practice to which I object most strenuously. I am against the Government giving special privileges to anyone. I see no reason why a private bridge company, if it decides to build a bridge, should not be subject to the same limitations and restrictions which are imposed on public bridge authorities.

Senator YARBOROUGH, the sponsor of S. 2531, testified that the people of the San Benito and Harleton, Tex., are in dire need of a bridge and the argument is made that if restrictions are imposed on private companies they will not undertake to construct the bridges. The reason given for this argument is that money cannot be raised from private investors expecting to make a profit on the bridges when a limitation is placed on the return on their investment. The simple answer to this is—let the State of Texas or a public authority of the State of Texas construct, maintain, and operate the bridges.

On the other hand, however, it seems to me that if the traffic and economy of these areas in Texas justify the bridges, the private companies involved should expect no more than a reasonable return on their investment in a reasonable period of time, after which the bridges should become public property and be operated toll free. In this connection, Senator YARBOROUGH, without modifying his statement about private investors, stated with respect to a provision permitting the San Benito International Bridge Co. to get a reasonable return on its

investment and then have the bridge become public property:

"This is a kind of chamber of commerce project and we talked to the people by phone and they say they believe that the people of San Benito and Harleton would be willing to have this provision in the law. They are out to sell stock in the company. They are raising the money as kind of a public project anyway; their main objective is not to make money out of this; they do not expect it to be a money maker. They say all they want to do is to get the bridge."

If provisions that the bridges would become public property and be operated toll free after the costs had been amortized and the companies had received a reasonable return on their investment were included in S. 2531 and S. 2590, my objections to the enactment of these bills would be eliminated.

TREND TOWARD PUBLIC OWNERSHIP FREE OF TOLLS

The trend in the United States today is toward public ownership of any toll facilities. Additionally, the trend is toward making these facilities toll free after the costs of construction have been amortized. In this connection, the principle followed by the Federal Government under the Federal-aid-to-highways system is that wherever there is a toll bridge, tunnel, or approaches, Federal aid will be granted only on the condition that the toll charge be lifted after the construction cost and capital investment have been amortized. The Federal philosophy and principle with respect to toll bridges, tunnels, or approaches has been that tolls should not be charged in perpetuity but in good commonsense should come to an end when the original investment has been paid.

TOLL BRIDGES ACROSS THE RIO GRANDE

There are 19 international bridges across the Rio Grande, exclusive of the Mexican bridge between Ciudad Juarez and Cordova Island. Of these 19 bridges, 13 are highway bridges and 6 are railway bridges. Of the 13 highway bridges, 10 are privately or municipally owned and 3 are jointly owned by the United States and Mexican Governments. One of the railway bridges is also used as a highway. In spite of the fact that it has been the policy of the Federal Government to free highways and bridges of tolls, there are presently 11 bridges across the Rio Grande which are used for highway purposes and at which tolls are charged. Set forth below is a list of the bridges and the amount of tolls charged at each bridge.

Toll bridges on the Rio Grande

Bridge	Act approved	U.S. statute No.	Tolls		
			Car and driver	Each additional passenger	Pedestrian
1. Gateway Bridge (Brownsville, Tex.)	Feb. 26, 1926	44/132	$0.20	$0.05	$0.05
2. Missouri-Pacific Railway bridge	May 20, 1908	35/168	.20	.05	.05
3. Progresso-Las Flores	May 1, 1928	45/471	.25	.10	.10
4. Hidalgo-Reynosa	Feb. 7, 1925	43/815	.25	.10	.10
5. Roma-San Pedro	Mar. 2, 1927	44/1341	.40	.10	.10
6. International Highway Bridge, Laredo-Nuevo, Laredo.	May 29, 1884	23/30	.20	.05	.05
7. Eagle Pass-Piedras Negras	June 14, 1926	44/743	$0.15	$0.05	$0.05
8. Del Rio-Villa Acuna	Mar. 4, 1923	42/813, 1501	.25	.10	.10
9. Presidio-Ojinage	Feb. 16, 1928 Mar. 3, 1930	45/116 46/77	.60	.10	.10
10. Stanton Street Bridge (El Paso-Juarez, southbound only).	Feb. 1, 1924	43/4	.10	.02	.02
11. Santa Fe Street Bridge (El Paso-Juarez)	May 19, 1926	44/567	(1)	(1)	.02

[1] None southbound.

The owners of the bridges listed above have been collecting tolls in the range from 30 to 50 years, and under the acts of Congress which authorized the construction, maintenance, and operation of these bridges, the owners are permitted to continue to charge tolls in perpetuity. I was unable to determine from any of the witnesses before the committee whether the original investment on these bridges had been amortized through the collection of tolls over the years. It seems to me, however, that by this time the owners of these bridges must have obtained a reasonable return on their investments and that provision should have been made for these bridges to become public property to be operated toll free.

COMMITTEE ACTION

During the committee meetings when these bills were discussed, witnesses were most vague in supplying information on such questions as when these companies were formed, the names of the officers of the companies, the capitalization of the companies, how much stock had been subscribed, or other relevant information which I feel is important and necessary before a sound decision can be reached on the feasibility and practicability of enacting legislation of this nature.

I attempted to obtain information relating to the size and nature of the constructions contemplated. My efforts in this connection proved to be of no avail.

It has been argued that the committee passed similar legislation over the years with little or no difficulty. That argument begs the question. It takes for granted that the acts of governments in the past granting private companies the authority to build international and interstate bridges and then to collect tolls in perpetuity were just and sound. Investigation of the financial experiences of private companies granted the right to collect tolls in perpetuity from the public for the use of bridges, tunnels, and so forth, will show that the grant of authority by the Government was not right but an exploitation of the public. Frankly, I do not believe the Committee on Foreign Relations had sufficient facts and information available upon which to base an intelligent judgment in favor of these bills.

CONCLUSION

In conclusion I wish to make it abundantly clear that in submitting these views I have no personal motive in mind. I have approached this matter in a detached interest and for the benefit of the citizens not only of Ohio, but of the entire country. I must reiterate, however, that as a matter of principle I strongly oppose the enactment of any legislation which would authorize anyone to construct, maintain, and operate a bridge and charge tolls in perpetuity. If the bridges provided for in S. 2531 and S. 2590 have to be constructed by private companies, then I think those companies should be permitted to charge tolls only until they have fully recouped their capital investment and have received a reasonable return thereon, and thereafter the bridges should become public property and be operated toll free.

FRANK J. LAUSCHE.

Mr. LAUSCHE. Mr. President, the proof showed that it has been impossible to get these bridges built in these sparsely settled communities. I still felt that a bill should have contained a provision making the bridge toll free after there had been complete reimbursement to the builders of the bridge. That view was not accepted, the vote being 7 to 6.

These bills were sent to the floor with committee support. Since that time, however, in talks had with the proponents of the bridge and, if I might say, volunteered by the senior Senator from Texas, it has been suggested that the right to charge tolls be limited for a period.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. JOHNSON of Texas. I do not want to be considered the father of that idea. The idea was suggested to me, as I stated to the Senator from Ohio, by the Senator from Iowa [Mr. HICKENLOOPER]. I would not want my people to think that I had so little knowledge of this matter that I would think this would get the job done. I told the Senator from Iowa that I doubt that we could get the bridge built under the authority given them in the bill as introduced, but that if he felt, in order to satisfy his objections, that there should be a limitation—and we first discussed 99 years, and then he said that 66 years would be agreeable—if the Senator from Ohio found that agreeable to him that, while I opposed it and did not father it, I would try to have the bill passed with the 66-year limitation and then see what the people who have authority can do in the way of financing.

Mr. LAUSCHE. In the hearings it was developed that there are 19 bridges across the Rio Grande. One private toll bridge was built in 1920. For 39 years tolls have been collected. They are now being collected, and will be collected forever. I could not subscribe to that type of philosophy, granting a private builder the permanent right to collect tolls.

There were several other bridges built between 1920 and 1929, and the span is 39 years to 30 years, and tolls are still being collected. I do not intend to cast any reflection upon anyone, but I believe that those facts warrant a complete look at the situation.

I will state—and it is my understanding that the Senator from Iowa subscribes to this—that until the basic law is changed, a 66-year limitation would be acceptable.

Mr. HICKENLOOPER. Mr. President, I believe the situation has been correctly stated by the Senator from Texas and the Senator from Ohio. I was one of those who objected to one provision in these bills, and that is the granting of a Federal franchise in perpetuity.

It is my personal view that the builders of the bridge or bridges there would be better off if they accepted our original proposition, that those bridges could be operated until the investors get their money back and a substantial profit, whether it is 25 years, 50 years, 75 years, or any other period of time. I was perfectly willing to go along with that, but I am against the theory of the Federal

Government granting perpetual franchises on matters of this kind, toll bridges, highways, or anything else.

The Senator from Texas is very much interested in these bridges, and so far as I am concerned I can see the desirability of having the bridges constructed. I am not opposed to the bridges. I am not opposed to the toll bridge theory. I am not opposed to the toll road theory. It is only the matter of perpetuity that I object to.

The proposal has been made by the Senator from Ohio [Mr. LAUSCHE] to insert a clause establishing a period of time of 66 years. So far as I am concerned, it is perfectly all right with me. I wish to assure Senators that I am not against the bridges, if they can be built. I want to afford every opportunity to pay for the bridges. I want those communities to have sound, useful projects, but I object to granting franchises in perpetuity. I certainly will support the bill with the amendment proposed by the Senator from Ohio.

Mr. JOHNSON of Texas. Mr. President, H.R. 9694, which is an identical bill to S. 2590, introduced by me, would authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge at Rio Grande City, Tex.

The Starr-Camargo Bridge Co. consists of local citizens in the area concerned who hope to build a bridge across the Rio Grande in an effort to increase trade with Mexico through their community and thereby to stimulate its economy.

No governmental agency is willing or able to undertake the construction of this bridge because the operation of the bridge will involve such risks that no bond purchasers are willing to finance the project.

These local people are willing to risk their capital, and the possibility of a complete loss in order to help their community. It seems only fair that they also be permitted the chance to realize a reasonable profit.

In my opinion, the position advanced in the minority report on the Senate bill that Congress should require toll-free operation after construction costs have been recovered simply does not fit a situation as here where private enterprise builds a toll bridge.

In the first place, under the terms of the bill as introduced, the bridge owners are not entitled to recover their investment in the bridge from bridge tolls. They are only entitled to a fair return on that investment. If Congress goes further and provides that the investment itself is to be recovered out of tolls within a specified period, it seems apparent that higher tolls will be required than if the bridge operators may only require a fair return on their investment.

Tolls must be kept low on Rio Grande bridges, and higher tolls than those prevailing at the present time could easily spell the difference between economic life and death.

The principal reason that the limitation proposed in the minority views to Report No. 980 has no application here is that neither the United States, the State of Texas, nor any other governmental agency has agreed to undertake the responsibility of operating the bridge toll-free after the construction costs have been recovered. And this duty certainly cannot be imposed on a private person.

For these reasons, I could not under any circumstances agree to the type of limitation proposed in the minority views. I have reluctantly agreed to accept an amendment which would limit the authority granted under this bridge to a period of 66 years. I have done so not because I think such an amendment is necessary, but because I do not desire to engage the time of the Senate in an extended debate.

I believe that the reasons set forth in the committee report on S. 2531 and S. 2590 set out accurately and succinctly the principal reasons why the bill should be passed as reported by the committee.

I ask unanimous consent that appropriate portions of the committee report be printed in the RECORD at this point in my remarks.

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

The Committee on Foreign Relations, having had under consideration H.R. 3180, to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress, and S. 2531 and S. 2590, to authorize the San Benito International Bridge Co. and the Starr-Camargo Bridge Co. to construct, maintain, and operate toll bridges across the Rio Grande, reports them favorably and recommends that they be passed by the Senate.

S. 2531 AND S. 2590

S. 2531, to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande River near Los Indios, Tex., was introduced by Senator RALPH YARBOROUGH and referred to the Committee on Foreign Relations on August 12, 1959. A companion measure, H.R. 8582, was introduced in the House of Representatives by Congressman JOE M. KILGORE on August 10, 1959, and reported favorably by the House Committee on Foreign Affairs on August 31, 1959. H.R. 8582 was passed by the House on September 7, 1959.

S. 2590, to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex., was introduced by Senator LYNDON B. JOHNSON and referred to the Committee on Foreign Relations on August 24, 1959. H.R. 8694, a companion bill was introduced in the House of Representatives by Congressman JOE M. KILGORE on August 17, 1959, and reported favorably by the House Committee on Foreign Affairs on August 31, 1959. H.R. 8694 was passed by the House on September 7, 1959.

The bills provide that each bridge company is authorized to construct, maintain, and operate a toll bridge in accordance with the provisions of the Bridge Act of 1906, subject to the further approval of the International Boundary and Water Commission, United States and Mexico, and also subject to the approval of the proper authorities in the Republic of Mexico. Each company is also authorized to fix and charge tolls in accordance with any laws of the State of Texas or the United States applicable thereto. In addition, each bridge company is granted the right to sell, assign, transfer, and mortgage all its rights, powers, and privileges to any public agency, or to an international bridge authority or commission. The authority granted under S. 2531 and S. 2590 will be null and void unless the actual construction of the bridge is commenced within 3 years and completed within 5 years from the date of enactment of the bills.

COMMITTEE ACTION

Legislation dealing with the construction, maintenance, and operation of bridges across international boundaries was considered by the committee in executive session on August 24, and September 1 and 4, 1959. During these sessions the committee heard the testimony of Senator Ralph Yarborough; Senator Philip A. Hart; Congressman Victor A. Knox; Mr. Robert Kennedy, Office of Engineers of the Department of the Army; Mr. Melville Osborn of the Department of State, Mr. Sam R. Broadbent of the Bureau of the Budget, and Mr. Walter Kurylo, Bureau of Public Roads of the Department of Commerce.

Discussion of the bridge bills pending before the committee centered around the questions of whether adequate provision was made for auditing the accounts of the authorities engaged in the construction of the bridges and whether provision should be made for a terminal date by which time authorities constructing the bridges would be required to relinquish their right to collect tolls for maintenance and use of the bridges.

H.R. 3180 grants authority to construct the St. Marys River bridge to a public authority and provision is made for relinquishment of toll collections within a reasonable time, but not to exceed 40 years. The laws of the State of Michigan are applicable to auditing the bridge account.

S. 2531 and S. 2590 contain no provision for auditing and limiting the time when tolls might be collected for these two bridges across the Rio Grande River. The Bridge Act of 1906, however, provides that the tolls charged shall be reasonable.

When objection was received in the committee to granting authority for the collection of tolls in effect "in perpetuity," the following factors were considered and in the judgment of the majority of the committee justify the passage of these two bills:

(1) Acts of Congress authorizing the construction of other bridges across the Rio Grande River by private authority have not contained a limitation on the collection of tolls, except that provided in the Bridge Act of 1906, namely, that the tolls charged shall be reasonable.

(2) The committee felt that if provision is to be made limiting the period of time during which a private authority may collect tolls, that provision should be adopted in the form of an amendment to the Bridge Act of 1906, and should not be in the nature of an amendment to specific bridge bills.

(3) If the Congress is not to begin applying a new standard limiting the period of time when tolls may be collected on bridges along the Rio Grande River, it is not known what the effect might be on other privately operated bridges, since if a free bridge is operated within a short distance of a toll bridge, the value of the existing toll bridge would be destroyed.

(4) Testimony was received to the effect that unless the bridges authorized by S. 2531 and S. 2590 are constructed by private companies, they will not be built.

(5) The committee felt that the people of the State of Texas where these bridges are to be constructed will be able to protect their own interests should private toll bridges misuse the construction franchise which is in effect provided by the pending bills. In addition the power of expropriation with just compensation resides with the State. Furthermore, should the State or some public authority decide to construct tollfree bridges at points competitive with toll bridges, the effect would undoubtedly be to lower, or eliminate tolls on such bridges.

There is no expenditure of Federal funds involved in these bills, and the executive

branch is not opposed to the enactment of this legislation. Bearing in mind the reasons stated above, and since the bills conform to previous international bridge legislation, the committee, by a vote of 7 to 6, voted to report them favorably to the Senate.

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

The CHIEF CLERK. A bill (H.R. 8582) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 8582?

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

Mr. JOHNSON of Texas. Mr. President, if the Senator from Ohio will send his amendment to the desk, I ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. On page 1, at the beginning of line 4, it is proposed to strike out "Benito, Texas, is authorized to construct, maintain, and operate a toll bridge, and approaches thereto, across the Rio Grande at or near Los Indios, Texas", and insert "Benito, Texas, is authorized to construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Los Indios, Texas, and for a period of 66 years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

Mr. YARBOROUGH. Mr. President, the amendment is offered to the bill which I introduced. While I will not object to the amendment at this time, at the same time, I do not agree to it.

The chamber of commerce is out selling stock to raise enough money to build the bridge. They say they cannot raise it. We can put that limitation in the bill, and see what can be done about financing.

I am opposed to toll bridges. My State is opposed to them. There is not a single toll bridge or toll road in Texas, except one between Fort Worth and Dallas, built under one of the authorities.

On the Rio Grande toll bridges cannot be avoided. The Federal Government has three toll bridges across the Rio Grande near El Paso.

I offered to withdraw the bills if we could obtain a Federal grant. We asked the Bureau of the Budget, and the Bureau of the Budget said it had a policy of no new starts. I shall be glad to withdraw the bills if the Federal Government will build the bridges.

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

Mr. YARBOROUGH. I yield.

Mr. MANSFIELD. The Senator is acceding reluctantly because there is no other course.

Mr. YARBOROUGH. The Senator is correct.

When such a toll bridge is built the American interests must pay the entire cost of building the bridge, but when it is finished, inasmuch as Mexico owns the river from the center of the channel south, the only way to obtain a franchise to build over Mexico's half of the river is to give Mexico title to half of the bridge, although the entire cost of the bridge is paid by the government which builds it.

Also half of the tolls are paid to Mexico, as a condition for permitting the building of a bridge over Mexico's half of the river. That is why it is so difficult to finance the bridges.

The table on page 45 of the hearings shows the tolls charged to cross the Rio Grande. They run from 2 to 10 cents. For cars they average from 20 to 25 cents per car and driver. There is one toll as high as 60 cents, at El Paso. Where most of the bridges cross, the toll is a dime for the car and driver.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

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.

TOLL BRIDGE ACROSS RIO GRANDE NEAR RIO GRANDE CITY, TEX.

The bill (S. 2590) to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex., was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Calendar No. 1010, Senate bill 2590, be indefinitely postponed. When Calendar No. 1011, House bill 8694, is reached, I shall ask the Senator from Ohio to offer his amendment.

The PRESIDING OFFICER. Without objection, Senate bill 2590 is indefinitely postponed.

The Senate proceeded to consider the bill (H.R. 8694) to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex.

Mr. LAUSCHE. 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 Ohio will be stated.

The CHIEF CLERK. On page 1, line 5, it is proposed to strike out "construct, maintain, and operate a toll bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Rio Grande City, Texas", and insert "construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Rio Grande City, Texas, and for a period of 66 years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

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.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the votes by which House bill 8582, Calendar No. 1009, and House bill 8694, Calendar No. 1011, were passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMENCEMENT AND COMPLETION OF CERTAIN PROJECTS BY THE STATE OF MICHIGAN

The bill (H.R. 3180) to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by Congress 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 the Act entitled "An Act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Saint Marys River, from a point in or near the city of Sault Sainte Marie, Michigan, to a point in the Province of Ontario, Canada", approved December 16, 1940 (54 Stat. 1222; Public Law 889, Seventy-sixth Congress), is hereby revived and reenacted: *Provided,* That this Act shall be null and void unless the actual construction of the bridge, or series of bridges, causeways, and approaches thereto, referred to in such Act of December 16, 1940, is commenced within three years, and completed within six years, from the date of enactment of this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

BILL PASSED OVER

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, was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HART. Mr. President, we do not have reports available on any further bills.

ADDITIONAL POWERS FOR THE BI-STATE DEVELOPMENT AGENCY BY MISSOURI AND ILLINOIS

Mr. HART. Mr. President, there was one bill placed at the foot of the calendar, namely, Calendar No. 953, House

Joint Resolution 465. I ask unanimous consent for its present consideration.

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

The CHIEF CLERK. A joint resolution (H.J. Res. 465) approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois.

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. HART. Some years ago the Congress authorized the States of Missouri and Illinois to organize and sponsor a Bi-State Development Agency. This was done. The joint resolution before us now proposes to approve additional authority which was granted by the two State legislatures to this agency. The additional powers involve general revenue, bond financing, and a clearer definition of the facilities which the agency may operate.

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

The joint resolution was ordered to a third reading, read a third time, and passed.

PUBLIC WORKS APPROPRIATION BILL, 1960—VETO MESSAGE

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, returning, without his approval, the 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, which was read.

(For President's message, see House proceedings of today.)

Mr. JOHNSON of Texas. Mr. President, I am about to suggest the absence of a quorum. I ask the aids on both sides of the aisle to notify Senators. I will withdraw the quorum call when the end of the list is reached, if I may do so, but I wish to notify the minority leader and other Senators.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. ELLENDER. Mr. President, not long ago the Senate had for consideration the President's veto messages on the housing bill. At that time, members of the committee on both sides of the aisle took the position that the President had been inaccurately advised as to the contents of that bill. I have no doubt that that was the situation.

Also, a few weeks ago I discussed the misinformation by which the President had been completely misled with respect to the farm situation.

I do not believe that these are isolated cases.

Earlier this week, I dissected the first veto message of the President on the public works appropriation bill, for the purpose of demonstrating that the President had been ill advised on the effect of the increases in this bill.

Mr. President, the new veto message contains two new points on which I should like to comment briefly: First, the President states that the reduction of 2.5 percent on going projects could have the effect of impeding orderly work on going projects and would result in an increase in cost instead of a saving. For the fiscal year 1959, the President's program contemplated an unobligated balance, under "Construction, general," of $45 million. The actual unobligated balance on June 30 was $62,411,000. The $45 million estimated unobligated balance represented about 6.7 percent of the funds available. The actual unobligated balance of $62.5 million is 9.3 percent. Therefore, Mr. President, the engineers overestimated their expenditures by 2.6 percent. I submit that the reduction of 2.5 percent in the public works bill will not adversely affect construction schedules. Furthermore, in my area in the lower Mississippi Valley the casting plants for the concrete mats have been shut down for 1 month as a result of the steel strike. I am informed that other projects will be delayed because of a steel shortage.

The last paragraph in the President's most recent veto message suggests that the Congress enact a continuing resolution effective until January 31, 1960, to allow for deliberate reconsideration. Such action not only would eliminate the new construction starts, but it would also eliminate all new planning starts, including those recommended by the President, himself, in his revision of the budget allocations for 1960.

Mr. President, I believe the Congress has given this program complete consideration. I believe that on the floor of the House and the Senate we have demonstrated that the President's veto was based on misinformation. The newspapers report that the President vetoed House bill 9105 30 minutes after it was presented to him. How much reconsideration did he give to the arguments which the Congress made on the floor?

I believe there is very little that needs to be said with respect to the first veto message. When the bill was originally up for discussion, the need for water-resource development in this country and the projects included in the bill to accomplish this purpose were fully presented to the Senate. When the conference report on the original bill was under consideration, full information as to the projects included in the bill was presented; and, on Tuesday, I discussed the inaccuracies of the President's veto message, as it related to the revised public works appropriation bill then before the Senate. Today I intend to touch briefly on the lack of logic in the President's position.

Mr. President, the public works appropriation bill has been vetoed by the President because there are allegedly 67 new starts which would be superimposed on the program that provides for work on 296 projects. I shall say parenthetically that work on some of these 296 projects will be carried on with presently available funds, and no new money is requested or provided for in the current bill. Every one of these projects has received the approval of the authorization committees of the House and Senate. Every project has a favorable benefit-to-cost ratio, with the exception of a few harbors of refuge, which are traditionally justified on considerations of safety, rather than of economics. Members will be asked today to sustain the President's veto because of these new starts and because of the future commitment entailed.

Later this week, the same Members will be asked to support the mutual security bill. Undoubtedly they will be asked to support amendments to increase various programs, including defense support and special assistance, which provide for various types of public works projects in other nations. On the floor of the House, the distinguished chairman of the subcommittee handling the foreign-aid bill pointed out that since the inception of the foreign aid program, 2,866 projects had been started, all over the world. Approximately 1,000 of these have already been abandoned. None of these projects has ever been examined by a committee, nor has the benefit-to-cost ratio been considered. Not only has the administration failed to submit economic justifications for the projects, but it cannot tell us how much they are going to cost, and, in many cases, cannot even tell us the countries in which they will be built. Certainly the administration is not worried about the future commitments under the foreign-aid program, and has no desire to raise that question in the minds of any of us.

But, Mr. President, I should like to bring these facts to the attention of Senators. Under the headings of "Defense Support" and "Special Assistance," which are two of the appropriation titles contained in the mutual security appropriation bill, are contained projects assistance which in the fiscal year 1956 aggregated to $282 million. The amount of foreign aid for these purposes has continued to rise since that fiscal year to the point where, in the current fiscal year 1960, if the Senate adopts the recommendations of the Senate Appropriations Committee on the mutual security bill, it will amount to approximately $800 million.

Let us think about this for a moment, Mr. President. In 1956 we were spending $282 million for public-works-type projects all over the world. In fiscal year 1960 alone the administration intends to obligate more than $800 million for foreign public works.

Now, it has been alleged by the President in his original veto message that

the new starts contained in this public works bill will result in commitments for future years of approximately $800 million. In my humble judgment it is absolutely absurd to hold that we can afford to spend in 1 year $800 million for foreign public works, but we are unable to spend a similar amount in our own country over a period of years.

The House, in considering the foreign aid bill, inserted a paragraph requiring the application of the same rigid requirements for project analysis on foreign public works projects as are required for domestic public works projects. The administration has suggested a substitute which does two important things: First, it eliminates specific reference to the budget circular which is controlling in the economic justification for projects in this country; and, second, it provides for including as one of the benefits "furthering the objectives of the Mutual Security Act of 1954 as amended," whatever that means. The Senate committee, in considering the alternate proposal, struck this phrase, and I am sure that it will have some effect on attempts to justify some of these projects abroad.

Mr. President, I have just one more comment. The basic philosophy of the administration is that these public works projects in foreign countries are needed to strengthen their economies. It is the American taxpayer's dollar that is paying for the projects, and still the administration says that we cannot initiate similar projects in this country because we do not have the resources. Even the press cries "tampering with our security" if we attempt to cut these public works projects in foreign countries, and then waves the banner of "pork barrel" when we try to build a similar project in this country.

If the Senate was right when it voted for the original public works bill, if the Senate was right when it voted for the conference bill, if the Senate was right when it approved the second public works bill, the Senate this afternoon will vote to override the President's second veto of this important measure.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, for the second time the civil functions appropriation bill has gone before the House of Representatives. The first time the position of the President and his disapproval of the bill was sustained. Today the veto was overridden, as I recall, by 13 votes. It now remains for the Senate to pass judgment on the veto message and whether or not, the disapproval of the President notwithstanding, the measure before us shall become law.

First, I think the President's attitude has been quite correct. I think it has been an indulgent attitude, with proper regard for the orderly development of all our resources, and for the spacing of our expenditures in the interest of the fiscal integrity of this country.

The President left us an alternative in the message he sent today. He said a continuing resolution could be passed so that construction work could continue and that the Congress could take a new look at this proposal when it returns here in January.

I think the document he sent us is a courageous document, because it is no easy thing for the President of the United States, knowing the diffusions of these projects in so many areas, to still say "No" in the national interest.

As I counted them up, the Engineer Corps projects are located in 26 States. The reclamation projects are located in nine States. But notwithstanding that fact, and sensible indeed of every political implication, I think the American people should applaud the President of the United States for his concern about the country and about its fiscal integrity in the years ahead.

It has been said the President should have no concern beyond January 20, 1961, when he lays aside the cares of office. What kind of a President would he be if he did not look down the road? He is at once a citizen, and he will be a private citizen. He is a father, and he is a grandfather, and he is thinking in terms of this country and its well-being for those of his issue who will be living in this country for many years to come.

I myself used to say, from many platforms, that one tastes immortality when he becomes a grandfather. Nothing else counts, for in a grandchild one sees blood of blood, and sinew of sinew, and issue of issue, and in a grandchild there reposes every hope, every aspiration, every unrequited ambition that a man may ever have had.

My grandchildren live down in the State of ALBERT GORE and ESTES KEFAUVER. I go there on occasion. I talk to my grandchild as if he were Earl Warren in a dignified robe and was on the Supreme Court. He does not understand a word I say, and it does not make a bit of difference. But I say on occasion, "Junior, may your grandpa hang his head in shame if he fails to do his duty, in his time and generation, to bequeath to you as good as your granddaddy got."

That is the attitude of the President of the United States. There is nothing sumptuary about it. He is thinking about the future.

In the remarks I made on the bill yesterday, I said the President was not opposed to this bill, even with the unbudgeted projects in it. He said, "Space the projects. Let me put 20 in the mill in fiscal 1960; let me put the other 20 in the mill, for construction purposes, prior to June 30, 1961, and let me, on the basis of need and priority, feed the remaining 27 unbudgeted projects into the mill."

That was the deal, but I could not sell it. I do not think it is excessive. I do not believe it is arbitrary. I believe it is conditioned upon orderly development of our resources. But, more than that, it is conditioned upon the fiscal impact upon the budget of this country; and that is a national budget. That becomes the President's concern.

How much is involved here? Thirteen million dollars has already been expended on these projects. Fifty-one million dollars more, according to the chairman of the House Appropriations Committee, would be the figure for 1960. But, Senators, I remind you that there are $804 million worth of commitments in this bill on the projects. It is in the RECORD. I take my figures from the chairman of the House Committee on Appropriations, because the table he had printed in the RECORD indicates the total is a little over $804 million.

Last night we considered an antipollution bill. The present law provides $50 million per annum for 10 years. Some Senators wanted to boost it to $80 million per annum for 10 years. That would be an $800 million charge.

I advise Senators, and I submit to the Senate, we cannot be indifferent to the fiscal affairs of this country in the future. It is our concern.

I may no longer be here. I could fall over this minute, I suppose, but that is not the problem. There are 46 million youngsters who went into the schools of America this month. They will be the trustees of this country in the future. They are the future custodians. If we mess up the fiscal picture now, what will happen to them? They will have to pay the bill for our mistakes, for our sins of omission and commission.

I simply advise Senators, we are talking about an $804 million commitment. It was a $800 million commitment last night. How long can we play "ducks and drakes" with the solidarity and integrity of this country before we reach something in the nature of a disaster? Then we will run for the storm cellars, and wonder how it happened.

I submit today the prudent thing and the sensible thing to do is to sustain the President of the United States.

The President said in his veto message that he was returning the bill quickly so that we could still deliberately consider it before the session concluded. Then he made a suggestion about a continuing resolution. The work will not stop. The work will go on.

Let us give heed to the man who has been elected not by the suffrage of one State, not by the people of one congressional district, not by one county's residents, but by all the people of the United States of America. It becomes, indeed, his solemn duty to let the country and the Congress know what is the situation with respect to the budget.

As we approach this vote, I can only say to Senators, from the very depths of my heart, to think about the vote earnestly. This is not a light matter. If there should be a tottering of values at some time because one too many straws have been put upon the back of the fiscal camel, let us not look for guilt and culpability elsewhere. Let us be a little introspective and say, "Perhaps we in the legislative branch were at fault."

Mr. President, I have finished. I yield the floor. I trust the veto will be sustained.

Mr. BUSH. Mr. President, I ask unanimous consent that the statement I have prepared in connection with this matter be printed in the RECORD at this point.

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

STATEMENT BY SENATOR BUSH

The failure of the Congress and the President to agree upon a bill appropriating funds for public works comes as a shock to the

people of Connecticut where the need of a comprehensive flood-prevention system was tragically demonstrated by the flood disasters of August and October 1955.

H.R. 9105, the second bill which President Eisenhower felt compelled to veto, contained funds for continued progress toward completion of that system—funds for the Thomaston Dam, key structure in the protective plan for the highly industrialized Naugatuck Valley, for dams protecting the Connecticut and Quinebaug River Valleys, for preconstruction planning of flood-control reservoirs above two communities which were among the hardest hit by the 1955 floods, Winsted and Torrington, for continuing the hurricane flood studies, and for projects to be constructed under Public Law 685, 84th Congress, the Bush-McCormack Act.

I share the disappointment felt by the people of my State because of the veto. But I believe that blame for the failure to provide funds for these urgently needed projects should be placed, not upon the President, but upon the procedures by which Congress legislates in this and other fields.

The practice by which projects of varying merit are lumped together in a single bill gives the President no opportunity to shift the wheat from the chaff. He must take the bill as a whole, or reject it. This omnibus bill technique make for bad legislation. The President should be given item veto power to deal with this kind of a situation, as has been proposed in bills sponsored by the distinguished senior Senator from Virginia [Mr. BYRD], myself, and other Senators.

I am confident that the Connecticut projects for which funds were included in the vetoed bill could meet all tests of urgency and merit if the President had been able to judge them by themselves.

Of especial urgency are the dams to complete the protective systems for Torrington and Winsted. I had requested funds to enable the Corps of Engineers to complete preconstruction planning of these projects in the current fiscal year. The House Appropriations Committee granted these funds, but, regrettably, added additional funds for construction which technically violated the President's policy of no new starts in the current fiscal year. The Senate committee acquiesced in the action taken by the House.

An unpleasant choice confronts me. A vote to sustain the veto would, on the surface, place me in a position of voting against urgently needed flood protection for the people of Connecticut, to which I have devoted much time and attention during the years of my service in the Senate. On the other hand, a vote to override the veto would be a betrayal of my support of President Eisenhower's determined efforts to achieve fiscal responsibility in the Government of the United States.

Faced with this choice, I have no alternative but to vote in support of the President. Should the veto be sustained, it will mean a temporary setback to the flood protection program which means so much to the people of my State, but in the long run their interests will best be served by insistence upon fiscal responsibility in government. Whatever the outcome, I shall continue to work in the next and future sessions of Congress for completion of our flood protective system.

The PRESIDING OFFICER. The question is, Shall the bill (H.R. 9105) pass, the objections of the President of the United States to the contrary notwithstanding? A yea-and-nay vote is required by the Constitution, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll, and Mr. ALLOTT voted in the affirmative when his name was called.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry, notwithstanding the beginning of the call of the roll, for clarification.

A vote "yea" is a vote to override the veto, and a vote "nay" is a vote to sustain the veto?

The PRESIDING OFFICER. The Senator is correct.

The Chief Clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Conference at Warsaw, Poland.

The Senator from Indiana [Mr. HARTKE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

On this vote the Senator from Idaho [Mr. CHURCH] and the Senator from Indiana [Mr. HARTKE] are paired with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from Idaho and the Senator from Indiana would vote "yea," and the Senator from New Hampshire would vote "nay."

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would 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 New Hampshire [Mr. BRIDGES] is detained on official business.

On this vote, the Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from Indiana [Mr. HARTKE] and the Senator from Idaho [Mr. CHURCH]. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from Indiana and the Senator from Idaho would each vote "yea."

The result was announced—yeas 72, nays 23, as follows:

YEAS—72

Allott	Hart	Monroney
Anderson	Hayden	Morse
Bartlett	Hennings	Moss
Bible	Hickenlooper	Mundt
Byrd, W. Va.	Hill	Murray
Cannon	Holland	Muskie
Capehart	Humphrey	Neuberger
Carroll	Jackson	Pastore
Chavez	Johnson, Tex.	Proxmire
Clark	Johnston, S.C.	Randolph
Cooper	Jordan	Robertson
Dodd	Kefauver	Russell
Douglas	Kennedy	Schoeppel
Dworshak	Kerr	Scott
Eastland	Langer	Smathers
Ellender	Long, Hawaii	Sparkman
Engle	Long, La.	Stennis
Ervin	McCarthy	Symington
Fong	McClellan	Talmadge
Frear	McGee	Thurmond
Fulbright	McNamara	Williams, N.J.
Gore	Magnuson	Yarborough
Green	Mansfield	Young, N. Dak.
Gruening	Martin	Young, Ohio

NAYS—23

Aiken	Cotton	Lausche
Beall	Curtis	Morton
Bennett	Dirksen	Prouty
Bush	Goldwater	Saltonstall
Butler	Hruska	Smith
Byrd, Va.	Javits	Wiley
Carlson	Keating	Williams, Del.
Case, N.J.	Kuchel	

NOT VOTING—5

Bridges	Church	O'Mahoney
Case, S. Dak.	Hartke	

The PRESIDING OFFICER. On this vote the yeas are 72, and the nays are 23. More than two-thirds of the Senators present and voting having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding, and the bill will become a law.

[Manifestations of applause in the gallery.]

Mr. BIBLE subsequently said: Mr. President, I ask unanimous consent that a statement I have prepared relative to the action of the Senate in overriding the President's veto of the public works appropriation bill be printed in the RECORD, in full, at an appropriate place immediately after the vote.

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

STATEMENT BY SENATOR BIBLE

I was immensely pleased at the action taken by the Senate in overriding the President's second veto of the public works bill. It was a responsible action reflecting the considered views of reasonable men.

The bill that is now before us contains projects that are of vital importance to various sections of the country. Some have charged that this is pork-barrel legislation, which is a handy cliche to obscure its true merits. It is a known fact, Mr. President, that the money expended for reclamation projects is always repaid by the people who benefit from the projects. Public works is, as its name implies, designed for the benefit of the public.

The distinguished senior Senator from Washington [Mr. MAGNUSON] pointed out this week that the mutual security bill, now before the Senate, contains $739 million for defense support, which is actually public works in foreign countries with American dollars. If we can afford to spend almost $800 million for public works abroad, I can see no reason why we cannot spend an equal amount for public works projects at home.

In my own State there are reclamation and flood-control projects that will repay their cost many times over in terms of reduced damage from ravaging waters, additional irrigation, and power resources.

I am always mindful of the necessity for exercising prudence in the expenditure of public funds. There is a vast difference, however, between prudence and indifference. The Nevada projects contained in the bill before us now are not boondoggles; they are projects that have been determined by competent engineers as being vitally necessary to forestall the tragic consequences of floods that have caused millions of dollars of damage to the cities of Reno and Las Vegas since 1955.

The Senate has served clear notice that despite the action of the executive branch, we are not oblivious of our responsibilities in a matter which is of vital concern to everyone.

Mr. COOPER subsequently said: Mr. President, I regret very much to be in opposition to the President of the United States. Nevertheless I voted to override the President's veto of H.R. 9105, the public works appropriation bill, and for the following reasons:

I would be less than frank if I did not say that my chief reason for voting to override the veto is my concern that

necessary flood protection be provided for large areas of my State.

Only 1 project of the 67 projects added by the Congress, or 62 new projects as contended by the committee, is situated in the State of Kentucky. It is known as Barren No. 2, a reservoir and flood control project which would be constructed at a location in Allen and Barren Counties on the Barren River. One million dollars is appropriated in the pending bill to initiate its construction. This dam and reservoir would be another step in the development of the Green River, which began in 1953 under this administration. In 1953 we were able to secure authorization from the Secretary of Defense for the reconstruction of locks and dams Nos. 3 and 4, and in that year also secured, first in the Senate, appropriations for the reconstruction of locks and dams Nos. 1 and 2. Since that time there has been progressive development of the Green River, and for the first time in a hundred years it has brought economic recovery to that valley.

Another unbudgeted project which affects Kentucky is not in Kentucky, but is very close to my heart. It is the Pound Reservoir located in Virginia, for which $2½ million was recommended by the Senate Committee on Appropriations and then by the Senate, to begin construction. Its ultimate cost is estimated to be $17,700,000. The watershed of the Big Sandy River lies in Virginia, West Virginia and Kentucky, but its chief area is in Kentucky. Since 1863 scores of floods have swept and devastated the valleys of the Big Sandy and its tributaries. In 1957 one of the greatest floods in its history swept this valley. According to the estimate of the Corps of Engineers, the damage from this flood was $30,389,000. To this must be added the cost of restoration, the loss of business estimated at additional millions, and saddest of all, several of the people of this valley lost their lives.

Eastern Kentucky, by reason of the mechanization of mines and other causes, is a depressed area in the United States. One-fifth of Kentucky's people live in this great eastern section, a third of Kentucky's area. Three rivers water this section of Kentucky: The Big Sandy, the Cumberland, and the Kentucky. The future life of this part of Kentucky depends on the development of these three rivers, and particularly on provision for flood control. For years these three rivers and eastern Kentucky have been neglected. In 1957 a resolution which I offered ordered a survey of the upper Cumberland River to determine what reservoirs could be constructed to give flood protection to that area. Only in the last few days, two survey reports have been made—one on the Laurel River and one on the South Fork, which are tributaries of the upper Cumberland. Steady progress toward the completion of these projects is necessary if the area of the upper Cumberland is to have economic opportunity.

In 1954 I offered a resolution which authorized the determination of reservoir sites in the Big Sandy Valley and, as a result, Pound in Virginia and Fishtrap in Kentucky were selected as two reservoirs which will give substantial flood protection to the people living in the Big Sandy River Valley. Pound Reservoir in Virginia, included in this bill, is the first step in giving flood protection after the sweep of 100 years. The people of the valley from Kentucky and Virginia and West Virginia have pleaded before the committees of the Congress for flood protection, essential to their economic life, and to their very safety. The committees of the Congress have heard their pleas. I have stood with them, and for them, in their fight. And today I intend to stand with them.

Looking at the bill, it is correct to say that it will not have any impact on the budget this year. It is correct that over the construction life of the 67 unbudgeted projects, which average approximately 5 years, it will cost $600 to $800 million, or an average of $120 to $160 million a year over the construction of these projects. What is not taken into account is that in each of these 4 to 5 years ahead, budgeted projects now under way will be completed. The Corps of Engineers informs me that 40 of the projects in the 1960 budget will be completed in this fiscal year 1960, and their cost in 1960 is $61 million. We can assume that in the succeeding 4 years, the completion of over 100 projects would reduce the budget estimates for those years, if we have the chance for a reasonable number of starts each year.

There is another factor important to the future of this country. The population of the United States for 1975 is estimated at 225 millions of people. If the need for water control, for industry, navigation, flood protection and conservation are to be met, there must be, year after year, an orderly increase in the number of new projects added to the budget to meet these essential needs of this country. Water is the most essential need. If the Bureau of the Budget continues to refuse to authorize a reasonable number of new projects each year, the Congress, which is cognizant of the needs of the country, has the authority and the duty to add necessary projects, to keep pace with the economic growth of the country and the life of its people. If the Bureau of the Budget would place in the budget each year a reasonable number of new projects for construction starts, the Appropriations Committee of the Congress could better limit and control the number added by the Congress.

As I have said, I regret very much that I find myself in opposition to the President on this issue. During my service in the Congress since 1953, I have supported the President on many of the issues which he has declared to be essential for the security and progress of the country. Among them were defense reorganization, foreign aid programs, his recommendation to give continuity to the foreign aid program, his recommendation to authorize the Executive to enter into agreements with certain Iron Curtain countries, and reciprocal trade legislation.

In 1957 the President made a difficult decision when he urged the withdrawal of the troops of our allies and friends from Egypt. It was a difficult decision because Great Britain, France, and Israel are our friends. But it was the right decision because it was based upon the fundamental tenet of American foreign policy, that the disputes of the world must not be settled by force. I recall that I was one of three in the U.S. Senate who spoke in the Senate in support of the President's policy. And this year and last, I have supported him on many of his budgetary recommendations.

Perhaps these matters are not relevant, but I mention them to indicate that on these issues which the President stated to be of fundamental importance to the security of the Nation, I have supported the President because I believed he was right. But in this case, I come here as a representative of the people of Kentucky. If I believed that this bill would have an adverse effect upon the Treasury of the United States over the construction life of these added projects, I would not vote for it. But I do not believe it will; it will develop the wealth of our country.

I believe the people of Kentucky should know that the great programs of river development in Kentucky—on the Ohio River, the greatest river development program in the Nation and the world, on the Green River, on the upper Kentucky, on the Big Sandy, and now on the upper Cumberland looking ahead—have all commenced since 1953. And for this, great credit is due the President and this administration. I am glad to have had a part in securing the commencement of each of these river developments.

Flood control, navigation, and power projects in Kentucky are in the bill, on the Ohio, Cumberland, Green, Kentucky, and Big Sandy Rivers and their tributaries. Also appropriations for surveys, advance planning and engineering, all totaling over $66 million, are in the bill. Our Kentucky delegation in Congress, State authorities, and, most important, the people who live in these river valleys, have given their support to these programs.

Today it is my duty and my desire to support the people of Kentucky, the people whom I represent. Therefore I voted to override the veto.

AMENDMENT OF MINERAL LEASING ACT—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 18999, 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. ANDERSON. Mr. President, this is a unanimous report on the part of all the conferees. The managers on the part of the House and Senate have agreed on the differences between the bill as passed by the Senate and as amended by the House. The House made no change of substance, but it did add a new section, section 2, in which were set forth the purely transitory parts of the amendment to section 27 of the Mineral Leasing Act. The members of the Senate Interior Committee who had considered the bill, approved in general of the step taken by the House, but believed that the language could be still further improved. The conferees are convinced that the measure they agreed upon is in fact an improvement over the version approved by either House. There is, of course, no change whatever in substance or intent.

Mr. President, I move the adoption of the conferees' report on S. 2181.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SALE AT MARKET PRICES OF CERTAIN AGRICULTURAL COMMODITIES OWNED BY COMMODITY CREDIT CORPORATION

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to 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, which were, on page 1, line 5, strike out "market" and insert "current support"; on page 2, line 1, after "may" insert ", after certification by the Governor of the State in which such area is situated of the need therefor,"; on page 2, lines 3 and 4, strike out "or other catastrophe," and insert "earthquake, or other catastrophe including disease or insect infestation,"; on page 2, line 19, after "purpose" insert ", and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $1,000 or imprisonment for not more than one year"; on page 2, strike out line 20 over through line 3, on page 3; and to amend the title so as to read: "An act to authorize the sale at current support 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."

Mr. MUNDT. Mr. President, I believe the amendments added by the House are rather helpful to this proposed legislation. Rather than send this bill to conference in the closing days of this session, I move that the Senate concur in the amendments of the House. The House amendments preserve the original purpose and program of S. 2504.

Mr. MORSE. Mr. President, may we have an explanation?

Mr. MUNDT. I will be happy to explain it. May I say to the distinguished Senator from Oregon that this provides——

The PRESIDING OFFICER. The Senator will suspend. There are too many people walking about and conversing in the aisles. Senators wishing to converse will please retire to the cloakroom. Members will take their seats.

The Senator from South Dakota may continue.

Mr. MUNDT. Mr. President, the proposed legislation which I introduced on August 7 and which passed the Senate on August 26 deals with situations in rural areas where such areas are suffering from a shortage of feed supply caused by natural causes, such as presently appear in certain areas of the Midwest because of drought. However, the legislation is broad enough to include such things as flood, insect damage, or something of that kind. Under present law, in order for the farmers to be benefited under these emergency situations which develop, and are not of a sustained nature over a great many years, but occur in certain areas for a shorter period of time, farmers have had to be charged 105 percent of the price, plus carrying and handling charges.

Mr. HUMPHREY. May I ask the Senator from South Dakota, the bill as it came from the House had different language than the bill as passed by the Senate.

Mr. MUNDT. Yes; in some of its provisions.

Mr. HUMPHREY. What has been proposed?

Mr. MUNDT. I moved to concur in the House amendments.

Mr. HUMPHREY. The Senator has moved to concur in the House amendments so as to expedite action?

Mr. MUNDT. That is correct. This is a matter of an emergency nature and I would like to get it finalized before adjournment.

Mr. HUMPHREY. This bill covers some feed grain situations not only in South Dakota, but wherever there is a drought, including western Minnesota.

Mr. MUNDT. That is correct. In some areas changes made by the House would make feed grain a little bit cheaper; in some places it would make it cost a little more. The purpose is to expedite action at this time.

Dr. Harker Stanton of our Senate Agriculture Committee professional staff has supplied figures to show that in actual practice the prices paid by farmers for these emergency feeds would average out about the same whether we employ the language of the House or the Senate. In adding earthquakes and insect infestation to the disasters covered by my bill the House has helped the legislation by expanding its coverage. I urge concurrence and ask for immediate passage of S. 2504, as amended.

Mr. HUMPHREY. I think the change is very good, and I am pleased that the bill is being acted upon.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to.

PERMANENCY OF CERTAIN LOANS BY SECRETARY OF AGRICULTURE—CONFERENCE REPORT

Mr. HOLLAND. 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. 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. 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 9, 1959, p. 18842, 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. HOLLAND. Mr. President, this is a unanimous conference report. All conferees of the Senate and the House have signed the report, and have agreed wholeheartedly upon its provisions.

This bill relates to an amendment to that section of the Bankhead-Jones Farm Tenant Act which relates to the refinancing of mortgage loans on real estate.

There were very small differences between the Senate language and the House language. The Senate language would have continued the provision in question for only 2 years. The measure as passed by the House provided for permanent enactment of that section. The Senate prevailed as to that portion of the matters in conference. In other words, the bill as reported from the conference is an extension for 2 years only of the refinancing provision of the act.

With respect to the other provision which was in conference, it had to do with enlarging somewhat the list of property items which can be offered as security, so as to include with other items already covered by the existing law, growing or recently harvested crops, which were not clearly included in the Senate bill. The House measure did include such new properties, and the conference report adopts that provision from the House bill.

The differences were minor. They have been adjusted.

I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE PRIVILEGE IN CONNECTION WITH FOREIGN AID FUNDS

Mr. ROBERTSON. Mr. President, on behalf of the senior Senator from Louisiana [Mr. ELLENDER], the senior Senator from Minnesota [Mr. HUMPHREY], and myself, I send to the desk an amendment to the committee amendment to section 113 of H.R. 8385 and ask that it be printed.

Section 113 of the so-called foreign aid bill is substantially the same langauge that was incorporated in the authorization bill on the House side and known as the Porter-Hardy amendment. It requires the Administrator of ICA, upon request either of a congressional committee or the Comptroller General, to give detailed information concerning the handling of ICA funds. In approving the authorization bill the President challenged the constitutionality of the Hardy amendment and in view of the many historical precedents that have been cited in support of the President's position with respect to withholding information from the Congress, the Senate Appropriations Committee struck out section 113 of the foreign aid bill and inserted in lieu thereof a provision for formal reports to the Appropriations Committee, one to be made within 60 days following the enactment of the appropriation bill and the other within 30 days after the approval of any change in the program for the current fiscal year involving $1 million or more. While no valid objection could be raised against reports of that character, it could not be seriously argued that they are more than a nominal substitute for the type of information contemplated by the Porter-Hardy amendment.

The addition to section 113 which we are now proposing takes cognizance of the objections raised against the House amendment by the Administrator of ICA. Yet, it seeks to preserve the constitutional right of the Congress to obtain necessary and vital information from the executive branch of the Government concerning the manner in which the taxpayers' money has been spent.

Under the Constitution, the legislative branch of the Government has the exclusive power to appropriate money from the Treasury. That constitutional power, of necessity, includes the power to obtain all necessary information as to the expenditure of appropriated funds. The Constitution explicitly requires the President to give to the Congress from time to time information concerning the state of the Union, and that must embrace the fiscal condition of the Government and the disposition of its revenues. Under the Constitution, the power to execute foreign policy reposes in the President as Chief of the executive branch of the Government. In recent years, the conflict of constitutional rights between the legislative and executive branches of the Government over the handling of appropriated funds has occurred more frequently because funds appropriated by the Congress for foreign aid have been used by the President as an instrument of foreign policy.

In recognition of the President's assertion of right to withhold information from the Congress concerning his handling of foreign policy when he thinks disclosure would not be in the public interest, our revision of section 113 provides that the Administrator of ICA can be relieved of furnishing information requested thereunder if the President certifies that in his opinion the disclosure of the information requested would be contrary to the public interest. The revised amendment also provides that the request for information shall be in writing, directed to the Administrator; and the penalty for failure to furnish the information will be the impoundment of the appropriation for the specific country or the specific project involved.

In order that Members of the Senate, before H.R. 8385 is acted on next Saturday, may know the exact language we are proposing as a substitute for section 113, I ask unanimous consent that our amendment may be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the amendment may be printed in the RECORD.

The amendment is as follows:

On page 10, between lines 17 and 18, insert the following:

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the twenty-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such Committee or Subcommittee, as the case may be (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he considers the disclosure of such document, paper, communication, audit, review, finding, recommendation, report, or other material to be contrary to the public interest, and has forbidden its being furnished pursuant to such request.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

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

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. The Senator has explained the adjustments made in the amendment with respect to the Mutual Security Authorization Act, which I thought was desirable, and which I was privileged to cosponsor. I am very happy that these modifications have been made. I believe that this amendment protects the executive privilege so far as foreign policy matters are concerned.

On the other hand, it gives the Congress, a coequal branch of the Government, the authority it needs in order properly to ascertain what is being done with authorized and appropriated funds.

Mr. ROBERTSON. The Senator is correct. Whenever the President believes that foreign policy, which is under his jurisdiction, is involved, he can merely say, "It is against the public interest to give you this information." I do not believe that the President has the constitutional right to deny the Congress information as to what he does with the money we appropriate. There has been no judicial decision to that effect, and I do not know of any President who has ever claimed such a right. The question has arisen only when our foreign aid money has become involved in foreign policy.

The amendment does not mean that Congress can get everything it requests. The executive branch can mark anything "Top Secret," and I believe everybody who receives such material under those terms will honor that classification.

Mr. HUMPHREY. Indeed, it will be even more honored if it is given in a spirit of cooperation, along the lines outlined in the amendment. I hope the amendment will be adopted.

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

Mr. ROBERTSON. I yield.

Mr. MORSE. I think the Senator from Virginia knows that I have taken a very active part in the Committee on Foreign Relations in pressing for the very same thing which the Senator from Virginia is standing for this afternoon. If he has no objection, I should like to join with him as a cosponsor of the amendment.

Mr. ROBERTSON. The Senator from Virginia would be glad to have the Senator from Oregon enlisted as a cosponsor of the amendment.

Mr. MORSE. The Senator from Virginia has made what I consider to be an unanswerably sound constitutional law argument with respect to the appropriation power of the U.S. Congress. I have always defended Presidents in their right, under the Executive powers doctrine, to Executive privilege. But Executive privilege does not mean that the President can estop Congress from following the funds it appropriates. Congress has the constitutional power to follow the funds it appropriates. The fact that Congress appropriates funds does not mean that Congress has lost control of the funds. It is possible to get two constitutional rights somewhat at loggerheads.

The Senator from Virginia has recognized that. He has placed in the amendment language which makes very clear that Congress will not trespass upon the Executive privilege power of the President of the United States. But we are saying, "If you refuse to give us the information we need as to what is happening to the funds we have appropriated, then we want you to know we are impounding those funds as of now." In other words, we are putting that condition on the appropriation.

In my judgment, it is completely compatible with our constitutional power, and it is something we should do, because the President is guilty of abusing the doctrine of Executive privilege. The doctrine of Executive privilege does not mean that the President must exercise such privilege under any and all conditions. As I said in a speech some weeks ago on this matter, even George Washington made perfectly clear, on the rare occasions when he exercised the Executive privilege, that ordinarily the President of the United States should grant Congress the information it needs.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Senator from Oregon will suspend until the Senate is in order. Senators who wish to converse will please, please, please retire to the cloakroom. The Senator will not proceed until the Senate is in order.

The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, it has been only in rare, extraordinary circumstances that Presidents in the past have denied to Congress the information which Congress has sought in regard to a program which has been followed in connection with the expenditure of funds appropriated by Congress.

I hope to have available for the Senate by Saturday a list of the precedents in respect to the exercise of executive privilege by the preceding Presidents, because I think it becomes very enlightening as to what this President has been doing in connection with doctrine in comparison with his predecessor.

ADVISORY COMMISSION ON INTER-GOVERNMENTAL RELATIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Inter-Governmental Relations.

INVITATION TO FRIENDLY AND DEMOCRATIC NATIONS TO CONSULT WITH INDIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 591, Senate Concurrent Resolution 11.

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

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 11) to invite friendly and democratic nations to consult with India.

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 concurrent resolution, which had been reported from the Committee on Foreign Relations with an amendment.

The PRESIDING OFFICER. The amendment of the Committee on Foreign Relations will be stated.

The LEGISLATIVE CLERK. On page 1, after the preamble, it is proposed to strike out all after the resolving clause, and insert:

That it is the sense of the Congress (a) that the President of the United States of America should explore with other free and democratic nations and appropriate international organizations the desirability and feasibility of establishing an international mission to consult with the Governments of countries in the area of South Asia on their needs in connection with the fulfillment of currently planned and anticipated development programs over the next five years and to consider and recommend ways and means of jointly assisting in the implementation of those plans in cooperation with the Governments of South Asia, and (b) that if the international mission is established, the President of the United States of America should report to the Congress on such recommendations as are made by the mission.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

The title was amended, so as to read: "Concurrent resolution to invite friendly and democratic nations to consult with countries of South Asia."

The preamble was amended, so as to read:

Whereas the continued vitality and success of the Governments of South Asia are matters of common interest to free nations, politically because of their five hundred and twenty-five million people and vast land area; strategically because of their vital geographic location; economically because of their resources and their national development efforts; and morally because of the great necessity that they continue to make progress and succeed in their earnest efforts to improve the lot of their peoples: Now, therefore, be it

TRIBUTES TO SENATOR BYRD OF WEST VIRGINIA

Mr. RANDOLPH. Mr. President, the present occupant of the Chair, the Senator from West Virginia [Mr. BYRD], has often had the facility for being in the right place at the right time.

Today he has added to his distinction in that category by being the Presiding Officer on the occasion when, for the first time, the Senate overrode a veto by the present occupant of the White House. My colleague from West Virginia was presiding, with his customary fairness and firmness, over this body during this historic event. President Eisenhower has sent 146 veto messages to the Congress but the perfect record no longer exists.

I congratulate my colleague, and I am sure that my sentiment is shared by our colleagues on both sides of the aisle.

Mr. JOHNSON of Texas. Mr. President, if the Senator from West Virginia will yield to me, let me state that I wish to associate myself with what he has said. I know of no Senator who has come to this body since I have been a Member of it who has made a more favorable impression than has the Senator from West Virginia [Mr. BYRD]; and I am always glad to see him in the chair, for that makes it possible for us to transact our business with efficiency and in a proper manner.

Mr. ERVIN. Mr. President, I should like to join in the remarks which have been made in regard to our distinguished Presiding Officer, the very able Senator from West Virginia [Mr. BYRD]. I wish to say that it is not surprising to me that he is such a wonderful Senator, because he was born in and is a native of the best place in the universe, namely, North Carolina.

ESTABLISHMENT OF RATES OF BASIC COMPENSATION FOR CERTAIN POSITIONS IN THE PATENT OFFICE

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 1845.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1845) to provide for the establishment of rates of basic compensation for certain positions in the Patent Office in the Department of Commerce, and for other purposes, which were, to strike out all after the enacting clause and insert:

POSITIONS OF EXAMINER-IN-CHIEF AND DESIGNATED EXAMINER-IN-CHIEF IN THE PATENT OFFICE

SECTION 1. (a) Section 3 of title 35 of the United States Code is amended by adding at the end thereof the following sentence: "The Secretary of Commerce is authorized to fix the per annum rate of basic compensation of each examiner-in-chief in the Patent Office at not in excess of the maximum scheduled rate provided for positions in grade 17 of the General Schedule of the Classification Act of 1949, as amended.".

(b) The last sentence of section 7 of title 35 of the United States Code is amended to read as follows: "The Secretary of Commerce is authorized to fix the per annum rate of basic compensation of each designated examiner-in-chief in the Patent Office at not in excess of the maximum scheduled rate provided for positions in grade 16 of the General Schedule of the Classification Act of 1949, as amended. The per annum rate of basic compensation of each designated examiner-in-chief shall be adjusted, at the close of the period for which he was designated to act as examiner-in-chief, to the per annum rate of basic compensation which he would have been receiving at the close of such period if such designation had not been made.".

(c) The amendments made by this section shall not affect—

(1) any position of examiner-in-chief or designated examiner-in-chief existing immediately prior to the effective date of this section, or

(2) any incumbent of any such position, his appointment thereto, his rate of compensation, or his right to receive such compensation,

until appropriate action is taken under authority of such amendments.

POSITIONS IN GRADES 16, 17, AND 18 OF THE GENERAL SCHEDULE OF THE CLASSIFICATION ACT OF 1949

SEC. 2. (a) Section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105), is amended by adding at the end thereof the following:

"(k) The Secretary of the Treasury (or his designee for the purpose) is authorized, subject to the standards and procedures prescribed by this Act, to place a total of two

hundred and sixty positions in the Department of the Treasury in grades 16, 17, and 18 of the General Schedule, as follows:

"(1) not more than one hundred and eighty-four such positions shall be in such grades during the period beginning on the date of enactment of this subsection and ending on June 30, 1960;

"(2) not more than two hundred and twenty-two such positions shall be in such grades during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"(3) not more than two hundred and sixty such positions shall be in such grades on and after July 1, 1961."

(b) Section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), is amended—

(1) by striking out "fourteen hundred and eighty-three" and inserting in lieu thereof "fourteen hundred and twenty-nine";

(2) by striking out "three hundred and ninety-seven" and inserting in lieu thereof "three hundred and seventy-one"; and

(3) by striking out "one hundred and fifty-seven" and inserting in lieu thereof "one hundred and fifty-three".

(c) Nothing contained in this section shall affect—

(1) any position existing under authority of section 505(b) of the Classification Act of 1949, as in effect immediately prior to the date of enactment of this Act, or

(2) the compensation attached to any such position and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (k) of section 505 of the Classification Act of 1949, as contained in the amendment made by subsection (a) of this section.

POSITIONS IN CERTAIN DEPARTMENTS AND AGENCIES SUBJECT TO THE FEDERAL EXECUTIVE PAY ACT OF 1956

SEC. 3. (a) Section 106(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2205(a)), which prescribes an annual rate of basic compensation of $20,000 for certain positions, is amended by adding at the end thereof the following paragraphs:

"(46) Commissioner of Social Security.

"(47) Commissioner of Education.".

(b) Section 106(b) of such Act, as amended (5 U.S.C. 2205(b)), which prescribes an annual rate of basic compensation of $19,000 for certain positions, is amended by adding at the end thereof the following paragraphs:

"(10) Deputy Commissioner of the Internal Revenue Service.

"(11) Chief Counsel of the Internal Revenue Service.

"(12) Administrative Assistant Attorney General.

"(13) Administrative Assistant Secretary of the Interior.

"(14) Administrative Assistant Secretary of Agriculture.

"(15) Administrative Assistant Secretary of Labor.

"(16) Administrative Assistant Secretary of the Treasury.".

(c) Section 107(a) of such Act, as amended (5 U.S.C. 2206(a)), is amended by striking out "(1) Administrator, Agricultural Research Service, Department of Agriculture.", "(18) Commissioner of Social Security.", and "(20) Deputy Commissioner of the Internal Revenue Service.".

ADDITIONAL SCIENTIFIC AND PROFESSIONAL POSITIONS FOR RESEARCH AND DEVELOPMENT PURPOSES

SEC. 4. (a) Subsection (e) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 213; Public Law 85–462), is amended to read as follows:

"(e) The Secretary of Agriculture is authorized to establish and fix the compensation for not more than fifteen scientific or professional positions in the Department of Agriculture, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.".

(b) Subsection (f) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 213; Public Law 85–462), is amended to read as follows:

"(f) The Secretary of Health, Education, and Welfare is authorized to establish and fix the compensation for not more than ten scientific or professional positions in the Department of Health, Education, and Welfare, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.".

REDESIGNATION OF THE POSITION OF ASSISTANT DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SEC. 5. (a)(1) Sections 601, 603, and 606 of title 28 of the United States Code are amended by striking out the words "Assistant Director" wherever they appear in such sections and inserting in lieu thereof the words "Deputy Director".

(2) The analysis at the beginning of chapter 41 of such title is amended by striking out the words "Assistant Director" in the items thereof relating to sections 601 and 606 and inserting in lieu thereof the words "Deputy Director".

(3) Section 107(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2206(a)), is amended by striking out "(6) Assistant Director of the Administrative Office of the United States Courts." and inserting in lieu thereof "(6) Deputy Director of the Administrative Office of the United States Courts.".

(4) Whenever the Assistant Director of the Administrative Office of the United States Courts is referred to in any other law, such reference shall be deemed to be to the Deputy Director of the Administrative Office of the United States Courts.

(b) The Director of the Administrative Office of the United States Courts, may, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), procure the temporary or intermittent services of experts or consultants at rates not in excess of $75 per diem.

MISCELLANEOUS

SEC. 6. (a) Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is amended—

(1) by changing to a semicolon the period at the end of paragraph (32) of such section 202, which paragraph (32) was added to such section 202 by the first section of the Act of May 29, 1959 (73 Stat. 63; Public Law 86–36);

(2) by redesignating, as paragraph (33) of such section 202, paragraph (32) thereof which was added by section 3 of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 213; Public Law 86–91);

(3) by changing to a semicolon the period at the end of such paragraph (33), as redesignated by subparagraph (2) of this subsection; and

(4) by adding at the end of such section 202 the following paragraph:

"(34) examiners-in-chief and designated examiners-in-chief in the Patent Office in the Department of Commerce.".

(b) Section 5(b) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 214; Public Law 86–91) is amended—

(1) by striking out "paragraph (32) of section 202 of such Act, as added by section 3 of this Act," and inserting in lieu thereof "paragraph (33) of section 202 of such Act, added by section 3 of this Act,"; and

(2) by striking out "such paragraph (32)" and inserting in lieu thereof "such paragraph (33)".

EFFECTIVE DATES

SEC. 7. (a) This section, and sections 2, 4, and 5 of this Act, shall become effective on the date of enactment of this Act.

(b) Sections 1, 3, and 6 of this Act shall become effective on the first day of the first pay period which begins after the date of enactment of this Act.

Amend the title so as to read: "An act to provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes."

Mr. JOHNSTON of South Carolina. Mr. President, this bill was passed by the House on Monday, at which time it added these amendments.

I have discussed with the chairman of the Civil Service Commission certain provisions included in the House amendments. I have been given the chairman's pledge that three GS–18 authorizations will be given to the Immigration and Naturalization Service and that one GS–17 and three GS–16's will be allocated to the Bureau of Prisons. With this assurance, I ask that the Senate agree to the House amendments to the bill.

Mr. CARLSON. Mr. President, this bill has the approval, first, of the Senate Committee on Post Office and Civil Service. I concur in the amendments which were added by the House of Representatives.

I had some questions about some of the supergrade positions, particularly as regards the Department of Labor.

I hope that when the Civil Service Commission is allocating the 50 supergrade positions it will keep in mind the Department of Labor, if it can justify a need for these positions.

Mr. JOHNSTON of South Carolina. Mr. President, I join with the Senator from Kansas in that statement, and in doing so I believe I speak for the committee as a whole.

The PRESIDING OFFICER. The question is, Will the Senate concur in the amendments of the House of Representatives?

Mr. JOHNSTON of South Carolina. Mr. President, I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

WARWICK DOWNING

Mr. CARROLL. Mr. President, this summer the University of Denver conferred an honorary doctor of laws degree on one of Colorado's outstanding and beloved citizens, a man who has served his State and country with skill, energy, and devotion for half a century, Mr. Warwick Downing.

Mr. Downing is a longtime and dear friend of the distinguished senior Senator from Wyoming [Mr. O'MAHONEY].

Senator O'MAHONEY had intended to compliment publicly Mr. Downing on his receipt of the Denver University honors. The Senator's illness has prevented him from doing so this session.

I am happy to join with Senator O'MAHONEY, one of the greatest Senators ever to represent the Western States, in saluting Mr. Downing as a westerner who has devoted his life to the conservation and development of our Western natural resources. The tribute paid to Mr. Downing by the University of Denver is one richly deserved and applauded by his thousands of friends in all walks of life in the Western States.

I wish to quote a portion of the citation accompanying the Denver University honors, Mr. President, and then I shall offer for inclusion in the RECORD the entire citation and a biographical sketch on Mr. Downing.

The Denver University citation reads in part:

Here is a man most truly representative of the American way of life, inalterably committed to the burdens of community responsibility others might shirk, answering each call to service with enterprise, enthusiasm and directness, with kindness, tolerance and understanding; accepting no recompense and seeking no reward other than that which is ever to be found in devotion to duty as one sees it.

Mr. President, I ask unanimous consent to have the citation to Warwick Downing by the University of Denver printed at this point in the RECORD.

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

CITATION—UNIVERSITY OF DENVER

(Read by Chancellor Chester M. Alter on the occasion of the commencement exercises. University of Denver, June 10, 1959)

Warwick Miller Downing, born of Quaker ancestry and true to its ideals, now for six fruitful decades since graduation from the University of Michigan School of Law, creating an altogether unusual record of service to this community, this State and region; skilled in trial practice, authority without peer in oil and gas litigation, and pioneer in the stimulation of oil shale development; uniquely serving at one time as member of the executive committee of the Independent Petroleum Association of America, as director of the Rocky Mountain Oil and Gas Association, as a member of the Interstate Oil Compact Commission, as chairman of the Colorado Oil and Gas Conservation Commission and as director of the American Petroleum Institute; before and since, a leader in the affairs of these organizations, the vast industry they serve and the vital resources they represent; as a member of the Parks Commission of Denver, the Mountain Parks Committee, the Denver Playground Commission; rightfully coming to be called "the father of the mountain parks, boulevards, and playgrounds of Denver" by the late Mayor Robert Speer; here is a man most truly representative of the American way of life, inalterable committed to the burdens of community responsibility others might shirk, answering each call to service with enterprise, enthusiasm, and directness, with kindness, tolerance, and understanding; accepting no recompense and seeking no reward other than that which is ever to be found in devotion to duty as one sees it.

Mr. CARROLL. Mr. President, I also ask unanimous consent to have printed in the RECORD a biographical sketch of Warwick Downing.

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

BIOGRAPHICAL SKETCH OF WARWICK DOWNING

Warwick M. Downing was born in Macomb, Ill., January 14, 1875, of Quaker ancestry. His first immigrant ancestor arrived in Plymouth as far back as 1621.

As a young man, Mr. Downing determined to do his best toward accomplishing something notable and well worthwhile for the public welfare, and to devote as large an amount of his personal time to public service as possible. He felt as a minimum he should so devote 10 percent of his time.

He was graduated from East Denver High School in 1891. Shortly after his graduation from high school, he procured a job as a cub reporter on the Denver Times. He left this employment to attend the University of Michigan College of Law, and graduated from that institution in 1895. During his years in law school he was Ann Arbor correspondent for the Detroit Evening Journal, the Chicago Times, the Chicago Herald, the Chicago Inter-Ocean, the New York Sun, and the United Press.

Often referred to as the dean of oil and gas lawyers in the Rocky Mountain region, Mr. Downing has made a life career of service to the public and particularly in the field of oil and gas conservation. He has consistently refused to accept public office with pay, but has held many offices of an honorary nature, all without compensation, some of which are listed herein:

Park Commissioner of Denver under Mayor Speer and Arnold, 1904–13.

Chairman Mountain Parks Committee of the Civic Bodies and member of the Denver Mountain Parks Commission, 1911–20.

Member Denver Playground Commission, 1910–13.

Member Denver Good Roads Board, 1920–24.

Member Colorado State Highway Advisory Board, 1936–38.

Representative of the State of Colorado on the Oil States Advisory Committee, appointed by the Governors of 12 of the principal oil-producing States, 1931–34.

Representative of the State of Colorado on the Interstate Oil Compact Commission, created by the principal oil-producing States with congressional approval, 1935 to date.

Chairman of the Gas Conservation Commission of the State of Colorado and its successor body, the Oil and Gas Conservation Commission, 1932 to date. Recently appointed as a member of said Oil and Gas Conservation Commission for a term expiring in 1961.

Member of the National Petroleum Council, appointed by the Secretary of the Interior, 1951 to date.

Member of the National Conference of Petroleum Regulatory Authorities, appointed to serve and help the Secretary of the Interior during World War II from the State's standpoint.

Member of the Governors Advisory Council, with reference to oil and gas matters, during World War II.

He has served on the Interstate Oil Compact Commission under nine Colorado Governors, six Democrats (including Gov. Ed Johnson who was Governor twice with an 18-year interlude as U.S. Senator) and three Republicans. He has served many years as vice president for Colorado or as a member of the executive committee of the Independent Petroleum Association of America.

He has been one of the Nation's leaders to bring about laws, regulations, and practices which would encourage the development of oil and gas on public lands.

His chief accomplishment, however, was the development of the oil shales in Colorado. He cooperated with Senator JOSEPH O'MAHONEY, of Wyoming, in development of Government program for experimental work in developing a liquid fuel industry, in particular that feature of this program which included Colorado's oil shale as a source of synthetic or liquid fuel.

The late Mayor Robert Speer, of Denver, called Mr. Downing "father of the mountain parks and of the boulevards and playgrounds of Denver." As chairman of the Mountain Parks Committee of the Civic Bodies, he had the leading part in putting across the mountain parks idea. It must be remembered that this was at a time when autos were few, and many of the citizens of Denver organized to kill what they termed "a fool idea" of spending Denver money in the mountains, and to stop a "bunch of speculators" who wanted to unload worthless hillsides on Denver at a fancy price. Mr. Downing drew the mountain parks amendment to the Denver city charter, and pushed its adoption by the people. This also entailed the procuring of necessary legislation by the legislature of Colorado and procuring of an act of Congress, deeding some 10,000 acres to the Denver park system, and of being responsible for the expenditures of the public funds that made our Denver mountain park system what it is today.

Mr. Downing's work for the Denver playground system was no less notable. All the playgrounds now owned by Denver, with one principal exception, were acquired by him and were largely constructed under his administration as a member of the Denver Park Commission. Likewise, Denver's municipal parkway and boulevard system was largely his creation.

The Denver Good Roads Board, of which Mr. Downing was a member, prepared and passed the 1920 Highway Law, under which (and as amended) our State highway system has been built. He was also instrumental in all of the highway projects. He accepted appointment to the Highway Advisory Board by Governor Teller Ammons in 1936.

As a member of the Highway Advisory Board, Mr. Downing pushed a completion of the highway to Summit Lake on the Mount Evans road, and realinement of improvement of the road from Summit Lake to Mount Evans. His principal effort, however, was to give aid to the Western Slope in highway development so that the Western Slope would have an all-year-round highway to be completed from the north boundary to the south boundary of the State.

It thus appears that Mr. Downing has held public office for more than 84 years, as many years as he has lived, and during his entire time of public service he has never received a penny of compensation for his time.

Mr. Downing is married to the former Mabelle Jackson Bell of Dallas, Tex. He has two children, Richard Downing, Denver attorney, associated with him in the practice of law, and Dr. Virginia Downing of Boulder, Colo. engaged in research on the causes and control of cancer.

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 596, Senate bill 1697.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1697) to amend the Mutual Defense Assistance Control Act of 1951.

Mr. KEATING. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. This measure is Calendar No. 596, Senate bill 1697, to amend the Mutual Defense Assistance Control Act of 1951.

Mr. KENNEDY. Mr. President, the bill provides for a change in the provisions of the so-called Battle Act, so as to provide—if the President determines it to be in the national interest—some degree of assistance to countries now under Soviet control, but trying to maintain some degree of independence.

I am thinking especially of Poland, which has been undergoing a very trying period in its relationships with the Soviet Union, but also—as the recent trip of Mr. NIXON indicates—has a strong and warm feeling toward the United States.

This measure provides that if the President finds it to be in the national interest, a country which might be under the domination of the Soviet Union could receive assistance from our country in the following way: If the President thought it to be in our interest, he could provide funds which might be obtained through Public Law 480 sales in local currencies, which funds could be loaned back to that country, as is done in the case of other countries; and, second, the Export-Import Bank would be permitted to make loans to a country which falls into this particular "gray" status.

Those are the particular provisions of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

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

The bill (S. 1697) 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 section 102 of title I of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611a) is amended to read as follows:

"SEC. 102. Responsibility for giving effect to the purposes of this Act shall be vested in the Secretary of State or such other officer as the President may designate, hereinafter referred to as the 'Administrator'."

SEC. 2. Section 303 of title II of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1613b) is amended to read as follows:

"SEC. 303. (a) This Act shall not be deemed to prohibit furnishing economic and financial assistance to any nation or area, except the Union of Soviet Socialist Republics and Communist-held areas of the Far East, whenever the President determines that such assistance is important to the security of the United States: *Provided,* That, after termination of assistance to any nation as provided in sections 103(b) and 203 of this Act, assistance shall be resumed to such nation only in accordance with section 104 of this Act. The President shall immediately report any determination made pursuant to this subsection with reasons therefor to the Committees on Foreign Relations, Appropriations, and Armed Services of the Senate and the Speaker of the House of Representatives.

"(b) The Administrator may, notwithstanding the requirements of the first proviso of section 103(b) of this Act, direct the continuance of assistance to a country which knowingly permits shipments of items other than arms, ammunition, implements of war, and atomic energy materials to any nation or area receiving economic or financial assistance pursuant to a determination made under section 303(a) of this Act.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate return to the consideration of Calendar No. 581, S. 2026.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from South Carolina [Mr. JOHNSTON].

FEDERAL EMPLOYEES HEALTH BENEFITS ACT OF 1959

Mr. JOHNSTON of South Carolina. Mr. President, at this time I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 2162.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill S. 2162 to provide a health benefits program for Government employees, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Employees Health Benefits Act of 1959".

DEFINITIONS

SEC. 2. As used in this Act—

(a) "Employee" means an appointive or elective officer or employee in or under the executive, judicial, or legislative branch of the United States Government, including a Government-owned or controlled corporation (but not including any corporation under the supervision of the Farm Credit Administration, of which corporation any member of the board of directors is elected or appointed by private interests), or of the municipal government of the District of Columbia, and includes an Official Reporter of Debates of the Senate and a person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, and an employee of Gallaudet College, but does not include (1) a member of a "uniformed service" as such term is defined in section 1072 of title 10 of the United States Code, (2) a noncitizen employee whose permanent-duty station is located outside a State of the United States or the District of Columbia, or (3) an employee of the Tennessee Valley Authority.

(b) "Government" means the Government of the United States of America (including the municipal government of the District of Columbia).

(c) "Annuitant" means—

(1) an employee who on or after the effective date of the provisions referred to in section 15 retires on an immediate annuity, under the Civil Service Retirement Act or other retirement system for civilian employees of the Government, after twelve or more years of service or for disability,

(2) a member of a family who receives an immediate annuity as the survivor of a retired employee described in clause (1) or of an employee who dies after completing five or more years of service,

(3) an employee who receives monthly compensation under the Federal Employees' Compensation Act as a result of injury sustained or illness contracted on or after such date of enactment and who is determined by the Secretary of Labor to be unable to return to duty, and

(4) a member of a family who receives monthly compensation under the Federal Employees' Compensation Act as the surviving beneficiary of (A) an employee who, having completed five or more years of service, dies as a result of illness or injury compensable under such Act or (B) a former employee who is separated after having completed five or more years of service and who dies while receiving monthly compensation under such Act on account of injury sustained or illness contracted on or after such date of enactment and has been held by the Secretary of Labor to have been unable to return to duty.

For the purpose of this subsection, "service" means service which is creditable for the purposes of the Civil Service Retirement Act.

(d) "Member of family" means an employee's or annuitant's spouse and any unmarried child (1) under the age of nineteen years (including (A) an adopted child, and (B) a stepchild or recognized natural child who lives with the employee or annuitant in a regular parent-child relationship), or (2) regardless of age who is incapable of self-support because of mental or physical incapacity that existed prior to his reaching the age of nineteen years.

(e) "Dependent husband" means a husband who is incapable of self-support by reason of mental or physical disability which can be expected to continue for more than one year.

(f) "Health benefits plans" means a group insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar group arrangement provided by a carrier for the purpose of providing, paying for, or reimbursing expenses for health services.

(g) "Carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the cost of, health services under group insurance policies or contracts, medical or hospital service agreements, membership or subscription contracts, or similar group arrangements, in consideration of premiums or other periodic charges payable to the carrier, including a health benefits plan duly sponsored or underwritten by an employee organization.

(h) "Commission" means the United States Civil Service Commission.

(i) "Employee organization" means an association or other organization of employees which—

(1) is national in scope or

(2) in which membership is open to all employees of a Government department, agency, or independent establishment who are eligible to enroll in a health benefits plan under this Act,

and which on or before December 31, 1959, applies to the Commission for approval of a plan provided for by section 4(3) of this Act.

ELECTION OF COVERAGE

SEC. 3. (a) Any employee may, at such time, in such manner, and under such conditions of eligibility as the Commission may by regulation prescribe, enroll in an approved health benefits plan described in section 4 either as an individual or for self and family. Such regulations may provide for the exclusion of employees on the basis of the nature and type of their employment or conditions pertaining thereto, such as, but not limited to, short-term appointments, seasonal or intermittent employment, and

employment of like nature, but no employee or group of employees shall be excluded solely on the basis of the hazardous nature of their employment.

(b) Any annuitant who at the time he becomes an annuitant shall have been enrolled in a health benefits plan under this Act—

(1) for a period not less than (A) the five years of service immediately preceding retirement or (B) the full period or periods of service between the last day of the first period, as prescribed by regulations of the Commission, in which he is eligible to enroll in such a plan and the date on which he becomes an annuitant, whichever is shorter, or

(2) as a member of the family of an employee or annuitant—

may continue his enrollment under such conditions of eligibility as may be prescribed by regulations of the Commission.

(c) If an employee has a spouse who is an employee, either spouse (but not both) may enroll for self and family, or either spouse may enroll as an individual, but no person may be enrolled both as an employee or annuitant and as a member of the family.

(d) A change in the coverage of any employee or annuitant, or of any employee or annuitant and members of his family, enrolled in a health benefits plan under this Act may be made by the employee or annuitant upon application filed within sixty days after the occurrence of a change in family status or at such other times and under such conditions as may be prescribed by regulations of the Commission.

(e) A transfer of enrollment from one health benefits plan described in section 4 to another such plan may be made by an employee or annuitant at such times and under such conditions as may be prescribed by regulations of the Commission.

HEALTH BENEFITS PLANS

SEC. 4. The Commission may contract for or approve the following health benefits plans:

(1) SERVICE BENEFIT PLAN.—One Government-wide plan (offering two levels of benefits) under which payment is made by a carrier under contracts with physicians, hospitals, or other providers of health services for benefits of the types described in section 5(1) rendered to employees or annuitants, or members of their families, or, under certain conditions, payment is made by a carrier to the employee or annuitant or member of his family.

(2) INDEMNITY BENEFIT PLAN.—One Government-wide plan (offering two levels of benefits) under which a carrier agrees to pay certain sums of money, not in excess of the actual expenses incurred, for benefits of the types described in section 5(2).

(3) EMPLOYEE ORGANIZATION PLANS.—Employee organization plans which offer benefits of the types referred to in section 5(3), which are sponsored or underwritten, and are administered, in whole or substantial part, by employee organizations, which are available only to persons (and members of their families) who at the time of enrollment are members of the organization, and which on July 1, 1959, provided health benefits to members of the organization.

(4) COMPREHENSIVE MEDICAL PLANS.—

(A) GROUP-PRACTICE PREPAYMENT PLANS.—Group-practice prepayment plans which offer health benefits of the types referred to in section 5(4), in whole or in substantial part on a prepaid basis, with professional services thereunder provided by physicians practicing as a group in a common center or centers. Such a group shall include physicians representing at least three major medical specialties who receive all or a substantial part of their professional income from the prepaid funds.

(B) INDIVIDUAL-PRACTICE PREPAYMENT PLANS.—Individual-practice prepayment plans which offer health services in whole or substantial part on a prepaid basis, with professional services thereunder provided by individual physicians who agree, under certain conditions approved by the Commission, to accept the payments provided by the plans as full payment for covered services rendered by them including, in addition to in-hospital services, general care rendered in their offices and the patients' homes, out-of-hospital diagnostic procedures, and preventive care, and which plans are offered by organizations which have successfully operated such plans prior to approval by the Commission of the plan in which employees may enroll.

TYPES OF BENEFITS

SEC. 5. The benefits to be provided under plans described in section 4 may be of the following types:

(1) SERVICE BENEFIT PLAN.—
(A) Hospital benefits.
(B) Surgical benefits.
(C) In-hospital medical benefits.
(D) Ambulatory patient benefits.
(E) Supplemental benefits.
(F) Obstetrical benefits.

(2) INDEMNITY BENEFIT PLAN.—
(A) Hospital care.
(B) Surgical care and treatment.
(C) Medical care and treatment.
(D) Obstetrical benefits.
(E) Prescribed drugs, medicines, and prosthetic devices.
(F) Other medical supplies and services.

(3) EMPLOYEE ORGANIZATION PLANS.—Benefits of the types specified in this section under paragraph (1) or (2) or both.

(4) COMPREHENSIVE MEDICAL PLANS.—Benefits of the types specified in this section under paragraph (1) or (2) or both.

All plans contracted for under paragraphs (1) and (2) shall include benefits both for costs associated with care in a general hospital and for other health service costs of a catastrophic nature.

CONTRACTING AUTHORITY

SEC. 6. (a) The Commission is authorized, without regard to section 3709 of the Revised statutes or any other provision of law requiring competitive bidding, to enter into contracts with qualified carriers offering plans described in section 4. Each such contract shall be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party.

(b)(1) To be eligible as the carrier for the plan described in section 4(2), a company must be licensed to issue group health insurance in all the States of the United States and the District of Columbia.

(2) Each contract for a plan described in paragraph (1) or (2) of section 4 shall require the carrier—

(A) to reinsure with such other companies as may elect to participate, in accordance with an equitable formula based on the total amount of their group health insurance benefit payments in the United States during the latest year for which such information is available, to be determined by the carrier and approved by the Commission, or

(B) to allocate its rights and obligations under the contract among such of its affiliates as may elect to participate, in accordance with an equitable formula to be determined by the carrier and such affiliates and approved by the Commission.

(c) Each contract under this Act shall contain a detailed statement of benefits offered and shall include such maximums, limitations, exclusions, and other definitions of benefits as the Commission may deem necessary or desirable.

(d) The Commission is authorized to prescribe regulations fixing reasonable minimum standards for health benefits plans described in section 4 and for carriers offering such plans. Approval of such a plan shall not be withdrawn except after notice, and opportunity for hearing without regard to the Administrative Procedure Act, to the carrier or carriers concerned.

(e) No contract shall be made or plan approved which excludes any person because of race, sex, health status, or, at the time of the first opportunity to enroll, because of age.

(f) No contract shall be made or plan approved which does not offer to each employee and annuitant whose enrollment in the plan is terminated, other than by a cancellation of enrollment, a temporary extension of coverage during which he may exercise the option to convert, without evidence of good health, to a nongroup contract providing health benefits. An employee or annuitant who exercises this option shall pay the full periodic charges of the nongroup contract, on such terms or conditions as are prescribed by the carrier and approved by the Commission.

(g) The benefits and coverage made available pursuant to the provisions of subsection (f) shall, at the option of the employee or annuitant, be noncancelable by the carrier except for fraud, overinsurance, or nonpayment of periodic charges.

(h) Rates charged under health benefits plans described in section 4 shall reasonably and equitably reflect the cost of the benefits provided. Rates under health benefits plans described in section 4 (1) and (2) shall be determined on a basis which, in the judgment of the Commission, is consistent with the lowest schedule of basic rates generally charged for new group health benefit plans issued to large employers; rates determined for the first contract term shall be continued for subsequent contract terms, except that they may be readjusted for any subsequent term, based on past experience and benefit adjustments under the subsequent contract; any readjustment in rates shall be made in advance of the contract term in which they will apply and on a basis which, in the judgment of the Commission, is consistent with the general practice of carriers which issue group health benefit plans to large employers.

CONTRIBUTIONS

SEC. 7. (a)(1) Except as otherwise provided in this subsection, the contribution of the Government to the subscription charge of a plan for each enrolled employee or annuitant shall be such amounts as the Commission by regulation may from time to time prescribe. The amounts so prescribed shall not—

(A) be less than $1.25 or more than $1.75 biweekly for an employee or annuitant who is enrolled for self alone, or

(B) be less than $3 or more than $4.25 biweekly for an employee or annuitant who is enrolled for self and family, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the amount so presribed shall not be less than $1.75 or more than $2.50 biweekly.

For an employee or annuitant enrolled in a plan described under section 4 (3) or (4) whose biweekly subscription charge is less than $2.50 for an employee or annuitant enrolled for self alone or $6 for an employee or annuitant enrolled for self and family, the contribution of the Government shall be 50 per centum of such subscription charge, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the contribution of the Government shall be 30 per centum of such subscription charge.

(2) There shall be withheld from the salary of each enrolled employee or annuity of each enrolled annuitant so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment. The amount withheld from the annuity of an annuitant shall be equal to the amount withheld from the salary of an employee when both are enrolled in the same plan providing the same health benefits.

(3) The contributions of the Government as initially determined by the Commission and the contributions of the employees and annuitants may from time to time be readjusted, subject to the limitations on amounts contained in paragraph (1), on the basis of past experience and proposed benefit adjustments, such readjustment to be in the same ratio as the contributions of the Government bear to the contributions of the employees and annuitants at the time of the initial determination by the Commission.

(b) An employee enrolled in a health benefits plan under this Act who is placed in a leave-without-pay status may have his coverage and the coverage of members of his family continued under such plan for a period not to exceed one year in accordance with regulations prescribed by the Commission. Such regulations may provide for the waiving of contributions by the employee and the Government.

(c) The sums authorized to be contributed by the Government with respect to any employee shall be paid from—

(1) the appropriation or fund which is used for payment of the salary, wage, or other compensation of such employee,

(2) in the case of an elected official, from such appropriation or fund as may be available for payment of other salaries of the same office or establishment,

(3) in the case of an employee in the legislative branch whose salary, wage, or other compensation is disbursed by the Clerk of the House of Representatives, from the contingent funds of the House, and

(4) in the case of an employee in a leave-without-pay status, from the appropriation or fund which would be used for the payment of the salary of such employee if he were in a pay status.

The sums authorized by subsection (a) (1) to be contributed by the Government with respect to any annuitant shall be paid from annual appropriations which are hereby authorized to be made for such purpose.

(d) The Commission shall provide for conversion of rates of contribution specified in this section in the cases of employees and annuitants paid on other than a biweekly basis, and for this purpose may provide for adjustment of any such rate to the nearest cent.

EMPLOYEES HEALTH BENEFITS FUND

SEC. 8. (a) There is hereby created an Employees Health Benefits Fund, hereinafter referred to as the "Fund", to be administered by the Commission, which is hereby made available without fiscal year limitation for all payments to approved health benefits plans. The contributions of employees, annuitants, and the Government described in section 7 shall be paid into the Fund.

(b) Portions of the contributions made by employees, annuitants, and the Government shall be regularly set aside in the Fund as follows: (1) a percentage, not to exceed 1 per centum of all such contributions, determined by the Commission as reasonably adequate to pay the administrative expenses made available by section 9; (2) for each health benefits plan, a percentage, not to exceed 3 per centum of the contributions toward such plan, determined by the Commission as reasonably adequate to provide a contingency reserve. The income derived from any dividends, rate adjustments, or other refunds made by a plan shall be credited to its contingency reserve. The contingency reserves may be used to defray increases in future rates, or may be applied to reduce the contributions of employees and the Government to, or to increase the benefits provided by, the plan from which such reserves are derived, as the Commission shall from time to time determine.

(c) The Secretary of the Treasury is authorized to invest and reinvest any of the moneys in the Fund in interest-bearing obligations of the United States and to sell such obligations of the United States for the purposes of the Fund. The interest on and the proceeds from the sale of any such obligations shall become a part of the Fund.

ADMINISTRATIVE EXPENSES

SEC. 9. (a) There are hereby authorized to be expended from the Employees' Life Insurance Fund, without regard to limitations on expenditures from that Fund, for the fiscal years 1960 and 1961, such sums as may be necessary to pay administrative expenses incurred by the Commission in carrying out the health benefits provisions of this Act. Reimbursements to the Employees' Life Insurance Fund for sums so expended, together with interest at a rate to be determined by the Secretary of the Treasury, shall be made from the Employees Health Benefits Fund.

(b) The Employees Health Benefits Fund is hereby made available (1) to reimburse the Employees' Life Insurance Fund for sums expended by the Commission in administering the provisions of this Act for the fiscal years 1960 and 1961 and (2), within such limitations as may be specified annually by the Congress, to pay such expenses for subsequent fiscal years.

ADMINISTRATION

SEC. 10. (a) The Commission is authorized to promulgate such regulations as may be necessary to carry out the provisions of this Act.

(b) Regulations of the Commission shall include regulations with respect to the beginning and ending dates of coverage of employees and annuitants and members of their families under health benefits plans, and for such purpose may permit such coverage to continue, exclusive of the temporary extension of coverage described in section 6(f), until the end of the pay period in which an employee is separated from service or until the end of the month in which an annuitant ceases to be entitled to annuity, and in case of the death of such employee or annuitant may permit a temporary extension of the coverage of the members of his family for a period not to exceed ninety days.

(c) Any employee enrolled in a plan under this Act who is removed or suspended without pay and later reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted shall not be deprived of coverage or benefits for the interim but shall have his coverage restored to the same extent and effect as though such removal or suspension had not taken place, and appropriate adjustments shall be made in premiums, subscription charges, contributions, and claims.

(d) The Commission shall make available to each employee eligible to enroll in a health benefits plan under this Act such information, in a form acceptable to the Commission after consultation with the carrier, as may be necessary to enable such employee to exercise an informed choice among the types of plans referred to in section 4. Each employee enrolled in such a health benefits plan shall be issued an appropriate document setting forth or summarizing the services or benefits (including maximums, limitations, and exclusions), to which the employee, or the employee and members of his family, are entitled thereunder, the procedure for obtaining benefits, and the principal provisions of the plan affecting the employee or members of his family.

STUDIES, REPORTS, AND AUDITS

SEC. 11. (a) The Commission shall make a continuing study of the operation and administration of this Act, including surveys and reports on health benefits plans available to employees and on the experience of such plans.

(b) The Commission shall include provisions in contracts with carriers which would require carriers to (1) furnish such reasonable reports as the Commission determines to be necessary to enable it to carry out its functions under this Act, and (2) permit the Commission and representatives of the General Accounting Office to examine records of the carriers as may be necessary to carry out the purposes of this Act.

(c) Each Government department, agency, and independent establishment shall keep such records, make such certifications, and furnish the Commission with such information and reports as may be necessary to enable the Commission to carry out its functions under this Act.

REPORTS TO CONGRESS

SEC. 12. The Commission shall transmit to the Congress annually a report concerning the operation of this Act.

ADVISORY COMMITTEE

SEC. 13. The Chairman of the Commission shall appoint a committee composed of five members who shall serve without compensation, to advise the Commission regarding matters of concern to employees under this Act. Each member of such committee shall be an employee enrolled under this Act or an elected officer of an employee organization.

JURISDICTION OF COURTS

SEC. 14. The district courts of the United States shall have original jurisdiction, concurrent with the Court of Claims, of any civil action or claim against the United States founded upon this Act.

EFFECTIVE DATE

SEC. 15. The provisions of this Act relating to the enrollment of employees and annuitants in health benefits plans and the withholding and payment of contributions shall take effect on the first day of the first pay period which begins on or after July 1, 1960.

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk my motion that the Senate agree to the amendment of the House with two amendments of the Senate. These two amendments are amendments which the Senate, practically word for word, agreed to when we had the bill before us. I understand there is a possibility that the House will agree to them. If the House does agree to them, that will save the necessity of having a conference on the health bill.

The PRESIDING OFFICER. The motion of the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. Mr. JOHNSTON of South Carolina makes the following motion:

I move that the Senate agree to the House amendment to S. 2162, the Federal Employees Health Benefits Act of 1959 with the following amendments:

(1) In lieu of subsection (a) of section 7 of the House amendment insert the following:

"(a) (1) Except as provided in paragraph (2) of this subsection, the Government contribution for health benefits for employees or annuitants enrolled in health benefits

plans under this Act, in addition to the contributions required by paragraph (3), shall be 50 per centum of the lowest rates charged by a carrier for a level of benefits offered by a plan under paragraph (1) or paragraph (2) of section 4, but (A) not less than $1.25 or more than $1.75 biweekly for an employee or annuitant who is enrolled for self alone, (B) not less than $3 or more than $4.25 biweekly for an employee or annuitant who is enrolled for self and family (other than as provided in clause (C) of this paragraph), and (C) not less than $1.75 or more than $2.50 biweekly for a female employee or annuitant enrolled for self and family including a nondependent husband.

"(2) For an employee or annuitant enrolled in a plan described under section 4 (3) or (4) for which the biweekly subscription charge is less than $2.50 for an employee or annuitant enrolled for self alone or $6 for an employee or annuitant enrolled for self and family, the contribution of the Government shall be 50 per centum of such subscription charge, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the contribution of the Government shall be 30 per centum of such subscription charge.

"(3) There shall be withheld from the salary of each enrolled employee and the annuity of each enrolled annuitant, and there shall be contributed by the Government, amounts (in the same ratio as the contributions of such employee or annuitant and the Government under paragraphs (1) and (2)) which are necessary for the administrative costs and the reserves provided for by section 8(b).

"(4) There shall be withheld from the salary of each enrolled employee or annuity of each enrolled annuitant so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment. The amount withheld from the annuity of an annuitant shall be equal to the amount withheld from the salary of an employee when both are enrolled in the same plan providing the same health benefits."

(2) After section 13 of the House amendment insert a new section 14 as follows and renumber sections 14 and 15 as 15 and 16, respectively:

"SEC. 14. (a) The Chairman of the Commission is authorized to appoint in grade 18 of the General Schedule of the Classification Act of 1949, as amended, an officer who shall have such functions and duties with respect to retirement, life insurance, and health benefits programs as the Commission shall prescribe. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grade.

"(b) The rate of basic compensation of the Executive Director of the United States Civil Service Commission shall be $19,000 per annum."

Mr. JOHNSTON of South Carolina. Mr. President, on July 16, 1959, the Senate, by a vote of 81 to 4, passed S. 2162, the Federal Employees' Health Benefits Act. The bill, which passed the Senate on that date, was the product of over 10 years' legislative effort. The first bill to provide a health benefits program for Federal employees was introduced in 1947. Efforts to obtain legislation failed time after time because of deep-rooted disagreements between and among insurance companies, Blue Cross-Blue Shield, those providing medical services and hospital facilities, and even employee groups themselves.

In the light of this background, it gave me a great deal of satisfaction to be able to bring to the Senate a bill upon which there was general agreement by all concerned, with one exception.

The sole objector was the administration, which opposed the bill primarily on the basis of its cost. Certain self-appointed spokesmen for the administration raised a great smokescreen of opposition, but underneath it all was the matter of cost.

This widespread and general agreement on the Senate bill did not just happen. It was the result of long, hard, intelligent, and dedicated work.

The Subcommittee on Health Insurance of the Senate Committee on Post Office and Civil Service held many long days of hearings. The committee staff met day after day with representatives of industry and employee groups. Problem after problem was worked out and difference of views reconciled. Finally, out of all this effort, there emerged a bill which merited the support of all concerned.

I think it fair to say that except for this great effort in the Senate we would not today stand on the verge of seeing enacted a health benefits program for Federal employees. The administration tried and failed over a 5-year period to reconcile the many differences that existed. When the Senate took hold of the matter this year, the prospects of success did not seem bright. But today we are only hours away from seeing enacted into law a progressive health benefits bill for our Federal workers and their families.

When the Senate bill was received in the House, extensive hearings were held by that body. A great amount of favorable testimony was heard. Again the only opposition to the bill was that voiced by the administration. Again the opposition as based on cost.

The House bowed to the position of the administration and reduced benefits under the bill by some 30 to 35 percent. In other words, the cost of benefits to be provided by the bill was reduced from slightly over $300 million a year to some $214 million a year. Fortunately, however, the basic principles of the Senate bill were retained, and with adoption of the amendments I have offered, the bill will be a good one.

Mr. President, there are some things that have occurred in connection with this measure that I regret. First of all, there has been an unusual amount of lobbying by some persons within the administration. The unusual interest and the unusual steps taken by them have been of some concern to me.

For this reason I wish to make it known that I propose to watch the administration of this measure very, very carefully.

Secondly, I regret that when the bill was under consideration in the House, some Members of the House referred to the Senate measure in derogatory and slighting terms. It was referred to as being misleading, false, and confusing. For example, the ranking minority member on the committee stated:

> We have had ample evidence that Government employees and the general public were being completely misled as to the scope and nature of benefits to be provided under this bill. The proposed committee amendment now before the House removes any possibility of misinterpretation.

Frankly, I think this and similar statements were ill advised. I think it regrettable that measures of this kind be discussed in such terms.

Mr. President, the amendments I have offered are designed to clarify the bill in several respects and restore to the bill a previously approved Senate provision in a slightly different version in still another respect. The first amendment clarifies the bill to make clear that the price figures established in the bill by the House apply to the purchase of health benefits and do not include auxiliary costs such as those for reserves and administrative expenses.

The second amendment is designed to make clear that both Government and employees will share these auxiliary costs in addition to sharing the cost of the health benefits purchased.

The third amendment makes provision for a Director of Retirement and Insurance. The committee expressed the belief that there shall be consolidated organizationally all of the Commission's responsibilities in the related fields of retirement and life insurance, as well as health benefits, and we have been assured that the Commission contemplates taking such a step.

In order to insure that the Civil Service Commission will be able to obtain the necessary high caliber of person to administer these programs, the legislation makes provision for a grade 18 position which is earmarked for this function.

The committee is also of the belief that the salary of the Executive Director of the Commission should be changed adequately to reflect the nature of that position. The amendment sets this salary at $19,000 per annum.

Mr. President, the list of those who have contributed greatly to this measure is long. I would like to express my gratitude particularly to the distinguished junior Senator from Oregon [Mr. NEUBERGER], who served as chairman of the insurance subcommittee, and to the other members of that committee, Senators YARBOROUGH, JORDAN, CARLSON, and MORTON, all of whom devoted much time and thought to working out a satisfactory bill. In all my service in the Senate, I have never known a group to work harder and with greater dedication to duty than did this subcommittee. They deserve the commendation of every Federal employee for their fine work in connection with this bill.

The committee was fortunate indeed to receive a great deal of expert technical advice and assistance from outstanding leaders in the field of health programs. Particularly helpful was Mr. J. Douglas Colman, vice president of the Blue Cross Association. I do not know what the committee would have done without his able advice and assistance. I wish to express my personal appreciation to him and to all who contributed to the preparation and enactment of this fine measure. I am confident our over

2 million Federal employees and their families will always be grateful.

Mr. CARLSON. Mr. President, I wish to say that following the passage of this bill through the Senate, and the bill was passed by the House and amended by the House, I have been willing to accept the House amendments to the bill in the hope we would get early action, because this is a piece of legislation which is important to the Federal civil workers of this Nation.

Since that time our chairman has worked out two amendments, which I understand are at the desk, and which I hope we accept at the present time. I shall not oppose those amendments because I think, as they have been written, the Bureau of the Budget, the Chairman of the Civil Service Commission, and the House will accept them and that this bill will be enacted into law.

I had prepared a statement I expected to use urging action without sending the bill back for concurrence, because I realize at this late stage in a legislative session one objection can send the bill to the Rules Committee and, following past history, the Rules Committee may not act as hastily as we would like them to.

I am willing to take a chance today, and I support the amendments the Committee chairman has submitted, and urge the House to accept them.

I ask to insert in the RECORD as part of my remarks a statement I expected to make in respect to the bill as it came over to this body from the House.

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

STATEMENT BY SENATOR CARLSON

On July 16, a little more than a month ago, the Senate passed S. 2162 which would provide health insurance for Federal employees with a landslide majority of 81 to 4. Since then the appropriate committee, of the other body has held extensive hearings, has modified the bill in certain respects, and on August 18 reported it unanimously to the House. Just a few days ago the bill, as modified, was passed by the other body with a majority comparable to that it received in the Senate.

I know of no legislative measure in this Congress of so much importance to so many people that has had the overwhelming approval this bill has received in both bodies. The legislation as referred to us now has the whole-hearted endorsement and enthusiastic support of all of the employee organizations and is acceptable to the Civil Service Commission and the administration generally. The organizations which would serve as carriers under the bill have expressed their belief that it provides the basis for a workable program and that they are in accord with it.

I have pointed out that the bill has been modified in certain respects since it passed the Senate. The most numerous changes have been language changes of a technical and clarifying nature; these have no effect on the substance of the bill but will serve to avoid inequities to employees and unnecessary complexity of administration.

A few changes have been made in the substance of S. 2162 as it passed the Senate, but with one exception these will merely serve to fix responsibility more clearly on the Civil Service Commission as the agency which will have responsibility for administration of the health benefits program. These changes will have no adverse effect on the benefits to be provided in the bill as they affect the vast body of Federal employees and their dependents. Commencing July 1, 1960, some 2 million employees and an additional 3 million dependents will be eligible to join in any of the several health benefits plans provided in the bill with the Government paying half the cost.

S. 2162 as it passed the other body, however, is notable for its similarity to S. 2162 as it passed the Senate rather than for its differences. The basic structure of the health benefits program it would provide is the same.

Both bills provided for recognition of and free choice among the three major kinds of health benefits plans which exist in America today: a "service" plan, of the Blue Cross-Blue Shield variety, an indemnity plan such as is provided by insurance companies, and group-practice prepayment plans in areas where these are available.

S. 2162 as it comes to us now provides also for individual-practice prepayment plans like that of Group Health Insurance in New York City, which was mentioned in the debate on July 16 by my distinguished colleague, the senior Senator from New York.

S. 2162 as it passed the Senate provided for participation in the program by certain existing employee organization group health insurance plans. As the measure comes to us now, this group of employee organizations has been somewhat expanded to take in certain other organizations which are either nationwide in scope or which take in all employees of a department or agency.

Most important of all, from the viewpoint of employees, the section of the bill having to do with contributions by employees and by the Government has been considerably strengthened since it left the Senate. As passed by the Senate, it provided certain maximum dollar contributions. It did not provide for minimums.

The bill, as passed by the other body, retains the same dollar maximums that are in the Senate-passed bill. However, the bill has been modified so that it also provides for minimums, set at about 70 percent of the maximums. Thus the Civil Service Commission, in making contracts or approving existing plans, can set the contribution rate of the Government at any figure in the 30-percent range between minimum and maximum, but cannot go below the minimum unless the total subscription charge of the particular plan is so low that a Government contribution of the minimum figure would amount to more then 50 percent. In such a case the Government would contribute such lesser amount as constituted exactly 50 percent of the subscription charge.

This change constitutes a substantial improvement from the viewpoint of employees, since, as the bill left the Senate, there were no minimum dollar figures and the Civil Service Commission could conceivably have written contracts providing for Government contributions of less than these minimums.

The bill before us now has an additional built-in protection for employees—as the cost of hospital and medical care rises and subscription rates also have to be increased, the bill provides that this increase will be shared by employees and the Government in the same proportion as they shared the contributions before the increase.

The very real and very difficult accomplishment of drawing all interested parties into agreement on the bill, which was achieved under the leadership of my distinguished colleagues the senior Senator from South Carolina and the junior Senator from Oregon, was recognized during debate in the other Chamber by Representative MORRISON. He said, in part:

"I must say that I sincerely admire the chairman and members of the Post Office and Civil Service Committee of the other body for their ability to formulate a legislative measure with which all parties are in accord."

One of the Members in his statement on the floor of the other Chamber had this to say:

"The bill, S. 2162, as it came to us from the other body is a tribute to the members of the committee which drafted it. The committee in the other body had only a few short weeks to cope with the problems I have mentioned. That committee solved practically all of the technical complexities which confronted it and reconciled the conflicting views of the different parties in interest.

"Aside from some perfecting changes which I am sure the committee in the other body would have made had time permitted, the bill now being considered here is substantially the same one as was enacted by the other body."

Mr. NEUBERGER. Mr. President, I likewise am going to place in the RECORD a statement which I had intended to make on the floor of the Senate. I do, however, wish to point out several facts very briefly.

I believe it is a historic moment when the Senate completes action on the first comprehensive program ever enacted by the Federal Government for the protection of the health of its employees, during the nearly two centuries that this country has been in existence. I think that this is a bill which will provide the lantern by which many segments of private industry can be guided in likewise setting up voluntary and effective programs in the field of health insurance for their own employees.

I am pleased that there are on the floor of the Senate now Members who have taken the lead in this respect. In my estimation this bill would not have become law without the cooperation and leadership of the Senator from South Carolina [Mr. JOHNSTON], who is the able chairman of our full Committee on Post Office and Civil Service, nor could the measure have been law without a humanitarian and kindly ranking minority member whom we have in the Senator from Kansas [Mr. CARLSON].

In addition, there are on the floor of the Senate two Senators who have always taken great pride in the legislation which they have helped to sponsor in the general field of health, and I refer to the Senator from Alabama [Mr. HILL] and the Senator from Washington [Mr. MAGNUSON]. I believe it is appropriate that they should be here at this time.

The Federal Government has lagged behind certain enlightened segments of private industry for many years in setting up a program whereby employees, voluntarily and of their own choosing, could somehow buttress themselves against the agonizing financial burden which every family faces when it confronts a major illness. And, let me say, no family knows when, tomorrow or this afternoon, it may encounter that terrible crisis.

Mr. President, I believe we have made a great start. This bill is not without imperfections, and it will be improved as time goes along. It is a bill which must be tested through trial and error, just as our own Federal Constitution was improved through trial and error

while it has been amended many times as this country has developed and progressed along the high road of history.

I believe, and I emphasize this, that every Federal employee and every family of a Federal employee, and every citizen whose life is touched by contacts with the Federal Government, will benefit by this bill. It is a beacon.

I ask unanimous consent that the statement which I prepared for delivery on the floor of the Senate be included in full in the CONGRESSIONAL RECORD.

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

STATEMENT BY SENATOR RICHARD L. NEUBERGER

Mr. President, as chairman of the Health Insurance Subcommittee of the Senate Post Office and Civil Service Committee, I rise in support of the motion made by the distinguished chairman of our full committee, Mr. JOHNSTON. These amendments will partially restore S. 2162, the Federal Employees Health Benefits Act of 1959, to the way it passed the Senate on July 16.

Our Senate passed bill provides for a modest but complete package of health benefits with the cost to be shared on a 50–50 basis between the Government and the employee. The estimated cost for our plan was $305 million for the first year.

The bill, as amended and passed in the House, reduced the cost of the health benefits program by almost one-third to $215 million for the first year. This was done at the request and insistence of the administration, the U.S. Civil Service Commission, and the Bureau of the Budget. The House passed bill no longer continues the 50–50 sharing of costs for an adequate package of health benefits. A minimum, but inadequate, package of health benefits would be available on the 50–50 sharing basis with the employee expected to obtain additional benefits entirely at his own expense so that he might have adequate health coverate.

The House passed bill, which basically we accept, is a partial step in the right direction, but it is only a partial step and at some future date, the program must be enlarged, so that it will meet standards already provided by enlightened private industry.

Specifically, the amendments which we are presenting would insure that the 3-percent reserve fund and the 1-percent administrative cost would be shared on a 50–50 basis by the Government and the employee, rather than borne entirely by the employee. The specified minimum contribution of the Government and the employee would be used entirely for the payment of health benefits, and administrative and reserve costs would be in addition to the minimum specified in the House passed bill. Thus, health benefits could be increased 4 percent by the amendment. The second amendment would insure a guaranteed minimum contribution by the Federal Government. The House passed version is not clear with regard to this, even though I am sure that their intention was to guarantee such minimum contribution. The last amendment would direct the Civil Service Commission to set up a Bureau of Retirement and Insurance to handle the health and insurance programs of the Federal Government. This provision was contained in the bill when it passed the Senate. A provision is also made for a modest increase in the salary of the hard-working Executive Director of the Civil Service Commission.

Mr. President, the health benefits bill will soon be on its way to the White House. This legislation represents the culmination of many years of effort and a great deal of hard work by many persons. As chairman of the subcommittee, which developed this legislation, and held extended hearings, I would like to pay tribute to the distinguished chairman of the full committee, Mr. JOHNSTON, and to all the hard-working members of our subcommittee, the junior Senator from Texas, Mr. YARBOROUGH; the junior Senator from North Carolina, Mr. JORDAN; the junior Senator from Kansas, Mr. CARLSON; and the junior Senator from Kentucky, Mr. MORTON. I also wish to thank the diligent members of the committee staff, who spent many hours in conference and in drafting the many fine details of this legislation. We have had the able assistance and cooperation of Government employee leaders, representatives of health carriers, and staff members of the Civil Service Commission.

Mr. President, this bill does not provide coverage for the presently retired career Federal civil servant or those who retire prior to June 30, 1960. On August 21 I introduced legislation to cover these devoted career retirees. I am pleased to report that our subcommittee expects to report our bill to the full committee next week and I hope that Senate passage of this legislation might be possible this year, so that health coverage for the presently retired can start on July 1, 1960, the same date that coverage will start for active employees and those who retire after June 30, 1960.

Mr. MONRONEY subsequently said: Mr. President, I desire to pay tribute to the outstanding work which was done in perfecting the bill to provide health insurance for all Federal employees. The passage of the bill today is a great tribute to the careful consideration which was given to the bill by the Subcommittee on Civil Service of the Committee on Post Office and Civil Service, under the chairmanship of the distinguished junior Senator from Oregon [Mr. NEUBERGER]. He and his subcommittee devoted many months of work to this very complex problem before reporting the bill to the full Committee on Post Office and Civil Service. I believe the bill will furnish lasting benefits to all the hundreds of thousands of Federal employees.

I pay tribute not only to the distinguished Senator from Oregon, but also to the chairman of the full committee, the distinguished Senator from South Carolina [Mr. JOHNSTON] and to the ranking minority member, the distinguished senior Senator from Kansas [Mr. CARLSON].

The bill is indeed landmark legislation. I believe it will prove to be acceptable to the employees of the Federal Government, because it gives them as genuine a sense of security against ailments, diseases, and illnesses as anything which Congress has provided in a decade.

Mr. President, I ask unanimous consent that my remarks may be printed following the remarks of the distinguished Senator from Oregon [Mr. NEUBERGER] when he spoke on the passage of the bill earlier today.

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

The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

STUDIES OF THE EFFECTS OF CERTAIN INSECTICIDES UPON FISH AND WILDLIFE

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 1575.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1575) to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes, which was, to strike out all after the enacting clause and insert:

That section 2 of the Act of August 1, 1958, providing for continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources and for other purposes is amended to read as follows:

"SEC. 2. The sum of $2,565,000 per annum is hereby authorized to be appropriated to carry out the objectives of this Act."

Mr. MAGNUSON. Mr. President, the bill authorized the appropriation of such sums as might be necessary to carry out the purposes of the act, which authorized and directed the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources. The House amended the bill by placing a limit on the authorization.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

ELIGIBILITY OF ALASKA AND HAWAII FOR PARTICIPATION IN DISTRIBUTION OF DISCRETIONARY FUNDS UNDER FEDERAL AIRPORT ACT

Mr. MAGNUSON. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House on the bill, S. 2208, to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2208) to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act, which was, to strike out all after the enacting clause and insert:

That paragraph (2) of section 6(b) of the Federal Airport Act (49 U.S.C., sec. 1105(b)(2)) is amended to read as follows:

"(2) Such discretionary fund shall be available for such approved projects in the several States, Alaska, and Hawaii as the Administrator may deem most appropriate for carrying out the national airport plan, regardless of the location of such projects. The Administrator shall give consideration, in determining the projects for which such fund is to be so used, to the existing airport

facilities in the several States, Alaska, and Hawaii, and to the need for or lack of development of airport facilities in the several States, Alaska, and Hawaii."

Mr. MAGNUSON. Mr. President, the amendment of the House is a technical amendment and is proposed solely for the purpose of conforming the proposed legislation to the style of existing law. It makes no substantive change in the language of the bill as passed by the Senate.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

RAILROAD TRACK MOTORCAR SAFETY LEGISLATION

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding H.R. 2487 and S. 1425, the railroad track motorcar safety bills.

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

STATEMENT BY SENATOR MAGNUSON

There has come to my attention evidence of what seems to be an unusual campaign by railroad management to get railroad employees into signing management-prepared telegrams and other statements to their Senators and Representatives in Congress urging them to oppose H.R. 2487 and S. 1425, the railroad track motorcar safety bills sponsored by Chairman OREN HARRIS, of the House Interstate and Foreign Commerce Committee, and by myself and 18 other Senators of both parties.

This legislation would give the Interstate Commerce Commission authority which it now lacks to establish rules and regulations for the safe operation of railroad track motorcars or other self-propelled equipment used as vehicles for travel by railroad employees and also for transportation material used in the maintenance and installation of track signals. The death and injury rate to railroad workers using this kind of equipment has been rising steadily and, in my view, has reached serious proportions. I cannot agree with management's claim that such regulation of the use of these cars to prevent such accidents, with their mounting loss of property and losses to the railroads, as well as the needless deaths and maimings of railroad workers, would be an undue burden upon them because it would complicate their operations—we would not pass such a law. Hearings are now being held.

Nevertheless, I recognize railroad management's right to express such a view, which they have had every opportunity to do at the hearings before the Senate Surface Transportation Subcommittee. While I recognize and respect this right, however, I can only regard as a matter of grave concern to every Member of this Congress, the present effort by some to create the appearance that railroad workers themselves oppose this legislation by forcing them to send management-prepared communications to Congress in the manner it has been done. Let me cite to you some specific documented examples which reveal the nature of this campaign to defeat this legislation which I think is needed to protect the lives and well-being of railroad workers to some degree by giving the ICC authority to make reasonable safety regulations only—not new jobs.

First, I want to place in the RECORD at this time a copy of a message teletyped by E. L. Mullennix, the roadmaster who hires and fires the employees to whom his message is addressed. It reads as follows:

ATCHISON, *July 30, 1959.*

All Section Foremen Effingham to Concordia:

Each of you wire your U.S. Senator with the wire to read as follows: "Refer to Senate bill 1425: Missouri Pacific Railroad has progressively improved the safety and operation of motorcars until they now have adequate protection. Urge you to vote against this bill." Wire your Senator the message above in a.m. July 31, and send it Western Union. Pay for your Western Union and I will refund your money. Send Mr. C. L. Christy a copy of the Western Union message.

E. L. MULLENNIX.

This message speaks for itself. There is no request made here, nor no explanation of the issues involved. It seems to be simply an order to all the foremen under him to send a specific wire to their Senator, to pay for it out of their own pockets and then get a refund.

As my next example, I have in my possession a copy of a letter from an official of one of the railway brotherhoods. This letter, dated August 5, 1959, reads in part as follows:

"I am sorry to advise you of what happened yesterday. I went in my roadmaster's office as usual. He had received a stack of telegrams all filled out. He handed them to me, asked me to read and sign one. After reading one I gave them back and told him I could not sign it.

"It was in regard to Senator MAGNUSON'S bill, S. 1425, to amend the Interstate Commerce Act to provide protection for railroad employees by regulating the use of track motorcars and other self-propelled equipment.

My roadmaster went north on motorcar, his driver told me every man signed one of the telegrams. They were told that if the bill passed the company would have to put a conductor on every motorcar.

"Another roadmaster went south out of here. From what I can learn all of his foremans signed one. The message stated that we had sufficient motorcar protection."

This occurred on a railroad operating in the State of the cosponsor of this measure in the House. I am confident that Chairman HARRIS is not going to be intimidated or misled by this, but since many other of the Members of the Senate and House no doubt have received telegrams produced in this way, I want the Congress to be fully aware of the nature of their origin so that they may be appraised accordingly.

As my final exhibit at this time I include here the text of a letter signed by two roadmasters and one B. & B. supervisor and addressed to all foremen under their supervision on the Union Pacific Railroad. This letter, also couched in the form of an order, reads as follows:

HINKLE, *August 12, 1959.*

To All Foremen:

Received the following mailgram from Mr. R. E. Haacke:

"There is now pending in Congress, Senate bill S. 1425, which would require all track motorcars to be operated by train orders under the jurisdiction of and in accordance with rules established by the Interstate Commerce Commission.

"All of us who are familiar with motorcar operations can readily see the tremendous complications involved in attempting to operate motorcars under positive train orders. In effect, this would make it very impractical or almost impossible to get from one point to the other on a motorcar as all of our gangs would be spending more of their time getting train orders and getting to and from points of work under these train orders than they would in actual performance of their work.

"The practical effect would probably be that we would have to discontinue the operation of all or most section gangs as they now exist and perform our track maintenance work with roving extra gangs, such as some other railroads are already doing.

"If this Senate bill 1425 is passed, we should bear in mind that none of our motorcar operators are presently qualified to take train orders, as would be necessary for them to do at outlying points under the requirements of this legislation. It is doubtful whether very many of our motorcar operators could pass the necessary examination on operating rules to permit them to copy train orders. As a result many of them would no doubt be disqualified if they could not pass this examination on the operating rules."

I am sure that each of you realize just what effect passage of this legislation would have on your jobs. I feel, therefore, that this matter should be brought to the attention of the men under your supervision so they can write to their Senators and Congressmen expressing opposition to Senate bill S. 1425.

Want each of you to discuss this matter with your men and urge them to write letters opposing passage of this bill.

W. H. COSGROVE.
O. E. RAYBURN.
C. M. WISEMILLER.

(The bill does not contemplate "train orders" as such. It prescribes that the ICC make reasonable rules. If it does it can be changed after hearings to emphasize only the safety measures.)

The pocket list of railroad officials shows that Mr. R. E. Haacke is resident engineer of the Union Pacific Railroad at Portland, Oreg. Remembering that all of these officials have the power to hire and fire their subordinates, the reference to loss of jobs if S. 1425 should become law clearly has some overtones here and, I am informed, has caused real concern among railroad employees on this division.

The question may naturally arise in the minds of many of you after getting telegrams of this kind as to whether or not the railroad workers really want this legislation. While on the surface it should be apparent that they would favor any step to cut down the horrible and steadily increasing loss of life and injuries which they are sustaining because of the present lack of such protection, I want the record to be absolutely clear on this point. Here is the text of a statement I have been authorized to insert on behalf of all of the 23 standard railway labor organizations affiliated with the Railway Labor Executives' Association:

"Railroad labor is strongly supporting S. 1425 and H.R. 2487 to give the Interstate Commerce Commission authority to establish rules and regulations for the safe operation of track motorcars and other self-propelled equipment. This legislation is needed promptly to check the alarming rise in the death and injury rate to railroad workers using this type of equipment. We urge its immediate enactment."

A. E. LYON,
Executive Secretary,
Railway Labor Executives' Association.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, what is the pending business?

The PRESIDING OFFICER. The bill before the Senate is S. 2026, to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, I yield the floor, so that the Senator from Maine may make a statement.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, H.R. 6904 is on the calendar, as Calendar No. 733.

The bill is designed to establish an Advisory Commission on Intergovernmental Relations. This proposed legislation is the culmination of a long history of efforts to study, evaluate, and improve the relationships among the various levels of government in our system.

The basic concept of the bill is that the Government of the United States operates under one system, functioning on three levels, and that the interrelationships of these three levels are of such importance to the effective functioning of the system as to justify and to require continuing attention by an agency representative of all three levels of government.

Mr. President, I will briefly describe the purposes of the Commission and its organization. The Commission would have seven basic purposes:

First. To bring together representatives of the Federal, State, and local governments for the consideration of common problems.

Second. To provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation.

Third. To give critical attention to the conditions and controls involved in the administration of Federal grant programs.

Fourth. To make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system.

Fifth. To encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation.

Sixth. To recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government.

Seventh. To recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

The Commission which would be created by the proposed legislation would be intergovernmental in its makeup. It would consist of 27 members, to be appointed as follows:

Six to be appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government.

Three to be appointed by the President of the Senate, who shall be Members of the Senate.

Three to be appointed by the Speaker of the House of Representatives, who shall be Members of the House.

Four to be appointed by the President from a panel of at least eight Governors submitted by the Governors' conference.

Three to be appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments.

Four to be appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the U.S. Conference of Mayors.

Four to be appointed by the President from a panel of at least eight elected county officers submitted by the National Association of County Officials.

The Commission is the sort of agency which has been recommended several times over recent years. The first Hoover Commission recommended the creation of a permanent agency of this kind.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the recommendations of the first Hoover Commission on this matter.

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

FIRST HOOVER COMMISSION RECOMMENDATIONS ON FEDERAL-STATE RELATIONS

Recommendation No. 1: We recommend that the functions and activities of government be appraised to determine which can be most advantageously operated by the various levels of government, and which require joint policymaking, financing, and administration.

Recommendation No. 2: We recommend that our tax system—National, State, and local—be generally revised and that, in this revision, every possible effort be made to leave to the localities and the States adequate resources from which to raise revenue to meet the duties and responsibilities of local and State governments.

Recommendation No. 5: We recommend, in order to accomplish all of these things in an adequate and orderly manner, that a continuing agency on Federal-State relations be created with primary responsibility for study, information, and guidance in the field of Federal-State relations. (First Hoover Commission Report on Federal-State Relations, pp. 35–36.)

Mr. MUSKIE. In addition, Mr. President, the so-called Kestnbaum Commission, whose chairman was Meyer Kestnbaum, who testified in the joint committee hearings on the bill, recommended the creation of such a joint advisory commission. I ask unanimous consent that excerpts from Mr. Kestnbaum's remarks be printed in the RECORD at this point.

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

EXTRACTS FROM STATEMENT OF HON. MEYER KESTNBAUM, FORMER CHAIRMAN, COMMISSION ON INTERGOVERNMENTAL RELATIONS, AND PRESENTLY A FEDERAL MEMBER OF THE JOINT FEDERAL-STATE ACTION COMMITTEE, AT JOINT HEARINGS ON HOUSE AND SENATE BILLS TO ESTABLISH AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, ON JUNE 22, 1959

The bill which has been introduced addresses itself to what I regard as a most important objective, to give the President and the Congress the benefit of a continuing study of one of the most perplexing problems that our country faces; namely, the proper coordination of the activities of the various levels of government in order to achieve our national objectives.

Our Federal system has withstood many strains in the course of our history. It probably faces a greater strain at the present time than at any previous time in our history, because of the rapid economic and social changes that have taken place and because of the impact of these changes on our communities and of our very natural desire to use the good offices of government for the improvement of our society at a time when our ideas of what is appropriate are expanding very rapidly.

I am sure I need not remind you that the Commission, in making its report, had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

If I may quote from a letter which I addressed to the President at the time the report was submitted, I said:

"We are hopeful this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a properly balanced Federal system."

I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function.

Mr. MUSKIE. In addition, Mr. President, the annual Governors' conference at San Juan, P.R., this year recommended unanimously the enactment of legislation for the establishment of an advisory commission on intergovernmental relations, and I ask unanimous consent that a copy of the resolution be printed in the RECORD at this point.

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

RESOLUTION ADOPTED UNANIMOUSLY BY THE GOVERNORS' CONFERENCE AT SAN JUAN, P.R., AUGUST 5, 1959, FAVORING THE ENACTMENT OF LEGISLATION FOR THE ESTABLISHMENT OF AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Whereas during five decades, the annual Governors' conference has given frequent recognition to the need for more coordination and cooperation between the States and the Federal Government; and

Whereas in past conferences, the Governors have encouraged and supported efforts to improve Federal-State relations, and to strengthen State and local government, including the establishment of a temporary Commission on Intergovernmental Relations in 1953, and the Joint Federal-State Action Committee in 1957; and

Whereas the increasing complexity of modern life has intensified the need for mutual understanding and for the continuous cooperation and coordination of activities between the levels of government in our Federal system; and

Whereas it has come to the attention of the Governors' conference that there has been initiated in the Congress of the United States, in recognition of the urgent need for action, legislation to establish a permanent bipartisan Advisory Commission on Intergovernmental Relations designed to bring together representatives of all levels of government in a united effort to preserve and improve our Federal system: Now, therefore, be it

Resolved, That the 51st Governors' conference urge the Congress to establish a permanent Advisory Commission on Intergovernmental Relations for the purposes and objectives specified in the legislation now before the Congress; and be it further

Resolved, That the Governors' conference pledge its full cooperation and support, through its individual and collective membership, toward the successful operation of the said Advisory Commission on Intergovernmental Relations and for the achievement of its objectives.

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

Mr. MUSKIE. I yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to commend my friend from Maine for his zealous activity in supporting the establishment of the Advisory Commission which, as he has pointed out, is so long overdue, having first been recommended by the Hoover Commission in 1949, I believe.

Will the Senator advise me if I am correct in my understanding that the Commission would be predominantly an Executive Commission, with minority representation from the two Houses of Congress?

Mr. MUSKIE. There would also be representation, I should like to point out to the Senator, from State legislatures.

Mr. CLARK. Yes. But am I not correct in my understanding that of the 27 members of the Commission the President would appoint 21?

Mr. MUSKIE. The Senator is correct.

Mr. CLARK. There would be six Members from the Congress; three from the Senate and three from the House of Representatives?

Mr. MUSKIE. The Senator is correct.

Mr. CLARK. I believe the Senator is aware of my bill, S. 1431, which has also been favorably reported by the Committee on Government Operations.

Mr. MUSKIE. Yes; I am aware of the bill.

Mr. CLARK. Does the Senator not think that my bill and the bill under consideration cover quite different areas of investigation and study, and that there is no overlap between the two so far as the need for further inquiry is concerned?

Mr. MUSKIE. Yes. I think the Senator would be interested in a statement made by Mr. Meyer Kestnbaum in the hearings on the bill.

Mr. CLARK. Indeed I would be interested. Mr. Kestnbaum happens to be a good friend of mine.

Mr. MUSKIE. He is a very able gentleman.

Mr. CLARK. Indeed he is.

Mr. MUSKIE. I will quote from Mr. Kestnbaum's statement, as follows:

> If such a commission is established properly, I should say that it could render a useful and important service; that its work need not conflict with other committees that are now under consideration, such as the one on metropolitan areas proposed by Senator CLARK, because the problems of metropolitan government will be with us for a long, long time.

Mr. CLARK. I thank my good friend for that citation from my friend Mr. Meyer Kestnbaum, who also is one of President Eisenhower's advisers in this area.

Mr. MUSKIE. I thank the Senator.

Mr. MAGNUSON and Mr. JAVITS addressed the Chair

Mr. MUSKIE. I yield first to the Senator from Washington.

Mr. MAGNUSON. I believe the Senator from Pennsylvania was speaking about the proposal advanced in the hearings on the bill by several mayors, as I recall, that all three levels of government participate in this matter.

I should like to ask the Senator from Maine, does his proposal anticipate or does it allow the kind of representation from the urban centers suggested in some of the testimony? I notice on page 119 of the hearings a statement by Gordon S. Clinton, the mayor of Seattle. Questions were asked by the distinguished Senator from Maine about participation by the three levels of government. I think Mayor Clinton testified on behalf of the American Municipal Association.

Does this bill includes the three levels?

Mr. MUSKIE. Yes. In a sense, the bill includes really four levels. It includes the Federal Government, State governments, municipal governments, and also county governments, and the provisions of the bill relative to membership on the committee meet with the approval of the American Municipal Association in the U.S. Conference of Mayors.

Mr. MAGNUSON. I was going to say something on this point, but I believe the mayor's testimony, which is fairly short, expresses my views as far as urban and municipal representation is concerned; and I ask unanimous consent that his statement be placed in the RECORD at the conclusion of the remarks of the Senator from Maine.

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

(See exhibit 1.)

Mr. JAVITS. Mr. President, I wish to associate myself with the views expressed by the Senator from Maine. I am honored to be a cosponsor of the bill, and I strongly support its passage. I have no doubt that the Senate will pass it today.

I wish to call to the attention of the Senate the possible achievement in this field. For example, yesterday we passed—and I voted for it—the so-called antipollution bill with respect to water. That is exactly one of the problems with which a commission like the one proposed would concern itself. How do we adequately and wisely concentrate the responsibility for preserving the water resources of the country? They are not only one of our indispensable resources, but also one of the most dangerously jeopardized resources of the United States.

Also, Mr. President, we have been wrestling in the Senate with the no-man's-land problem, in the field of jurisdiction as between the States and the Federal Government in respect of labor matters, which are also very knotty problems.

Again, we have been more or less talking in the dark, based upon our own information, but without the benefit of any authoritative findings and analyses.

These are two examples. I am sure there are a host of others. This fact only emphasizes why the leadership of the Senator from Maine is so important.

I should like also at this time to pay a tribute to Meyer Kestnbaum, of Chicago, who has served as chairman of the Commission on Intergovernmental Relations, and is now a Federal member of the Joint Federal-State Action Committee. He has led in this field in a most enterprising way, and shows every promise of continuing to cooperate in this field. I am sure he is very sympathetic to the objectives we are discussing.

Sometimes, we are inclined to permit things to go by in a sort of offhand way, in a quiet hour like this, when not much is going on, and we do not place enough emphasis on the real importance of the whole concept of the problem of this Government of ours based upon Federal-State relations. Although I have many times supported the concept of Federal responsibility in the most authoritative sense, I am nonetheless too much of a lawyer myself not to understand the importance of the maintenance of the strength of the Federal system wisely and, considering the progress of the country, in ever keeping abreast of progress. This is a very fine contribution to that end.

Mr. ERVIN. Mr. President, I wish to commend the able and distinguished Senator from Maine for the fine work which he has done in connection with the presentation of this bill to the Senate, and also in connection with the consideration of the bill by the Committee on Government Operations.

The bill fills a very deeply felt need in our national life in that it provides a commission to study our Federal system in all of its ramifications. I concur in what the able and distinguished Senator from Pennsylvania said a moment ago, about the relationship between his bill and this bill. I believe the Senator from Maine has correctly stated that the two bills do not conflict, but, on the contrary, supplement each other.

Mr. MUSKIE. I thank the Senator from North Carolina.

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

Mr. MUSKIE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Is it the thought of the Senator from Maine that this Commission would deal with such problems as we are now confronted with in the division of authority between the legislative and the executive branches, as between the two parties, in that one is controlled by one party and the other by the other party?

Mr. MUSKIE. Is the Senator speaking of the Federal level?

Mr. FULBRIGHT. Yes. We now have one party controlling the executive and the other party controlling the legislative. That, in my opinion, is a very unsatisfactory way to run a government. Will this Commission consider such problems as that?

Mr. MUSKIE. I would not consider that to be within the scope of the purposes of the Commission.

Mr. FULBRIGHT. Why not?

Mr. MUSKIE. The Commission is intended to deal with the relationships between different levels of government and not the relations between various departments of the Federal Government, or various departments on State levels. Its purpose is intergovernmental relations rather than relationships on any particular level of government.

Mr. FULBRIGHT. Reforms within the Federal Government, then, are not contemplated?

Mr. MUSKIE. Within the Federal system.

Mr. FULBRIGHT. Within the Federal system.

Mr. MUSKIE. As among these four levels of Government. I have not studied the language relating to the purposes of the Commission with a view to determining whether or not the kind of problem posed by the Senator from Arkansas would properly come within its scope. That was not the intention of the drafters of the legislation.

Mr. FULBRIGHT. Does not the Senator from Maine consider that this is a very, very important matter that we now seem to be confronted with more or less permanently, that the executive branch is controlled by one party and the legislative by another party?

Mr. MUSKIE. I could not agree more Incidentally, I should like to say to the Senator from Arkansas that I listened with a great deal of interest to his comments yesterday, which lay within this general field which he is now discussing. I thought his remarks were very appropriate and very pertinent.

Mr. FULBRIGHT. The Commission on Intergovernmental Relations in a very broad sense I should think would include the governmental relations between the executive and legislative branches of the Federal Government, and I was hoping the Senator would say "yes," that this was one of the subjects which the Commission would consider and that it possibly might contemplate some reforms in our system which would at least minimize the condition I have mentioned.

Mr. MUSKIE. The bill provides for a bipartisan representation on the Commission.

Mr. FULBRIGHT. Yes.

Mr. MUSKIE. And I suspect that if the appropriate people are named to the Commission, they might be tempted to delve into this field.

Mr. FULBRIGHT. I was hoping we might make legislative history which would encourage the members of the Commission to listen to such a problem, and I am disappointed that the Senator from Maine did not have this point in mind. I believe the problems he is dealing with are much less important and much less of a threat to the continued vigor of this Government than the problem I mention.

Mr. MUSKIE. Perhaps I can reinstate myself in the good graces of the Senator from Arkansas if I suggest for the RECORD that if the Commission, when it is created and organized, should undertake to consider the problem which he has outlined, I certainly would not object to it.

Mr. ERVIN. Will the Senator yield?

Mr. MUSKIE. I am happy to.

Mr. ERVIN. On that point I do not like to disagree with my able and distinguished friend from Arkansas, but if the American people are wise enough to elect a Democratic Congress and at the same time indulge in enough foolishness to elect a Republican President, I would be willing for them to have that privilege.

Mr. FULBRIGHT. Indefinitely?

Mr. ERVIN. Yes; as long as the American people want it.

Mr. FULBRIGHT. Does the Senator believe that the way the Government is operating at present, and has operated for the past several years, is a satisfactory way to operate the Government of a great country?

Mr. ERVIN. It is not the most efficient way the Government could be operated, and it is not the wisest way. Undoubtedly the wisest way would be to have the Democratic Party in control of all the departments of the Federal Government; but I think we should extend to the people the liberty of acting foolishly in some respects, as the Constitution authorizes them to do.

Mr. FULBRIGHT. However, I think we should do all we reasonably can to encourage them to act wisely in the administration of their governmental affairs.

Mr. ERVIN. So long as we do not coerce them into doing so.

Mr. FULBRIGHT. I did not bring up the question of coercion. The proposed agency would be an advisory commission, to study and present problems for the people to understand. My opinion is that under this division of authority the people will be confused as to where responsibility lies for inefficiency of the Government. The executive takes one view, and the legislative another. Each says that the other is at fault, and the poor people who are trying to make a living out in the hinterland are unable to say who is to blame.

Mr. ERVIN. That is correct.

Mr. FULBRIGHT. They are unable to reach a decision which would be wise; and I am trying to help them a little.

Mr. ERVIN. The popular idea in many areas of the country is that the President is protecting the people against a spending Congress. The facts are that the Congress has appropriated more than $600 million less than the President has urged.

Mr. FULBRIGHT. It will be more than $1.5 billion according to the most recent calculation I saw on the majority leader's desk, if the measures on which action has not been completed go as we expect. The figure will be about $1.8 billion.

Mr. ERVIN. I am speaking about bills acted on thus far.

Mr. FULBRIGHT. I think there is a very great defect in our system. Such a situation could not occur in a parliamentary system. I know it is unrealistic to propose a parliamentary system to this body, but I think it is significant that all other really democratic countries of any significance that have lasted for any period have had a system under which this sort of situation could not occur.

Mr. MUSKIE. For the past 4 years I had the responsibility and experienced the frustrations of working under a similar division of authority between the executive and the legislative branches, when I was Governor of Maine, with a Republican legislature. The Government worked fairly smoothly; but on one point the Senator touched upon, namely, that the people are likely to be confused as to who is at fault when this kind of government does not produce the results they want, I must say that during those 4 years I found, much to my pleasure, that the people tended to blame the legislature, which speaks with many voices, rather than the chief executive, who speaks with one voice.

Mr. FULBRIGHT. The Senator is absolutely correct; and if that is true in a small community like Maine, how much more true it is in an enormous community of 50 States.

This was exactly what happened in the 80th Congress. The President was able to sell the country on the idea that everything wrong with the Government was attributable to the Congress. I foresee the same thing happening in the next election. Already, in spite of the facts, which are clear, many are under the impression that we are profligates, spendthrifts, throwing the people's money away, although the figures very clearly show that we shall be approximately $1½ billion under the President's requests.

This is only one of the results of the confusion. I come back to the main point. I think the country should realize what is involved, and what the situation is, with this division of authority. I think we should give attention to it. I believe that a Commission such as the one proposed would be the ideal body to focus attention on it and possibly make recommendations.

I foresee that it will be extremely difficult for the Democrats, no matter how good a program they may put through Congress, to get their message across to the people, with a Republican in the White House. We do not have much influence with any of the press or any of the national magazines. Only a few newspapers of local interest support us. No matter what we do, the situation is very difficult. For the long-term future of the country, I think it is well that we control the Congress for a short period, in order that the issue may be made clear.

I do not know how we shall get out of the miasma or confusion we are in with regard to governmental responsibility. We have been in it for a long time. This is a very serious matter.

Mr. MUSKIE. I agree with the Senator.

Mr. FULBRIGHT. Why can we not have a Commission study the problem and focus attention on it, and perhaps make some suggestions as to needed reforms in our political system?

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

Mr. MUSKIE. I yield.

Mr. THURMOND. I observe on page 10 a declaration of the purposes of the bill. To refer to only one—

It is intended that the Commission, in the performance of its duties, will—

* * * * *

(6) Recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government.

There are seven different points listed. I would presume, from the statement I have just quoted, that the Senator would conceive that the purpose of the Commission would not be to attempt to allocate fields of taxation to Federal, State, county, or municipal governments, other than in consonance with the Constitution.

Mr. MUSKIE. The Senator is correct. I emphasize the point that the Commission would merely be an advisory body, in this respect, advising the executive and legislative branches at all levels of government involved in a particular recommendation, as to the Commission's view of the particular problem.

Mr. THURMOND. Whatever the Commission did, of course, would be in an advisory capacity, or in the nature of recommendations to the Congress, in the event it felt that changes were needed.

Mr. MUSKIE. The Senator is absolutely correct.

Mr. THURMOND. I read an article recently in a magazine which raised several points which I wish to clear up with the Senator.

One objection to the proposed Commission that was raised was that it was alleged that the Commission would encourage direct subsidies to cities. Will the Senator comment on that?

Mr. MUSKIE. That is not the intention with respect to the Commission at all. I think the Senator would be interested in looking over the list of sponsors of the bill. I think he will see included in the list of sponsors Senators who are on different sides of this question, as to what the Federal Government should be doing or not doing with respect to particular services. I believe that the significance of this plan is that almost all the sponsors of the proposed legislation feel that once the facts are disclosed with respect to any particular program, new or old, or proposed, the facts may or may not support a particular philosophy as to what level of government should perform the service.

All the Commission is designed to do is to make studies, ascertain the facts, and make the evaluation. Its function would not be to support any particular philosophy as to what levels of government should be performing given services.

Mr. THURMOND. I am sure the Senator would not conceive the Commission to be any type of device which would attempt to short circuit State governments.

Mr. MUSKIE. I think the Senator might be interested in the following statement in the committee report, which bears on the point he is making:

The committee desires to stress, in this connection, that it does not intend this coverage to mean that representatives of the various levels will act as special pleaders for those levels, or that members of the Commission will regard themselves primarily as representatives of any particular group, level of government, or geographic area for the advancement of a special interest.

Mr. THURMOND. Another point that was made in the article was that the Commission would exert pressure for greater governmental spending at all levels.

Would the Senator comment on that?

Mr. MUSKIE. On the contrary, if the facts supported such a conclusion, the Commission may very well, in its judgment, recommend a reduction in the Federal levels. I think the Senator from South Carolina would be interested in the report of the Fountain Subcommittee of the House Committee on Government Operations. This report was the result of 3 years of study by the Fountain subcommittee of the grant-in-aid areas of cooperation between the Federal and State Governments.

If the Senator will read that report, I think perhaps it would constitute a better reassurance to him than anything I could say. In the opinion of the Fountain subcommittee, the grant-in-aid function has a very definite, useful purpose, for it is designed in many instances to stimulate particular programs. If, in many instances, when the results of that stimulus have been achieved, Congress and the States ought to give consideration to the withdrawal of the Federal Government from particular areas. So this proposal could be a two-way street.

It may result, in some instances, in the Commission advising Congress and the executive branch that the Federal Government ought to be doing more in some areas. It may result, in some instances, in the Commission recommending to Congress and the Chief Executive that the Federal Government do less in some areas. There is no fixed preconception as to what the Commission's recommendations would be, and no fixed preconception of the philosophy of government which the Commission would support.

Mr. THURMOND. Certainly in construing what the Senator from Maine says, it would not be the type of commission which would encourage big spending. On the other hand, it might possibly encourage a reduction in expenditures. It might bring about economy and eliminate duplication in Government, and therefore result in a more cheaply operated Government, if one wished to express it in that way.

Mr. MUSKIE. On that score, I think the testimony of Mr. Meyer Kestnbaum, a part of which I have already placed in the RECORD, should be placed at this point in the RECORD. I think it would answer more fully the questions raised by the Senator from South Carolina.

Mr. President, I ask unanimous consent that the testimony of Mr. Meyer Kestnbaum before the joint hearings 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 OF HON. MEYER KESTNBAUM, FORMER CHAIRMAN, COMMISSION ON INTERGOVERNMENTAL RELATIONS, AND PRESENTLY A FEDERAL MEMBER OF THE JOINT FEDERAL-STATE ACTION COMMITTEE

Mr. KESTNBAUM. Thank you, Mr. Chairman. I appreciate very much the opportunity to appear before the committee and discuss the bills which have been introduced with a view to establishing an Advisory Committee on Intergovernmental Relations.

As you know, Mr. Chairman, my interest in this subject goes back to the time when I was appointed Chairman of the Commission on Intergovernmental Relations, and as you have been good enough to suggest, I am here in my capacity as a citizen and as a former Chairman of that Commission.

I hope that you will permit me, first to applaud the work that has been done by your subcommittee. To my mind this has been a most objective, painstaking, and thorough inquiry into a most complicated subject. You have developed testimony and reports that are going to be extremely valuable to all students of the subject, and I know of no inquiry of this kind that has been conducted on a more objective basis, in the spirit of ascertaining the true facts.

Representative FOUNTAIN. Thank you very much.

Mr. KESTNBAUM. The bill which has been introduced addresses itself to what I regard as a most important objective, to give the President and the Congress the benefit of a continuing study of one of the most perplexing problems that our country faces; namely, the proper coordination of the activities of the various levels of government in order to achieve our national objectives.

Our Federal system has withstood many strains in the course of our history. It probably faces a greater strain at the present time than at any previous time in our history, because of the rapid economic and social changes that have taken place and because of the impact of these changes on our communities and of our very natural desire to use the good offices of government for the improvement of our society at a time when our ideas of what is appropriate are expanding very rapidly.

I am sure I need not remind you that the Commission in making its report had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

If I may quote from a letter which I addressed to the President at the time the report was submitted I said:

"We are hopeful this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a properly balanced Federal system."

Now that the National Government has undertaken through this committee a very thorough study, I would hope that in due course other levels of government, particularly the States, would undertake similar studies of the problems which they face in their own jurisdictions and in their relationships with other levels of government.

I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function.

It seems to me appropriate also to point out some of the problems which such a Com-

mission may face, because its success, in my judgment, will depend on whether these problems are faced squarely and are taken into account in the very organization of the Commission itself.

We face problems in connection with the appropriate division of labor among levels of government, because of the very rapid changes that have taken place to which I have already alluded, and because the total weight of all government is increasing tremendously. And as one looks forward to the next decade, it seems inevitable that National, State, and local governments will all be asked to assume larger responsibilities, and that the limiting factor will be not a limitation on what our people think they ought to have in the way of services, but rather our capacity to pay for them. It has already been demonstrated that the American people have a voracious appetite for goods and services, and it may be said, I think properly, that the American people want more in the way of services than they are willing to pay for. Many people suffer from the illusion that somehow if these services are provided in Washington, they do not need to be paid for, or at least that they themselves will not have to pay for them, but that they will be paid for by someone else.

Ultimately all of these questions inevitably take on important fiscal implications, and it is in the area of fiscal responsibility that many of the problems make their greatest impact. Very often arguments that are advanced on grounds of equity and justice, when examined closely really relate to the question of where the burden is going to fall—on what level of government—and often there is a kind of naivete, as to how these things ultimately are paid for.

Therefore, Mr. Chairman, it would seem to me that it would be unfortunate if a Commission such as is proposed, which I believe could perform a most useful service, were to begin its work by encouraging the belief that it is a device to permit various levels of government to present claims to the National Government, and that in some way through this procedure the appropriate levels of State government can be bypassed. That is to say, if the proposed Commission were to encourage municipal and county officials to believe that the Commission is a clearinghouse or a forum through which the needs of the communities are to be explored, and pressures of various kinds are to be brought upon the Congress, on the theory that the State governments are neither ready nor willing to assume their proper responsibilities, the net effect could be most unfortunate.

It seems to me, therefore, that somewhere in the mandate of the Commission, itself, there ought to be a rather clear statement of the fact that the Commission is being organized for the purpose of facilitating discussion of the problems which beset it, of pointing up the responsibilities as they appear, of admonishing the proper level of government when it fails to meet these responsibilities. We seek to retain the values of our Federal system, not to change it into something that would be quite different and which would have the effect in the long run of doing violence to the balanced system that was established by our Founding Fathers and has stood us in good stead throughout our history.

To supplement these observations, I should like to add just a few comments on this matter of fiscal responsibility. There is no need for me to dwell on the problems of the National Government. These have been amply presented, and certainly a committee of the Congress needs no instruction from me on that point.

On the whole, as one looks at the national scene, it would appear that the National Government has serious problems, that it is currently operating at a deficit, that the local governments, particularly the metropolitan areas, are also faced with tremendous problems which are somewhat beyond their capacity in many instances, and that, on the whole, State governments have been rather slow in facing up to the problems of their citizens in the metropolitan areas and have been content to permit the short-circuiting of their responsibilities by programs under which the municipalities and metropolitan areas have brought their problems to Washington.

A great deal of this revolves around the fact that the States take the view that the National Government has largely preempted many sources of revenue by its high rate of taxation,that as a result the revenues available to the States have been greatly diminished.

We also have to deal with the view that certain types of taxation are undesirable from an economic or social point of view. I am now referring to taxes on consumption, for example, which in the opinion of many of our people are regressive and are therefore not the appropriate means for enlargement of tax revenues.

It would be inappropriate for me to attempt to discourse on the subject of taxation, on which I am not an expert, but I would offer the observation that there has been demonstrated in many parts of the world, notably in Canada, the revenue-producing power of forms of taxation that are related to consumption. When we consider the great needs which we face in many areas, we ought not dismiss lightly the necessity of broadening the tax base so that it includes the great mass of our people.

I believe many competent authorities have indicated that the amount of additional revenue that is available to us through increases in the rate of income tax, either individual or corporate tax, is now quite limited.

Therefore, it seems to me that the States must give consideration to developing sources of revenue which will provide them and their political subdivisions with the kind of income that is needed to meet the greatly enlarged responsibilities which they face. And it must be evident that in the next decade or two the responsibilities of State and local governments are likely to grow even more rapidly than those of the National Government. The role of the National Government is extremely important in terms of directing the attention of our people to the areas in which the national interest is paramount, and a Commission such as is proposed could render a very useful service in making available not only to the President and the Congress, but also to our citizens the relative importance of the objectives to which the various levels of government are striving.

Unless this is done with a willingness to examine these questions critically, and unless there is willingness to ask each level of government to assume its proper responsibilities, we could develop a situation which would hamper the effective relationships between the various levels of government rather than advance them.

Therefore, if I may sum up what I have to say, Mr. Chairman, it would be this: I applaud the work which has been done by this subcommittee. It has been very valuable and highly constructive. The proposal for a Commission follows logically from the work that has been done by the subcommittee. It seems to me to deserve wide support. It seems to me also that the effective functioning of such a Commission must be taken into account before it is actually enacted; its mandate must be clear so that there is no disposition on the part of the State or local governments to misunderstand the purposes for which the Commission is established.

If such a Commission is established properly, I should say that it could render a useful and important service; that its work need not conflict with other committees that are now under consideration, such as the one on metropolitan areas proposed by Senator CLARK, because the problems of metropolitan government will be with us for a long, long time. A Commission such as is proposed can perform a useful and important function if it is properly organized, properly manned, and if it has the kind of support from the Congress ond the people that will permit it to bring to its work a real spirit of inquiry. It should not become merely a platform for special pleading or for the assertion of special interests in our society.

Thank you very much.

Mr. THURMOND. Mr. President, I shall ask the Senator from Maine one more question. Does the Senator fear that the Commission would possibly be dominated from the Federal level? I ask that question knowing that only six members are to be appointed by the President; three are to be Senators; three are to be House Members; four are to be Governors; three from State legislative bodies; four are to be mayors; and four are to be county officers. So the majority of the 27 members of the Commission would come from the State, county, and municipal levels. In fact, only 12 would come from the Federal level—six to be named by the President, and three to be Senators and three to be House Members.

Mr. MUSKIE. Three of the twelve to be appointed by the President would not be representatives of any level of government, but would be members of the public at large.

Mr. THURMOND. Of the six appointed by the President, I believe three would be from the executive branch and three are private citizens.

Mr. MUSKIE. The Senator is correct.

Mr. THURMOND. Of course, 3 are from the Senate and 3 from the House, which makes a total of 12 from the Federal level.

Numerically, of course, there would appear to be no danger of any Federal domination. I am simply wondering whether the Senator believes that that would be the actual case in operation; that the Commission would not be dominated from the Federal level, but that the states, counties, and municipalities would have full representation or would be in such strength that their views could be placed before the Commission and before the country in the proper light.

Mr. MUSKIE. I think the answer to the Senator's question must be found not in the legislation which, through mathematics, the committee membership has undertaken to achieve the objective the Senate has in mind, but lies rather in the kind of persons who will be appointed to serve on the Commission.

I think it would be of interest to the Senator to know that the United States Conference of Mayors, the Governors' Conference, and the Association of County Officials, as well, all enthusiastically support the Commission and give every indication, by the kind and qual-

ity of their support, that they enthusiastically intend to participate vigorously in the work of the Commission. If they do, then I have no fear that there will be domination on the part of the Federal Government.

Mr. THURMOND. As the Senator from Maine knows, I am vitally interested in the separation of the rights between the Federal Government and the States. The Constitution has delegated to the Federal Government certain powers, and has reserved all other powers to the States. I am sure the Senator could give assurance that, in his opinion, the Commission will operate within the framework of the Constitution, and that there will not be efforts to go beyond the Constitution and bring about changes, even though apparently beneficial, which would tend to violate the Constitution.

Mr. MUSKIE. It is certainly the intent of the framers of the proposed legislation to undertake to achieve a balance within the limits of the Constitution and a balance and coordination among the various levels of Government.

Mr. THURMOND. I thank the distinguished Senator from Maine.

Mr. MUSKIE. I thank the distinguished Senator from South Carolina for his colloquy and his contribution to an understanding of the bill.

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

Mr. MUSKIE. I yield.

Mr. ERVIN. The Senator from Maine mentioned the work of the Fountain subcommittee of the House Committee on Government Operations. This committee is headed by Representative LAWRENCE H. FOUNTAIN, of the Second Congressional District of North Carolina. Representative FOUNTAIN did magnificent work in this field and has done outstanding work in advocating the proposed legislation which the Senate is now considering. I simply bear witness to the fact that Representative FOUNTAIN, and the able and distinguished Senator from Maine, both merit the thanks of the American people for the fine work they have done in connection with the bill.

Mr. MUSKIE. I thank the Senator from North Carolina. I should like at this time to pay my tribute to the outstanding efforts of Representative FOUNTAIN in behalf of the bill.

Mr. KEATING. Mr. President, will the distinguished Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. KEATING. There was so much mumbling going on on this side of the aisle that I had to follow the practice of the distinguished Senator from Oregon [Mr. MORSE] and come over to this side so that I could hear the Senator. The distinguished Senator from Arkansas [Mr. FULBRIGHT] indicated that there is some dire problem when Congress and the President are of different political parties. I remember well that he asked for the resignation of President Truman because a Republican Congress had been elected. I felt that that was unwise at the time; I think it is unwise today. I do not know how he feels about it today.

I hope the Commission, to be established for the purpose of studying intergovernmental relations, will not deteriorate into a body for the discussion or the consideration of extraneous matters such as those brought up by the distinguished Senator from Arkansas.

I support the bill. I myself introduced a bill to establish a joint committee for the same purpose. I happen to favor the joint committee approach. But I certainly support the proposal of the distinguished Senator from Maine.

Mr. MUSKIE. I thank the Senator from New York.

Mr. KEATING. Mr. President, I ask unanimous consent that a statement which I have prepared in support of the bill 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 KEATING ON ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

I wish to comment on the importance of devoting careful study at a high level to the problems which we face in the general area of intergovernmental relations. This is by no means the first time that I have spoken on this subject. In fact, my first speech as a Member of the Senate dealt with the need for measures to effectively remedy problems pertaining to economic relations between the Federal Government and the States. On that occasion, I urged that a Joint Committee of Congress on Federal-State Economic Relations be set up to formulate a comprehensive program of action to alleviate these difficulties. Several weeks ago, on August 11, I introduced Senate Concurrent Resolution 70 to accomplish this purpose.

The Federal Government has on many occasions dealt effectively and swiftly with problems in which the authority of the various governmental units have clashed. Students of American Government have studied these problems, and have produced many useful and illuminating proposals for dealing with them. Several official governmental bodies have been established with a mandate to further this research and to systematize and publicize that which has already been completed. A great wealth of literature has been developed on this subject.

The bill which is before us today envisions a further step in the treatment of problems in the field of Federal-State relations. It would establish a mechanism whereby information and research materials in this field would be collected and analyzed at the highest level of our Government. Briefly stated, an Advisory Commission on Intergovernmental Relations, as proposed in the bill before us today, would serve in a top-level capacity as a study and advisory unit dedicated to the betterment of governmental relations between the Federal Government and its various component units.

There are several alternative ways in which problems of Federal-State relations could be handled. It is my own feeling that this purpose would be best accomplished by a joint congressional committee rather than by an Advisory Commission. A congressional committee would, in my opinion, be more able to initiate direct action implementing specific proposals to improve intergovernmental relations. Perhaps this is the next step beyond the Commission which we contemplate today. Although I favor this particular approach, I certainly do not want to prevent Congress from taking the important step forward which the legislation before us would accomplish.

It is of great importance to me that every opportunity be taken to devise new and better ways to approach the overwhelming tasks with which our Federal Government is faced. I support this bill because I welcome action which will allow us to tap the ideas of both experts and practitioners in the field of government. It is my view that government, to be effective, must work with and place great reliance upon creative individuals who are seeking to meet new challenges with new ideas. The action which we are asked to take today in establishing an Advisory Commission on Intergovernmental Relations constitutes a significant step endorsing the spirit of political innovation which is so essential if we are to successfully meet the great domestic and international problems with which the United States is faced.

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

Mr. MUSKIE. I yield.

Mr. McCARTHY. Before the Senator from New York goes back to his own side of the aisle—I assume he is returning—I may say that I asked the Senator from Maine to yield to me so that we could make clear that the visit by the Senator from New York is a temporary one.

Mr. KEATING. I assure the Senator from Minnesota that it is temporary. He need have no worry.

Mr. McCARTHY. It is only for today?

Mr. KEATING. It is simply in order to hear better. There is so much mumbling that goes on over here, that we cannot hear on our side of the aisle what is being said on this side of the aisle. I have simply moved over, as the Senator from Oregon did the other day. He was having the same difficulty then as I am having now. He could not hear the majority leader.

I simply came over to this side of the aisle to listen. I give my pledge to the distinguished Senator from Minnesota that I shall stay here only long enough to listen; then I shall return to the proper side of the aisle.

Mr. McCARTHY. So long as the Senator from New York is forewarned, it is all right. But he knows it is extremely dangerous to come close enough to hear what the Democrats have to say, for fear he might be converted.

Mr. KEATING. No. There is no danger of that, although I find among Senators on this side of the aisle some of my very best personal friends, including the distinguished majority leader, who I see has come to the floor after arduous work in other areas. I do not see how he handles his big job.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. JOHNSON of Texas. I thank the Senator from New York for his generosity. I have not just come to the floor. But I am delighted that the Senator has been so busy that he could not observe me. I have been transacting business toward the rear of the Chamber.

Mr. KEATING. I do not see how the distinguished Senator from Texas does all that he does.

Mr. JOHNSON of Texas. Sometimes I wonder myself.

Mr. KEATING. The Senator from Texas is on the floor more than any other Senator.

Perhaps the Senator from Texas did not hear the Senator from Arkansas speak. That was what I was commenting on, primarily.

Mr. McCARTHY. I could continue to raise questions, including one which was suggested by the remarks of the Senator from New York, in that he said he was unhappy about what happened in the last election, since at that time he was opposed to divided government.

In view of the fact that all the experts now forecast that, regardless of what happens in the election in 1960, the Congress will continue to be controlled by the Democratic Party, I wonder whether the Senator from New York will carry his preference so far as to be opposed to having a Republican President in 1960. Perhaps he will agree that there should be a Democratic President at that time, so as to be assured that we would not have a divided government.

Mr. KEATING. Mr. President, the Senator from Minnesota misunderstood me. A divided government works—although not as well as when the control of both the executive branch and the legislative branch is in the same party.

But the Senator from Arkansas objected. The Senator will remember how he wanted to have President Truman resign, in order that a Republican could be made President—although he did not specify just what Republican would be selected, or how that detail would be worked out. If I had known how he would have worked it out, I might have been more sympathetic to his proposal.

Mr. McCARTHY. I thought the Senator from New York subscribed to that idea—at least, back in 1958.

Mr. KEATING. No; I was referring to the statement by the Senator from Arkansas that dire results would come from divided control.

I think it preferable to have the control of both the executive branch and the legislative branch of the Government in one party—but not so preferable or so desirable as to warrant the drastic arrangement of having a Democratic President. [Laughter.]

Mr. McCARTHY. I appreciate the contribution the Senator from New York has made while he has been standing on this side of the aisle.

Mr. KEATING. Well, it has been a pleasure to me to stand on the Senator's side of the aisle for a time, and I have enjoyed myself while I have been here.

Mr. McCARTHY. We have been glad to have the Senator from New York here for even so short a period of time. [Laughter.]

Mr. President, let me say that in the last few weeks the Congress has taken action on 3 or 4 bills which have involved the question of State-Federal relationships, and with regard to which those relationships have constituted an important consideration. In that connection, for instance, let me refer to the bill, recently passed by the Senate, which provided for the taxes on interstate sales by certain corporations; also the highway bill, which involved the question of financing and the question of control of the rights-of-way; and also the labor bill, in connection with which one of the important points for consideration was the so-called no-man's land question. In short, almost any major issue which relates to or involves Federal-State Governmental control deserves attention of this sort.

So I am sure all my colleagues join me in commending the Senator from Maine [Mr. MUSKIE] for having taken the initiative in regard to the establishment of such a Commission. On the basis of his record as the Governor of Maine and his record here in the Senate, I am sure that we need have no concern as to whether the study will be an objective one. Certainly we are assured that it will be orderly, thorough, and objective.

Mr. BARTLETT. Mr. President, will the Senator from Maine yield to me?

Mr. MUSKIE. I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I wish to join the Senator from Minnesota in stating that certainly the Senator from Maine is to be commended for his presentation of the bill to the Senate.

I had some questions about the bill, but they have been completely answered by the lucid and thorough explanation the Senator from Maine has given. I am sure his guidance and leadership in connection with this important matter will assure the taking of this forward step in coordination between the various branches of government in our country.

Mr. MUSKIE. I thank the Senator from Alaska for his generous remarks.

Mr. President, before I conclude my remarks on the bill, I should like to complete paying my compliments to Represetative FOUNTAIN. Without the outstanding work he did, the bill would not have been prepared. He worked very hard for years, both on the hearings and on the Kestnbaum report; and those hearings and that thorough consideration resulted in the production of this bill. I was able to work with him because of my experience as Governor. Certainly it has been a real privilege to work with him on the bill.

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the committee amendment, which will be stated.

The amendment of the Committee on Government Operations was to strike out all after the enacting clause and insert:

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance it its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-seven members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least eight governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) Four appointed by the President from a panel of at least eight elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), (6), and (7) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5), (6), and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place

as he may designate for the Commission's initial meeting.

(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Fourteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil-service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil-service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary,

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MUSKIE. Mr. President, I move that the Senate proceed to consideration of Calendar No. 733, House bill 6904, to establish an Advisory Commission on Intergovernmental Relations.

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

Mr. MUSKIE. Mr. President, I move that all after the enacting clause of House bill 6904 be stricken out, and that there be substituted therefor the text of Senate bill 2026, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

The PRESIDING OFFICER. 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. 6904) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2026 will be indefinitely postponed.

Mr. MUSKIE. Mr. President, I move that the vote by which House bill 6904 was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MUSKIE. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MUSKIE, Mr. HUMPHREY, and Mr. MUNDT the conferees on the part of the Senate.

EXHIBIT 1

STATEMENT OF HON. GORDON S. CLINTON, MAYOR OF THE CITY OF SEATTLE, WASH.

Mayor CLINTON. Thank you, Mr. Chairman.

Mr. Chairman, members of the joint committee, my name is Gordon S. Clinton. I am mayor of the city of Seattle, Wash., appearing here before you today both in my capacity as mayor of Seattle and on behalf of the American Municipal Association on whose executive committee I have the honor of serving.

The American Municipal Association is, as you know, the national representative of approximately 13,000 municipal governments throughout the United States and Puerto Rico. It is organized on the basis of affiliation with the State Leagues of Municipalities in 45 States plus 225 direct member cities.

Cities eligible for direct membership must have a population of 50,000 or more, or be a State capital or one of the 10 largest cities in the State.

The AMS's support for the creation of a permanent Commission on Intergovernmental Relations is of long standing.

I believe that the original resolution passed by our membership was introduced in 1954, and has been a part of our national municipal policy since that date.

We support the creation of a permanent commission for several very important reasons. The principal one of which is the fact that the existing state of intergovernmental relations is notably poor and that, so far, attempts to promote improvement have been distinguished by failure or inability to come to grips with the problem.

As I believe the members of this committee have heard at considerable length and with some repetition perhaps, the whole governments of this country are not on particularly good terms with the governments of the respective States. Part of our problems with the States stem primarily, I believe, from the fact that they, for one reason or another, are unaware of or not particularly interested in the nature and extent of the real problems being faced by the urban areas.

In fairness, it must be admitted that they, on the State level, are preoccupied with what they consider problems equally as pressing at the State level. And former Governor Muskie will certainly echo that, I am sure.

It is, I am afraid, also true that the States find urban problems complex, not amenable to easy or inexpensive solution, and therefore prefer to let the local governments go it alone.

As I think you well know, municipal governments generally prefer to deal with the Federal Government because they find it more sympathetic and responsive to urban needs. But even dealing with the Federal Government they encounter a general inability to completely comprehend the real scope of the total urban problem, and a somewhat disturbing lack of appreciation of their fiscal and administrative limitations.

We honestly believe that our problems are not fully understood nor fully appreciated at either the State or Federal levels and we certainly welcome any sort of organization which could make our problems real and compelling to the States and to our Federal Government.

Secondly, we support the creation of the Commission because by the enactment of this measure, we will have achieved on the part of Congress and the President formal recognition that good intergovernmental relations are essential to the competent conduct of government in general.

Thirdly, a Presidential Commission with the considerable prestige that attaches to such groups provides an open forum of the kind needed to objectively analyze and discuss the functions and responsibilities of the various levels of government in the solution of problems posed by continued and accelerating population growth and urban expansion.

Fourthly, because the Commission proposal recognizes the need for equitable, responsible, and knowledgeable representation on the part of all levels of government, and I believe that is the sense of the distinguished Representative Fountain and one of the sponsors of this bill—an awareness of that, we feel, that the conclusions reached as a result of its deliberations will enjoy considerable acceptance on the part of all levels of government. Much more I might add than has been possible through the action of any committee or other ad hoc group established to carry out functions of the kind assigned by the bill to the Advisory Commission.

Finally, we believe that all levels of government should studiously and conscientiously pursue all possible courses toward the development of better and more efficient government. For, after all, that is the task of all, whether it is on a local, State, or National basis.

We are convinced that one method of securing this objective is to develop more harmonious relationships between States and Federal Government and the municipalities.

We believe that under our Federal system the fullfledged and continuing cooperation of all levels of government is mandatory. We believe it to be essential to our future as a Nation.

We also very firmly believe that the problems and areas of interest to be discussed and analyzed by the Commission must be approached with a reasonably open mind and on the basis of the realization that never in the history of our Nation have we faced the kinds and types of problems that our urban growth and development pose for us today. When we realize that almost two-thirds of the people of the United States are living in some 18 or 20 of the large metropolitan areas and that they are part of the exploding metropolis that we are all keenly conscious of, particularly those who work most directly on the local level.

I am certain that we can effect better intergovernmental relationships, that we can encourage and promote realinement of functional responsibilities at various levels of government, that we can do some within the broad framework of government laid down by our Constitution. And in so doing, be secure in the knowledge that our democratic process and individual freedoms need never be violated in the course of our work.

Representative FOUNTAIN. Thank you very much, Mayor Clinton, for your very significant contribution to the work of our committee.

Senator MUSKIE?

Senator MUSKIE. I have just one question that I would like to ask Mayor Clinton. At the outset I join Congressman FOUNTAIN in expressing appreciation of your statement. There are other questions I would like to ask but time is fleeting.

One question I would like to ask is this: One of the objections which occurs from time to time in the course of these hearings on the bills is the size of the proposed Commission. It is suggested that it would be too cumbersome and because of the fact that it cannot meet on a continuing basis, that it might not give the positive and continuing direction that the work of the Commission should have.

Of course, one of the reasons why it is so large is in order to give broad representation.

Mayor CLINTON. Yes.

Senator MUSKIE. What would be your reaction to a suggestion that has been made that the Commission itself ought to be composed of three people representing each of the three levels of government and advised by the committee which is broadly representative in its makeup?

By asking the question I am not suggesting any personal reaction to it. I simply inquire as to yours.

Mayor CLINTON. As you have aptly stated, part of the sense of this proposed legislation, as I see it, is to provide adequate representation on all levels of the Government, and likewise as has been pointed out, the status and prestige involved of a commission, that is inescapable, I think we are led to that. The thing we would have to ask, in view of the problem you point up, which is a real one—because here you are calling on, for example, mayors and representatives of States, Governors, and county representatives, and there would be a need for continuing action—part of the problem is maybe a physical one. I am not satisfied just in my first reaction that a three-man Commission would have the breadth that I think we would want if we were to acquire commission status.

It just seems to me, that is my first reaction, that there is a need for the President to be in on this, there is a very definite need for Congress to be aware of it. The one without the other in my judgment is not satisfactory. There is a need, yes, for the State; and this goes to the point of another level of government, the county and the municipalities with the U.S. Conference of Mayors and American Municipal Association submitting a panel from which several would be appointed.

In specific answer to your question maybe 24 might be unwieldy, but I think it should be more than 3, otherwise I do not think we get the broad dissemination of support and understanding, perhaps, that we are seeking in such a permanent Commission as this. That is my best impression, Senator.

Senator MUSKIE. I would agree with you wholeheartedly that we must have a sense of participation by all three levels of government, that State and local governments should not be made to feel that this is simply another Federal agency.

Mayor CLINTON. That is right.

Senator MUSKIE. Which will give pious attention to their opinions and judgments and problems, but continue on its own. I agree with that wholeheartedly. I do not know how you can resolve this problem perfectly. I do appreciate your comments. Perhaps 6 or 12 might be better.

Thank you.

Representative FOUNTAIN. While taking testimony in our regional hearings, we did not have this particular legislation in mind. It is, rather, an outgrowth of the testimony which we received throughout the country. One of the things we frequently heard, particularly from city representatives, is that the point or points of view of local government are not always represented or adequately understood when public commissions study intergovernmental relations. And we found some differences of opinion as between the representatives of large metropolitan areas and those from smaller communities. And we noted the same thing with respect to the counties, where you have metropolitan counties as well as rural counties. The representation of these differing viewpoints at the local level alone makes a very small commission impractical.

Moreover, if the Advisory Commission is to function effectively, I can well envision the necessity for its working through subcommittees so that certain problems will be studied by a few members of that Commission on a continuing basis.

And that is another reason for a larger commission than we might normally prefer.

I would like to ask you one other question. Which procedure do you think is preferable: Appointment of members by the President from a panel submitted by the various levels of government through their organizations, or appointment by the President in consultation with and upon the advice of these various organizations?

Mayor CLINTON. I would concur with the statement made by Senator MCCARTHY. I do not think it makes too much difference. I would not labor the point, actually, but I do feel that the important part is to see to it that the executive branch and the legislative branch, together, are aware that there is not a hiatus that exists, that, for example, if Congress is aware of something that is not reflected in the executive branch and vice versa, there may be a void that exists, and something less than the complete rapport and understanding that we seek to accomplish by such a bill as you could sponsor.

Representative FOUNTAIN. One witness said this morning that he thought it possible that the various organizations might find it embarrassing to select the panel of members from which the President would make the appointments.

Mayor CLINTON. I think that could be resolved and worked out, actually.

Representative FOUNTAIN. Mrs. DWYER.

Representative DWYER. No questions.

Representative FOUNTAIN. Any other questions? (No response.)

Thank you very much. If you have any supplementary suggestions which you would like to submit to the committee for the record and for our study, we will be happy to receive them. I want to say that we are not wedded to any particular word or phrase or sentence of this bill; it is simply the best that we have been able to work out after very careful study and deliberation.

However, if it can be improved upon in the interest of accomplishing the purposes of the legislation, we certainly want to do so. I am sure that is the feeling of Senator MUSKIE and Mrs. DWYER and other members of this committee as well.

Thank you very much.

Mayor CLINTON. Thank you.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF CHEYENNE, WYO.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 840, Senate bill 857.

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

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, Senate bill 857 provides for the transfer of approximately 30 acres of surplus land, with improvements thereon, at the Veterans' Administration Cen-

ter, in Cheyenne, Wyo., to the city of Cheyenne, by quitclaim deed, without consideration. The deed (1) shall provide that the land shall be used by the city of Cheyenne for such purposes as will not in the judgment of the Administrator of Veterans' Affairs or his designee interfere with the operation of the Veterans' Administration; (2) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States; and (3) shall provide that title to such tract shall revert to the United States upon the violation of any such terms, conditions, reservations, or restrictions.

Hearings were held on S. 857 before a special subcommittee of the Senate Committee on Government Operations on July 17, 1959. The property to which this proposed legislation relates was originally part of a 600-acre tract of land which the city of Cheyenne transferred to the Veterans' Administration for the construction of a hospital. Witnesses before the committee stated that the original cost of the 600 acres was $5,000, and that an additional $8,000 was spent to extend the water mains to the site. The city had to borrow the money to pay for the land and the improvements.

Pursuant to an act of Congress approved June 29, 1948 (62 Stat. 1104), the Administrator of Veterans' Affairs conveyed to the city of Cheyenne by quitclaim deed, without consideration, approximately 431 acres of the site no longer needed for hospital purposes as surplus property.

In July 1955, the Veterans' Administration reported an additional 90.2 acres of the site, including the 30 acres described in this legislation, as excess property. The city of Cheyenne applied for conveyance of the entire 90.2 acres for use as part of the Cheyenne Airport. In accordance with the recommendation of the Civil Aeronautics Administration, 60.2 acres of the surplus land were transferred to the city by the General Services Administration for the construction of an airport.

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I am now familiar with the bill. I wanted an explanation long enough to check the bill. This bill, if I may have the attention of the Senator from Kentucky [Mr. COOPER], is the bill I discussed briefly on the floor of the Senate yesterday. It is in line with a whole series of veterans' hospital cases we have had over the years, such as the one the Senator from Kentucky [Mr. COOPER] offered a couple of years ago. It is in line with the Morse formula, and I have no objection.

The PRESIDING OFFICER (Mr. CANNON in the chair). The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 857) was ordered to be engrossed and to be read a third time.

The bill was 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, subject to the provisions of section 2(a) of this Act, the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the city of Cheyenne, Wyoming, all right, title, and interest of the United States in and to 30 acres of land, more or less, described as a portion of the southwest quarter of section 28 and the west 150 feet of the southeast quarter of section 28, township 14 north, range 66 west of the 6th principal meridian, in the county of Laramie, State of Wyoming, beginning at a point on the south line of section 28, 150 feet east of the southwest corner of the southeast quarter; thence west along the south line of section 28, a distance of 690 feet; thence north a distance of 1,700 feet; thence east a distance of 690 feet; thence south a distance of 1,700 feet to the point of beginning, together with any improvements thereon, which were formerly a part of the tract of land comprising the Veterans' Administration Center, Cheyenne, Wyoming, and declared surplus to the needs of the Veterans' Administration.

SEC. 2. The deed of conveyance (1) shall provide that the tract of land authorized to be conveyed shall be used by the city of Cheyenne, Wyoming, for such purposes as will not in the judgment of the Administrator of Veterans' Affairs or his designate interfere with the operation of the Veterans' Administration Center, Cheyenne, Wyoming; (2) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States; and (3) shall provide that title to such tract shall revert to the United States upon the violation by the grantee of any such term, condition, reservation, or restriction.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROBLEMS OF THE AGED AND AGING

Mr. McNAMARA. Mr. President, I take this opportunity to bring to the attention of the Senate a short progress report of the work of the Subcommittee on the Problems of the Aged and Aging.

Adequate income, decent housing, good health, and a dignified place in society for our 15½ million citizens over 65 and 20 million over 60 are among the most important problems currently facing the Congress and the Nation.

The Senate Subcommittee on Problems of the Aged and Aging was created under Senate Resolution 65, which authorized the Committee on Labor and Public Welfare to establish such a subcommittee.

I wish to thank the distinguished chairman of the Labor and Public Welfare Committee [Mr. HILL] for his very great cooperation and assistance in the creation of the subcommittee.

It was charged with conducting a comprehensive study of the problems of the elderly including their needs, programs of Federal agencies to meet these needs, and the extent to which additional Federal programs should be undertaken to help solve these problems.

I ask unanimous consent that the text of the resolution be printed in the RECORD at this point.

There being no objection, the resolution (S. Res. 65) was ordered to be printed in the RECORD, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to the problems of the aging including, but not limited to, (a) a study of the major problems of the aged, (b) a study of the existing programs of agencies, both public and private, dealing with problems of the aged, (c) a study of the present role of the Federal Government in dealing with problems of the aged, and (d) a study of any additional Federal programs which should be undertaken to help solve the problems of the aged.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $85,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. McNAMARA. Mr. President, in preparing for this study, some of the most informed people in the Nation were asked to meet with the members of the subcommittee to explore the broad range of problems and to suggest guides and standards for further investigation.

I have had many requests for a summary of the thoughts and ideas of these nationally known experts. I have, therefore, taken some of the interesting highlights from the storehouse of information we have developed as the basis for my presentation today.

One startling fact is that if medical progress continues, there is no basic reason why human beings cannot live to the age of 125.

If this dramatic trend continues, today's problems of aging will seem like

minor ripples as compared with the floods of tidal proportions to come.

The average life expectancy in the United States today is about 70. This compares with an average of about 48 a little over 50 years ago. Forty years from now the life span is expected to average 82 years.

In 1900 there were only 3 million Americans over the age of 65. Today there are nearly 16 million, and in 10 years there will be an estimated 20 million.

Not only does this constitute a soaring increase in total numbers, but the percentage of the total population in the over 65 bracket has more than doubled, jumping from 4 percent to 9 percent.

If we continue to relegate old people to the sidelines—financially, medically and socially—the financial burden to this country just in terms of institutions for the aging will be too fantastic to contemplate.

This population boom amounts to a national crisis because of the role we tend to assign to "older men and women."

We have made it possible for more people to live into the so-called "golden years," but without adequate incomes, health care, housing, and without a recognized role in the community life of the Nation.

The primary issue facing the aging today is that of maintaining a decent American standard of living on a heavily reduced income.

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

Mr. McNAMARA. I yield.

Mr. MORSE. I most sincerely compliment the Senator from Michigan for the grand job he did in the Committee on Labor and Public Welfare.

Did the Senator go into any detail with regard to the problems which concern the elderly, such as the fear of medical costs after they are 65 years of age, and their fear that they will not have the funds, nor will their children have the funds, to pay the cost of serious illness in old age?

Mr. McNAMARA. I wish to assure the Senator from Oregon [Mr. MORSE] we have gone into the subject at great length, and I intend to make further reference to it in my remarks today.

Mr. MORSE. I shall not interrupt the Senator further, except, for the sake of the record, I wish to ask the Senator if he is aware of the great interest of the senior Senator from Oregon in the problem of medical care for the aged, as evidenced by the fact that I am the author of the Senate bill, as is Congressman FORAND on the House side—the so-called Forand-Morse bill—which seeks to provide medical insurance attached to social security for the aged, which would take care of their medical costs after the age of 65?

Mr. McNAMARA. The Senator from Michigan is well aware of the interest of the Senator from Oregon in this subject, and assures him that the subcommittee of the Committee on Labor and Public Welfare, and I personally, in my contact with people throughout the country in relation to this subject, have found a great deal of interest in the proposed legislation to which the Senator from Oregon refers.

Mr. MORSE. Am I correctly advised that at the next session of Congress, if we do not stay here long enough this fall, as we should, to handle the matter, the bill to which I referred will come before the committee of which the Senator from Michigan is a member for hearing?

Mr. McNAMARA. I do not think our committee is the appropriate committee to conduct hearings on that bill. However, I think that decision will be up to the distinguished chairman of the Committee on Labor and Public Welfare [Mr. HILL]. He will probably make that decision.

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

Mr. McNAMARA. I yield.

Mr. HILL. I think that subject would fall within the jurisdiction of the Finance Committee. This is a Ways and Means Committee matter in the House of Representatives, but since the proposed legislation involves social security, and since social security involves a tax, the legislation from the beginning has been handled in the House by the Ways and Means Committee and in the Senate by the Finance Committee.

Mr. McNAMARA. I wish to make it plain to the Senator from Oregon that with respect to the jurisdiction of the Committee on Labor and Public Welfare I follow the leadership of the distinguished Senator from Alabama [Mr. HILL].

Mr. MORSE. If the Senator from Michigan will yield further, I wish to say I have followed with great interest the splendid work which the subcommittee on problems of the elderly has been doing, and I intend to make use of all the data and the evidence the committee has collected in its work in order to give support to the Forand-Morse bill when the hearings are held on it next January.

Mr. NcNAMARA. I wish to thank the Senator, and I assure him even though the proposed legislation is not before the subcommittee, we have already had considerable discussion on it, and we will encourage more discussion, even though the bill is not officially before the subcommittee, and I am sure the Senator understands we will be glad to hear from him.

Mr. MORSE. I think the Senator from Michigan will be surprised to learn, because I was surprised to receive the mail, that I have received letters since my discussion of that bill some little time ago on the Senate floor, from a surprisingly large number of doctors in this country, who have written me to the effect that they recognize the position I have taken is a position which is inevitably going to come to be accepted by the American people. It is their position that the medical profession might as well face up to the reality and cooperate with us in trying to work out an insurance program which will remove from the elderly people of this country the gnawing fear that in their declining years they may find all the savings which they have accumulated, and also a good deal of the savings of relatives near to them, dissipated as the result of high medical costs in those declining years.

If we are going to carry out our obligation of social justice to the elderly people of this country we must proceed to pass legislation which will not destroy the private practice of medicine but which will make clear the older people of our country will not have to live in fear that they will spend the last few years of their lives not only in great physical pain but also in great economic pain as well.

Mr. McNAMARA. I could not agree with the Senator more.

I continue, Mr. President. Estimates presented to us by representatives of the Department of Health, Education, and Welfare revealed that it costs at least $2,300 a year for a couple to live by themselves in an urban center in modest fashion.

Over half of the couples who live in this country have less than this amount of income. The average couple on social security receives about $1,440 a year if they are both retired.

On an individual basis, 60 percent of those over 65 have less than $1,000 a year in money income.

Mr. President, I want to repeat that sentence: On an individual basis, 60 percent of those over 65 have less than $1,000 a year in money income. Even more desperate is the income situation of the 1.3 million aging widows now receiving an average social security benefit of $56 per month because their benefits are fixed at 75 percent of the amount which had been paid to the husband, now deceased.

In addition to those receiving social security benefits about 2½ million people are forced to subsist on old age assistance payments, which average $65 a month, with a range among the States from less than $30 to $110.

In summary, the income of a large proportion of these 15½ million Americans ranges from mere subsistence to desperation and despair. While man does not live by bread alone, a decent and responsible economic base is essential for a creative American life.

Related to this problem of income are the difficulties faced by an older person in employment. The percentage of men 65 and over in the labor force has dropped steadily in the past two decades. Figures stood at 50 percent during the manpower shortage of World War II and dropped to 33 percent today, and continued decline is expected.

Depending on the nature of a man's work he can be old today at 30, at 45, or at 55. The evidence before our subcommittee indicated that if a man has the misfortune to lose his job at the age of 45 or over his chances of finding new

employment of an equal nature are slim. And the duration of unemployment is longer for the older worker.

Our subcommittee was urged to find ways to overcome the irrelevant reasons and the biases on which many employers base their refusal to employ the older worker.

The subcommittee was asked to study the question of an anti-age discrimination law, as well as such proposals as long-range compensation for older job seekers, special training and counseling, and the abolition of arbitrary retirement policies.

Mr. President, I ask my colleagues in the Senate to consider the magnitude of the crisis in the years ahead, caused by two forces alone: First, the rapid increase in the number and the proportion of Americans over the age of 65; and second, the gradual but definite decrease in the proportion of such people in the labor force.

This far-reaching development creates a new issue which cannot be ignored: What will be the basis for the adequate financial support of increasing millions of older Americans?

Today benefits from social security are apparently not intended to cover most of the living expenses of retired men and women. And we have only begun, in some areas of employment, to create adequate private pension arrangements.

In one way or another a price will have to be paid to meet this growing problem, and both the public and private sectors of America must begin now to explore the alternatives open to us.

And we must begin now to make the appropriate preparations for the alternatives we choose.

The report of the subcommittee, which will be ready by the end of January 1960, will discuss such alternatives. I hope that Congress will lead a nationwide discussion, and stimulate all Americans, young and old, to consider and discuss the implications of that report.

Some of the mental health experts testified that the importance of work is such in our society that its loss can be overwhelming with resulting increase of admissions to hospitals and mental institutions.

While our total population has multiplied about 2½ times, the number of first admissions to mental hospitals, age 65 and over, has soared by approximately 10 times.

If nothing is done to alter this trend we can look forward only to the expansion, at the cost of billions of dollars, of bricks and mortar for larger and larger mental hospitals.

Crucial to the enjoyment of later years is good health or, at the very least, the knowledge that basic medical costs can be financed.

The question of health in the later years should be considered a public health problem. As one of the physicians before our subcommittee stated:

> This is just as much a public health problem as strontium 90 in milk or polio in children.

We discovered that the field of medicine has begun to recognize the need for creating a more positive and realistic attitude toward the process of aging. Periodic health checkups for older persons were advocated for the best insurance against physical deterioration.

Five major points emerged from our discussions on the health needs of the elderly:

First. Medical care needs to be reorganized so as to prevent deterioration rather than to merely repair damage.

Second. Miracles have been wrought in so many cases in the rehabilitation of stroke victims, heart patients, and other sufferers of crippling diseases that an investment in rehabilitation will pay off many times over, not only in dollars, but in human welfare.

Third. Aged persons in this country require about 2½ times as much hospital care as the younger age groups.

Fourth. The large majority of older people in this country do not have adequate hospital and surgical insurance, although in recent years there has been an increase in the number who purchase some kind of voluntary health insurance. Too much of this is inadequate as to benefits, as well as too expensive.

Fifth. The biggest problem in the medical field for the elderly is the financing of medical care out of a reduced and often merely subsistence income. The subcommittee was urged to study carefully the proposed solutions in this critical field of financing medical costs.

Testimony by the Department of Health, Education, and Welfare indicated that if present trends in the purchase of private hospital insurance were projected about half of those over 65 will have some form of voluntary hospital insurance by 1965.

Even if accurate, this means that out of 17.8 million people over 65 at that time more than 8 million would be unable to purchase voluntary hospital insurance. About 2 to 2½ million will be forced to receive their medical care as indigents under old-age assistance.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. McNAMARA. I am happy to yield to my colleague.

Mr. MORSE. All this is fascinating data which the Senator is presenting to the Senate. The point he is making is that of those aged who do have some voluntary insurance, a very high percentage have voluntary insurance policies which are quite inadequate to meet their needs.

The opponents of the Forand bill have put out some propaganda as to the number of people who have voluntary health insurance policies. What they forget to tell the American people is that many, many of those people have what amounts to a nominal policy, one that does not provide them with adequate care.

As I have sat here listening to this very valuable material that the Senator has in his speech, I was wondering if his subcommittee has given any thought to seeking to have the report printed as a Senate document. It is much more than a committee report. It is a research study.

Mr. McNAMARA. No, I do not think we have given consideration to that. However, we had the several volumes of the hearings printed. All of this material is documented in great detail in the reports.

Mr. MORSE. What I had in mind was, as I listened to the synopsis of the hearings, I thought it would be very helpful in answering our mail. I do not think any Senator would deny the fact that he receives a great deal of mail on this general subject of the problems of the aged. It would be very helpful if we had this synopsis in a short Senate document which we could use in handling our mail.

Mr. McNAMARA. The subcommittee has prepared a summary. We have had authority from the committee for the printing of the summary, and it does contain all this information. We will see that the offices of the Senator from Oregon and other Senators are supplied with it. Some Senators have already received it. I thank the Senator for his suggestion.

In addition to what the Senator points out, that people over 65 have inadequate coverage, actually the cost is nearly twice as great as for people under 65. So they get less for twice as much money, and that is certainly a problem, one that we have already given a great deal of consideration to and one that we are going to pursue. Of that the Senator can be assured.

In other words, we can expect at least 6 million older Americans to be without any protection at all.

During the course of the hearings we devoted considerable attention to the problem of nursing homes in this country. The wretched living conditions, the isolation, and the quality of many of the nursing homes of our older Americans are a national disgrace.

One of the witnesses indicated he had visited between 235 and 250 nursing homes in the last 13 years and the level of medical care, he said, is at the most meager level.

As a result of these hearings it seemed clear that we need trained public health personnel—physicians, nurses and others who know how to deal with the elderly sick.

The subcommittee was urged to examine the nursing home situation in the Nation, to review the standards for them and the extent to which these standards are enforced.

Several witnesses stressed the need to develop a set of national standards which would insure that our nursing homes become centers of rehabilitation instead of centers for the abandonment of hope.

The housing needs of the elderly have been before the Congress and were emphasized in very strong testimony before the subcommittee.

Of greatest concern are those whose incomes are insufficient to enable them to obtain adequate housing. They either live alone in the unsanitary slums of our communities or overcrowd the homes of their children. As the years go by these arrangements become more and more unbearable, both for the aged and the young family with whom they live.

But even those with adequate incomes frequently have great problems in finding proper accommodations where they can enjoy their later years.

Independent housing now provided by nonprofit religious, labor, and fraternal organizations needs further stimulation and assistance. A direct partnership between voluntary agencies and government was suggested to provide such assistance.

The subcommittee was asked to study what kinds of housing arrangements are most suitable for older citizens.

It was pointed out at our hearings that much private and public expense could be saved if the necessary social services were provided for older persons in their own homes.

There are many people who can remain at home if they have a little help with the more strenuous activities that are involved with everyday living.

Day centers and activity centers enable older persons to spend productive days while the younger members of the household can be at work.

It was noted that in a number of States pioneer work is underway to discharge patients from mental hospitals and other institutions and to place them in foster homes or boarding homes. This is a movement that could be encouraged by training personnel and by providing funds for demonstration programs.

Mr. President, these comments summarize in very brief fashion some of the enlightening testimony before our subcommittee. We heard from a score of nationally known experts. We listened to representatives of Federal agencies, including Departments of Health, Education, and Welfare; Labor; Veterans' Administration; Civil Service Commission; the Housing and Home Finance Agency. We heard from representatives of 50 national organizations that work directly with the older citizens of the country.

We have written to and received responses from thousands of individuals and organizations throughout the Nation and enlisted the advice and counsel of public officials, Federal, State, and local.

In the next several months we plan to hold hearings in cities in several sections of the country, affording us the opportunity to review the problems first hand at the local level.

We expect to talk to the older people themselves. We expect to visit nursing homes and other institutions of the aged. We will be talking with mayors, welfare directors, representatives of local, public, and private agencies.

Over the past decade there has been a slow but steadily growing recognition of the aging challenge. We hope that the work of this subcommittee will lay the foundations for a systematic consideration by the Senate of the needs of our older citizens and the contributions they can continue to make to the Nation.

There is no panacea for these problems, but we do intend to deal with the human values and the proper public policies designed to add life to years, not merely years to life.

Mr. President, I ask unanimous consent to insert at this time data and tables revealing the extent of the problem.

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

TABLE 1.—*Total population and population aged 65 and over in 1950 and 1957 by State and percent change, 1940–50 and 1950–57*

[Minus sign (−) denotes decrease]

State and Territory	Total (in thousands)		65 and over				Percent change			
			Number (in thousands)		Percent of total		1940–50		1950–57	
	1950	1957	1950	1957	1950	1957	Total	65 and over	Total	65 and over
Continental United States	150,697	168,368	12,270	14,750	8.1	8.8	14.5	36.0	12.5	21.0
Alabama	3,061	3,136	199	237	6.5	7.6	8.1	36.3	2.7	22.1
Arizona	750	1,053	44	72	5.9	6.8	50.3	83.3	42.0	63.3
Arkansas	1,910	1,757	149	185	7.8	10.5	−2.0	39.3	−7.9	26.0
California	10,586	13,551	895	1,152	8.5	8.5	53.3	61.3	30.1	29.2
Colorado	1,325	1,624	116	139	8.8	8.5	18.0	34.9	24.2	20.1
Connecticut	2,007	2,257	177	212	8.8	9.4	17.4	37.2	12.8	20.3
Delaware	318	426	26	31	8.2	7.3	19.1	23.8	34.0	19.6
District of Columbia	802	798	57	66	7.1	8.3	21.0	39.0	1.4	18.8
Florida	2,771	4,111	237	418	8.6	10.2	46.1	80.9	50.6	77.8
Georgia	3,445	3,691	220	264	6.4	7.1	10.3	38.4	8.5	22.6
Idaho	589	640	44	55	7.5	8.5	12.2	37.5	8.8	25.7
Illinois	8,712	9,647	754	904	8.7	9.4	10.3	32.7	11.2	20.3
Indiana	3,934	4,449	361	408	9.1	9.1	14.8	25.3	14.4	13.3
Iowa	2,621	2,781	273	312	10.4	11.2	3.3	18.7	6.1	14.2
Kansas	1,905	2,058	194	222	10.2	10.8	5.8	23.6	9.1	14.4
Kentucky	2,945	3,003	235	270	8.0	9.0	3.5	24.3	3.1	15.6
Louisiana	2,684	3,022	177	209	6.6	6.9	13.5	48.7	13.2	21.3
Maine	914	923	94	101	10.3	10.9	7.9	17.5	1.2	7.5
Maryland	2,343	2,830	164	194	7.0	6.9	28.7	32.3	23.0	20.2
Massachusetts	4,691	4,775	468	511	10.0	10.7	8.7	26.8	2.4	9.1
Michigan	6,372	7,691	462	570	7.3	7.4	21.2	39.6	20.9	23.9
Minnesota	2,982	3,312	269	327	9.0	9.9	6.8	26.3	11.1	21.6
Mississippi	2,179	2,150	153	175	7.0	8.1	−.2	33.0	−.7	17.6
Missouri	3,955	4,210	407	455	10.3	10.8	4.5	24.8	6.5	12.2
Montana	591	666	51	62	8.6	9.4	5.7	41.7	13.0	23.0
Nebraska	1,326	1,424	130	151	9.8	10.6	.8	22.6	7.7	16.2
Nevada	160	253	11	13	6.9	5.1	45.5	57.1	60.7	18.0
New Hampshire	533	566	58	63	10.9	11.0	8.3	18.4	6.5	8.2
New Jersey	4,835	5,572	394	479	8.1	8.6	16.2	41.2	16.0	22.1
New Mexico	681	789	33	47	4.8	6.0	28.0	43.5	18.1	44.2
New York	14,830	16,098	1,258	1,496	4.5	9.3	10.0	36.4	8.8	19.3
North Carolina	4,062	4,388	225	282	5.5	6.4	13.7	43.3	9.3	27.3
North Dakota	620	644	48	54	7.7	8.4	−3.4	23.1	4.0	12.3
Ohio	7,947	9,186	709	820	8.9	8.9	15.0	31.3	15.7	16.1
Oklahoma	2,233	2,221	194	230	8.7	10.3	−4.4	33.8	−.1	19.1
Oregon	1,521	1,739	133	163	8.7	9.4	39.5	43.0	14.5	22.9
Pennsylvania	10,498	10,990	887	1,025	8.4	9.3	6.0	31.0	4.9	16.0
Rhode Island	792	828	70	81	8.8	9.8	11.1	29.6	6.9	15.4
South Carolina	2,117	2,311	115	144	5.4	6.2	11.4	42.0	10.3	28.9
South Dakota	653	687	55	67	8.4	9.8	1.6	25.0	5.7	21.9
Tennessee	3,292	3,423	235	274	7.1	8.0	12.9	36.6	4.3	18.2
Texas	7,711	8,989	513	651	6.7	7.2	20.2	47.8	18.5	28.1
Utah	689	836	42	53	6.1	6.4	25.3	40.0	21.7	25.8
Vermont	378	368	40	43	10.6	11.6	5.3	17.6	−2.5	7.7
Virginia	3,319	3,664	215	255	6.5	7.0	23.9	38.7	14.2	21.0
Washington	2,379	2,653	211	250	8.9	9.4	37.0	46.5	14.5	18.5
West Virginia	2,006	1,962	139	164	6.9	8.3	5.5	37.6	−2.1	18.7
Wisconsin	3,435	3,855	310	372	9.0	9.6	9.5	28.1	12.3	20.0
Wyoming	291	310	18	24	6.2	7.7	15.9	33.5	9.9	31.9
Territories:										
Alaska	129	164	5	7	3.9	4.4	76.7	25.0	51.0	50.4
Hawaii	500	554	20	28	4.0	5.0	18.2	53.8	16.1	36.2
Puerto Rico	2,211	2,272	86	103	3.9	4.5	18.3	36.5	3.0	20.0

Source: Bureau of the Census, U.S. Census of Population: 1950, vol. II, Characteristics of the Population, pt. 1, U.S. Summary, table 63; pt. 51, table 7; pt. 52, table 11; pt. 53, table 13. Bureau of the Census Current Population Reports, Population Estimates, Series P–25, No. 194, February 1959, tables 1, 3, and 4.

TABLE 2.—*Number of persons aged 65 and over and aged 75 and over, in continental United States and Armed Forces overseas by sex: 1900 to 1958, with projections for 1960 and 1975*

Age and year	Total (in thousands)	Men (in thousands)	Women (in thousands)	Men per 100 women
65 years and over:				
1900	3,080	1,555	1,525	102.0
1910	3,950	1,986	1,964	101.1
1920	4,933	2,483	2,450	101.3
1930	6,634	3,325	3,309	100.5
1940	9,019	4,406	4,613	95.5
1950	12,270	5,797	6,473	89.6
1957 (July)	14,750	6,769	7,981	84.8
1958 (July)	15,041	6,854	8,187	83.7
Projections:				
1960	15,701	7,079	8,622	82.1
1975	20,689	8,701	11,988	72.6
75 years and over:				
1900	894	438	456	96.1
1910	1,156	560	596	94.0
1920	1,470	697	773	90.2
1930	1,913	916	997	91.9
1940	2,643	1,239	1,404	88.2
1950	3,855	1,744	2,111	82.6
1958 (July)	5,172	2,237	2,935	76.2
Projections:				
1960	5,478	2,342	3,136	74.7
1975	7,547	2,976	4,571	65.1

Source: Data for 1900–1940 from Bureau of the Census, U.S. Census of Population: 1950, vol. II, Characteristics of the Population, pt. 1, U.S. Summary, pp. 1-93, table 39. Data for 1950 and 1954 from Bureau of the Census, Current Population Reports, Population Estimates, Series P-25, No. 101, August 1954, p. 1, and p. 4, table 1. Data for 1957 and 1958 from Bureau of the Census, Current Population Reports, Population Estimates, Series P-25, No. 193, February 1959, p. 1, table A. Projections for 1960 and 1975 from Current Population Reports, Population Estimates, Series P-25, No. 78, August 1953, p. 5, table 1. Data for 1950 and thereafter include Armed Forces overseas.

TABLE 3.—*Expectation of life at selected ages, by color and sex; 1949–51 and 1900–1902*

Year, color, and sex	At birth	20 years	40 years	60 years	65 years	70 years	75 years
Total:							
1949–51	68.1	51.2	32.8	17.0	13.8	10.9	8.4
1900–1902 [1]	49.2	42.8	28.3	14.8	11.9	9.3	7.1
White:							
Male:							
1949–51	66.3	49.5	31.2	15.8	12.8	10.1	7.8
1900–1902 [1]	48.2	42.2	27.7	14.4	11.5	9.0	6.8
Female:							
1949–51	72.0	54.6	35.6	18.6	15.0	11.7	8.9
1900–1902 [1]	51.1	43.8	29.2	15.2	12.2	9.6	7.3
Nonwhite:							
Male:							
1949–51	58.9	43.7	27.3	14.9	12.8	10.7	8.8
1900–1902 [1]	32.5	35.1	23.1	12.6	10.4	8.3	6.6
Female:							
1949–51	62.7	46.8	29.8	17.0	14.5	12.3	10.2
1900–1902 [1]	35.0	36.9	24.4	13.6	11.4	9.6	7.9

[1] Based on data from original death registration States. Figures for nonwhites cover only Negroes who in 1900 comprised more than 95 percent of the total nonwhite population in the registration area.

Source: U.S. Bureau of the Census, U.S. Life Tables: 1890, 1901, and 1900–1910, by J. W. Glover, 1921; and National Office of Vital Statistics, "U.S. Life Tables, 1949–51," Vital Statistics—Special Reports, vol. 41, No. 1, Nov. 23, 1954.

TABLE 4.—*Life expectancy and work life for men*

	Life expectancy	Work life expectancy	Retirement life expectancy	Retirement life expectancy as a percent of life expectancy
At age 20:				
1900	42.2	39.4	2.8	7
1955	49.5	43.0	6.5	13
1975	51.7	43.7	8.0	15
At age 60:				
1900	14.3	11.5	2.8	20
1955	15.9	9.2	6.7	42
1975	17.2	9.0	8.2	48

Source: Wolfbein, Seymour L. "The Length of Working Life" in Population Studies, December 1949 (printed in Great Britain). A detailed exposition of the substance and techniques of this work was presented in "Tables of Working Life," Bulletin No. 1001 of the Bureau of Labor Statistics, U.S. Department of Labor (August 1950). Cf. also S. L. Wolfbein, "The Changing Length of Working Life" in "Proceedings of the Seventh Annual Meeting, Industrial Relations Research Association," December 1954 and "The Length of Working Life," a paper presented at the Fourth International Gerontological Congress at Merano, Italy, July 1957.

TABLE 5.—*Workers and nonworkers in the total population, 1900–50*

[Figures in thousands]

Year	Population	Labor force workers	Ratio of nonworkers to workers	Percentage distribution of nonworkers, by age—			
				0 to 19	20 to 44	45 to 64	65 and over
1900	75,995	28,416	167	61	25	10	4
1920	105,711	40,654	160	59	25	11	5
1940	131,669	53,299	147	52	24	15	9
1950	150,697	62,183	142	53	24	13	10
1957	170,000	70,000	145	60	18	11	11

Sources: "Historical Statistics of the United States, 1789–1945," Bureau of the Census, 1949, p. 25; ,1950 "Census of Population: Preliminary Reports," Series PC–7, No. 1, Feb. 25, 1951 p. 6; John D. Durand, "The Labor Force in the United States, 1890–1960," Social Science Research Council; New York, 1948, pp. 208–209; "Monthly Report on the Labor Force, April 1950," Current Population Reports, Labor Force (Series P–57), No. 94, Bureau of the Census, May 5, 1950, p. 9.

TABLE 6.—*Families by total money income in 1957, for the United States, urban and rural*

Total money income	Total	Families, age of head (years)					
		14 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
U.S. total:							
Number (thousands)	43,714	2,219	9,134	10,448	9,466	6,629	5,818
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Under $500	3.0	2.9	2.0	2.3	3.3	3.9	4.7
$500 to $999	3.4	2.3	1.4	2.2	2.8	3.9	10.3
$1,000 to $1,499	4.0	4.7	2.2	2.0	2.8	4.1	12.7
$1,500 to $1,999	4.5	6.2	2.4	2.4	3.5	5.0	12.1
$2,000 to $2,499	5.2	8.1	3.8	3.3	4.4	5.9	10.4
$2,500 to $2,999	4.4	7.3	3.8	2.9	3.9	5.0	7.5
$3,000 to $3,499	5.7	10.7	6.1	5.1	4.8	5.6	5.9
$3,500 to $3,999	6.1	10.0	6.9	6.0	5.3	5.5	5.3
$4,000 to $4,499	7.3	10.8	9.6	7.1	5.6	7.5	4.7
$4,500 to $4,999	6.8	8.1	8.5	7.7	5.4	6.6	4.1
$5,000 to $5,999	14.5	14.2	19.4	16.2	14.3	11.7	6.7

TABLE 6.—*Families by total money income in 1957, for the United States, urban and rural*—Continued

Total money income	Total	Families, age of head (years)					
		14 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
$6,000 to $6,999	10.3	8.1	12.3	12.2	10.6	9.6	4.6
$7,000 to $9,999	16.3	6.1	16.7	20.7	20.3	15.2	6.3
$10,000 to $14,999	6.5	.7	4.3	7.7	9.6	8.1	3.6
$15,000 to $24,999	1.4	----	.5	1.5	2.6	1.8	.7
$25,000 and over	.5	----	----	.7	.9	.6	.3
Median income	$4,971	$3,890	$5,170	$5,556	$5,573	$4,773	$2,490
Head year-round full-time worker:							
Percent of total	65.4	58.1	76.3	76.7	73.8	63.3	21.2
Median income	$4,718	$4,710	$5,537	$5,936	$6,179	$5,596	$4,199
Urban:							
Number (thousands)	27,486	1,510	5,544	6,406	6,049	4,373	3,604
Median income	$5,359	$4,030	$5,318	$5,843	$6,222	$5,433	$3,000
Rural nonfarm:							
Number (thousands)	11,418	572	2,956	3,031	2,210	1,327	1,322
Median income	$4,894	$3,735	$5,243	$5,535	$5,322	$4,192	$2,217
Rural farm:							
Number (thousands)	4,810	137	634	1,011	1,207	929	892
Median income	$2,490	(1)	$3,177	$3,306	$2,525	$2,387	$1,606

[1] Median not shown where there were fewer than 100 cases in the sample reporting on income.

Source: U.S. Bureau of the Census, Current Population Reports—Consumer Income, Series P-60, No. 30, December 1958.

TABLE 7.—*Unrelated individuals by total money income in 1957, for the United States, urban and rural*

Total money income	Total	Unrelated individuals, age (years)					
		14 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
U.S. total number (thousands)	10,313	830	1,138	1,106	1,593	2,227	3,419
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Under $500	16.8	26.5	8.4	13.2	12.5	16.7	20.3
$500 to $999	20.6	15.8	10.6	9.6	12.5	16.2	35.5
$1,000 to $1,499	12.7	11.1	8.4	8.6	10.2	12.7	17.2
$1,500 to $1,999	8.5	8.4	6.3	6.8	9.0	8.8	9.6
$2,000 to $2,499	7.6	9.8	9.1	9.4	9.3	7.6	4.9
$2,500 to $2,999	5.5	9.2	5.7	8.0	4.6	6.8	3.1
$3,000 to $3,499	5.6	5.9	8.9	6.3	8.4	7.0	2.0
$3,500 to $3,999	5.0	7.0	9.0	6.7	6.2	5.0	2.0
$4,000 to $4,499	4.7	3.0	8.3	8.4	7.4	5.2	1.2
$4,500 to $4,999	3.1	1.2	6.7	5.3	4.8	2.8	1.1
$5,000 to $5,999	4.4	1.7	7.6	10.0	7.0	4.7	1.0
$6,000 to $6,999	2.1	.3	4.3	3.3	3.6	2.7	.5
$7,000 to $9,999	2.0	----	5.2	3.1	2.6	2.2	.8
$10,000 to $14,999	.9	----	1.0	.7	1.7	1.3	.6
$15,000 to $24,999	.2	----	.4	.5	.2	.2	.1
$25,000 and over	----	----	.2	----	----	.1	----
Median income	$1,496	$1,347	$3,084	$2,650	$2,312	$1,750	$918
Head year-round full-time worker:							
Percent of total	38.8	40.5	62.6	66.7	58.5	44.5	10.9
Median income	$3,214	$2,714	$3,701	$3,394	$3,352	$3,146	$2,455
Urban:							
Number (thousands)	7,885	625	975	897	1,239	1,689	2,460
Median income	$1,716	$1,492	$3,206	$2,735	$2,423	$2,065	$992
Rural nonfarm:							
Number (thousands)	1,784	133	112	142	289	389	719
Median income	$1,037	(1)	(1)	(1)	$2,261	$1,163	$786
Rural farm:							
Number (thousands)	644	72	51	67	65	149	240
Median income	$945	(1)	(1)	(1)	(1)	(1)	$711

[1] Median not shown where there were fewer than 100 cases in the sample reporting on income.

Source: U.S. Bureau of the Census, "Current Population Reports—Consumer Income," Series P-60, No. 30, December 1958.

TABLE 8.—*Number OASDI and OAA beneficiaries and average monthly benefits*

	February 1959
Old Age, survivors, and disability insurance:	
Beneficiaries (thousands)	12,675
Aged (62 and over)[1]	10,389
Young survivors and dependents [2]	2,031
Disabled workers (aged 50-64)	255
Monthly benefit payments [3] (millions)	$768.7
Aged (62 and over)[1]	653.8
Young survivors and dependents [2]	92.4
Disabled workers (aged 50-64)	22.4
Average old-age (retired worker) benefit	$71.62
Average old-age benefit awarded in month	$84.33
Assets in OASI trust fund (millions)	$21,412
Assets in disability trust fund (millions)	$1,440
Public assistance [4]:	
Total recipients (thousands)	7,189
Four federally aided programs	5,777
Old-age assistance	2,437
Aid to dependent children—children	2,225
Total recipients	2,901
Aid to the blind	109
Aid to the permanently and totally disabled	330
Public assistance—Continued	
Total recipients—Continued	
General assistance:	
Cases	480
Persons	1,412
Total payments (millions)	$308.0
4 federally aided programs	267.6
Old-age assistance	156.5
Aid to dependent children	82.7
Aid to the blind	7.5
Aid to the permanently and totally disabled	20.9
General assistance	32.6
Average monthly payments:	
Old-age assistance	$64.22
Aid to dependent children:	
Per recipient	28.50
Per family	107.50
Aid to the blind	68.22
Aid to the permanently and totally disabled	63.26
General assistance—per case	67.84

[1] Includes wife beneficiaries under age 65 with child beneficiaries in their care and other women age 62-64—about 107—and 789,000, respectively, as of the end of January 1959. There is still some duplication resulting from dual entitlements—persons receiving both an old-age benefit and a wife's or husband's benefit—as estimated 43,000 at the end of June 1958.

[2] In addition to widowed mothers under age 62, survivor children and children of retired and disabled workers, includes disabled children aged 18 or over with a total disability which began before age 18 (51,000 as of the end of January 1959).

[3] Current-payment status; excludes adjustments for over and under payments, etc.

[4] Except for general assistance, includes vendor payments for medical care and cases receiving only such payments. Recipient total not adjusted for persons receiving general assistance and other assistance. Payments total exceeds sums of items because of inclusion of vendor payments for medical care from general assistance and special medical funds; data for such expenditures partly estimated.

Source: U.S. Department of Health, Education, and Welfare, Social Security Administration, Division of Program Research, Apr. 13, 1959, report, "Current Social Security Program Operations, February 1959."

TABLE 9.—*Percentage distribution of sex and age groups in the population by health insurance coverage and scope of benefits, September 1956*

Sex and age group	July 1, 1956 population (in thousands)	Total	Percent insured, by scope of insurance				Percent not insured
			Total with insurance	Hospitalization only	Hospitalization plus surgical expense	Other [1]	
Both sexes, total	165,339	100.0	63.6	8.3	49 3	6.0	36.4
Under 14	47,915	100.0	64.1	7.1	50.3	6.7	35.9
14 and over	117,424	100.0	63.4	8.9	48.8	5.7	36.6
14 to 64	103,017	100.0	67.1	8.9	52 1	6.1	32.9
65 and over	14,407	100.0	36.5	8.5	25.1	2.9	63.5
65 to 69	5,440	100.0	47.6	10.5	33.1	4.0	52.4
70 to 74	4,139	100.0	36.3	7.8	25.8	2.7	63.7
75 and over	4,828	100.0	23.7	6.8	15.2	1.7	76.3

[1] Hospitalization and surgical expense insurance plus other benefits.

TABLE 9.—*Percentage distribution of sex and age groups in the population by health insurance coverage and scope of benefits, September 1956*—Continued

Sex and age group	July 1, 1956, population (in thousands)	Total	Percent insured, by scope of insurance				Percent not insured
			Total with insurance	Hospitalization only	Hospitalization plus surgical expense	Other	
Males, total	80,598	100.0	64.0	8.3	49.7	6.0	36.0
Under 14	24,437	100.0	64.0	7.3	50.2	6.5	36.0
14 and over	56,161	100.0	64.0	8.8	49.5	5.7	36.0
14 to 64	49,511	100.0	67.4	8.8	52.5	6.1	32.6
65 and over	6,650	100.0	39.2	8.8	27.1	3.3	60.8
65 to 69	2,612	100.0	49.8	10.6	34.7	4.5	50.2
70 to 74	1,916	100.0	39.5	8.6	27.4	3.5	60.5
75 and over	2,122	100.0	25.3	6.8	17.1	1.4	74.7
Females, total	84,741	100.0	63.2	8.3	48.8	6.1	36.8
Under 14	23,478	100.0	64.2	6.9	50.4	6.9	35.8
14 and over	61,263	100.0	62.8	8.9	48.2	5.7	37.2
14 to 64	53,506	100.0	66.9	9.0	51.7	6.2	33.1
65 and over	7,757	100.0	34.2	8.2	23.4	2.6	65.8
65 to 69	2,828	100.0	45.5	10.3	31.6	3.6	54.5
70 to 74	2,223	100.0	33.6	7.1	24.5	2.0	66.4
75 and over	2,706	100.0	22.5	6.8	13.7	2.0	77.5

Source: Research and Statistics Note No. 13, May 22, 1958, Division of Program Research, Social Security Administration.

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 House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. HALEY, Mr. SISK, Mr. LANGEN, and Mr. SIMPSON of Illinois were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to 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 control; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROBERTS, Mr. RHODES of Pennsylvania, Mr. ROGERS of Florida, Mr. BENNETT of Michigan, Mr. SCHENCK, and Mr. DEVINE were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 5896. An act to provide for the entry of certain relatives of United States citizens and lawfully resident aliens; and

H.R. 8305. An act to amend the Federal Credit Union Act.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 4656) to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H.J. Res. 403) granting 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.

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

H.R. 4251. An act to amend the Internal Revenue Code of 1954 with respect to the limitation on the deduction of exploration expenditures;

H.R. 5547. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States;

H.R. 5738. An act to authorize the Secretary of the Army to transfer to the Waukegan Port District the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes;

H.R. 5887. An act to amend the Tariff Act of 1930 to place ground, powdered, or granulated seaweeds on the free list;

H.R. 5920. An act to amend title II of the Social Security Act to provide that an individual who had maximum earnings for a year before 1951 shall be credited with four quarters of coverage for such year (with certain exceptions) in the same manner as is provided for years after 1950;

H.R. 6132. An act relating to the rate of tax on the issuance of shares or certificates of stock by regulated investment companies;

H.R. 6482. An act relating to the credits against the unemployment tax in the case of merged corporations;

H.R. 6785. An act to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound of certain laminated tires produced from used tires;

H.R. 7947. An act relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association;

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the Bay of San Francisco;

H.R. 8229. An act to amend the Internal Revenue Code of 1954 to provide an exemption from income tax for supplemental unemployment benefit trusts; and

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 4251. An act to amend the Internal Revenue Code of 1954 with respect to the limitation on the deduction of exploration expenditures;

H.R. 5547. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States;

H.R. 5887. An act to amend the Tariff Act of 1930 to place ground, powdered, or granulated seaweeds on the free list;

H.R. 5920. An act to amend title II of the Social Security Act to provide that an individual who had maximum earnings for a year before 1951 shall be credited with four quarters of coverage for such year (with certain exceptions) in the same manner as is provided for years after 1950;

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H.R. 7947. An act relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association;

H.R. 8229. An act to amend the Internal Revenue Code of 1954 to provide an exemption from income tax for supplemental unemployment benefit trusts; and

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes; to the Committee on Finance.

H.R. 5738. An act to authorize the Secretary of the Army to transfer to the Waukegan Port district the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes; to the Committee on Armed Services.

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the bay of San Francisco; to the Committee on Public Works.

ALCOHOLIC BEVERAGES AND AIRLINE SAFETY

Mr. THURMOND. Mr. President, on July 2, 1959, the Federal Aviation Agency issued Civil Air Regulation Draft Release 59–7 entitled "Drinking and Serving of Alcoholic Beverages on Board Air Carrier Aircraft." At the time industry comments were requested.

The Air Line Pilots Association, under date of August 27, 1959, submitted to the FAA a letter presenting in detail the comments of the association on this proposed regulation. I have worked closely with the ALPA for the past several years in an effort to bring a halt to the service or consumption of alcoholic beverages aboard airplanes.

In 1956 the various air carriers banded together and adopted a code which provided in essence that no more than two drinks would be served to any passenger during a flight and also that no air carrier would advertise its service of alcoholic beverages to the public. I stated at that time that I felt the code was drawn up for the purpose of effectively heading off legislative action in this field by the Congress. At the time the code was put into effect by the airlines the House had passed a bill prohibiting the service or consumption of alcoholic beverages on aircraft, and the Senate Interstate and Foreign Commerce Committee was preparing to take some action either on that bill or on my bill. After the code was published, no action was taken by the Senate in the closing days of the 84th Congress.

Since that time ALPA, the Air Line Stewards and Stewardesses Association, I and others have continued our efforts to obtain legislation on this subject.

The Civil Air Regulation Draft Release 59–7 has now resulted in further stalling of legislative action, after it was reported in the press that House Speaker SAM RAYBURN was anxious to obtain legislative action in view of a bad experience he encountered with a drinker while on an air flight this year. The draft release is not practical nor realistic for two principal reasons: First, the draft release continues in effect the FAA sanction of permitting airlines to serve alcoholic beverages to their passengers. As long as the airlines provide drinks aloft—some of them even free—then those passengers who might become inebriated and thereby constitute a hazard to the flight certainly have no inducement to abstain from drinking either before or during the flight. Second, it places an undue burden on the crew of the aircraft. Under the proposed regulation an airline stewardness would be charged with the responsibility of judging whether a passenger had already had too much to drink before serving another drink. These young ladies should not be cast in the role of either barmaids or policewomen and subjected to the liability this proposed regulation places on them and the embarrassment and danger that continued service of alcoholic beverages poses for them.

I have today written a letter to the FAA expressing the view that the comments of the ALPA be given most serious consideration with a view toward completely prohibiting the service or consumption of alcoholic beverages aboard aircraft.

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

Mr. THURMOND. I am pleased to yield.

Mr. MORSE. I commend the Senator from South Carolina for raising this question. There has been a little discussion of it on the floor, but it has not been pointed up as the Senator from South Carolina has just emphasized it. I not only agree with his point of view, but I am satisfied that many others agree with us.

For a number of years I have flown the airlines to the extent of 100,000 miles a year. I am one passenger who wishes to go on public record in protest against turning the cabin of an airplane into a public saloon. If people want to drink, that is their business, but we should not have to sit and be subjected to the serving of liquor in a public airplane, as is being done, to the point that sometimes very embarrassing situations are created.

Insofar as my own observation on this kind of embarrassment is concerned, as it affects the personnel of the plane from time to time, I think it is uncalled for. If the problem cannot be handled through voluntary control and restrictions on the part of the airlines themselves, we ought to make it perfectly clear to the Federal Aviation Agency that we want the matter looked into.

I have talked with pilots and stewardesses, who say that they are in a rather difficult position. They cannot say much publicly because they would get themselves in trouble with their employers.

In my judgment the serving of alcohol on airplanes the way it is being served at the present time is something that should not be tolerated. I do not happen to be one who takes an intolerant position with regard to alcohol merely because I myself am a teetotaler, but I do take the position that we have no right to permit airlines to impose such conditions upon people riding airplanes, and who have no way of escaping some of the incidents which occur.

I am not talking about the airline serving a beverage with a meal to a person who desires it. That is not what is happening. They are serving drink after drink in some instances. That practice is creating a problem.

I am not one who says that I have observed that the safety of the airplane was ever endangered, because I have not. But I have observed too many times that the stewardesses and other personnel of the airplane are subjected to embarrassments which I do not think they should be subjected to. Passengers have also been subjected to embarrassments as a result of the serving of liquor under those circumstances, which I do not think is justified. I believe it should be stopped.

Mr. THURMOND. Mr. President, I wish to congratulate the distinguished Senator from Oregon on his position and to say to him that not only are pilots and stewardesses being embarrassed, but the pilots and stewardesses have also gone on record officially condemning this practice. They say it is a hazard to safety.

The purpose of legislation or proper regulation in this field is to promote safety. Such regulation is not a prohibition measure. Anyone has a right to drink or not, as the distinguished Senator from Oregon has said. It is purely a matter of safety, and protection for passengers on the planes.

I express my appreciation to the distinguished Senator from Oregon for his position on this question.

Mr. President, at this point in my remarks I ask unanimous consent to have printed in the RECORD a copy of the Air Line Pilots Association letter to the Federal Aviation Agency.

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

AIR LINE PILOTS ASSOCIATION,
Chicago, Ill., August 27, 1959.

Re Regulation docket No. 49; draft release 59–7: Drinking and Serving of Alcoholic Beverages on Board Air Carrier Aircraft.

FEDERAL AVIATION AGENCY,
Washington, D.C.

GENTLEMEN: On July 2, 1959, Civil Air Regulation Draft Release 59–7, in connection with the above subject, was issued by the Administrator. We welcome this opportunity to submit our views on this proposed regulation, the subject of which has been of grave concern to our membership for many, many years. We are pleased that the Administrator recognizes that serious safety problems exist in this area and that the use of and consumption of such beverages "must be controlled to the extent necessary to provide adequately for safety in air commerce." This proposed regulation, we feel, is a step in the right direction. However, in our analysis of it, we have reached the conclusion that it is not workable for many reasons and that it cannot accomplish its intended purpose to solve the problem posed by the Administrator and this association "to provide adequately for safety in air commerce."

This proposal provides: "(a) No person shall drink any alcoholic beverage on board an air carrier aircraft unless such beverage has been served to him by the air carrier operating the aircraft. (b) No air carrier shall serve any alcoholic beverages to any person on board an air carrier aircraft if such person is, or appears to be intoxicated."

This proposal creates several difficult problems for the Administrator: (1) He must apprehend the offender. In addition, he must effectively apprehend the offender before he commits some act detrimental to air safety; (2) he must prosecute the offender.

The practical difficulties, which will be incurred in resolving these basic problems, we feel, will prevent effective enforcement of this regulation. To enforce this regulation to any degree of practicality, the Administrator, by necessity, will be required to have agents on board all commercial flights to police the conduct of passengers and that of

the cabin attendants. These agents, by necessity, must be endowed with all the powers of a law enforcement officer from the standpoint of making arrests and confiscating evidence. Economic considerations rule out this necessity.

In lieu of the representatives of the Administrator, the flight crew members, under the authority of the pilot in command, and as the agents of the carrier, will be expected to enforce the regulation. The flight crew members of the air carriers, on the other hand, are not in a position to accomplish this policing and reporting on behalf of the Administrator for many valid and practical reasons:

1. The evaluation of intoxication has always been a difficult undertaking, even for an experienced officer of the law. If enforcement of this regulation lies with the cabin attendants, they must assume responsibility which, we submit, they are neither qualified nor trained to accomplish.

2. Apprehending passenger violators, carrying and consuming contraband intoxicants, may result in altercations and disturbances hazardous to air safety. Pilots will continue to be distracted from their flight duties to enforce the regulations with subsequent unnecessary absences from the flight deck.

3. Flight crew members exposed to law suits, legal liability, and loss of employment in cases of passenger or carrier trial and acquittal of charges under part (a) or (b), would not be prone to report purported violations.

4. Flight crew members exposed to employer discipline resulting from questionable conduct and judgment in enforcing this regulation would not be prone to police and apprehend passengers.

5. Air carriers exposed to adverse publicity, fines, and damages resulting from prosecution and trial of their passengers and themselves would be hesitant to report violations to the Administrator.

6. Flight deck crew members, as a matter of current regulations, must assume such policing responsibility which adds to their normal workload and may distract them at critical moments of flight.

7. The general difficulties which will be incurred in prosecuting passenger and carrier violators render the proposal unworkable.

(a) Passengers from foreign countries could not be prosecuted after departing from the jurisdiction of our courts.

(b) U.S. prosecuting attorneys would find it impractical to file complaints and carry out a prosecution against an air carrier or passenger residing in one State in those cases where the flight crew witnesses are far removed and are based in other States.

(c) Flight crews exposed to pay losses resulting from required court appearances to testify against passenger violators or their employers, would be hesitant to cause the instigation of such proceedings.

This proposed regulation, as a practical matter, would not prevent passengers from consuming their own intoxicants or intoxicants of other passengers; it would not and cannot prevent passengers, already under the influence to an unknown degree, from being served or sold intoxicants by air carriers; it does not prevent passengers from becoming intoxicated, a flight hazard and social problem on board air carrier aircraft.

This proposed regulation, which sanctions the use of alcoholic beverages legally in flight, compromises safety on board all air carrier aircraft. Additional burdens, with sanction of law, are placed upon pilots which are unrelated and are completely foreign to their basic important functions in the flight deck.

The problems for the flight crew, which are associated with transporting passengers in present-day aircraft are too complex as matters now stand. The industry is now moving people at speeds in excess of 500 miles per hour and in aircraft which fly at altitudes up to 35,000 feet. This equipment costs over $5 million, weighs up to 300,000 pounds and transports as many as 112 passengers. Tomorrow's jet aircraft will be transporting as many as 179 passengers at greater speeds and at even higher altitudes. The problems of handling large numbers of people of diverse personalities in a relatively confined space have been greatly magnified, the dangers of emergency decompression at higher altitudes enhanced, and the risk in unscheduled landings to unload an inebriated, sick or emotional passenger have grown. The time and responsibilities of the crews in these high speed, complex aircraft are fully occupied with normal duties associated with flight and should not be spent solving problems which are unrelated and hazardous to safety in flight.

The public interest requires the elimination of all and any known potential factors which can be hazardous to air safety and commerce. Alcoholic beverages from time immemorial have never had a rightful place in this industry. We believe that it is a proper responsibility of this Agency to protect the public interest in this matter which is so closely connected with air safety, and are pleased that the Administrator has so recognized it. The time and place concerning the use and consumption of alcoholic beverages historically has always been a matter of legislation by the appropriate authority whenever a threat to public safety, welfare or a social problem is known to exist. For example, the consumption of alcoholic beverages has always been prohibited in schools or churches where it is socially or morally wrong or anywhere a safety problem is created. There is probably no one place more inappropriate, from a safety, moral, and social standpoint, for the sale or service of alcoholic beverages than on board an aircraft in flight where every precaution must be exercised in the interest of safety and where people confined in a sealed tube are deprived of any ability to move away from obnoxious social situations. The modern-day aircraft crosses many municipal, county, State, and international boundaries in a single flight, making regulations by the normal methods impractical. In our opinion, therefore, it falls to the Federal Government to protect the public interest in this matter.

The time has now come, we feel, when the public interest requires a legal sanction prohibiting the use and consumption of alcoholic beverages on board aircraft. This can be done quite simply by placing a period after "aircraft" in paragraph (a), and after "aircraft" in paragraph (b), in the proposed regulation. Unless this is done now, we fear that it will be done in the near future as the result of public clamor arising from a major air calamity caused by the irresponsible action of an inebriated passenger.

Sincerely yours,

CLARENCE N. SAYEN,
President,
Air Line Pilots Association.

MOTOR VEHICLE PARKING AREA IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 948, H.R. 8392.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor vehicle parking area, 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, which had been reported from the Committee on the District of Columbia, with an amendment, on page 1, line 6, after the word "sentence", to strike out " 'The Board is authorized to provide for the construction of such stadium by such means as it determines will most effectively carry out this Act (including, but not limited to, a negotiated contract).' " and insert " 'In carrying out its authority to construct such stadium, the Board shall provide for such construction by contract entered into after advertising for competitive bids. Any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price and other factors being considered: *Provided,* That all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do.' ".

Mr. JOHNSON of Texas. Mr. President, I ask permission to have a brief statement printed in the RECORD at this point as a part of my remarks.

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

The 85th Congress, by the enactment of Public Law 85–300 (71 Stat. 619), the District of Columbia Stadium Act of 1957, authorized the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia.

This act was amended substantially by Public Law 85–561 (72 Stat. 421), in order to require the stadium to be constructed substantially in accordance with certain plans, to provide for a contract with the United States with respect to the site of such stadium and for other purposes.

The necessity for the enactment of this bill arises from opinions of the Comptroller General of the United States with respect to the interpretation of the District of Columbia Stadium Act of 1957, dealing with the authority of the Armory Board to negotiate contracts for the construction of the stadium, and with the authority of the Secretary of the Interior to provide for certain facilities in the vicinity of the stadium structure itself.

The letter of the Comptroller General to the chairman of the committee, dated August 19, 1959, reporting on the proposal, and in which the above referred to opinions are discussed, is made herewith a part of this report:

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, August 19, 1959.

B–85993
B–138834

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate.

DEAR MR. CHAIRMAN: Further reference is made to your letter of August 15, 1959, transmitting three copies of H.R. 8392, a bill to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes, now pending before the Committee on the District of Columbia. You state that the subcommittee has scheduled a hearing on this bill on Wednesday, August 19, 1959, at 10 a.m., and you request that we furnish the committee, prior to the hearing, with such suggestions as we may deem proper, touching the merits of the bill and propriety of its passage.

The bill proposes to amend section 2 of the District of Columbia Stadium Act of 1957 so as to authorize the Armory Board to provide for the construction of the stadium by such means as it determines will most effectively carry out the purposes of the act, including but not limited to, a negotiated contract. The remaining amendments to the District of Columbia Stadium Act of 1957, which are proposed by the bill, appear to be designed to insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and certain other facilities.

With respect to the amendments relating to the authority of the Secretary of the Interior to construct motor-vehicle parking areas, etc., we advised Hon. JOHN L. MCMILLAN, chairman, Committee on the District of Columbia, House of Representatives, by letter of June 4, 1959, submitting our comments on H.R. 6893, 86th Congress, that if it is deemed desirable that such authority be granted to the Secretary of the Interior, the enactment of specific legislation to do so would be necessary since, as stated in our decision of March 25, 1959, B-138834, such authority is not contained in existing legislation relative to the stadium. As we stated in the letter of June 4, 1959, the question as to whether the motor-vehicle parking areas, landscaping, etc., in connection with the stadium should be constructed, prepared, and maintained by the Secretary of the Interior with appropriated funds, as proposed by H.R. 8392, or by the Armory Board with funds obtained by the sale of bonds, as now provided by the Stadium Act, is a matter of policy for determination by the Congress. Under the circumstances, we make no recommendation concerning this portion of the pending bill.

With reference to the proposed amendment of section 2 of the act, it is stated in House Report No. 643 that the authority to negotiate contracts is one which the Congress has given to the heads of various departments and agencies many times in the past, an example being the authority granted with respect to property procurement generally in title III of the Federal Property and Administrative Services Act of 1949. We wish to point out that title III of the Federal Property and Administrative Services Act does not grant general authority to negotiate contracts for the procurement of property. Section 302(c) of that act provides that—

"(c) All purchases and contracts for property and services shall be made by advertising, as provided in section 303, except that such purchases and contracts may be negotiated by the agency head without advertising if * * *."

It is thus clear that the basic method of procurement contemplated by that act is the time-tested method of advertising for competitive bids. The same is true of procurement under the Armed Services Procurement Act of 1947, now 10 U.S.C. 2301 et seq.

The purposes sought to be achieved through advertised competitive bids have been stated as follows: "* * * to give all persons equal right to compete for Government contracts; to prevent unjust favoritism, of collusion or fraud in the letting of contracts for the purchase of supplies; and thus to secure for the Government the benefits which arise from competition."

United States v. *Brookridge Farm* (111 F. 2d 461, 463). We have not been advised of any reasons why the construction of the stadium, from the proceeds of bonds fully guaranteed by the United States, cannot be as well accomplished on an open-bid basis as by negotiation.

It is, of course, true that the Federal Property and Administrative Services Act and the Armed Services Procurement Act of 1947 do grant authority to negotiate contracts under certain specified conditions. However, these are exceptions to the general advertising requirement of the statutes, and the reasons for such exceptions do not appear to be present in the instant case. It may also be pointed out that it would appear somewhat incongruous to permit the Board to award a contract expected to amount to some $6 million by negotiation when its authority to acquire property of any kind necessary to carry out the purposes of the Stadium Act after the stadium is built must, by section 5(3) of that act, be exercised through competitive bidding in the case of all contracts exceeding $3,000.

For the foregoing reasons, we are opposed to that portion of H.R. 8392 which would grant the Board authority to contract for construction of the stadium on other than an advertised basis.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

After due consideration of all of these factors and reports submitted to the committee on this proposal, the bill as reported by the committee would accomplish the following:

(1) Provide that the Armory Board, in carrying out its authority to construct the stadium, shall provide for such construction by contract entered into after advertising for competitive bids; that any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price, qualifications of the bidder, and other factors being considered; with a proviso that all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do.

(2) Insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and related facilities at a total cost not to exceed $2,660,000.

Hearings were held on the proposal on August 19, 1959, at which representatives of the U.S. Department of the Interior, the District of Columbia Armory Board, and the District of Columbia Commissioners testified in favor of the enactment of the bill.

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

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. This is a bill to amend the District of Columbia Stadium Act of 1957 with respect to motor vehicle parking areas, and for other purposes. The Committee on the District of Columbia has considered the bill.

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I will say for the benefit of the Senator from Delaware that the bill was reported from the Committee on the District of Columbia this week.

We had already authorized a stadium, and we thought it carried along with it the right to provide parking space, but the Comptroller General of the United States said he thought there was some legal doubt about it, and suggested this language in order to leave no room for doubt that some space would be provided for parking the cars of those who visit the stadium. I think the Senator will agree that that is a reasonable request.

The bill was reported unanimously from the committee.

Mr. JOHNSON of Texas. Mr. President, the committee report states:

After due consideration of all of these factors and reports submitted to the committee on this proposal, the bill as reported by the committee would accomplish the following:

(1) Provide that the Armory Board, in carrying out its authority to construct the stadium, shall provide for such construction by contract entered into after advertising for competitive bids; that any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price, qualifications of the bidder, and other factors being considered; with a proviso that all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do.

(2) Insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and related facilities at a total cost not to exceed $2,660,000.

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.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF SMALL BUSINESS ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 849, Senate bill 2612.

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

The CHIEF CLERK. A bill (S. 2612) to amend the Small Business Act.

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. PROXMIRE. Mr. President, the bill provides the additional funds necessary to operate the Small Business Administration's regular business loan program over the recess, into 1960, in the amount of $50,000.

It would also provide authority for appropriations to continue, beyond 1960, the programs of grants for studies, research, and counselling concerning the management, financing, and operation of small business enterprises.

The bill is essential because, as of June 30 of this year, the Small Business Administration had used up $424,807,000 of its authorization. It therefore had only about $75 million left.

They are using up the authorization at the rate of about $11 million a month.

If the bill is not passed, they would have to begin to cut back the regular SBA program probably beginning in November or December, before Congress could return. So it is essential, if this agency is to carry on, that the bill be passed.

The committee reported the bill unanimously, but the House has requested the Senate to increase the original $50 million authorization to $75 million. The committee was polled and unanimously agreed to that request by the House. If the Senate will follow the recommendation, it will mean that the bill can be passed without going to conference. It will mean that the House and Senate will not be "under the gun" in the next session to enact very quickly another SBA bill. That will have to be done in the next session, but it will not have to be done quite so rapidly as it would be if only $50 million were authorized.

For that reason, I offer an amendment, which, as I have said, has the unanimous approval of the Committee on Banking and Currency.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 1, line 6, after the word "thereof", it is proposed to strike out "$950,000,000" and, in lieu thereof, to insert "$975,000,000".

In line 8, after the word "thereof", to strike out "$550,000,000" and, in lieu thereof, to insert "$575,000,000".

In line 10, after the word "thereof", to strike out the period and insert a colon and the following: *"Provided,* however, that nothing in this section shall prevent the use of the funds made to remain available for grants for research and management counseling during the fiscal year ending June 30, 1960, by Title III of Public Law 86–88."

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. WILLIAMS of Delaware. What was the reason given by the Senator from Wisconsin as to why the extra amount was needed?

Mr. PROXMIRE. Because the House has asked the Senate committee, which originally reported a bill for $50 million additional, if we would agree to accept $75 million instead of $50 million. It was the feeling of the House that it would be well into next year before they could hold hearings and could act wisely on the basis of full consideration of the matter. They felt, therefore, that it would be desirable to provide $75 million instead of $50 million.

As I have said, the SBA is proceeding to use up the authorization at the rate of $11 million a month. Therefore, it would be impossible to carry through 1960 and into 1961 with only $50 million.

Mr. WILLIAMS of Delaware. How much do they have left now?

Mr. PROXMIRE. As of June 30, they had about $75 million left. They have been using it up at the rate of $11 million a month. Therefore, they would have now less than $50 million.

Mr. WILLIAMS of Delaware. If they had $75 million as of June 30, and they are using that money at the rate of $11 million a month, they have enough to hold them until the first of January, and the extra amount would enable them to continue until April.

Mr. PROXMIRE. That is correct. It would run until April or May, and Congress will meet again in January.

Mr. WILLIAMS of Delaware. How much do they have left now?

Mr. PROXMIRE. As of June 30, they had about $75 million left. If they use it up at the rate of $11 million a month, they would have now less than $50 million.

Mr. WILLIAMS of Delaware. If they had $75 million as of June 30, and they are using $11 million a month, they had enough to hold them until the first of January, and the extra amount would carry them until the first of January.

Mr. PROXMIRE. The extra amount would run them through until April.

Mr. WILLIAMS of Delaware. That is correct. It would run until April or May; and the Congress will be coming back in January; in fact, if we do not hurry up, we will not get out of here before January.

Mr. PROXMIRE. I agree with the Senator from Delaware, and the majority of the Committee on Banking and Currency agreed with him, too. But it was a problem to try to reconcile our views with the House. They said they perhaps would not be able to act properly on the matter until April or May, and they preferred to put it off until, perhaps, June.

Mr. WILLIAMS of Delaware. I think we could act just as intelligently in the first three months of the year as we can hurriedly this afternoon on something the committee says is not actually needed. I hope the Senator from Wisconsin will withdraw the amendment and take the matter to conference.

Mr. PROXMIRE. The Committee on Banking and Currency has been completely polled on this question and the members have agreed that it was proper to defer to the wishes of the House in this event, and that we accomplish our objective anyway, which is to make certain that there will be a full review of this agency next year. This would mean that we could act far more expeditiously.

Mr. WILLIAMS of Delaware. I do not gather the Senator's meaning. If the money is not needed, I do not see why we should provide it. Why not come back next year and consider the question?

Mr. PROXMIRE. The Senator from Delaware knows that the administration of the party the Senator represents asked initially for $200 million. That is the amount the SBA and the President asked for. We felt that was too much. We wanted to take a look at the matter, so we cut that amount down to $50 million. So to increase the amount to $75 million is a very modest and moderate compromise. It does not affect the principal purpose, which is to make certain that we have an opportunity to review the agency in 1960.

Mr. WILLIAMS of Delaware. I appreciate the enthusiastic endorsement of the principles of this administration by the Senator from Wisconsin. I wish he had felt that way earlier this afternoon and had voted to sustain the veto of the civil works appropriation bill.

Mr. PROXMIRE. I reply to the Senator from Delaware by saying that it was the position of the Senator from Wisconsin consistently that the $200 million asked for by the administration was too much; that we should not provide that much. I felt that we should have another look at this agency next year.

Mr. WILLIAMS of Delaware. I agree with the Senator completely. I agree that he was correct in cutting the amount down. Therefore, I hope the Senator will withdraw the amendment and let the bill pass as it is. Then the matter will be in conference.

Mr. PROXMIRE. I appreciate the suggestion of the Senator from Delaware, but I feel that I am not at liberty to withdraw the amendment, in view of the fact that the chairman and the other members of the Committee on Banking and Currency concurred in the suggestion that the amount be increased. If the Senator from Delaware presses his position, I shall have no alternative except to insist on the amendment and ask for a vote on it.

Mr. WILLIAMS of Delaware. Let us ask for a vote. Does the Senator want to have a yea-and-nay vote?

Mr. PROXMIRE. No.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 850, H.R. 8599, which is a similar House bill.

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

The LEGISLATIVE CLERK. A bill (H.R. 8599) to amend the Small Business Act, and for other purposes.

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

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

Mr. PROXMIRE. Mr. President, I move that all after the enacting clause of H.R. 8599 be stricken, and that the text of the Senate bill, as amended, be substituted therefor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion 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 third reading of the bill.

The amendment was ordered to be engrossed, and the bill read a third time.

The bill (H.R. 8599) was read the third time, and passed.

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which Senate bill 1697, Calendar No. 596, was passed earlier today.

The PRESIDING OFFICER. The motion will be entered.

TO AMEND THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 851, S. 2611.

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

The LEGISLATIVE CLERK. A bill (S. 2611) to amend the Small Business Investment Act of 1958, 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. PROXMIRE. Mr. President, the bill amends the Small Business Investment Act of 1958. It is the product of extremely exhaustive hearings. The committee held 8 full days of hearings, and the hearings, covering 690 pages, are available to Senators. The committee heard 11 witnesses from small business investment companies who had had practical experience, either actually with a small business investment company or in problems leading up to the formation of one. In addition, the committee heard 18 other witnesses testify. As a result of the hearings, three kinds of proposals were made.

Many Senators have expressed to the committee a desire that the small business investment company program be improved. There has been much disappointment expressed concerning the program. It was felt that this kind of legislation was most desirable.

There are three kinds of changes. One is a change in the tax laws, over which the Committee on Banking and Currency does not have jurisdiction. We incorporated none of these changes into the bill.

The second proposal was a change with respect to exemptions from the Investment Company Act of 1940. We felt that while the proposal had merit, more experience was needed before action of that kind could be taken. So we did not incorporate this into the bill.

The third proposal was to liberalize the kind of investments which small business investment companies may make in small business. This proposal was advocated by the administration and was overwhelmingly advocated by the witnesses.

It was approved—unanimously—by the committee. The act now provides that the only investments which can be made by small business investment companies are in convertible debentures. The testimony is overwhelming that this is too restrictive and is one of the principal reasons why small business investment companies have not been able to move ahead, why they have been so slow in the number formed. The heart of the bill is to eliminate the restrictions to convertible debentures and to provide, instead, that any kind of credit approved by small business investment companies—either common stock, preferred stock, or debentures of various kinds should be permissible.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. JOHNSON of Texas. I wish to congratulate the Senator from Wisconsin on the fine work he has done in this field. As one who originally was very much interested in this proposed legislation, I must say that at this point I am somewhat disappointed, when I find that only 27 small business investment companies have been formed.

I hope the action the Senator from Wisconsin has taken and the action the Senate is taking today will encourage the formation of more of these small business investment concerns.

Mr. PROXMIRE. I thank the Senator from Texas. Of course I understand his proper concern over the slowness of this program.

The Administrator told us that he expected that 200 of these companies would be formed by the end of the year. Unfortunately, although this bill is about to be passed by the Senate, it will not be possible for the bill to be passed by the House of Representatives until next year.

It is our feeling that once this legislation becomes law, it will be a great boon to small business. The greatest need of small business concerns in America is for greater amounts of long-term equity capital.

Mr. JOHNSON of Texas. I thank the Senator from Wisconsin; and again I congratulate him.

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. MORSE. I am very much interested in the position the Senator from Wisconsin has taken on the small business bills which have been under consideration in the Senate during the last few minutes.

I remember that in 1958, it was my privilege to travel somewhat in Wisconsin and to speak in behalf of the candidacy of the Senator from Wisconsin; and I heard him say over and over again what his pledges were to the people of Wisconsin and to the small businessmen of Wisconsin and of the Nation; and I heard him say over and over again what his recommendations would be in the interests of the small businessmen.

I wish to state at this time to the small business firms in Wisconsin that the action the Senate is taking today on these measures constitutes one example of how the Senator from Wisconsin keeps his pledges to them.

Mr. PROXMIRE. I thank the Senator from Oregon. Certainly, Wisconsin is very proud of its native son, the Senator from Oregon [Mr. MORSE], who has had so distinguished a career and who, throughout his career, has been a true friend of small businesss.

Mr. SPARKMAN. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. SPARKMAN. First, I desire to thank the Senator from Wisconsin and commend him for the great amount of work he has done on this matter. I know something of the long hours and days of hearings that he conducted, and also of his efforts in connection with the consideration of various measures in this field.

I am delighted that during the consideration of today's calendar, he has been able to bring these measures to completion.

In regard to the statement made a few moments ago about the slowness of the formation of these small business investment companies and the majority leader's statement that the record shows that only 27 have been formed, I should like to say that, of course, we should keep in mind that not one of them was established until well after the first of the year, as I recall; in fact, I believe it was approximately February 1, before the first one was established.

They have been developed rather slowly, because of the great amount of care and caution that have been taken, in order to make certain that they were soundly based.

I have felt very much pleased with the slow and cautious manner in which the Small Business Administration has proceeded, under the leadership of Mr. Barnes, in setting up these groups, so as to make sure that they were good, sound financial institutions.

All of us recognize the restrictions under which they have labored; but I have felt that in the last several months they have been progressing quite satisfactorily. I hope that by the end of the year, these companies will be distributed quite well over the Nation, because it will mean a great deal to have these companies in all parts of the United States. In fact, I hope the time will come when there will be at least one of them in every State; and, of course, in many of the States there will be several of them.

I desire particularly to commend the Senator from Wisconsin for bringing this proposed legislation to the point of passage by the Senate.

Mr. PROXMIRE. I thank the Senator from Alabama, who, of course, is chairman of the Select Committee on Small Business, and for a long time has been a Senate leader on small business legislation, and has done a magnificent job.

Mr. President, before I conclude my remarks, I wish to state that it is extremely important that all of us realize why this change is so important. At the present time, there is little profit incentive to begin a Small Business Investment Company. This is because the small business investment company is very likely to find that the successful small businesses in which it invests can retire the investment without any increase in

value for the convertible debentures the small business can retire its own debentures on 3 months' notice; and for that reason, the opportunity for a small business investment company to make progress is very limited.

But that situation is improved and corrected by this bill; and, therefore, the opportunities for progress will be much greater.

Mr. SPARKMAN. Mr. President, I know that the Senator from Wisconsin realizes that earlier today I successfully proposed to a tax bill an amendment which will be very helpful to small business companies.

Mr. PROXMIRE. I realize that; and I heartily supported the amendment.

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

The bill (S. 2611) 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 "Small Business Investment Act Amendments of 1959".

SEC. 2. As used in this Act, unless otherwise indicated, references to "the Act" are to the Small Business Investment Act of 1958, as approved August 21, 1958 (72 Stat. 689).

SEC. 3. Section 103 of the Act is amended by deleting the paragraph numbered (4) and inserting, in lieu thereof, the following: "the term 'State' includes the several States, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia."

SEC. 4. Subsection 301(d) of the Act is amended by deleting the paragraph thereof numbered (9); and by respectively redesignating the paragraphs thereof numbered (10) and (11) as (9) and (10).

SEC. 5. Subsection 302(b) of the Act is amended by deleting the first word and inserting in lieu thereof the following: "Notwithstanding the provisions of section 6(a)(1) of the Bank Holding Company Act of 1956, shares".

SEC. 6. Section 304 of the Act is amended to read as follows:

"SEC. 304. It shall be a function of each small business investment company to provide a source of equity capital for incorporated small business concerns, in such manner and under such terms as the small business investment company may fix with the approval, by regulation or otherwise, of the Administration."

SEC. 7. Title 26, chapter 6, section 26-610 of the District of Columbia Code, 1951 edition, is amended by inserting after the word "associations" the following: ", small business investment companies licensed and operating under the Small Business Investment Act of 1958".

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

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

COMMISSION ON METROPOLITAN PROBLEMS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 908, Senate bill 1431.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1431) to provide for the establishment of a Commission on Metropolitan Problems.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, this bill will result in the creation of a Commission on Metropolitan Problems.

The bill has been favorably reported by the Committee on Government Operations. A majority of the committee recommends the establishment of the Commission, in order to have it make a thorough study of District problems. The bill provides for the establishment of a temporary bipartisan commission, composed of 18 members, to make a "full and complete investigation and study of Federal policies and programs relating to the needs and problems of the Nation's metropolitan areas," for the purpose of determining, first, the present and prospective needs of the Nation's metropolitan areas; second, the capabilities of the different levels of government to meet such needs; third, the extent to which the Federal Government is assisting metropolitan areas in meeting such needs; and fourth, means for improving the coordination of Federal, State, and local policies and programs.

Mr. KEATING. Mr. President, the Senate yesterday passed S. 1431, providing for the establishment of a Commission on Metropolitan Problems.

I wish to comment briefly on my support for S. 1431, a bill introduced by Senator CLARK which would establish a Commission on Metropolitan Problems.

This is a subject in which I am extremely interested. I have addressed the Senate several times during the past year on this subject in connection with S. 2397, a bill which I introduced to create a Department of Urbiculture. While I would prefer to see action taken along these lines, I certainly am not opposed to S. 1431. It may only be a half of a loaf, but it is still a very important step in the right direction.

Mr. President, I know that I echo the sentiments of many of my colleagues when I say that I am firmly convinced that we must be prepared to take bold and imaginative steps to resolve the many great and pressing problems which confront the urban areas of our Nation. All of us are familiar with these problems. Similarly, all of us are aware that these problems have increased in intensity in recent years in connection with the rapid expansion of American cities. Some of the major metropolitan problems which come immediately to mind are: Juvenile crime, education, housing and slum clearance, water and air pollution, highways and parking, public works, and financial management. Every one of us is faced with one or another of these problems every day.

It cannot be denied that our metropolitan problems are national problems, and that we must organize and coordinate our efforts to resolve them at the Federal level. I want to expand upon this point briefly. The rapidity of transportation and communication in the United States makes it possible for citizens to move great distances with relative ease. A delinquency problem, a neglected educational system, the lack of adequate relief facilities, polluted water, and many other urban problems can and do have a wide impact. Cities not only have a responsibility to their own citizens to deal effectively with their problems, but they have a responsibility to every other city in the Nation. For example, a neglected facility or service in one city may lead to the migration of many of its families to other cities and towns, which are not able to handle the influx. Similarly, the neglect of a problem of crime or delinquency or lack of relief in one city may lead to the migration of problem families to other areas, thereby taxing the ability of the new area to cope with its own problems.

It is my feeling that a Federal Department of Cabinet stature is the best way to deal with this dilemma. I have studied this matter at some length, and am impressed by the voluminous evidence to support this proposition, namely, that the problems of our cities should be considered and coordinated under a single Cabinet-level Department. I intend to continue in my efforts on this behalf.

I know that there are many in Congress who agree with this view. Nevertheless, I realize that Congress is not disposed to take action of this sort at the present time. The proposal of Senator CLARK for a Commission on Metropolitan Problems is based on an objective appraisal of the temper of Congress, which traditionally—and rightly so—is slow to take giant steps. I regard S. 1431 as an excellent and important step in the right direction. I personally consider it a preliminary step which will lay the groundwork for the eventual establishment of a Department to deal with the Nation's urban problems.

Mr. President, I strongly urge the acceptance of S. 1431. Such a Commission on Metropolitan Problems will indeed permit an intensive and comprehensive study on the national level directed at the needs and capabilities of our cities—and at the most feasible means for eventually improving and revising Federal, State, and local programs to deal with the great and urgent problems which now threaten the well-being of cities throughout the Nation.

Mr. President, I was necessarily absent from the floor at the time the measure was considered, and I ask unanimous consent that these remarks may appear in the permanent RECORD prior to the passage of the bill.

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

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, I offer certain technical amendments which I send to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 1 in line 9 it is proposed to strike out "eighteen" and insert "twenty-one".

On page 2, line 6, after "(3)", strike out "Six" and insert "Nine".

On page 2, line 12, after the word "party", strike out "and".

On page 2, line 14, strike out the period and insert in lieu thereof a comma and the following:

and one city manager of a city in the United States; and

(D) Two from a panel of at least eight elected county officers submitted by the National Association of County Officials, not more than one from the same political party.

On page 3, line 16, after the word "schools", insert "library services,"

On page 5, beginning on line 8, strike out all through line 15 and insert in lieu thereof the following:

(b) Each department, agency, and instrumentality of the executive branch of the Government including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

On page 5, beginning on line 20, strike out all through line 23 and insert in lieu thereof the following:

(b) Members of the Commission shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the amendments, which are only technical, be considered en bloc.

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

The question is on agreeing to the amendments submitted by the Senator from Texas.

The amendments were 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 and third reading of the bill.

The bill (S. 1431) was ordered to be engrossed for a third reading, was 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,

ESTABLISHMENT OF THE COMMISSION

SECTION 1. There is hereby established a Commission to be known as the Commission on Metropolitan Problems (hereinafter referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) The Commission shall be composed of twenty-one members as follows:

(1) Six appointed from the Senate by the President of the Senate, four from the majority party and two from the minority party;

(2) Six appointed from the House of Representatives by the Speaker of the House of Representatives, four from the majority party and two from the minority party; and

(3) Nine appointed by the President of the United States as follows:

(A) Two from among the heads of Federal departments and agencies;

(B) Two from among the Governors of States having major urbanization problems, not more than one from the same political party;

(C) Two from among the mayors of cities in the United States, not more than one from the same political party, and one city manager of a city in the United States; and

(D) Two from a panel of at least eight elected county officers submitted by the National Association of County Officials, not more than one from the same political party.

(b) The members of the Commission shall select a Chairman from among such members from the Congress, and a Vice Chairman from among such members from the House of Congress other than that of the Chairman.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) Ten members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

(e) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall make a full and complete investigation and study of Federal policies and programs relating to the needs and problems of the Nation's metropolitan areas for the purpose of determining—

(1) the present and prospective needs of the Nation's metropolitan areas for public services, including but not limited to planning, highways, mass transit facilities, water resources, elimination of air and water pollution, health and welfare services, schools library services, recreation facilities, urban renewal and housing, ports, airports, and prevention of crime and delinquency;

(2) capabilities of different levels of government to meet such needs;

(3) the extent to which the Federal Government is assisting metropolitan areas in meeting such needs;

(4) means for improved coordination of Federal, State, and local policies and programs that affect metropolitan areas;

(5) such other matters as may be of assistance in solving the various problems of, and promoting the social and economic well-being of, the Nation's metropolitan areas.

(b) The Commission shall submit to the President and to the Congress on or before February 1, 1961, its findings and recommendations; and the Commission may also from time to time make to the President such interim reports as the President may request or as the Commission deems appropriate.

(c) The Commission shall cease to exist 6 months after submission to the President of its final report and recommendations.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission or, on the authorization of the Commission, any two or more members thereof, may, for the purposes of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (2 U.S.C. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

APPROPRIATIONS, EXPENSES, AND PERSONNEL

SEC. 5. (a) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

(b) Members of the Commission shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(c) The Commission may appoint and fix the compensation of such employees as it deems advisable without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(d) The Commission may procure, by contract or otherwise, the services of public or private organizations or institutions.

EXEMPTION OF CERTAIN OFFICERS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT FROM THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 949, House bill 4283.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4283) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such act which had been reported from the Committee on the District of Columbia, with amendments, on page 2, line 23, to strike out "and"; after line 23, to insert:

(O) United Civil Service Commission.

After line 24, to insert:

(P) Indian Claims Commission.

At the top of page 3, to insert:

(Q) Board of Parole, and.

At the beginning of line 2, to strike out "(O)" and insert "(R)"; in line 4, after the word "taxable", to strike out "year." and insert "year,"; in line 12,

after the word "taxable", to strike out "year." and insert "year,"; after line 12, to insert:

(4) any of the following elected officials of the Senate:
(A) Secretary,
(B) Sergeant at Arms,
(C) Secretary for the Majority,
(D) Secretary for the Minority, and
(E) Chaplain,
unless such official is domiciled in the District on the last day of the taxable year.

After line 21, to insert:

(5) Any of the following elected officials of the House of Representatives:
(A) Clerk,
(B) Sergeant at Arms,
(C) Doorkeeper.
(D) Postmaster, and
(E) Chaplain,
unless such official is domiciled in the District on the last day of the taxable year, and.

On page 4, after line 5, to insert:

(6) Any of the following Federal officials:
(A) Director, Administrative Office of the United States Courts,
(B) Architect of the Capitol,
(C) Public Printer,
(D) Librarian of Congress,
(E) Comptroller General of the United States, and
(F) Assistant Comptroller General of the United States,
unless such official is domiciled in the District on the last day of the taxable year.

On page 5, line 21, after the word "Board", to strike out "and"; after line 21, to insert:

(O) United States Civil Service Commission.

After line 22, to insert:

(P) Indian Claims Commission.

At the top of page 6, to insert:

(Q) Board of Parole, and.

At the beginning of line 2, to strike out "(O)" and insert "(R)"; in line 4, after the word "taxable", to strike out "year." and insert "year,"; in line 12, after the word "taxable", to strike out "year." and insert "year,"; after line 12, to insert:

(4) Any of the following Federal officials:
(A) Director, Administrative Office of the United States Courts,
(B) Architect of the Capitol,
(C) Public Printer,
(D) Librarian of Congress,
(E) Comptroller General of the United States, and
(F) Assistant Comptroller General of the United States,
unless such official is domiciled in the District on the last day of the taxable year.

On page 7, at the beginning of line 8, to insert "or to any of the elected officials of the legislative branch of the Government of the United States referred to in paragraphs (4) or (5) of section 4(s) of title I of this Act, unless such official is domiciled in the District on the last day of the taxable year,"; at the beginning of line 24, to insert "United States Civil Service Commission, Indian Claims Commission, Board of Parole,", and on page 8, line 9, after the word "taxable", to strike out "year" and insert "year, or any of the following officers, unless such officer is domiciled in the District on the last day of the taxable year: (A) Director, Administrative Office of the United States Courts; (B) Architect of the Capitol; (C) Public Printer; (D) Librarian of Congress; (E) Comptroller General of the United States; or (F) Assistant Comptroller General of the United States."

Mr. JOHNSON of Texas. Mr. President, the purpose of H.R. 4283, as amended by the committee, is to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, so as to exempt from such act certain additional specified officers of the executive, legislative, and judicial branches of the Federal Government.

During the hearing on the proposal on June 15, 1959, it was pointed out that most of the persons affected by the bill and who reside in the District do so only because of their service to the Government. Most have retained their legal residence in the States from which they were appointed by maintaining bank accounts, owning professional licenses, such as lawyers, doctors, etc., by maintaining voting residence in their State of appointment, by having tax liabilities and local affiliations there, such as continuing membership in churches, fraternities, and various political and religious organizations, and by having never becoming domiciled in the District of Columbia. It was further pointed out that many of these persons still own their homes and have business interests in the States from which they were appointed, and intend to return to such States upon the conclusion of the appointive service.

It is felt that the enactment of the bill would provide equitable treatment to these Federal appointees whose domiciles remain in their respective home States during the period they are serving as Federal appointees within the District of Columbia.

Mr. President, I ask that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the committee amendments.

The amendments were 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 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 was read the third time, and passed.

The title was amended so as to read: "A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive, legislative, and judicial branches of the Federal Government shall be exempt from such Act."

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, after we take up one or two more bills, I shall ask the Senate to take a brief recess.

EMERGENCY REPATRIATION ASSISTANCE ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 811, S. 2467.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (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.

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, in the event of international crisis or war, it is frequently necessary to evacuate American nationals from countries or areas where their lives are endangered. Large numbers of people may need simultaneously to leave foreign locations under pressing conditions. A mechanism should exist to provide emergency assistance to them when they reach the United States and to assure their prompt movement from crowded ports of entry.

The extent of the problem that could develop is found in the numbers of our citizens abroad. Today more than 600,000 Americans, not including members of the Armed Forces, are living and working in foreign countries. In addition, hundreds of thousands of American tourists each year are traveling abroad.

When these Americans abroad become destitute or ill, or their safety is threatened by war, threat of war, invasion, or similar crises, the Department of State has the responsibility for returning them to a port of entry. There is, however, no provision for the reception and further transportation of these repatriates after their arrival at the port of entry or for such financial assistance and other care as may be needed.

For many years the Department of Health, Education, and Welfare has been cooperating with the Department of State in arranging temporary assistance to repatriates. Although they are relatively few in peacetime, their need for assistance is often acute. Some are seriously ill, others have lost ties with relatives and friends in the United States, and many do not qualify for assistance from any State or community. The port-of-entry States, particularly those without residence requirements for public assistance, have borne the major burden of the repatriates in number and cost. There is no provision for reimbursement to State or local welfare departments or voluntary agencies who provide such aid.

Between June and December 1958, the Department of Health, Education, and

Welfare collaborated with State and local public welfare departments, travelers' aid societies, and the International Social Service in helping the Department of State to repatriate 32 persons in 22 families and, quite exceptionally, 72 stranded Americans returning from the Brussels Fair.

Of the 32 persons, 11 were children and 6 were over 65 years of age. They needed a variety of help—care in nursing homes and homes for the aged, hospitalization, financial assistance, and help with transportation.

Because of unsettled conditions in the world today, the bill reported out by the committee is regarded as necessary by the Government's national defense, foreign policy, and security agencies to safeguard the interest of individual Americans and the interest of the United States.

The Emergency Repatriation Assistance Act of 1959 would authorize the Secretary of Health, Education, and Welfare, after consultation with the Secretaries of State and Defense, to develop plans and make arrangements for providing temporary assistance to U.S. nationals and dependents of U.S. nationals identified by the Department of State as having returned or been brought here because of destitution or illness of the U.S. national or any of his dependents, or because of war, threat of war, invasion, or similar crisis. Such assistance would, however, be provided only if the national or dependent involved was without available resources. This assistance could consist of money payments, medical care, temporary billeting, transportation, or other goods or services needed for the health or welfare of the individual. It could also include guidance, counseling, and other welfare services.

The assistance could be provided during the period of 13 months after the return of the individual to this country.

The plans developed pursuant to this legislation would have to include provision for reimbursement to the United States by the recipient of the temporary assistance to cover the cost thereof. Such reimbursement would not, however, be required in any classes of cases, set forth in regulations, in which, in the judgment of the Secretary of Health, Education, and Welfare, the cost was not readily allocable to a particular individual or in which recovery would be uneconomical or otherwise impractical. All or part of such reimbursement could also be waived for good cause by the Secretary of Health, Education, and Welfare in individual cases.

The assistance provided by the Secretary to repatriated U.S. nationals and their dependents would, to the extent feasible, be provided in accordance with the plans developed as described above, as modified by him from time to time. He would be authorized to provide such assistance directly or, in accordance with agreements, through use of appropriate public or private agencies or organizations.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 2467) 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 "Emergency Repatriation Assistance Act of 1959".

DEVELOPMENT OF PLANS

SEC. 2. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of State and the Secretary of Defense, shall develop plans and make arrangements for providing temporary assistance within the United States to United States nationals and to dependents of United States nationals, if they (1) are identified by the Department of State as having returned, or been repatriated or otherwise brought, to the United States because of the destitution of the United States national or the illness of such national or any of his dependents or because of war, threat of war, invasion, or similar crisis, and (2) are without available resources.

(b) Such plans shall include provision for reimbursement to the United States by the recipients of the temporary assistance to cover the cost thereof, except in any class or classes of cases, set forth in regulations of the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary"), in which, in his judgment, such cost is not readily allocable to the individual recipient, such cost is so small as to make its recovery uneconomical, or recovery of such cost is for other reasons impractical, and except in cases in which the claim for such reimbursement is waived by the Secretary, in whole or in part, for good cause determined in accordance with regulations prescribed by him.

PROVISION OF ASSISTANCE

SEC. 3. (a) The Secretary is authorized to provide temporary assistance within the United States to individuals specified in section 2(a). To the extent feasible, such assistance shall be provided in accordance with the plans developed pursuant to section 2 as modified from time to time by the Secretary.

(b) The Secretary may provide such assistance directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements. Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to any such agreement. An agreement with any such agency or organization under this subsection shall provide for payment to it, in advance or by way of reimbursement, as may be determined by the Secretary, of an amount equal to the cost to such agency or organization of carrying out the agreement. Such amount shall be determined by such statistical, sampling, or other method as may be provided in the agreement.

DEFINITIONS

SEC. 4. For purposes of this Act, the term "temporary assistance" means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them within a period of not to exceed one year after the month following the month in which the recipient returns, or is repatriated or otherwise brought, as the case may be, to the United States.

APPROPRIATIONS

SEC. 5. There are authorized to be appropriated to the Department of Health, Education, and Welfare such sums as the Congress may determine for carrying out the purposes of this Act.

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO REPORT BILL AND FILE REPORT

Mr. CLARK. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare may have until midnight tonight to report a bill, which has been ordered reported by the committee, to amend the Coal Mine Safety Act, and to file a report in connection with the bill.

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

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 896, S. 2568.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

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 Joint Committee on Atomic Energy with amendments.

RECESS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate take a recess, subject to the call of the Chair.

The motion was agreed to; and (at 5 o'clock and 11 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

At 5 o'clock and 20 minutes, p.m., the Senate resumed its session, and was called to order by the Presiding Officer (Mr. THURMOND in the chair).

EXTENSION OF INTERNATIONAL WHEAT AGREEMENT ACT OF 1949

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 710, S. 2449, to extend the International Wheat Agreement Act of 1949.

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

The LEGISLATIVE CLERK. A bill (S. 2449) to extend the International Wheat Agreement Act of 1949.

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 (S. 2449) to extend the International Wheat Agreement Act of 1949, which had been reported from the Committee on

Agriculture and Forestry, with an amendment on page 1, after line 4, to strike out:

(1) There is inserted before the parenthesis at the end of the first sentence the following: "and the agreement (International Wheat Agreement, 1959) further revising and renewing the International Wheat Agreement for a period ending July 31, 1962, signed by the United States and certain other countries:".

And, in lieu thereof, to insert:

(1) The first sentence is amended by striking out "under the International Wheat Agreement of 1949" and all that follows and inserting in lieu thereof "under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements (the agreement of 1953, the International Wheat Agreement, 1956, and the International Wheat Agreement, 1959, signed by the United States and certain other countries) revising and renewing such Agreement of 1949 for periods through July 31, 1962 (hereinafter collectively called the 'International Wheat Agreement')."

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 2 of the International Wheat Agreement Act of 1949, as amended, is amended as follows:

(1) The first sentence is amended by striking out "under the International Wheat Agreement of 1949" and all that follows and inserting in lieu thereof "under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements (the agreement of 1953, the International Wheat Agreement, 1956, and the International Wheat Agreement, 1959, signed by the United States and certain other countries) revising and renewing such Agreement of 1949 for periods through July 31, 1962 (hereinafter collectively called the 'International Wheat Agreement')."

(2) There is inserted immediately before the last sentence the following new sentence: "Such net costs in connection with the International Wheat Agreement, 1959, shall include those with respect to all transactions which qualify as commercial purchases (as defined in such agreement) from the United States by importing member countries."

Mr. JOHNSON of Texas. Mr. President, the bill will extend the International Wheat Agreement Act of 1949 to cover the International Wheat Agreement of 1959.

Mr. MORSE. Mr. President, I have received communications from the Oregon Wheat League and other wheatgrowers in my State strongly supporting the bill. I am pleased to vote for the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and, without objection, the committee amendments are agreed to en bloc.

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

The bill (S. 2449) was ordered to be engrossed for 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. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EMPLOYMENT OF SIX ADDITIONAL LABORERS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 225, Senate Resolution 113.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 113) authorizing the Sergeant at Arms of the Senate to employ not to exceed six additional laborers.

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 resolution.

Mr. JOHNSON of Texas. Mr. President, I move that the resolution be indefinitely postponed. The matter has been taken care of, and I want to get the resolution off the calendar.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

SALARY INCREASES FOR POLICE OF NATIONAL ZOOLOGICAL PARK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 829, H.R. 8464.

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

The LEGISLATIVE CLERK. A bill (H.R. 8464) to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park.

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 (H.R. 8464) to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park.

Mr. JOHNSON of Texas. Mr. President, the Committee on Rules and Administration, to which the bill (H.R. 8464) to provide salary increases for the police for the National Zoological Park, was referred, has considered the bill and recommends that the bill be passed.

Mr. MORSE. Mr. President, I spoke on behalf of this bill yesterday when it was reached on the call of the calendar. I think it is a bill which simply provides fair treatment for the police of the National Zoological Park, and it ought to be passed.

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

The bill (H.R. 8464) 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. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DONATIONS OF SURPLUS PROPERTY TO LIBRARIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 854, S. 155.

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

The LEGISLATIVE CLERK. A bill (S. 155) to amend the Federal Property and Administrative Services Act of 1949, so as to permit donations of surplus property to libraries which are tax-supported or publicly owned and operated.

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 (S. 155) to amend the Federal Property and Administrative Services Act of 1949, so as to permit donations of surplus property to libraries which are tax supported or publicly owned and operated, which had been reported from the Committee on Government Operations, with an amendment, to strike out all after the enacting clause and insert:

That clause (A) and clause (B) of paragraph (3) of section 203(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(j)) are amended by striking out the words "and universities," wherever they appear therein, and inserting in lieu thereof the words "universities and other educational institutions".

Mr. MORSE. Mr. President, I am in support of this bill because it is nondiscriminatory in form and applies uniformly across the country wherever surplus property is located. I think it is a fair bill.

Mr. KEATING. Mr. President, this is a fine and important bill which I support. Certainly, we should bend every effort to help our libraries, which form such a vital part of our Nation's educational effort. I therefore agree with the finding of the Department of Health, Education, and Welfare and the Senate Government Operations Committee that an extension of the Surplus Property Act to include "other educational institutions" may properly include public libraries.

I commend the committee and the Department for formulating this new language which helps clear up the anomaly which existed in the old law with regard to the eligibility of various kinds of libraries for Federal surplus goods.

It is my hope this legislation will do much to help our public libraries do an even better job than the splendid job they are already doing.

However, Mr. President, I am extremely disappointed that the Government Operations Committee has seen fit to report this laudable measure without reporting an equally important bill, S. 1365. That measure, which I originally sponsored as a Member of the House of Representatives, and which I introduced on March 10 of this year, would make certain welfare and recreation agencies eligible for Federal surplus property.

Hearings were held on a number of measures to broaden the scope of the Federal Property and Administrative Service Act of 1949, on July 30 of this year. Both S. 155 and S. 1365 were considered at that time, and I testified in behalf of the latter measure.

It was my feeling then and my conviction now that no groups, no agencies, no organizations are more worthy of receiving surplus Federal goods than our many fine welfare and recreation units. The work of these groups in helping our young people, our aged, and many of our needy citizens has been nothing short of magnificent. They are contributing significantly to the building of a happier, more secure, better America.

But our welfare and recreation agencies have been severely handicapped in carrying out their high aims by a lack of funds. I think we should leave no stone unturned in easing their paths. If, by proper legislation, we can help stretch their limited budgets, then we should do so without further delay.

S. 1365 represents a sound and progressive means for helping these fine agencies to help themselves. It grew out of the recommendations several years ago of the National Welfare Assembly Committee, which included members drawn from the American Foundation for the Blind, Child Welfare League of America, Council of Jewish Federations and Welfare Funds, Council on Social Work Education, National Council of Churches of Christ in America, National Federation of Settlements and Neighborhood Centers, National Jewish Welfare Board, National Recreation Association, Salvation Army, United Community Funds and Councils, Young Men's Christian Association, and Young Women's Christian Association. The following organizations also expressed their interest in this subject in connection with that committee's work: American Hearing Society, Board of Hospitals and Homes of the Methodist Church, National Catholic Community Service, and United HIAS Service. In addition, numerous fine organizations in related fields have since come forward in support of the bill.

Simply stated, S. 1365 would broaden the eligibility for Federal surplus property to include a limited number of welfare and recreation agencies. These groups would be in addition to the medical institutions, health centers, schools, colleges, civil defense, and certain other organizations which may now receive such goods.

The bill contains carefully drafted language to insure that only tax-supported or tax-exempt welfare or recreation agencies would be eligible for this property. In addition, a tax-exempt voluntary agency would have to hold a license from a State standard-setting agency, or receive funds through a State or local community fund, or be affiliated with or part of a national standard-setting organization.

Although I am not wedded to the specific language contained in S. 1365, I do feel it provides a substantial base for legislation in this field. It was evolved after careful study with highly reputable groups, including the National Federation of Settlements and Neighborhood Centers. The language is designed to prevent, as much as possible any abuse of the privileges to be granted by the legislation. It provides adequate safeguards against fly-by-night organizations which might not properly utilize surplus goods.

Mr. President, as I have stated, I shall not oppose S. 155. I simply feel that if we are going to open up Federal surplus goods for tax-supported or publicly owned and operated libraries, then we should do the same for the welfare and recreation agencies which play such an important part in our Nation's life today.

In my view, there are no groups more worthy of benefit than these agencies. They deserve special priorities under surplus disposal laws. In spite of the skepticism of the executive branch on this score, I believe sound administrative procedures can be evolved which would not be unduly costly and yet which would insure fair treatment of all eligible groups.

It is my hope that the continuing study of this whole field which is recommended by the Donable Property Subcommittee of the Senate Government Operations Committee on page 8 of the report on S. 155, will result in the formulation of a measure which will benefit those dealt with by S. 1365. It is my intention to continue to press for action in behalf of welfare and recreation agencies, to the end that they will be made eligible for the Federal surplus property they need so badly and can utilize so well in carrying on with their wonderful work.

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

The amendment was agreed to.

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

The bill (S. 155) 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 amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions."

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 896, S. 2568.

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

The LEGISLATIVE CLERK. A bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

The PRESIDING OFFICER. The question is on agreeing to the motion from the Senator from Texas.

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

THE SAGA OF A GREAT PUBLIC SERVANT—WILFRED JAMES McNEIL

Mr. BRIDGES. Mr. President, I rise to pay earnest tribute to a man who, in my opinion, is one of the most dedicated, one of the most outstanding public servants this country has ever had. It is with genuine sorrow that I must pay this tribute on the eve of his departure from Government service.

I refer to Wilfred James McNeil, who for 12 years has been in charge of fiscal affairs of the Department of Defense. Since the Unification Act of 1947, he has served under six successive Secretaries of Defense, both Democrat and Republican.

As Comptroller, Assistant Secretary of Defense McNeil is the only top Pentagon official who has stayed continuously on the same job since the services were unified.

He is leaving Government service to become president of the Grace Line. I think it is characteristic of Wilfred McNeil that of all the many offers he has had from private business, the only one he would accept is with a company that has no contractual involvements with the Department of Defense. I might point out, too, that he has been receiving such offers—at many times his Government salary—for years. But he has consistently elected to stay on the job.

Now, out of consideration for his family, he is leaving. I cannot do justice to the measure of his service to the Nation as a whole.

Wilfred McNeil literally has saved the taxpayers of America billions of dollars. And yet comparatively few people in this country have ever heard of him. This is understandable, for he has always shunned the limelight. I daresay he is one of the most modest—and remarkable—men I have ever met in Government.

Mr. President, as the chairman of the Committee on Appropriations, as the ranking member of the Committee on Appropriations of the Senate, as the ranking member of the Committee on Armed Services of the Senate, and as the ranking member of the Preparedness Subcommittee of the Senate, I have worked with Mr. McNeil. In those capacities I have had an opportunity to observe Mr. McNeil's work and the quality of that work.

BOSTON HERALD DEPLORES LOSS

I think it is appropriate at this point to quote from an article which was pub-

lished August 28 in the Boston Herald. It reads, in part:

Congress is concerning itself, as it should, with why the Navy and Air Force invested $243 million to develop some high-powered boron jet fuel and then closed down the work.

But Congress is not concerning itself with the waste of defense brains, a waste that can be far more costly.

The New York Herald Tribune says Wilfred J. McNeil, Assistant Secretary of Defense for Fiscal Affairs, is reported to be leaving to become president of the Grace Line. If Mr. McNeil does make this shift, the Nation had better inquire into something even more urgent than exotic fuels.

Since the establishment of the Department we have had six Secretaries of Defense. Whatever man has been entrusted with the enormous and complex operation and balance of our total defense structure has had 2 years on the average to get to know the business, the people in it, and the Senators and Representatives who parcel out the money.

The turnover is fantastic.

But through all those 12 years, McNeil has remained as Comptroller. His experience, his mastery of the great complex of defense has provided a priceless continuity. Secretaries would have limped without him, Presidents would have lacked an overall defense cost view, Budget Directors would have had to rely on less competent advice and congressional Appropriations Committees would have had none they could so well rely on.

No one today is so fully informed on the broad issues of defense.

And now that priceless ability appears about to be lost—lost, it should be noted, not only to the official defense staff of the United States, but to all defense, public or private.

CAREER FOLLOWS CLASSIC PATTERN

I think it is indeed sad that once our Government is able to attract men of Mr. McNeil's ability, it is seldom able to retain their service for any appreciable length of time. There are countless illustrations, from the Cabinet level on down.

The career of Wilfred McNeil follows the classic American tradition. He was born in Boone, Iowa, in 1901. He joined the Navy at 17 and served as a yeoman. Following World War I, he was a bank cashier in Searsboro, Iowa. Later he became president of the First State Bank in Brandon, Colo., and then in 1926 returned to Iowa, this time as an automobile distributor and later as a promotion official for the Des Moines Register and Tribune. He came east in 1934 and subsequently became circulation manager for the Washington Post.

Mr. McNeil returned to the Navy as a lieutenant commander when World War II began and at its conclusion was Fiscal Director of the Navy Department. Following his release from the Navy in 1945, he was promoted to rear admiral in the Naval Reserve. The then Secretary of the Navy, the late James V. Forrestal, had been highly impressed with his capabilities during the war and gave him general charge of all fiscal and management affairs of the Navy Department. In 1947, he became fiscal boss of the entire Defense Establishment—the biggest business in the world.

LAUNCHED NEW FISCAL SYSTEM

Once the Department of Defense was created, the task of instituting a financial system embracing all three services was an enormous one, to say the least. Starting virtually from scratch, Mr. McNeil guided the modernization of the long outmoded budgetary, fiscal, and accounting systems of the military services and introduced the concept of a single integrated and unified system of financial management in the Department of Defense.

His fiscal reorganization plans for the Defense Establishment were accepted by the Hoover Commission and later approved by Congress as amendments to the National Security Act. The amended laws, under which the Department now operates, included a number of technical innovations.

The most important was a system of corporate-type financing intended to do away with the multitude of separate, overlapping operations which formerly existed.

The Defense Department now provides working capital for a number of independent military businesses which furnish all three Armed Forces with common services, such as shipyards, arsenals, printing plants, and the like, thereby cutting duplication, waste, and, of course, cost. One of the largest is the Military Sea Transport Service, which combines all oceangoing transportation, both Army and Navy, into one business-like enterprise operating on a revolving fund basis. This operation alone has saved the taxpayers millions annually.

SAVINGS HAVE BEEN FANTASTIC

Thanks to the intelligent, streamlined systems instituted by Wilfred McNeil, cost consciousness pervades the entire Defense Establishment. The savings to our Treasury have been fantastic.

But Wilfred McNeil is more than just a brilliant administrator. He is a quiet, thoughtful man of immense scope, a statesman of the Forrestal school, a man who has never mistaken the trees for the forest. I think any member of the Appropriations Committee will bear out my statement that if there was one man who could be counted on for frank, honest, clear, forthright testimony, it was Wilfred McNeil.

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

Mr. BRIDGES. I certainly will.

Mr. HICKENLOOPER. I congratulate the Senator on his thoughtfulness in giving this extremely well-deserved commendation to a very great public servant. Secretary McNeil has indeed had a distinguished public career and a distinguished private career. He is going into a more distinguished private career. We are proud of him as a native Iowan.

I have known Secretary McNeil for many years. I have known his wife and his family. He has enjoyed the highest degree of trust and confidence of Congress and of the committees before which he has appeared. I am sure that all of us are sorry that he is leaving Government, but without doubt he is leaving Government for his own betterment and for his own best interests.

He suffered a tremendous personal human loss in his own family in the loss of his son, a flier in the naval service, who was recently killed in the Mediterranean area.

Secretary McNeil has demonstrated tremendous fortitude and ability. We all wish him well in any new activity in which he may engage.

As an Iowan I thank the Senator for his consideration.

Mr. BRIDGES. I thank the distinguished Senator from Iowa for his tribute to Mr. McNeil. I am sure that the distinguished Senator, coming from Iowa and being proud of the State which he serves and the people whom he serves, can well be proud of the record one of those citizens has made.

Mr. HICKENLOOPER. I thank the Senator.

Mr. BRIDGES. Mr. President, I asked Mr. McNeil for a statement after all his experience in the armed services. After those years of service he probably knows as much about the Defense Department, the defense posture of this country, as anybody in America, and as much, certainly, as anybody in civilian life. He has prepared for me a statement as Assistant Secretary of Defense. It is entitled "Would We want To Change Places With the U.S.S.R.?" It has a wonderfully intriguing, truthful, interesting theme. I ask unanimous consent that it be made part of the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BRIDGES. Mr. President, I should also like to remind my colleagues of the national hysteria which was deliberately encouraged following the launching of the Russian sputnik in 1957: "America's Armed Forces are definitely inferior to Russia's. American scientists are dopes. American schoolteachers are dullards. The country is being led by fools." That sort of talk was encouraged by those who believed it—and who wanted others to believe it.

NO NEED TO LOSE CONFIDENCE

To a certain extent, they succeeded. For a brief period, the morale of the Nation was decidedly low. But there was one voice at that time which spoke calmly. It was that of Wilfred McNeil, who announced that American defense spending—despite sputnik—would be increased very little. And he said why. Subsequent American achievements bore him out.

At this critical juncture in American history, there is no room for complacency on the part of our people. Neither, as Mr. McNeil explains, should there be apprehension, or a lack of confidence in our military and economic strength. We are strong, tremendously strong. And in that strength lies the best hope for peace.

I urge Senators to read this paper. It is a brilliant presentation of our present posture and I think it will serve to hearten all true Americans. It represents one of the last great services to be performed while in Government by this splendid American, Wilfred James McNeil.

EXHIBIT 1

WOULD WE WANT TO CHANGE PLACES WITH THE U.S.S.R.?

(By Wilfred James McNeil, Assistant Secretary of Defense)

"Reverse the situation, give us the Russian capability and give the Russians our capability * * * and see how you would feel then." This evocative remark was made by Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff and principal military adviser to the Secretary of Defense and the President, in reply to a particularly searching series of questions by members of a congressional committee inquiring into the status of U.S. military strength compared with the Soviet Union.

The House Subcommittee on Department of Defense Appropriations had been cross-examining Secretary of Defense Neil H. McElroy and General Twining as to the adequacy of the defense program and budget proposed for fiscal year 1960. The committee members were seeking to set the record straight with regard to allegations that the United States was now or soon would become a second-class power; that "soon we will be the underdog in the struggle with the Soviet Union"; that "the whole retaliatory and deterrent capacity of SAC, both overseas and at home, can be wiped out by 1961 or 1962"; that "today we have to face the fact that if Russia launches a war against the United States first she would win"; and that the Soviet Union will outnumber the United States in intercontinental ballistic missiles. In the words of Chairman GEORGE H. MAHON, the committee wanted to find out just what our status is in this contest between the United States and the Soviet Union for military supremacy.

No doubt many Americans are also bothered by this nagging question; and well they should be. Certainly, in this nuclear age, every American is on the firing line and every American is involved in the grave decisions facing this Nation now and in the years ahead. But to understand the problem and to participate intelligently as citizens the people must have the facts and the perspective upon which to base a balanced judgment. General Twining's remark in this regard offers an interesting and useful approach in providing the American people with the essential facts for a balanced perspective.

Let us, then, follow through on General Twining's idea and reverse the situation—giving the Russians our military capabilities and taking their military capabilities in return. In other words, let us imagine that we have an Army, Navy, and Air Force of the same size and composition as that of the Soviet Union and they have the kind of Army, Navy, and Air Force we now have. Let us imagine further that these Soviet forces are deployed close to our borders instead of our forces being deployed close to their borders—as they actually are. What would we find?

First and foremost we would be faced with four to five times more intercontinental jet bombers than we would have and perhaps more medium bombers. We would be faced with these long-range medium and heavy jet bombers and their supporting tankers based at scores of widely dispersed installations with some nearby in such places as Venezuela, Newfoundland, Puerto Rico, Bermuda, Central America, Hawaii, and Alaska. Venezuela to Washington, D.C., for example, is just about the same distance as our bases in north Africa or England are to Russia. Our bases in Okinawa are about half the distance to mainland China as Bermuda is to the east coast of the United States.

How would the American people feel if they knew that this force, because of its large supporting fleet of refueling tanker aircraft and advance bases, could attack from many directions and altitudes. What would we think if we knew that the heavy bombers were being equipped with guided missiles, such as the Hound Dog, which could be launched hundreds of miles away from the target thus avoiding our air defenses which, Soviet fashion, would be concentrated around a few big cities. What would we think if the bomber force was manned by the most highly trained and experienced crews in the world—as is that of the United States—capable of delivering, at night or in bad weather and with pinpoint accuracy, bombs whose individual explosive power is greater than that of all the bombs dropped by all of the bombers, enemy as well as allied, during the whole course of World War II?

Is this awesome force, which the United States now possesses and which is capable of wreaking destruction on a scale virtually beyond human comprehension, an advantage that the American people would swap with the Russians for their much smaller, less effective, inexperienced manned bomber force operating without benefit of oversea bases? The answer, of course, is a resounding "No."

To make sure that the United States will continue to have a manned bomber force capable of striking a decisive blow, the President's 1960 budget provides funds for additional B–52 intercontinental jet bombers, B–58 supersonic jet bombers and their associated KC–135 jet tankers.

Furthermore, there is under development and in production a number of means of increasing the ability of the manned bombers to penetrate enemy defenses. First is the Hound Dog air-to-ground or standoff missile designed to be carried by the B–52's. This missile, armed with a nuclear warhead, can be launched at a target by the bomber while it is still several hundred miles away, thus eliminating the need to penetrate heavily defended areas. In addition, the manned bomber force will be provided with a decoy missile, called the Quail, and special electronic devices which will assist in confusing and saturating enemy radar defenses.

In order to protect this force and shorten its reaction time, the aircraft are being dispersed over a much larger number of bases and special alert facilities are being constructed for the crews in the immediate vicinity of the aircraft. To assure that the vital minutes of warning are available under any and all circumstances, even a ballistic missile attack, a new ballistic missile early warning system—consisting of very powerful radars which can "see" the incoming ballistic missiles while still far distant from their targets—is being constructed in the Far North.

But, to get back to our reversed situation, how secure would the people in Washington and New York and the people in San Francisco and Los Angeles feel if the Soviet Union were deploying, at will, large and powerful naval task forces only a few hundred miles off the coasts of the United States? How would they feel if there were a half dozen Soviet aircraft carriers in these task forces, each with half a hundred nuclear bomb-carrying aircraft standing ready for action? Perhaps the American people have become so accustomed to hearing about U.S. naval forces operating freely in all the oceans of the world that they have begun to take this unique form of military power for granted, losing sight of its great importance to our national security.

The Soviet Union, in fact, has no aircraft carriers and as far as is known they are not building any. The U.S. carrier force, in contrast, is big enough right now to maintain both in the Mediterranean and in the Far East powerful task forces 24 hours a day, 7 days a week, and 365 days a year—backed up by additional carriers in the U.S. Atlantic and Pacific Fleets. Four big new *Forrestal*-class carriers have already been commissioned, three more are under construction, including the first nuclear-powered carrier, and the eighth has been requested in the 1960 budget. These new carriers will assure the Navy's ability to handle the larger and faster aircraft that are now being delivered. As the Lebanon and Quemoy crises have demonstrated, the carrier task force is a principal means of maintaining a U.S. military presence in the critical areas of the world far from our own shores. They avoid the question of national sovereignty and the many problems associated with the physical presence of U.S. forces in foreign countries. For these reasons they are a most useful means of dealing with situations short of general war. Here, as in the Strategic Air Command, years of experience and hard-won skill add immeasurably to the strength measured just in quantitative terms.

There are some people who like to call attention to the estimate that the Soviet Union outnumbers the United States in submarines. The Russians, they say, have 400 to 500 submarines while we only have 110 or 120—the number of U.S. long-range boats now in active service. Aside from the fact that half of the Soviet submarines are not capable of operating in distant areas, these people miss the main point, namely, that the requirements of the two countries are entirely different. The free world has over 95 percent of the total ocean shipping, the principal target of a submarine force; the Communist bloc less than 5 percent. Obviously, the United States does not have as great a need for any large number of submarines for use against merchant shipping—the targets simply do not exist on the other side.

However, with more than 95 percent of the merchant shipping and in the face of the large number of Soviet submarines, the free world is presented with a very tough antisubmarine warfare problem and the U.S. Navy is devoting a great deal of effort to its solution. It should be noted that successful antisubmarine warfare operations require the closest cooperation and teamwork among forces in the air, on the surface of the sea and under the sea. In addition to the fact that virtually all naval vessels have antisubmarine warfare capabilities, the Navy now has three highly successful permanent task groups in operation which provide intensive training for all elements of the specialized forces—antisubmarine warfare carriers and their specialized aircraft, destroyers, and hunter-killer submarines.

Other recent developments to increase the effectiveness of our antisubmarine warfare forces include a high-speed hydrofoil vessel to cope with the faster submarines, better and longer-range detection devices, extension of both the attack range and lethal radius of antisubmarine warfare weapons—including new accoustic homing torpedoes and nuclear depth charges, and the application of advanced data computers to the complex fire control and maneuver problems involved. Much basic research is also being done in fields such as oceanography to provide a better understanding of the vast, largely unknown medium in which the submarine must operate. These new weapons, forces and techniques, together with the skill and experience of the naval forces developed over a long period of years, give the United States an unmatched capability in this area.

In contrast, the Soviet Union has no antisubmarine warfare aircraft carriers and only limited numbers of the specialized aircraft needed to detect and attack submarines; and, of course, no hunter-killer forces in our sense of the term. More important perhaps, the Soviet Union has nothing like the U.S. Navy's wartime experience and skill in antisubmarine warfare operations.

Again, with respect to submarines, how would the American people feel if they thought that the Soviet Union had 39 nuclear-powered submarines in operation with the fleet, under construction or soon to be started, and we had none. Actually, this is the figure for the United States, and to the best of our knowledge the Soviets have no nuclear-powered submarines in operation at the present time. They have an icebreaker, the *Lenin*, under construction, and even here they are apparently running into trouble with the nuclear reactor.

In addition to these 39 nuclear-powered submarines, the United States also has under construction a nuclear-powered guided missile cruiser, a nuclear-powered guided missile frigate, and a nuclear-powered attack aircraft carrier, the largest ship ever to be built. The United States is also building its first nuclear-powered merchant ship, the *Savannah*. On the basis of the known facts, the United States is clearly far ahead of the U.S.S.R. in the application of nuclear power to ship propulsion. Is this taking second place?

Again, reversing the situation, how would the citizens of Miami, Fort Worth, Seattle, Chicago, and Boston feel if at dozens of bases scattered throughout nearby Canada, Mexico, and the Caribbean Islands there were more than 2,000 Soviet modern fighters, bombers, and tactical missiles alert and ready—each capable of wreaking the destruction of Hiroshima on some American city? Suppose, too, the Soviet Union was beginning to deploy to bases in northern Canada, Central America, and Haiti intermediate-range ballistic missiles each capable of delivering a nuclear warhead with less warning and greater accuracy than an ICBM. Fortunately, this is not the case.

With respect to the ICBM race, about which there has been no much public discussion, as matters now stand the United States and the U.S.S.R. are about neck and neck, even though it was not until 1954 that the United States put as much as $2 million a year into the development of its ICBM. On the basis of the best information available to anybody outside of the Kremlin itself, both the United States and the Soviet Union will have a limited operational capability with these missiles by the end of the current year. The United States is pressing forward with the development and production of these missiles and it may be assumed that the Soviet Union is doing likewise. The Defense Department, of course, knows how many ICBM's the United States plans to produce over the next few years, but there is no way of knowing for certain how many the Soviet Union will actually decide to produce in this period. In order to be prepared for the worst it is customary in projecting the military strength of other nations to base the intelligence estimates on what they could do, considering the status of the weapon in the development and production cycle and the facilities, skills, and materials considered available to them. It is when the number of ICBM's the United States actually plans to produce is compared to the number it is estimated the Soviet Union could produce that the so-called missile gap arises.

There is no way of knowing whether the Soviet Union will in fact produce the number of missiles it is estimated that they could produce. There are many other considerations of both an economic and a military nature which must obviously enter into such a calculation on the part of the Soviet Union. In other words, it is estimated that the Soviet Union has the industrial and scientific capability to produce several times more intercontinental ballistic missiles than we actually plan to produce in the next 2 or 3 years—providing that they are ready and willing to divert to this purpose all the resources that could usefully be applied, at the expense of other programs.

From past experience it is known that the Soviet Union does not always do what it is estimated they could do with respect to each and every individual program. For example, about 3 years ago it was estimated the Soviet Union could have by now 600–700 Bison long-range jet bombers in operational units. The Bison was already in production and it was thought that the Soviet Union had the physical capacity and technical capability to build that number of heavy aircraft over the 3- or 4-year span. But it is now known that they built only a fraction of that number, even though our own military leaders consider the intercontinental jet bomber—particularly when armed with a standoff missile—such as the Hound Dog—as one of the most important strategic weapons available at this time.

Even though the United States will continue to maintain a manned bomber force far larger than the U.S.S.R., it is making a major effort to develop and produce ballistic missiles. Although the United States may not produce the same number of first generation missiles that it is thought the Soviet Union is capable of producing, a total of about $7 billion has already been programed for this purpose in the last 4 years. It is planned to put another $2.7 billion into these programs in fiscal year 1960, bringing the total in only 5 years to almost $10 billion.

The United States has three intercontinental ballistic missiles under active development or production. The Atlas is the more advanced in development and, to borrow a phrase from Mr. Khrushchev, "is in serial production." The first few missiles are expected to be in place and ready to fire by the end of this calendar year. The first units of a follow-on liquid fuel ICBM, the Titan, are expected to be in place a year and a half or 2 years after the Atlas. About 2 years after that we expect to have the solid fueled intercontinental ballistic missile, Minuteman, which will have many important advantages over the liquid fueled missiles. It is expected, for example, to be easier to disperse in hardened bases and to require much less time to fire as well as fewer men and facilities to handle it. For these reasons the Minuteman-type missile is planned to be the backbone of the intercontinental missile force in the future, although there may still be a place for liquid fuel missiles because of their greater load-carrying capacity.

In the same class with the land-based ICBM's is the submarine-based Polaris ballistic missile. Because these missiles can be launched from submarines deployed far forward into the waters surrounding the Soviet Union, they have essentially the same effective range as a land-based intercontinental ballistic missile. The Polaris-firing submarines, each carrying 16 missiles, are nuclear powered and hence can cruise beneath the surface of the ocean or under the polar icecap for weeks and months, hidden from enemy observation. The Polaris missiles themselves can be fired from below as well as above the surface. These unique capabilities provide a degree of mobility and concealment which make the Polaris submarine force virtually invulnerable to surprise attack. They confront the Soviet Union with the certainty of a retaliatory blow from the great unsearched ocean depths.

The United States now has under construction six Polaris submarines. Three more are being started this summer, and long lead time components for additional boats are already under contract. The first of these submarines, the *George Washington*, was launched on June 9 by the Electric Boat Co. at Groton, Conn., and is expected to be ready for sea next year.

Now, how would the American people feel if the Soviet Union had this capability? Would they feel more or less secure if they thought that next year it would be the Soviet Union that would send forth the first of a fleet of these submarines to lurk off our shores—quiet, invisible, deadly? Fortunately, the situation is quite the opposite. It is the United States and not the Soivet Union that will soon have this unique capability. As of now there is no firm evidence that the Soviet Union is building such submarines.

Also worthy of mention are the several squadrons of intermediate-range ballistic missiles, Thor and Jupiter, being deployed overseas, and the intercontinental aerodynamic missile, Snark, just entering operational status. Because of its late development the Snark is being bought in only limited quantities, but it does add another kind of weapon system to our retaliatory forces.

Commenting on the great variety of missiles being developed and produced by the United States, Duncan Sandys, the British Minister of Defense, told the House of Commons, "Since we cannot put money on all the horses in the race, like the Americans can, we have to pick our fancy. We have chosen the Blue Streak. * * * If we could afford to have an assortment of deterrents, to have other clubs in the bag, we would certainly like to have a proportion of Polaris and Minuteman in our quiver."

But to return once more to our reverse situation: How would we fare if we were to exchange our air defense system with the Soviet Union? How would we feel if we had to be prepared to defend ourselves from all directions rather than primarily from the north as at present? What if we had to do the job with day fighters and fewer true all-weather jet interceptors? What would the American people think if ground-to-air missile defenses were concentrated around two or three metropolitan centers and elsewhere we had to rely in large part on obsolete anti-aircraft guns?

In contrast the actual air defense system of the United States, now in being, is a vast complex composed of early warning radars stretching across the northern edge of the North American Continent, well above the Arctic Circle; seaward extensions of this system by planes, ships, and Texas towers; further radar barriers across Canada; and virtually complete coverage of the entire United States by aircraft control and warning radars; plus all of the necessary communications lines to tie this vast system together and synchronize its operations. There is also now coming into operation the semi-automatic ground environment (SAGE) system which through large electronic computers and automatic display devices will coordinate and evaluate information from the various radars, and from the active defense forces, and will enable the air defense commander to control the air battle with a speed and precision never before approached. The recent launching of a Bomarc pilotless supersonic interceptor missile from Cape Canaveral and its successful attack on a drone target many miles at sea was done by a SAGE center located in Kingston, N.Y. Such feats of remote control and guidance indicate the coming, unprecedented sophistication of our air defense system.

The Bomarc surface-to-air long-range interceptor missile—controlled and guided by SAGE—is only one of the three basic weapons now or soon to be available to the air defense forces. In addition to it there are the manned aircraft of the Air Force, including all-weather supersonic fighters armed with target-seeking air-to-air missiles and other high performance fighters capable of firing nuclear-armed rockets at enemy bombers. To these formidable area defense weapons must be added the Army's ground-to-air antiaircraft missile battalions for close-in defense of cities and SAC bases. In

this category the Nike-Ajax is rapidly being replaced by its much larger and much more effective big brother, the Nike-Hercules. This latter missile can cope with any known or planned Soviet aircraft and when armed with its nuclear warhead it can just about guarantee the destruction of any enemy bomber which comes within its range of 80 miles.

This vast system for defense against manned bombers and air-breathing missiles which includes both United States and Canadian forces has been described in recent congressional testimony by General Partridge, the commander of the North American Air Defense Command, as the best in the world. However, in anticipation of the oncoming Soviet ballistic missile threat, a new system is being devised. Work has already begun on the warning portion of this system. In the Far North gigantic radars capable of "seeing" ballistic missiles in flight more than a 1,000 miles distant are being constructed. As has been noted, this ballistic missile early warning system (BMEWS) is to help provide that critical margin of warning which will enable the alert forces of our Strategic Air Command to get off on their retaliatory mission no matter how sudden a surprise Soviet attack may be. Other, more advanced missile early warning systems are under active development. One of these systems is known as Midas—a space satellite equipped with infrared sensing devices. A number of such satellites circling the earth would be able to detect the great blast of heat emitted by a missile taking off right at the moment of launching. Detection of an enemy missile attack at that point would roughly double the amount of warning time available from the BMEWS radars. With this additional warning time a very large part of our strategic retaliatory forces would be certain of getting off to deliver their counterblow.

An antimissile missile system to defend our cities and bases, known as the Nike-Zeus, is also being developed at the fastest practicable rate with a top national priority. This weapons system has been described as the most complicated and difficult technological development ever undertaken. There are still very formidable technical difficulties to be overcome and the first objective is to press forward with the development phase as rapidly as possible in order to prove out the feasibility of the concept and the system.

Much has been said about the size and power of the Russian ground forces. But what would the American people think if there were a quarter of a million Russian troops—equipped with the latest weapons, including nuclear-capable missiles—in Canada or in Mexico facing the American border? What would the American people think if these Soviet forces were allied with large and powerful forces of other Western Hemisphere countries?

Clearly, if we were confronted with such a situation, which is essentially that faced by the U.S.S.R. and its satellites, we would need large standing armies to guard our borders. Furthermore, in a police state, such as the U.S.S.R., large forces would be required to maintain internal security. Even more significant would be the numbers of additional divisions that would be needed if, like Russia, we had to control a restless group of smaller nations which could be held in line only by military force. Hungary offers a good example of this problem.

In contrast to this imaginary situation U.S. ground forces do not have to divert a single soldier to guard our long peaceful borders with Canada and Mexico. No American military units are required to police our country. No American divisions are required to hold a captive empire. All of our ground forces are fully available to respond to the demands of a limited war or to carry out their part in general hostilities.

In view of these facts, would the American people feel more secure if the United States had the 2,500,000 ground force credited to the Soviet Union—together with their problems, instead of our own Army of 870,000 and Marine Corps of 175,000?

The U.S. Army, equipped with modern, mobile and tremendously powerful nuclear capable missiles, in addition to a complete arsenal of conventional weapons, can, today, support national objectives with forces ranging from a small detachment to a field army of several divisions. From a conventional patrol to the atomic battlefield, it is geared to fight effectively throughout the whole gamut of modern conflict.

Today, a substantial portion of our Army is deployed at advance positions around the edge of the Soviet bloc. Backing up the overseas deployments, the Strategic Army Corps, located in the continental United States, is ready at a moment's notice to move to any part of the world. A powerful, self-contained fighting force, Strac, can meet the initial requirements of limited war or provide the first reinforcement in general war. The Army Reserve and Army National Guard—at the highest level of readiness in their peacetime history—stand prepared to supplement the active forces in time of emergency.

The striking power of the Army is continually being improved by the delivery of modern weapons—the products of the Army's far-reaching research and development program. Soon to be placed in the hands of the soldier is a new family of individual arms and machineguns, all of which will fire the standard NATO 7.62 millimeter cartridge. The Redstone ballistic missile recently deployed overseas is already scheduled to be replaced by the solid propellant Pershing missile, now under development. Similarly, the solid propellant Sergeant will replace the Corporal guided missile. It is interesting to note that four battalions of the Corporal missile can deliver more firepower than all the artillery employed by the U.S. Army at the peak of World War II, discounting, of course, the problem of geographic coverage. Also slated for early delivery to troop units are the lightweight, air transportable Little John rocket and the highly accurate Lacrosse close support missile.

Work has been started on the new M–60 diesel-powered tank armed with a heavier gun. Additional quantities of helicopters and fixed-wing aircraft are being procured including new turboprop observation planes. As a matter of fact, the Army today operates over 5,000 aircraft—more than half the number operated by the Navy and about one-quarter the number operated by the Air Force.

The U.S. Marine Corps provides a highly trained force, always prepared to deploy anywhere in the world on the shortest notice. The quick response to the Lebanon situation is a good example of the high state of readiness maintained by this force. Consisting of three combat-ready divisions and three air wings, the corps is a balanced air, ground and sea team capable of highly specialized integrated operations. Since World War II, the Marine Corps has developed a new doctrine for amphibious operations, emphasizing vertical assault over the beachhead by helicopter-borne troops. More than 300 organized units of the Marine Corps Reserve provide backup and staying power for the regular forces.

In addition to the defensive and offensive striking power of U.S. forces, this Nation is allied in a system of collective security with other free world nations whose military strength complements and reinforces that of the United States. These nations provide to the United States some 250 strategically located bases. They contribute to the collective defense of the free world ground forces of more than 5 million men and air forces of about 30,000 aircraft of which nearly 14,000 are jet powered. They help insure our control of the sea with their 2,500 combat vessels of which some 1,700 are in active fleets or supporting activities. The total military power of these allies has grown continuously over the past several years and we may confidently expect it to continue to grow in the future.

Further, this free world alliance is a voluntary association of equals held together by mutual interests and a common ideal of freedom. The Communist bloc is a group of vassal states directed, controlled, and held together by force. When the chips are down could the U.S.S.R. depend upon its satellites as we can depend upon our allies?

In view of these facts concerning the relative military strength of the United States as compared with the Soviet Union it is inconceivable that any American would want to trade our position with theirs. But the allegation is often made that the Soviet Union is not only closing the gap with the United States in the military area but also in the economic area. There is no question that in the long run economic strength is the foundation of military power. So—let's take a look at this part of the balance sheet.

Suppose we traded our economy for that of the Soviet Union. This would be the picture. Almost all of our population would be concentrated east of the Mississippi River, and the West would be a sparsely settled frontier. As a matter of fact, the Government would be offering bonuses to people willing to settle these virgin lands. In this new and much more primitive economy, which we would have swapped for our own, only one railway line would have been pushed across the continent and much of the country could not be reached by road. Half of the labor force would be engaged in agriculture, barely meeting the needs of the rest of the population. This, of course, is a picture of America in the decades following the Civil War. But it is also a picture of the Soviet Union today.

If we traded places with the Soviet Union we would have to cope with a population consisting of 169 distinct ethnic groups, speaking over 80 languages. Fourteen of these languages would each be spoken by over a million people. As a result of the low birth rate experienced during World War II, when the country was partially overrun by the enemy, we would be entering a period of declining natural growth of our labor force. We would be facing a labor shortage that would seriously hamper our potential for economic expansion.

In contrast to the Soviet Union we are entering a period of accelerated natural growth with increasingly large additions to the labor force. Our labor force which grew slowly during the 1950's is now, owing to the high birth rate that began in World War II, beginning to expand rapidly. During the decade of the 1950's the U.S. population group aged 14 years and older increased by 13.5 million. But during the decade of the 1960's this age group is projected to increase by 24 million.

In the Soviet Union over half of the work force would be engaged in agriculture and chronic shortages would plague the economy. By contrast, in the United States of America, less than 10 percent of our labor force produces agricultural products in such quantities that surpluses constitute a major problem.

What would we have to do to our present industry to make it comparable to that of the U.S.S.R.? We could begin by getting rid of about three-fifths of our present steelmaking capacity. Russia's steel industry cannot produce as much steel today as we could have produced 40 years ago. As a matter of fact, we've added almost as much steelmaking capacity in the last 12 years

as Russia now has in total capacity—after 40 years of Communist effort. In our Soviet-type economy we would have to get along with less than one-third the amount of electricity, one-third the amount of petroleum products, and only about 10 percent the amount of natural gas that we now produce with our own economy. Even in the field of hydroelectric power where the Soviets are supposed to be so strong, we would have to lose over two-thirds of our present capacity. We would have only a small chemical industry rather than the giant we have come to depend on. For example, the U.S.S.R. is able to produce less than one-quarter the amount of chemical fibers (nylon, rayon, dacron, etc.) that we produce in our economy. Production of mineral fertilizer would be less than half what it is now and because it would be in such short supply its use would have to be banned for anything but a certain few basic crops. Our aluminum production would have to be cut to less than half of what it is now; our copper production reduced to only a third of its present size. We would be able to produce less than 5 percent of the electric motors and less than half the bulldozers. Comparable losses would be experienced in most other sectors of the economy.

What would we have to do to our transportation network to make it comparable to what the Soviets have today?

We could begin by tearing up perhaps 14 out of every 15 miles of paved highway. Although this would seem to have the makings of a terrible traffic congestion problem, we would actually have solved our traffic problem—Soviet fashion—since to get on a par with the Russians in this respect we would also have to get rid of 19 out of every 20 cars and trucks in use today. We could go on to the railroads and tear up more than 2 out of every 3 miles of main-line track. We'd also have to dispose of 60 percent of our present stock of freight cars. Even after doing all this we'd still have a better surface transportation system than the one we'd get in trade from the Soviets. In order to make our ocean merchant fleets comparable we'd have to sink eight out of every nine of our own ships and then deny ourselves the use of the free world's great fleet. Our civil aviation industry would have to be shrunk to a fraction of its present size.

What would we have to do to our present standard of living to make it comparable to that of the Russians? Let's begin with that much condemned symbol of modern mass communication, the television set. We would have to destroy over 40 million television sets and where we now have 1 set for every 4 people, we would then have only 1 set for about every 75 people. We would have to get rid of more than 9 out of every 10 radio sets and telephones that we have today. We would have to destroy more than 80 percent of all housing in America and then crowd into the 20 percent remaining. In the United States today we have over 140 times as many passenger automobiles as there are in the Soviet Union. After getting rid of enough passenger cars to achieve comparability we would have regressed to a pre-1915 level. We would have to cut out per capita meat consumption by over 60 percent and make our shoes last twice as long as we do now.

We would have to change the whole relationship between the value of a worker's paycheck and the price of goods offered for consumption. For instance, to buy a poor quality suit of clothes, a steelworker would have to work more than 16 times longer than he does at the present. He would have to work for 2½ hours to buy a 4-ounce chocolate bar. A pair of women's shoes would cost more than a week's paycheck—more than nine times as much in terms of working time than it does today in our present economy. Of course, the 40-hour week would be only a promise under our new economy. If such things were available, an automobile comparable to a stripped U.S. Ford or Chevrolet could be bought for about 2 years' pay—more than five times what it costs an American worker today.

No American would begrudge Russian workers an improvement in their harsh standard of living. Any economic expansion by the Soviet Union which would provide an equal improvement in the welfare of the average Soviet citizen would be welcomed by all of the peoples of the free world. Unfortunately, the Soviet Government has chosen to use its economic progress to further its own aggressive purposes. It is only because of this fact that Soviet economic growth—actual or planned—constitutes a challenge to the United States.

Now, what about our prospects for the future with an economy like Soviet Russia's?

Predictions about the future are always hazardous and much of the misplaced awe with which some people view the Soviet economy is based on nothing more than announced long-range Soviet plans. Since this is so, let's look first at this matter of future goals. The United States today boasts an economy that outproduces the U.S.S.R. by two and one-half or three times and we do this with a population that is 15 percent smaller than theirs. The Soviets have promised the world that by 1965 they will have matched our 1958 level in most areas of economic activity, and that by 7 years after that they will have surpassed us on a per capita basis. Such overall claims, obviously, are insupportable.

Even if the Soviet Union could achieve the goals set forth in their 7-year plan, their overall industrial capacity would fall far short of what we have today. For example, their goal for crude steel capacity in 1965 is 85 to 91 million metric tons. We had that much capacity before the Korean war and if our average rate of growth over the last few years were maintained we would have in 1965 a capacity of 174 million metric tons. The significance of this is that in actual tonnage our edge over the Soviet Union in steel productive capacity could be even greater in 1965 than it is today. Their goal of actually surpassing us in industrial production within 15 years appears to be based on the assumption that we will do practically nothing during the interim while they continue to expand at an extremely rapid rate. Neither of these assumptions seem likely to be borne out by events. Many experts believe that we stand on the threshold of another long economic boom. For example, a careful projection into the 1960's has just been prepared by the National Planning Association. According to its findings the average annual rate of increase of the U.S. gross national product may average 4 percent between 1956 and 1965, and 4.2 percent between 1956 and 1970. This compares with an average of about 3 percent experienced during the post-war period.

Discounting the effect of inflation, the National Planning Association study estimates that the gross national product of the United States by 1965 will total about $633 billion and by 1970 may reach $790 billion. The 1970 estimate represents an increase of 80 percent over our 1958 gross national product and well over twice as much as the estimated gross national product of the Soviet Union in 1970. While the U.S.S.R.'s gross national product as a percent of the United States will probably increase somewhat during this period, the real fact of the matter is that while we now have a lead of roughly $240 billion in gross national product, by 1970—when Khrushchev claims the Soviet Union will have overtaken us on a per capita basis—our lead in gross national product may well have increased to over $400 billion.

It is interesting to note that Fortune magazine in its April 1959 issue also made some projections of U.S. gross national product in the 1960's which are substantially the same as those of the National Planning Association.

Also noteworthy is the fact that the Soviets themselves in their latest planning estimates forecast a lower rate of economic growth over the next 7 years than they achieved in the 1950–57 period. While it is true that they did achieve very high economic growth rates in the 1950–57 period, the U.S.S.R. is not the only nation which has experienced these large percentage increases during the post-World War II period. Whereas the gross national product of the Soviet Union is estimated to have increased by about 6 to 7 percent a year in the period 1950–57, the Federal Republic of Germany increased its gross national product by 7.7 percent annually in the period 1953–57. With respect to industrial production, Japan achieved an average annual increase of 13.4 percent from 1953 to 1957 compared with 11 to 12 percent for the U.S.S.R. in the same period. In the important area of steel production the free economies of Western Europe constructed 50 percent more new capacity during the past decade than did the Soviet Union.

All three of these countries, Japan, Germany, and the U.S.S.R., found themselves in similar circumstances after World War II. All three suffered considerable damage during the war but were able to post large economic gains in a relatively short time as they rapidly replaced their war-damaged facilities.

Growth rates, of course, are a singularly deceptive economic statistic. A country with a steel capacity of only 1 ton can add capacity of an additional ton and achieve a percentage increase of 100 percent. Another more developed country with a steel capacity of 100 tons can add 2 tons of capacity—twice as much in actual physical production—but still achieve a percentage increase of only 2 percent.

As the Soviet economy reaches higher stages of development, large percentage gains become increasingly more difficult to maintain. For example, the Soviet fifth 5-year plan called for an annual increase of 10.3 percent in steel output, the uncompleted sixth 5-year plan called for an 8.6 percent increase and the new 7-year plan calls for an annual increase of only 6.5 to 7.5 percent. As a matter of fact, the U.S.S.R. will find itself increasingly hard pressed to maintain the momentum of its past economic growth as it no longer is able to raise production by massive inputs of labor, as it exhausts its highest grade natural resources, and as it faces for the first time the problem of replacing its outworn capital equipment.

Thus, with respect to both military power and economic strength the United States today is in a distinctly more favorable position than the U.S.S.R. Today, ours is the more powerful military force, the stronger alliance, the more advantageous strategic position and the more productive economy. There is no reason why we should not continue to lead the Soviet Union in the years ahead. Although advancing technology may diminish somewhat the advantage of our geographic position, this position should serve us well for many years to come. But perhaps most important, with the efficiency of our free enterprise system and a national willingness to support sound economic and fiscal policies, we can expect our economy to grow—to be an example for the world and the foundation of our national security.

Admittedly, the situation allows no room for complacency. But neither does it warrant apprehension. We have every reason to approach with confidence the grave problems which lie ahead. In the words of President Eisenhower, "Our security shield is the

productivity of our free economy, the power of our military forces and the enduring might of a great community of nations determined to defend their freedom."

THE JOURNAL

Mr. JOHNSON of Texas. I ask unanimous consent that the Journal for the day's proceedings be approved without being read.

Mr. MORSE. Mr. President, reserving the right to object, I shall not object. The Journal is very brief. If I wished to use up time I could suggest the absence of a quorum. I do not propose to object to approving the Journal.

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

SPECIAL COMMISSION RELATING TO METROPOLITAN PROBLEMS

Mr. HUMPHREY. Mr. President, earlier today the Senate took favorable action on a bill reported by the Committee on Government Operations to establish a special commission relating to metropolitan problems. The order number of that bill is 908, S. 1431, introduced by the senior Senator from Pennsylvania [Mr. CLARK].

I believe that this is a very constructive piece of legislation. I had hoped to be on the floor at the time to participate in the debate, but I am one of the Senate conferees on the agricultural trade development bill, involving Public Law 480. Therefore I was unable to be present at the time the bill was passed.

We all owe a debt of gratitude to the Senator from Pennsylvania for having initiated this legislation, and I thank the majority leader for his expeditious handling of the bill leading to its passage.

It seems to me that if there is any one area in our social structure which needs careful examination insofar as the relationship between the Federal and local government is concerned, it is the problem of metropolitan areas. These metropolitan areas are today the product of great change and therefore the victim of many problems. I am hopeful that the bill as it passed the Senate will become law and that the Commission will be established. I hope that the report which will be forthcoming will give us some guidance as to future activities relating to Federal and local government relationships.

This bill is a companion measure to another bill reported by the Committee on Government Operations, of which I am a member, the bill to establish an Intergovernmental Relations Commission. I served on the Intergovernmental Relations Committees of 1953 and 1954. That Commission was set up under authority of an act passed in the 83d Congress.

I am convinced that these two Commissions, if properly staffed after authorization, will be able to do a genuine service for the American people and for the institutions of Federal, State, and local government.

I look with favor upon their adoption, as I have indicated, and am pleased to have been one of the sponsors of these particular items.

THE SOYBEAN AND SWINE OUTLOOK

Mr. HUMPHREY. Mr. President, I have in my hands the magazine Feedstuffs for September 5, 1959, the weekly newspaper for the feed industry. The feature article on the front page is entitled "Soybean and Swine Outlook Analyzed."

This is a story by John Cipperly, Feedstuffs' Washington correspondent. In this article the author gives some insight, or I should say he gives some inside information—at least he would have us so believe—as to the attitudes of the Department of Agriculture relating to soybeans, hogs, and the products thereof.

Let me quote a few paragraphs, because I want this RECORD to be read by the Department of Agriculture officials and I want the Department of Agriculture officials to know that several Members of the Senate with whom I have talked are deeply concerned about the text of this article and hope that it is not true and trust that it will be repudiated.

The article states:

Political policy projections running into the 1960 campaign are now seen as the market-making factor for the prices of soybean meal and soybean oil later this year.

Wrapped up in the soybean picture, too, is the swine situation, as well as the poultry outlook. And the whole broad, complex situation is of importance to feed and related interests as they survey feed price and demand prospects.

The political projections referred to above may not act as a brake on prices of soybeans. No matter what size the soybean crop, the farmer has shown a great tendency to support the crop through his speculative holding of beans throughout the crop year. It must be remembered that he obtains from farm storage as much as 16 cents a bushel on new loans, as well as 16 cents bushel storage on his old-crop resealed beans which went under loan at the old higher loan rate of approximately $2.12 a bushel.

HOG PRICE EXPLANATION

Top policy officials tentatively explain swine price policies as follows—and the swine price problem may be the crux of the entire price structure of bean meal, oil, and such other collateral problems such as approval of an oil donation program.

I digress to point out that the conferees on the amendment to Public Law 480 today approved a provision authorizing the Secretary to make available animal fats and edible oils in an oversea donation program where voluntary charitable agencies engage in relief feeding. I hope that this particular provision, when it becomes law, will be used as it is intended to be used, to provide edible oils and animal fats—lard in particular; and I have the feeling that there will be plenty of lard available for donation feedings overseas—thereby removing from the American agricultural market the prospective surpluses of edible oils and animal fats.

If this is done, two things will follow. First, the needy will receive very nutritious food. Oils and fats are a basic part of a balanced diet. Second, the farm producers in the United States will find that their prices upon these particular commodities, or the basic products from whence the commodities are derived, will be better prices, and closer to the support level, and fair prices, to which farm producers are entitled.

I note that the Secretary had authority a year ago to donate substantial quantities of edible oils for the purpose of feeding the needy overseas, but he did no do so. I trust that when the new authority is given to him, he will understand that the only reason the provision was not made mandatory was that we recognize the problems which come to the Department of Agriculture when mandatory provisions are written into law so far as the management of Commodity Credit Corporation supplies is concerned, and the effect of such provisions on the market price.

I quote further from the article:

The U.S. Department of Agriculture now believes it can ride out a decline in hog prices this winter and subsequently evoke pork price supporting activities later this winter to put hogs back on an increasing price level going into the fall elections in 1960.

I digress again. I hope the Department of Agriculture will maintain hog prices and pork prices; and if it helps the administration in the elections of 1960, we are willing to have that happen too. I trust that hog prices will be good every day, every week, and every month, not only through 1960, but years to come. I for one do not want to see agricultural prices drop, and thereby become a political benefit to anyone. It seems to me that what we need is a fair price, a parity price, for these commodities; and the politicians will be able to take care of themselves on some other issues.

Back to the article:

This probably means that USDA, except for a mandatory instruction from Congress, will decline to put into effect any donation program for edible oils, notwithstanding the outlook that if the entire oilseed crop is crushed, there will be on hand as much as 500 million more pounds of edible fats on October 1, 1960, than is expected this year.

One must return basically to the USDA attitude to swine. They propose to sweat out a decline in hog prices this winter; specialists at USDA say that they now see hogs selling this winter between $12 and $13 a hundredweight. These same specialists say that this is not a disaster price, and that it will slow down expansion of the spring pig crop, which is now conservatively estimated at between 3 to 5 percent over the last spring crop.

Such an increase is indicative of anything but a debacle which this publication forecast last spring if the rate of acceleration of swine production was maintained into the spring of 1960. At that time USDA specialists said that if the accelerated pace of the fall crop were maintained into the the spring crop of 1960, there would be a debacle in hog prices.

On the basis of the reliable estimates of these specialists, it may now be discounted that any disaster in hog prices is in the making—

I hope and pray that this particular writer has prophetic vision. I hope, in this instance, that his prophetic vision is right so far as the price of hogs being a good price is concerned. I trust that there will not be any hog price debacle. I trust that there will be a good price for hogs and farm products. I have some doubts, however, that this will be the situation.

Coming back to the article:

But the hog intangible in this whole concept of swine-beans-oil and oilmeal is not fully resolved by a statement of the USDA attitude to swine prices this year.

EXPORTS FORECASTS

At Foreign Agricultural Service, top officials are now forecasting an export level of as much as 125 million bushels of beans for the new crop year. They also believe that edible oil exports will remain at about the same level as this year, perhaps hopeful in concept since the Mediterranean olive crop will be larger. Yet rumor has it that the Russian sunflower crop will be smaller, thereby opening up a European export market for soybean and cotton oil from western European sources.

But USDA officials are unwilling to adopt an oil donation program for edible oils for domestic and foreign donation through voluntary aid agencies. This is a proposition which prominent crushing interests desire since they fear that higher soybean prices or low meal prices may put the crushers into a nonprofit margin condition.

This equation finds the oilseed crushers in wide disagreement with top USDA officials; the latter are unwilling to institute an oil donation program, which is now discretionary with them under the present law, since they believe that the crushers would be able to maintain a relatively low price for oilseed meals which would encourage continued feeding of swine—

I digress from the article because I have gotten out the heart of it. I hope the Department of Agriculture will not look upon any permissive authority, which has been provided in the past, and more of which will be provided in the future, as any way to avoid its responsibilities in terms of providing edible oils and animal fats for overseas donation programs, thereby being of assistance to our producers of soybeans and pork in the United States—not only soybeans, but cottonseed, flaxseed, and other edible oil products.

Mr. President, I ask unanimous consent that the remainder of the article be printed in the RECORD at this point as a part of my remarks.

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

Trade sources estimate that a 1-cent-a-pound decline in oil prices would mean a potential advance of soybean meal of between $4 and $6 a ton to maintain reasonable crushing margins.

SPRING HOG EXPANSION

These top USDA sources say that soybean meal will have a big influence on swine expansion next spring, and it is now evident that, barring some mandatory congressional action, USDA is not disposed to approve any decision which will encourage a swine expansion other than that which is now in the making because of past events.

In other quarters of USDA there is another aspect of opposition to an oil donation program. Top economic advisers to USDA officials say that any venture in an oil donation program through voluntary aid agencies for domestic and foreign relief purposes would strengthen the oil market—make meal prices lower—a condition which USDA does not generally wish to happen, and encourage farmers in their spring expansion plans for swine.

Other operating officials of USDA are not frightened by the prospect of a potential increase in carryout of oil crop supplies on October 1, 1960, by trade estimates of nearly 500 million pounds over this year. They say that the largest part of this increase will come from cotton oil, and that they are prepared to handle this problem as they did this past year when cotton oil tenders were put on the market by USDA on a bid basis. This comment from a top USDA official may probably be conceived as a horseback opinion, and may not hold water, but its major inference is that a CSO support program is certainly a potential.

PROBLEM OF LARD

A big major hitch in the USDA thinking is to be found in lard. Public Law 480 exports of lard are admittedly inconsequential. Top front office people at USDA are openly worried about lard. They say that with cheap corn at the country level, now seen as about $1 at the farm, farmers are not inclined to market hogs at a suggested 180 pound weight. They believe that further persuasion and educational efforts will encourage farmers to market at lower weights. They cite recent promotional efforts now in full swing by the volume supermarket merchandisers, with a drive to sell pork products, will aid them in holding swine prices at the rockbottom level of $12 or $13 this winter.

All of which adds up to a most bearish connotation on edible oil prices, or soybean prices late this winter.

Crop conditions now coming through from private trade sources appear to confirm a large soybean crop on an acreage reduced by 8 percent from last year.

POULTRY SITUATION

Such bearish connotations cannot be dismissed out of hand, as it now appears that the poultry industry is going through financial convolutions which may wash out outlet sources, or at least require a cutback in demand for feed and not, incidentally, soybean meal.

But one can only look at the relatively small size of the soybean crop—even another bumper crop—to realize that the farmer can, and has, and does hold soybeans. As much or more of the carryout this year, more than 10 million bushels, will represent reseal loans of old crop beans which will provide a 16 cent storage charge for another 12 months. It would not be likely that the bean farmer will let this supply go at less than his basic loan, which was $2.12 a bushel less the 16-cent storage payment.

What USDA fails to consider as it rejects the oil donation program and as it fixes its sights on higher meal prices, is that the farmer, through his tight holding of beans, may push distant future prices up considerably unless the crushers are willing to back away from a higher market.

From USDA sources it has been learned that some substantial integrated crushing interests have been actively selling forward contracts of meal and oil at about current price levels, and presumably are hedged at Chicago.

OIL DONATION OPPOSED

On balance, it now appears that the preponderance of official authority at USDA is adamantly opposed to an oil donation program. Unless Congress orders such a program, there is no reason to believe that USDA will undertake such a donation program through relief agencies, even for domestic purposes. Such amendments to extension of Public Law 480 as now offered by Senator JOHN SHERMAN COOPER, Republican, of Kentucky, which would make all surplus commodities available under title I of Public Law 480 first available for domestic donation, may be construed as purely for home consumption. As of this time there is no reason to believe that the Kentucky Republican had administration backing for his amendment.

But nonetheless, one may only feel that a combination of farm holding of beans, plus en expanded export demand for this crop, plus political apprehensions on the part of USDA officials may ultimately drive them into any expediency to boost bean prices even at the expense of soybean meal. They can do the price support job for swine through an aggressive procurement program for pork products later this crop year.

Lard proposes a most unhappy situation. No one at USDA is willing to forecast what may happen to this commodity, as farmers are reacting to cheap priced corn now and marketing hogs at heavier weights than USDA has recommended.

At swine specialist levels of USDA they say that they anticipate corn will sell at the farm level at 85 cents a bushel at harvest. Perhaps this may spell out a better view of what may be in the cards for beans, oil, and meal this winter. USDA may be attempting to hold price level for meal which cannot be sustained.

Further exasperation of this entire situation is that of timing of any USDA decision on pork buying. Unhappily at USDA, the views are short range, except that they sense a long-range political goal of the 1960 elections, but they may possibly not contemplate the basic problems of pork-product buying. More may be available next week on this basic and major problem.

Mr. HUMPHREY. I cite this particular article because I believe an ounce of prevention will save a great deal of confusion later. I am afraid that the Department of Agriculture—if this article is correct—is literally programing trouble for the American farm producers, and trouble for itself.

It would be better for the Secretary of Agriculture and the officials associated with him to contemplate an overseas donation program of animal fats and edible oils if the need for such donations is evident, and if there are surplus supplies on the American market.

I believe that such a program, restricted to overseas donations, would have a very good effect on the market, and would give some assurance to producers, and, indeed, to processors, that the price structure of soybeans, cottonseed oil, and pork products would be much more desirable and equitable than the forecast seems to indicate.

I hope some of my colleagues will address themselves to this subject later. I understand they will, because this particular article is very disturbing. If the article states the fact, if it relates the position of the Department of Agriculture, then I must say to the thousands and thousands of hog farmers and soybean producers in Minnesota that the Department of Agriculture would be guilty of deliberately lowering prices by the failure to utilize the law and authority which have been provided in the legislation. I cannot believe the Department will do that.

I appeal tonight to the Secretary and to those responsible for the price support policies for these programs of oversea relief. I appeal to them to use the

authority they have when it is needed, and thereby to perform a humanitarian service, on the one hand, and on the other, to perform an economic service for the producers of very vital and basic agricultural commodities. If this is done, we may very well avoid a price decline of substantial proportions in the coming months, between now and the fall of 1960.

Mr. President, I wish to go on record, in September 1959, as saying that unless the Secretary of Agriculture will use the authority Congress has given him, unless he will use the authority to purchase pork products, and unless he will use the authority to purchase for price support purposes, and thereby make available, for donation purposes, animal oils, and vegetable fats, there will be a sharp decline in the price structure of those products. That decline will affect literally hundreds of thousands of farm producers and will bring grave economic consequences to many parts of the Nation, particularly throughout the Middle West. If such a price decline does take place, there will be very serious consequences, economically and politically throughout the entire Nation, because of the failure of those responsible to act.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock tomorrow morning.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I give notice that we expect to have the Senate proceed, in the very near future, to the consideration of:

Calendar No. 398, House bill 6190, to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes.

Calendar No. 669, Senate bill 2282, to amend the act of July 17, 1952.

Calendar No. 815, Senate bill 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, Senate bill 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, House bill 7244, to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

Calendar No. 1013, House bill 8385, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 921, Senate bill 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

And, in addition, any other bills which may have been reported to the calendar today.

LABOR'S CONTRIBUTION AND LABOR REFORM

Mr. KENNEDY. Mr. President, on Monday, September 7, Labor Day, the Congress of the United States very appropriately paid its respects to American labor, in a concurrent resolution. I was happy to join in sponsorship of that resolution.

Some people have received the false impression, as a result of some of the publicity and discussions which attended the enactment of the Labor-Management Reform Act of 1959, that it expressed a critical judgment directed at the labor movement. Nothing could be further from the truth. The American labor movement has consistently demonstrated its devotion to the public interest. It has been a bulwark of strength against narrow pressures. It is, and has been, good for all America.

We take altogether too little time to commend the faithful, to praise the noteworthy, and to applaud the devoted. But all too often we do not hesitate to criticize those who have strayed, those who have erred, those who have sinned.

I should like to take a few moments to express my personal pride, after 13 years on the Labor Committees of the House of Representatives and the Senate, in the achievements of the American labor movement. The manner in which it has improved the status of the worker has been well documented, and needs no elaboration. Less well known, but of an equal source of pride, is the manner in which it has served our entire Nation. Almost every community has a hospital which owes its existence to the efforts and funds supplied by labor organizations. The sorry condition of our Nation's schools would be more desperate but for the activities on a local, State, and national level of the labor unions. Our highways, our transportation system, our defense posture today have all been immeasurably aided by devoted and selfless service by representatives of American labor. Indeed, in every field where the public interest demands protection, we find a stalwart guardian enlisted by labor.

In the past 2½ years, no one could be sure what kind of labor legislation would be enacted. There were serious disagreements, sometimes harshly expressed. The one thing that perhaps was most gratifying to me throughout this period was the unswerving conviction of the great body of American labor, as reflected by the AFL-CIO and its president, George Meany, that corruption must be eliminated from labor's ranks. While undertaking to do this job basically on a voluntary basis, the labor movement recognized the need for, and supported, legislation which would help it do its own housecleaning.

I know of no parallel instances in American history when a major segment of society frankly recognized its own internal problems and set out so determinedly to correct them. They were not deterred by the fact that this must cause the expulsion of unions representing 10 percent of their membership. To see this action in perspective, it would be as though the NAM expelled hundreds of its largest members. I am glad to salute the AFL-CIO for its unselfish attitude.

In the legislation we enacted last week, we provided some assurance for democratic rights of union members in their internal affairs. Although most unions needed no laws to provide such guarantees, some did; and the Congress acted.

But we must never lose sight of what is perhaps the greatest contribution of all which unions have made. I refer to the democratic rights they have achieved for their members in industry, in their dealings with employers. Through their collective strength, they have acquired a voice in their economic life. They have enjoyed the right to speak up, and—yes—when necessary, to talk back. Through their unions, millions of working people have enjoyed a measure of equality with their powerful employers.

This basic meaning of trade unionism was recognized in 1937, by the Supreme Court, when it found the Wagner Act to be constitutional. It said:

> Long ago we stated the reason for labor organizations. We said that they were organized out of the necessities of the situation; that a single employee was helpless in dealing with an employer; that he was dependent ordinarily on his daily wage for the maintenance of himself and family; that if the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and resist arbitrary and unfair treatment; that union was essential to give laborers opportunity to deal on an equality with their employer.

Mr. President, we are blessed in this country with a strong labor movement. Its strength is an important contribution to the public good. I know how it has been used to eliminate industrial terror, sweatshops, inhuman working conditions. I know, from 13 years of close personal association with the labor movement, as a member of the House and Senate Labor Committees, that it has used its strength for legislation that went far beyond its own vested interests. I know the constructive role it is playing

on the international scene, in resisting Communist expansion and in helping the underdeveloped nations of the world. I know of its dedication to the cause of equal rights for all, both in and out of the labor movement.

It is because I am aware of these things that I was very much pleased this morning to receive a brief statement on this theme by the president of the AFL–CIO, Mr. Meany. In this pamphlet, entitled "Power—For What?" Mr. Meany very justifiably says:

The record shows—beyond contradiction—that from its very inception the trade union movement has consistently used whatever power it had to raise the American standard of living, to promote the interests of all the American people and to enhance the power and prestige of the Nation as a whole.

Those of us who have had a responsibility to expose the wrongdoings of a few unconscionable labor leaders have a particular responsibility to make the record complete. The Hoffas and the Becks and the Dios should not cause us to modify our basic respect for, and appreciation of, our great, patriotic American labor movement.

In the words of Abraham Lincoln:

All that serves labor serves the Nation. All that harms labor is treason to America. No line can be drawn between these two.

If a man tells you he loves America, yet hates labor, he is a liar.

If a man tells you he trusts America, yet fears labor, he is a fool.

There is no America without labor, and to fleece the one is to rob the other.

Mr. President, I ask unanimous consent that the text of Mr. Meany's pamphlet be printed at this point in the RECORD.

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

POWER—FOR WHAT?

(By George Meany)

There's a great deal of talk these days about the power of labor. Newspaper editorials and speeches by industrial tycoons emphasize the growing membership of unions, the increase in their financial resources and their developing political potential. The public is led to believe that the trade union movement has become too powerful.

Too powerful for whom? Too powerful for what?

Are they talking in terms of exploiting the many for the benefit and enrichment of a few? Certainly not. The truth is just the other way around.

Those who have enjoyed monopolistic power over the Nation's industrial life naturally fear and resent having to deal with labor on a basis of equality. And, by the same token, the politicians who serve business interests look with alarm at the political education programs conducted by the trade union movement. They are not happy about the political enlightenment of the voters. They know their control is jeopardized when the citizens of our country go to the polls in recordbreaking numbers on election day.

HUMAN VALUES

I see no harm in power, if it is power dedicated to human values, if it is power for good—and that is what the trade union movement seeks.

Obviously, concentration of power in the hands of a few can be dangerous to the general welfare. But when unions become more powerful, it means that the people of this country become more powerful. It is merely a practical application of the basic principle of democracy.

Our forefathers meant it to be that way. They believed that the enjoyment of freedom depended upon rule by the great masses of citizens. They were against monopoly of power by the wealthy. They were against monopoly of power by the military. They were against monopoly of power by the aristocracy. They were convinced that the free way of life could be safeguarded only when power over the economic, social, and political life of our country was shared by the many. That is exactly what the trade union movement has tried over the years to bring about.

Let us look back a bit to the time when the trade union movement had very little power but consistently used what power it possessed to advance causes of benefit to all the American people.

When Samuel Gompers and his associates lobbied in the State legislatures and the National Congress for an 8-hour day, was their purpose to degrade the worker? When they campaigned for universal free education, was their objective to exploit the worker? When they battled for workmen's compensation laws were they trying to injure the interests of the American people? When they fought for union recognition and free collective bargaining, were they trying to create new millionaires at the expense of those who worked for wages?

Or was it to make life better for the worker, to obtain for him a larger share of the wealth he helped to produce, to give him greater purchasing power so that American industry and American agriculture could find a ready market for their rapidly growing productive capacity?

The record shows—beyond contradiction—that from its very inception the trade union movement has consistently used whatever power it had to raise the American standard of living, to promote the interests of all the American people, and to enhance the power and prestige of the Nation as a whole.

Yes, the record is clear. It proves that the trade union movement has always been in the forefront of all action—whether in the shop, in the community or at national and international levels—to obtain a better break for the average citizen. It has been an agency not only for democracy, but for democratization. Because of union efforts the immigrants who came to our shores learned that America was really a haven for the oppressed of the world. They learned through their unions to speak the language and to appreciate the blessings of freedom. They discovered that here in America men and women could stand together and fight for justice and progress with reasonable hope of success.

CONCERN FOR OTHERS

America's emancipation from isolationism was won the hard way—and the trade unions made a significant contribution toward the development of a more mature international policy.

We did not shrug our shoulders, as some did, and say it was none of our business if dictators engaged in wholesale murder and the degradation of humanity in other parts of the world. We insisted it was our business. We saw the inherent danger to our free way of life, whenever freedom was destroyed in other lands.

There was a time when many Americans applauded Mussolini for getting the trains to run on time in Italy. But it took an American trade unionist of Italian descent like Luigi Antonini, to awaken our people to the outrages committed by the Fascists. In like manner, labor led the opposition in America to the atrocities of Hitler and the Japanese war lords. We recognized them as enemies of free trade unions and therefore as enemies of all freedom. No group in America, from the very beginning, has been more adamant in its opposition to communism and more active in resisting Soviet infiltration than the American labor movement.

Labor's influence in foreign affairs has not been merely negative. We have fought for justice and fair play for oppressed peoples everywhere. After the war, we helped the workers of Germany reestablish their free trade unions as a bulwark of democracy, social justice, and peace. We have played a vital role in rallying support for the Hungarian and Algerian peoples in their struggle for national freedom. We are proud of the fact that we have been able to extend a helping hand, through Histadrut, to the people of Israel.

Colonialism is now a dangerous anachronism. We of labor believe that target dates should be set for ending it in Africa, Asia, and wherever else it still exists. The perpetuation of colonialism by any segment of the free world merely plays into the hands of Communist imperialism.

Along with freedom, labor relies implicitly on the preservation of peace as the only sure road to human progress.

We say very simply, as we have said time and time again, that our country should meet with the other nations of the world, and directly with the Soviet Union, in a continual effort to reach real agreement which will be observed and adhered to by both parties.

But we must point out, with regard to the foreign ministers conference and to any summit conference that may follow, that our Government and the other nations of the free world should bear in mind that the Soviet Union has an unbroken record of making agreements for the purpose of breaking them. Its word is no good.

Let the diplomats of the free world, in their anxiety to obtain concessions, remember always that we cannot rely on words without deeds. Let us be realistic. The Soviet Union can afford to be very generous with promises for they mean nothing. We cannot relax until an enforceable agreement is made and kept, in spirit as well as in letter. That is the one hope of world peace. Meanwhile, we must shun appeasement. There is no future in it. History has taught us that, if nothing else.

In all dealings with the Soviet Union, we must lead from strength and we must always be prepared.

This advice is offered not in the spirit of saber-rattling, but as cold common sense, Labor regards war as a completely unnecessary evil. The trade unionists of America and their families paid heavily in sweat and blood for the two World Wars and the Korean war. We dread the thought of a third world war, which may mean annihilation of all mankind.

Thus far, the cold war has proved a heavy burden to all of us. But the price of our national defense program cannot be considered too high as long as a hot war can be avoided. Nor can we hesitate to provide the military and financial aid required to sustain our allies and to prevent underdeveloped nations from going down to oblivion behind the Iron Curtain. America has always extended a helping hand to those who wish to be free and are willing to defend their freedom, and American labor wholeheartedly supports this policy.

BUSINESS IN POLITICS

It is rather strange, in view of labor's constructive record, that in this day and age there are still people who cling to the notion that America would be better off without trade unions.

Those who keep insisting that unions are too powerful actually want to render unions

powerless—powerless to impede big business monopolies, or to seek further improvement in the American way of life.

In this effort to destroy the trade-union movement, our opponents have enlisted—for a fee, of course—a small army of professional promoters. They have organized a widespread campaign to enact State right-to-work laws which guarantee no rights to anyone but seek to wreck union security.

These "pitch men" have now come up with another "gimmick" to exploit. They say businessmen must get more active in politics, learn more about it, and do more about it. As if this were something new.

When I was a young boy, workers trying to earn a living encountered "pink slip" days which came around each year just before election time. The workers were told, by way of a pink slip inserted in their pay envelopes, that if a certain party or a particular candidate did not win, the factory would shut down the day after election. This form of intimidation, along with heavy campaign contributions, comprised the main expressions of business political activity. In fact, some businessmen made contributions to both parties, just to make certain they would be in good shape no matter who won.

Yet certain spokesmen now say business must enter the field of politics to meet the threat of big labor. Well, all I can say is: "Welcome. Come on in. The water is fine."

The more they get in with their financial resources, the greater interest will be stirred up among workers. Perhaps it will help us eventually to succeed in our efforts to encourage all workers to perform their duty as citizens by exercising their right to vote.

And when we get down to such a contest between workers and big business we will do all right, because there happen to be a few more of us than there are of them.

The big propaganda stick our opponents are using against us, of course, is the exposure of corruption in some segments of the labor and management field. They feel this is too good an opportunity to let pass. They are hungry for the kill. They propose to use the exposure of the sins of a very small minority as a means to bring about the punishment of all labor. They are going all out for the enactment of legislation, not to meet the corruption problem, but to hamstring the labor movement as a whole and render it powerless.

THE AFL–CIO POSITION

The trade union movement met this problem head-on at the meeting of the AFL–CIO general board in April 1958. We pointed out we had taken effective and rigorous steps to clean house. We said we would go further and cooperate with Congress in the drafting of legislation to make it more difficult for anyone to misuse union funds.

Yes, we volunteered to cooperate in writing such legislation. But, we also said in April 1958 that we will not accept punitive legislation designed to hurt the trade union movement under the guise of a law against corruption.

This was a truly significant action. Here was a group of private citizens saying to Government: "We will assist you in writing legislation to regulate and govern certain of our actions." Where else in American life is there a parallel? What business organization has ever done such a thing? And the record shows that business is not immune to sin nor free of racketeering elements.

What other group in American life, business or professional, would, in the interests of morality, ethics, and self-respect, cut off 10 percent of its membership and income as a self-enforcing action against those responsible for corruption?

The AFL–CIO did that very thing by expelling organizations whose leadership was found to be tainted.

Where is the business or banking association which has shown equal courage under similar circumstances? Show me any business organization which has set up a moral code for its membership which matches the ethical practices code adopted by the AFL–CIO.

Labor still stands on the position it took in April 1958. We are still willing to cooperate—and we have cooperated—in drafting anticorruption legislation, but we still make the reservation, and we will not withdraw from it, that we will not accept punitive or antilabor legislation as part of this package.

THE FUTURE

Now, as in the past, labor must continue to fight for its very existence as a free association of free men and women. We still have to fight for the right to conduct our own business in our own way, for the right to make our own mistakes and to correct those mistakes, for the right to make our maximum contributions as free citizens to our free society.

In America, we have a system of government which, while not perfect, has proved itself to be of greater benefit to its citizens than anything else yet devised by the mind of man. At a time when that system faces its greatest challenge, when its very existence is threatened by totalitarian aggression, you would think that the mutual interests of free labor and free management would draw them together. Yet we find American business mounting a furious attack upon the trade union movement which has proved a bulwark of defense to the free enterprise system.

This is typical of the shortsighted, bullheaded policy of big business through the years. Perhaps there are some aspects of life in the Soviet Union that appeal to them. Under the Red flag there are no strikes, no slowdowns, no absenteeisms, no labor problems at all. But our employer friends should realize that the Russians don't have any profit problems either.

Our road is clear. Our ideals are untarnished. Our record means something to us. We know where we are going, what our objective is. Ours is the very simple objective, in a democratic society, of securing for the workers a better and ever better share of the wealth of the Nation which they help to create. And we are going to pursue that objective with all the strength we possess.

When our opponents talk about the power of labor, their exaggerations carry little convictions. Our power is not the power of money. It is the right of free men and women in a free society to withhold their labor in the interests of justice.

Yes, the right to strike is labor's ultimate power—a power which we cannot be deprived of without fracturing the entire democratic structure of our Nation. In these modern days we don't like to use the strike weapon unless we are forced to do so. That doesn't mean we have forgotten how to use it. If employers refuse to bargain in good faith and think the time has come to get tough with labor, they will learn this truth in their sorrow.

We also have a basic political power—the power of numbers. The 17 million organized workers of America, together with their families and friends, constitute a significant number of votes in any election.

It is only since 1947 that labor has entered the political area in an organized way. We learned then, from a very simple demonstration by Congress in enacting the Taft-Hartley Act, that the gains and achievements we had won over the years could be taken away from us overnight by legislation. So the decision by labor to go seriously into the political action field was really made and not by the leaders of labor but by the architects of antilabor legislation.

We are determined to pursue our activity in this field with all earnestness. I will concede quite frankly that an effective political organization cannot be built in a day or a year. But we decided in 1947 that we had to get into this political business and stay in it until we succeeded in organizing a permanent, progressive and successful program and we are making steady progress toward that goal. In view of the increasing opposition from big business, I would predict even more rapid progress by labor's political arm in the years to come.

Using our economic strength, our political strength, and any other weapon that we have the right to use, we are going to continue labor's efforts to make America a better place for all its citizens—not merely union members. Yes, even to provide a better and more stable climate for constant prosperity for employers and management.

Labor wants America to become more than an idealistic symbol for all the people of the world who believe in human freedom. We want to prove to them and to ourselves that we can make democracy work.

It is our intention to continue the fight against racial and religious discrimination until this ugly blot on our good name is eliminated.

We are going to carry on our drive to wipe out poverty and human misery not only in America but everywhere in our world.

We will use all the power and influence we have to see to it that the great scientific discoveries and inventions of our time are used not for the purposes of destruction, but for the enrichment of human life.

Let no one mistake or distort our purpose. Labor has no desire to take over America or make over America. We are not out to push anyone else down or around. What we seek is a balance of power in the economic and political life of the Nation. Only thus can the proper atmosphere be created for the gradual but steady improvement in the standards of the American people.

In pursuit of our objectives, we may employ new methods from time to time, but we will never depart from the democratic principles laid down for us by the founders of the trade union movement 75 years ago.

Yes, labor has gained in power in America. We are proud of the way it has been used. We hope in the years to come that we will achieve greater power to work for the good of all America.

Mr. CARROLL. Mr. President, I have been delighted to hear the inspiring address delivered by the distinguished Senator from Massachusetts [Mr. KENNEDY]. Certainly he is a real friend of labor.

I found it particularly significant that, as the Senator from Massachusetts delivered his address, there was seated in the Vice President's chair, as the Presiding Officer of the Senate, the distinguished Senator from Michigan [Mr. MCNAMARA].

Let me say to the distinguished Senator from Massachusetts that I desire to associate myself with his remarks, because the working men and women of labor have been one of the most dynamic forces on the American political scene and one of the most dynamic forces of American democracy.

On almost every occasion—whether in connection with farm legislation or REA legislation or fiscal-management legislation or legislation to reduce interest rates——

Mr. KENNEDY. Or Federal-aid-to-education legislation.

Mr. CARROLL. Yes, and also legislation in connection with all the hous-

ing programs, everywhere I have found this great force moving in Washington, D.C., in the interest of good government.

I am especially pleased tonight to hear the distinguished Senator from Massachusetts. This subject is not new to him. He has been on the Committee on Labor and Public Welfare for many years. I listened to his debate on the original Kennedy-Ives bill. I have listened to his remarks in the conference relating to, in my opinion, the punitive and regressive Landrum-Griffin bill. It was in response to his intelligent leadership and his intelligent analysis that I finally voted for that bill. Tonight I am happy to associate myself with his remarks and the remarks of George Meany, who I think is a great leader in American labor in the interest of the working people and in the interest of good government. I desire to associate myself with the remarks of the distinguished Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator. I am sure I express also the appreciation of our friend from Michigan for the reference by the Senator from Colorado to him because he, as we know, has been not only closely associated with the labor movement, but he has been a source of strength in the Labor Committee and in the recent conference in which we both participated.

Mr. CARROLL. I see on the floor this evening the distinguished Senator from Alabama [Mr. HILL], who is the chairman of this important committee, and I say that no Democrat, no leader in American politics, has contributed more in 25 years to good Government, in the interest of the working people and of the health of the working people of this country, than has the distinguished Senator from Alabama, who is in the Chamber this evening.

Mr. KENNEDY. I second wholeheartedly the statement of the Senator from Colorado, who is a member of the committee, for what he has done in the particular field of health, and because of his leadership in the areas of general health and public service.

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

Mr. KENNEDY. I yield.

Mr. HILL. I wish to express my humble and deep thanks to the Senator from Massachusetts [Mr. KENNEDY] and also the Senator from Colorado [Mr. CARROLL].

Mr. KENNEDY. Mr. President, finally, I ask unanimous consent to place in the body of the RECORD an article by Mr. Bernard D. Nossiter, which appears in this morning's issue of the Washington Post.

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

LABOR BILL LOBBY—MOOD MANIPULATION IS GIVEN CREDIT

(By Bernard D. Nossiter)

Sophisticated business lobbying, combined with conscious manipulation of a public mood, is being credited with a major role in the passage of the strong labor bill.

Details of the skilled operation began coming out this week.

The core of the technique, as spelled out by its practitioners, was to focus on uncommitted House Members, particularly those in marginal districts. There a deliberate effort was made to translate public anger at the disclosures of union corruption by the McClellan committee into a barrage of letters urging the Congressmen to vote for a tough bill.

The major organizations involved were the National Association of Manufacturers and the U.S. Chamber of Commerce, aided by many of their State groups; the American Farm Bureau Federation; the American Retail Federation; and the little-known National Small Business Men's Association.

These groups did not march in perfect lock-step any more than their opposite numbers in labor. But one participant has said that the degree of coordination exceeded that ever undertaken by business in the past.

The small-business group supplied many of the ideas and much of the intelligence; all of them generally avoided the ham-handed union tactics of descending on Congressmen in platoons and warning directly of retaliation at the polls.

The business group's first task was listing House Members in marginal districts—those won by 55 percent or less of the popular vote—who had never voted on a labor bill. About 120 were in this group.

The next step was to refine this list to those who favored a bill, but were not clearly committed to either a strict or a softer measure.

Left to their own devices, the Democrats in this group would have likely followed their leadership and backed a "moderate" bill; the Republicans, generally from industrial districts, also would have been in this camp. A few more Congressmen with similar viewpoints but from "safe" districts were added. A final list of 54 was selected for the major effort, which began in June.

The problem then became one of arousing constituents in these districts to flood their Congressmen with mail. One important tool was a television drama, "Sound of Violence."

This hour-long show portraying union hoodlums in the jukebox field had run in April on Armstrong Cork Co.'s Circle Theater to an audience estimated at 25 million. It ends with an appeal from Senator JOHN L. MCCLELLAN, Democrat of Arkansas, urging the American people to do something about the evils shown.

When Armstrong decided to run the drama on July 8 as a summer repeat, the business lobbyists latched on. Local NAM affiliates and other trade associations told their members when and where the show could be seen; they advised employer members to urge their workers to watch it; above all, they encouraged their members to get viewers to write their Congressmen on the labor bill.

The Texas Manufacturers Association, for example, advertised the viewing time and stations for Amarillo, Austin, Dallas, Houston, Galveston, Lubbock, Odessa, and El Paso. The Lumbermen's Industrial Relations Committee did the same for Spokane and Seattle, Wash., and Portland, Medford, and Klamath Falls, Oreg.

The strategists discovered that stations in 27 key congressional districts would not carry the show. Arrangements were made to get eight of these stations to run it as a public service or under local sponsorship. Newspaper ads were taken in 20 of the important districts, urging people to watch and write.

An estimated 4.5 million to 5 million mailings plugging both the show and letters to Congress were sent out. Between 15 and 20 million persons were said to have seen the rerun.

After the Griffin-Landrum bill, strongest of the measures proposed, was introduced in late July, the strategists continued to pour on the heat.

Brief tape recordings were made for radio and television, featuring Representatives PHIL M. LANDRUM, Democrat, of Georgia, and ROBERT P. GRIFFIN, Republican, of Michigan. Beginning in August, these were run frequently, again as public service features or under local sponsorship in 35 of the crucial districts.

In one swing area, an experiment was tried. A good-sized corporation sent its foremen out to ring neighbors' doorbells. This tactic, it is claimed, produced 3,000 letters in 1 week, urging a stiff bill.

The crucial House vote came on August 13, when the Griffin-Landrum bill was approved 229 to 201. Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

Since the entire group of 54 had originally been selected on the premise that they leaned toward a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.

Business lobbyists, pleased with their efforts, expect to use these techniques with more success in the future.

Mr. KENNEDY. Mr. President, this article is extremely significant, and is one which Members of Congress should read. It describes the steps which were taken by business organizations of this country, according to Bill Nossiter, to get behind the kind of labor legislation which they desired.

Let me emphasize that these business organizations were acting within the great American tradition of stimulating petitions to the Congress, but I will say it has never been done so effectively as it was done in this case. In my office alone, over 10,000 letters arrived in 1 week.

At the conclusion of Mr. Nossiter's article, he said this was a new effort by business groups. They were going to attempt to use the same formula for applying the same pressure to Congress when other legislation is considered by Congress.

It is my hope that Congress will see enacted at the next session of Congress a minimum wage bill. I shall be interested to know whether the same kind of "heat" is going to be built up around the country so that 10,000 additional letters will arrive in my office some week during January or February when we are debating the minimum wage bill.

As I have said, these business groups are well within their rights when they take this action. I hope the Members of Congress will read Mr. Nossiter's article, because it will give them a clear idea of where exactly the mail originates which poured across all of our desks during the past month. It seems to me that the Congress will be able to make a better judgment as to whether they represent the vox populi or the voices of some of the people.

Mr. CARROLL. I am reminded of an article I read not long ago by Charles Taft, of Ohio. If my memory serves me correctly, I believe it appeared in last Sunday's issue of the New York Times. Taft warned that while he commended the business people of this Nation for getting into politics, irrespective of party

lines, he warned them not to be antilabor or to stop the progress of this country.

The members of both national parties encourage the participation of people in politics. The three most important words in politics are "sense of participation." We want people in politics, but we do not want them in politics to be antilabor or anti something else, but to be constructive.

I agree with the Senator from Massachusetts that the time will come in 1960, 1961, and 1962 when the people become aware—as they ought to become—with the issues which confront this Nation, and the issues are very serious.

If any Member of this body would examine the articles appearing in the Wall Street Journal today, which is not Democratic propaganda, he will observe that they are warning that a money panic may confront this Nation. That is why the Congress of the United States is considering interest rates on savings bonds and why it will in the future consider interest rates on long-term bonds. We are faced with a tight money condition, a squeeze on credit which can easily create a recession and money panic.

Where can anyone point to American labor as fighting against fiscal stability or against proper management of the debt of this Nation? The answer would be nowhere, because the working men and women of America stand for good and sound Government, and proper fiscal management.

I say to the Senator from Massachusetts [Mr. KENNEDY], he has rendered another great service this evening. This is what we all stand for in one form or another—good Government.

Mr. KENNEDY. I do not know whether he has had a chance to read the article, but in Mr. Nossiter's article we read:

> The major organizations involved were the National Association of Manufacturers and the United States Chamber of Commerce, aided by many of their State groups; the American Farm Bureau Federation; the American Retail Federation; and the little-known National Small Business Men's Association.

They made an analysis and figured out there were 120 Members of the House who received 55 percent or less of the popular vote in 1958. They then decided they would divide that number into those who were for what they called a strong bill and those who would call for a softer bill. Then they divided the Members of that group and picked 54 Members for a major effort in June.

Mr. Nossiter said there was a television drama, "Sound of Violence," which was a portrayal of Jimmy Hoffa, shown on Armstrong Cork Co.'s Circle Theater to an estimated audience of 25 million. Then they arranged for a rerun in the summer. Then they took advertisements in the papers all through those important districts to make sure the people would see this rerun during the summer in the districts of those Congressmen.

> Newspaper ads were taken in 20 of the important districts, urging people to watch and write. * * * In one swing area, an experiment was tried. A good sized corporation sent its foremen out to ring neighbor's door bells. This tactic, it is claimed, produced 3,000 letters in 1 week, urging a stiff bill.

Then finally Mr. Nossiter writes:

> Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

He closes by saying:

> Since the entire group of 54 had originally been selected on the premise that they leaned toward a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.
>
> Business lobbyists, pleased with their efforts, expect to use these techniques with more succeess in the future.

I will say that there is nothing at all wrong with what has been done here. I commend these people for their effort to secure legislation which they feel is in accordance with their economic interest. I think Mr. Nossiter has performed a public service. I think it is important that the Congress realize, when these letters pour across our desk at the rate of 10,000 letters in 1 week, which is no exaggeration, that it is not a spontaneous grassroot response. Never before in the 13 years of my service in the Congress have I gotten one-tenth of that number of letters on any issue in a single week.

We must realize this is not a spontaneous grassroots expression, but rather an effective effort by people who know their business, and who are in favor of a particular bill. That bill, in my opinion, was restrictive, punitive, and antilabor. The work of the McClellan committee was being used in order to secure passage of legislation not really directed at curbing hoodlums and racketeers but actually to effect a chance in the balance of power between honest unions and honest employers at the bargaining table. That is why I was opposed to it. I am glad the conference was able to make important and constructive changes in the bill.

I think this is a significant social article. I am interested in it. I was chairman of a Subcommittee on Reorganization which sponsored legislation dealing with lobbying.

I wish to emphasize, Mr. President, I am not criticizing this effort. I think these people are carrying out, in a much more organized way, an ancient American custom, but Members of the House and the Senate ought to know during the next session, when social legislation dealing with unemployment compensation, with the Denver case, with minimum wages, and with aid to education, is before Congress, that this technique is now being used by the business groups of the country, who are now interested in politics in a very sophisticated way.

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

Mr. KENNEDY. I yield.

Mr. CARROLL. The Senator from Massachusetts is very correct. We on this side of the aisle have known for many years about the power of propaganda and the power of the press. Especially we who have been in a couple of world wars know the power of psychological military warfare. This is what has been happening to us.

In my own State not long ago—it was in 1958—I discovered forces from outside my State moving in to try to have adopted a right-to-work amendment. That movement did not originate in my State at all, but originated outside my State. It was part of a national pattern. It seemed to me the greatest service I could render to my State was to expose this propaganda effort and to expose the national pattern.

The people of my State responded in regard to the so-called right-to-work amendment, although we are not a great industrial State and we are not a manufacturing State. We have great rural areas. We are a jobbing and distributing area. We won that fight because the people of my State were not taken in by the propaganda.

It seems to me that every Representative in Congress and every Senator who is dedicated to the public service has to explain to his people the forces which are moving within.

I agree with the Senator from Massachusetts that these people have a perfect right to work the way they do, but we have a perfect right to expose what they are trying to accomplish.

This leads me to the question, What are they trying to accomplish? This is not a question of whether one group should be all powerful or whether another group should be all powerful. The Senator from Massachusetts has put his finger on the principal issue, which is the balance of power at work in a democracy for the good of the Nation. This is what I like to believe would have happened under the Kennedy bill. This is what I believe would not have happened under the Landrum-Griffin bill. That was a punitive measure. It sought to unbalance the power of which we speak.

We do not want to have any one group in power. We do not want the big corporations in power. We do not want big labor in power. We do not want anything other than a balance of power to serve the great public interest. I think this is a fair statement of democratic philosophy.

In what do we believe? We believe in the family life of America. I think this is manifest by what we do in regard to social security, what we do in regard to housing, what we do in regard to the Rural Electrification Administration, and what we do in regard to the farm program and many other fields. We believe in the family life in America. We do not oppose the corporate life of America, however. It is said, in law, that a corporation has no soul. The family lives of Americans are composed of many souls. We work for the people in the public interest.

That is what we sought to achieve by passage of the Kennedy bill, as opposed to the Landrum-Griffin bill. There is no quick solution to all of these problems. Why? Because each succeeding year, each succeeding session of Congress, we have new problems. Why is that? It is because our economy changes from term to term. Why does it change? There are 3 million Americans born every year.

There are school problems and classroom problems. This is why I disagreed with the President. I think the President was wrong in vetoing the housing bill because of the college classroom provision. I say this not because it is my own opinion. This is what I heard from my people. In all the colleges and universities classrooms are needed. Why did we in Colorado not provide them? We in Colorado did not provide them because the Federal Government has preempted the tax field. We simply do not have the money. Why do we not build dams in Colorado? We simply do not have the money.

The President himself, at another period of time, endorsed this concept. It was the President who initiated the upper Colorado program, which is a billion-dollar program. It was the President who on many occasions—although he seems to have forgotten it—initiated these programs. Why did he do so? He did so because the Federal Government is the repository of a great fund, the revenues which come from the people.

I wish to say that I associate myself entirely and completely with the remarks of the distinguished Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator from Colorado.

The PRESIDING OFFICER. Without objection, the request made earlier by the Senator from Massachusetts will be granted.

ECONOMIC DEVELOPMENT OF THE FREE NATIONS OF SOUTH ASIA

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial which was published in the Minneapolis Star of August 20, 1959, entitled "To Help South Asia," which deals with the resolution which the Senate passed earlier today in respect to sending a mission to South Asia in order to see what greater role the free world can play in assisting the economies of South Asian countries.

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

TO HELP SOUTH ASIA

Congress has an excellent opportunity to express the American people's sympathy and support for the economic development of the free nations of south Asia through a resolution now pending in both Houses.

The resolution urges the President to explore with other friendly democratic countries the advisability of setting up an international mission to consult with these south Asian governments on their economic needs and anticipated development programs in the next 5 years.

If such a mission were established, it then would recommend ways and means by which the United States, West European nations and perhaps Colombo plan countries could jointly assist in carrying out the plans for these development programs. It is understood the World Bank would be asked to cooperate and perhaps the United Nations special projects fund as well.

This would not be the beginning of another foreign aid agency, but it would serve at least two useful purposes: (1) It would encourage the more advanced democratic nations to take a greater interest in and provide greater support for the free nations of south Asia, and (2) it would make much more effective use of existing U.S. agencies in the development field.

The resolution, under the bipartisan sponsorship of Senators KENNEDY and COOPER in the Senate and Representatives BOWLES and MERROW in the House, is aimed at helping an economically interconnected group of six south Asian countries—India, Pakistan, Burma, Afghanistan, Nepal, and Ceylon—in which more than 45 percent of the population of the so-called underdeveloped areas live.

It is in this area of the world that the new challenge of Communist China is the sharpest. If Communist China continues its economic growth at a pace faster than that of India's, China's influence may spread throughout the entire region and communism eventually might conquer all of south Asia. As the Senate Foreign Relations Committee said in recommending the resolution for passage:

"The area of south Asia clearly merits a review of its economic requirements because developments there in the next decade are likely to have a profound effect on the concept of individual freedom and hence they will be of vital concern to the United States. It is equally clear to the committee that this review should have the participation of not one, but many of the free world's industrially advanced nations."

We hope Congress agrees with those sentiments.

RECESS TO 10 A.M. TOMORROW

Mr. CARROLL. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and at 6 o'clock and 32 minutes p.m. the Senate, under the previous order, took a recess until tomorrow, Friday, September 11, 1959, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 10 (legislative day of September 5), 1959:

PROMOTIONS IN THE REGULAR ARMY

The following-named officer for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3299, subject to physical examination required by law:

To be major, Medical Service Corps

Holland, Donald B., O83842.

The following-named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law:

To be first lieutenants, Medical Service Corps

Cooper, James D., O85740.
Danielson, John J., O85742.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be majors

Chapman, Curtis W., O5004137.
Mumford, Elmer S., O423485.
Zacharias, George A., O1284975.

To be captains

Marcus, Gerald R., O2208610.
Marks, Patrick W., O957899.
Rovegno, Eugene S., O1186494.
Stuart, Dale F., O1885723.
Wooleyhan, Robert G., O993310.

To be first lieutenants

Asente, James, O4003785.
Burns, Charles W., O4030412.
Estep, Willis H., O4011753.
Kays, John M., O1933343.
Lowrey, Patrick R., O4009661.
Marks, Karl L., O1883296.
Ney, Leland E., O4070961.
Siner, Albert P., O2284888.
Steimle, Carl R., O2290255.
Wadsworth, Frederick J., O4052113.
Woodall, James R., Jr., O2207186.

To be second lieutenants

Acuff, Gerald R., O5200754.
Baillie, Donald A., O1925663.
Barrus, Rollin L., O5405333.
Beasley, William A., O5401805.
Bond, Bruce F., O4083309.
Broadus, James C., O4010694.
Brooks, Joseph H., O2296223.
Carter, William A., O2296631.
Cox, Luther O., Jr., O5401302.
Crump, Roger L., O5503623.
David, Ronald C., O5506503.
Davies, Jerry C., O5502435.
Deibel, Charles L., O5502759.
DeMetrovich, Frederic F., O5702466.
Dygert, George H., O5000228.
Fox, Morton, AO3012822.
Herrmann, Roger W., O5302089.
Holmes, Ernest L., O5204791.
Jacobson, Howard C., O4084919.
Kreulen, Ray H., O5302230.
LeBourdais, Carl J., O5200401.
Lightfoot, John W., O5302496.
Lopes, Francis J., O1924814.
McNamara, Andrew T., III, O4085192.
Mealey, John J., Jr., O4068358.
Murphy, Bernard M., O5701932.
Nance, Nelson T., O5205350.
Nathan, Walter E., O5504419.
O'Haver, Donald R., O2288854.
O'Malley, Joseph G., O5701863.
Pipes, Jack R., Jr., O4024801.
Pujol, Elwray, O5503180.
Reidy, William D., O5301908.
Schriver, Robert F., O5404980.
Sholtes, Lawrence E., O4047444.
Slusher, Billy J., O5402747.
Snow, Quentin E., O3015744.
Turner, Rex M., Jr., O5305889.
Villarreal, Julian, Jr., O5401107.
Vining, John F., III, O2289263.
West, James A., O5503716.
Wiles, Edward, Jr., O5203934.
Wolfe, James H., O4053509.
Zeleznik, Reivan, O4034036.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, 3291, 3292, and 3294:

To be captains

Anderson, Paul W., MC, O4050946.
Aseltine, Thomas H., MC, O4051100.
Ben-Asher, M. David, MC, O4064334.
Chappell, Harold R., MC, O5500508.
Demis, Dermot J., MC, O2288920.
deQuevedo, Augusto G., MC, O2282761.
Diggs, Gloria M., ANC, N762978.
Donahue, Joseph E., JAGC, O2201106.
Earll, Jerry M., MC, O997959.
Gvozden, Robert, MC, O1877386.
Hagan, Constance E., AMSC, M890.
Harvey, David M., MC, O4073532.
Himma, Einar, MC, O5500204.
Hojnoski, Waclaw, MC, O5202427.
Juden, Alexander G., Jr., MC, O2282894.
LaNeve, Ralph J., Jr., MC, O4069830.
Ligo, Robert N., MC, O4034799.
Limesand, Donovan E., MC, O2103414.
Marcure, Richard W., MC, O4043585.
Marshal, Anne F., ANC, N804619.
Matthews, Kenneth L., DC, O2298239.
McKlemurry, Cecil C., MC.

McKnight, Edwin H., MC, O5003174.
Mosley, Everett C., MC, O2284050.
Perry, Ronald H., MC, O2287644.
Rolph, Marion L., ANC, N777899.
Smith, John S., MC, O2275410.
Stafford, Helen R., AMSC, R2381.
Straley, Rose V., ANC, N723106.
Suckow, Earl E., MC, O4056297.
Weber, Dale L., DC, O4073312.
Wright, Madison C., II, JAGC, O799301.
Wynne, Garnet F., Jr., MC, O2279671.
Zullo, Joseph C., MC, O4064746.

To be first lieutenants

Babcock, Paul W., MC, O2290249.
Bailey, Bruce H., MC, O2289828.
Brickner, Theodore J., Jr., MC, O4040508.
Briggs, Leland S., MC, O2291316.
Burdick, Claude O., MC, O2289686.
Carlson, Vivienne C., ANC, N805724.
Clay, Ronald L., MC, O2289950.
Copas, Howard L., MC, O2289690.
Cresto, James E., MC, O4004918.
Cruciani, Dominick A., Jr., MC, O2289694.
Diversi, Henry L., Jr., DC, O4067469.
Dunn, James A., JAGC, O2296648.
Froker, Lowell D., MC, O2289700.
Gilmartin, Richard C., MC, O2291378.
Grace, Mary C., ANC, N2293707.
Graham, Arthur D., MC.
Hardman, John M., MC, O5500217.
Hayes, Thomas A., MC, O2295077.
Hennessy, William J., MC, O2289960.
Holloway, Harry C., MC, O2291349.
Kelley, John J., MC, O2289919.
Kelsh, James M., MC, O2289917.
Lillard, Callista J., ANC, N805734.
Lowell, Ronald J., MC, O2291558.
Mackey, Helen J., ANC, N900193.
Marasso, Fred J., MC.
Maroso, Delmo, DC.
Marshall, William R., MC, O2289705.
Marx, Ralph L., MC, O2295060.
Mayo, Robert W., MC, O2290158.
McKee, Donald C., MC.
Mershon, Frank A., MC, O2291340.
Morgan, Alan R., DC.
Murdock, Thomas E., JAGC, O2295831.
Myers, Charles R., MC, O2289706.
Nelson, Joseph H., MC, O4050299.
Nelson, Richard A., MC, O5209741.
Orthey, George F., Jr., VC, O4033785.
Parsons, Delmar L., MC, O2291436.
Phillips, Ran L., II, MC, O5301194.
Pollock, James A., MC, O2290032.
Reeder, Maurice M., MC, O2290033.
Rinderknecht, Norman K., MC, O2289923.
Rokous, Joseph R., MC, O4036701.
Ruback, Irwin H., MC, O2293141.
Sandness, Elizabeth A., ANC, N902086.
Sieber, Otto F., Jr., MC, O4004439.
Starr, Leonard B., MC, O2291674.
Stevenson, John R., MC, O4027161.
Tomlinson, Fred B., MC, O2289713.
Tweito, Robert B., MSC, O4030128.
Vennes, George J., Jr., MC, O4051250.
Verdon, Thomas A., Jr., MC, O4037780.
Wergeland, Floyd L, Jr., MC, O5301125.
Werner, Harold T., Jr., JAGC, O2296416.
Whaley, Robert A., MC, O2289715.
Williams, Brian H., MC, O2289857.
Wilson, Thomas E., MC, O4032468.
Yoder, Ann E., ANC, N805857.
Zabriskie, Jay R., MC, O2291310.

To be second lieutenants

Dimmitt, William A., MSC, O4062054.
Jacobs, Claude G., Jr., MSC, O2274647.
Lampe, Christian F., Jr., MSC, O2293589.
Sturges, Roberta M., ANC, N2290239.
Waller, Donald A., MSC, O1931747.

The following-named persons for appointment as chaplains in the Regular Army of the United States in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, and 3288:

Logan, Fred G., O4055386.
Nelson, Harold E., O4056034.

The following-named distinguished military student for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Mallory, Lloyd M.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Anderson, Carl E.
Anderson, Harold E.
Arflack, Kenneth B.
Austin, Robert E., Jr.
Ballenger, Kenneth D.
Barrack, John B.
Blasch, Larry W.
Braden, Richard P.
Broome, Donald F.
Burke, Joseph M.
Cahoon, John L.
Carden, David T.
Cook, Robert M.
Cotton, Charles A., III
DiGregorio, Anthony J.
Douthit, Robert A.
Emond, René J.
Erdelbrock, Dale H.
Fitzgerald, Joseph P.
Gibbs, Kay K.
Goetzmann, Harry E., Jr.
Gregory, George H., Jr.
Halus, Michael B.
Hatley, Gerald W.
Hawley, Rexford K.
Humphrey, Richard A.
Huntley, John H.
Hutchison, Joseph B.
Jones, Edward J.
Jordan, Raymond G.
Kaufman, Paul D.
Kinney, Linford N.
Kohn, Noel T.
Kosiba, Leo M.
Maguire, John P.
Malone, John H.
Martin, John G.
Matthias, Harold L.
Miller, Christian J., III
Montagne, Ernest R., Jr.
Murray, William B.
Nally, Michael J.
Noack, Richard R.
Pate, James A.
Patton, Joseph D., Jr.
Peppers, John S.
Pool, Russell F.
Post, Richard B.
Preetorius, Charles D.
Pugmire, Ronald J.
Quimby, Robert W.
Quintero, Paul V.
Race, Gary L.
Richards, Donald R.
Ryan, John G.
Scott, Warden M.
Stearns, Raymond L.
Storey, Arthur L., Jr.
Talbot, Peter B.
Terhune, Robert B.
Thompson, Benjamin W., Jr.
Vaglia, James E.
Ward, Jerido
Weand, David M., Jr.
Wharton, William T.
Whitton, George M.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 10, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

John 16: 33: *In the world ye shall have tribulations; but be of good cheer; I have overcome the world.*

Eternal God, whose resources of wisdom and understanding are always available, grant us a greater appreciation of Thy grace and goodness.

May we see more clearly that the measure of our faith and trust in Thee will determine the measure of our joy and courage as we face life's duties and demands.

Help us to pray fervently and labor faithfully for the coming of that blessed time when mankind shall feel the impact and inspiration of lofty ideals and principles.

Show us how we may stem the tides of materialism and seek to be loyal and obedient to those spiritual instincts and capacities with which all men have been created and endowed.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 173]

Anfuso	Glenn	Michel
Barden	Granahan	Minshall
Baumhart	Gubser	O'Brien, N.Y.
Bray	Hall	Poage
Broyhill	Hoffman, Mich.	Powell
Canfield	Holifield	St. George
Cooley	Jones, Mo.	Sikes
Derwinski	Kilburn	Siler
Diggs	Landrum	Taylor
Durham	McDonough	Tollefson
Evins	McSween	Van Pelt
Ford	Marshall	Westland

The SPEAKER. On this rollcall 399 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 29, 1959:

H.R. 7650. An act to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

On September 1, 1959:

H.R. 255. An act to amend section 358 of title 38, United States Code, to provide for apportionment of compensation of veterans who disappear;

H.R. 303. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia;

H.R. 1579. An act for the relief of Basile Ignatios Mavridis;

H.R. 1595. An act for the relief of Victor Hoffer;

H.R. 2078. An act for the relief of Gannon Boggs;

H.R. 2296. An act for the relief of the estate of Seth E. Libby, Jr.;

H.R. 2317. An act to amend section 7 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended, so as to provide for the bonding of persons licensed to engage in a business, trade, profession, or calling involving the collection of money for others;

H.R. 2318. An act to provide for the regulation of closing-out and fire sales in the District of Columbia;

H.R. 2741. An act to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard;

H.R. 2979. An act to amend section 752 of title 28, United States Code;

H.R. 3240. An act for the relief of Mrs. Clare M. Ash;

H.R. 4111. An act for the relief of Eva Marie Lesher;

H.R. 4329. An act to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly airport site, Virginia, and for other purposes;

H.R. 5911. An act for the relief of Omer W. Guay;

H.R. 6490. An act for the relief of Colbert Colgate Held and Charles W. Shellborn;

H.R. 7085. An act for the relief of John B. Sutter;

H.R. 7106. An act to amend title 38, United States Code, with respect to forfeiture of benefits under laws administered by the Veterans' Administration;

H.R. 7638. An act for the relief of the estate of Sakihara Koki;

H.R. 7948. An act to declare nonnavigable a part of the west arm of the South Fork of the South Branch of the Chicago River situated in the city of Chicago in the State of Illinois, as hereinafter described;

H.R. 7978. An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes; and

H.J. Res. 115. Joint resolution to reserve a site in the District of Columbia for the erection of a memorial to Franklin Delano Roosevelt, to provide for a competition for the design of such memorial, and to provide additional funds for holding the competition.

On September 3, 1959:

H.J. Res. 510. Joint resolution amending a joint resolution making temporary appropriations for the fiscal year 1960, and for other purposes.

On September 8, 1959:

H.R. 2725. An act to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes;

H.R. 2773. An act to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict;

H.R. 2886. An act to suspend for 3 years the import duties on certain classifications of spun silk yarn;

H.R. 6000. An act to amend title 28 of the United States Code to increase the limit for administrative settlement of claims against the United States under the tort claims procedure to $2,500;

H.R. 7373. An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to an additional group of severely disabled veterans;

H.R. 8159. An act to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes;

H.R. 8284. An act to amend the National Science Foundation Act of 1950, as amended, and for other purposes; and

H.J. Res. 354. Joint resolution for the relief of certain aliens.

On September 9, 1959:

H.R. 968. An act to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon;

H.R. 6939. An act to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes;

H.R. 7645. An act to provide for the construction, alteration, and acquisition of public buildings of the Federal Government, and for other purposes;

H.R. 8160. An act to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes;

H.R. 8374. An act to amend Public Law 85–880, and for other purposes;

H.J. Res. 406. Joint resolution to facilitate the admission into the United States of certain aliens;

H.J. Res. 444. Joint resolution for the relief of certain aliens; and

H.J. Res. 445. Joint resolution to facilitate the admission into the United States of certain aliens.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and concurrent resolutions of the House of the following titles:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act;

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 1735. An act to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker;

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2247. An act to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 2386. An act 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;

H.R. 2978. An act 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;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 4134. An act 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;

H.R. 4279. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grade rehabilitation project, Texas, La Feria division;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 5873. An act for the relief of Clara H. Hall;

H.R. 5892. An act to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes;

H.R. 6128. An act 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;

H.R. 6269. An act 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;

H.R. 6335. An act for the relief of Mrs. Lourene O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act 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;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6733. An act for the relief of Paul & Beekman, Inc., and others;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 6888. An act 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;

H.R. 7125. To provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7437. An act to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes;

H.R. 7571. An act 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;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7745. An act for the relief of Mrs. Willie Soher;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 8189. An act to improve the active duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8199. An act for the relief of James J. Manning;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure;

H.R. 8514. An act to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians;

H.R. 8587. An act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes;

H.R. 8593. An act 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;

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks);

H.J. Res. 513. Joint resolution designating the 17th day of December 1959 as "Wright Brothers Day";

H. Con. Res. 166. Concurrent resolution providing the express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile;

H. Con. Res. 234. Concurrent resolution authorizing the printing of additional copies of the hearing entitled "Organization and Management of Missile Programs" and

H. Con. Res. 378. Concurrent resolution authorizing the printing of the 16th Report of the Commission of Fine Arts as a House document.

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

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 4656. An act to amend section 401b of the Act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either one year from the date of acquisition or one year following the date of vacating the property;

H.R. 5896. An act to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 7225. An act for the relief of Sylvester L. Gardner;

H.R. 7476. An act to extend for two additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control;

H.R. 8277. An act for the relief of Harold William Abbott and others;

H.R. 8305. An act to amend the Federal Credit Union Act;

H.R. 8728. An act 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; and

H.J. Res. 403. Joint resolution granting 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.

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. 3610. An act to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, 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. CHAVEZ, Mr. KERR, Mr. MCNAMARA, Mr. MARTIN, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 231. An act for the relief of Richard Peter Gustav Bredee;

S. 1018. An act to authorize and direct the transfer of certain personal property to State and county agencies engaged in cooperative agricultural extension work;

S. 1352. An act to authorize enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., to acquire tribal lands of the reservation, and for other purposes;

S. 1502. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 1696. An act for the relief of Wong Sue Chee;

S. 1822. An act for the relief of Hirsh Marinski;

S. 1886. An act to amend the Communications Act of 1934 with respect to certain rebroadcasting activities;

S. 2033. An act to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims;

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States;

S. 2129. An act for the relief of Mileva Lovric;

S. 2286. 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;

S. 2321. An act for the relief of Barnardine Lovse (Nadica Lovse); and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 355. An act 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;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml; and

S. 1837. An act for the relief of Marguerite Fueller.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4002) entitled "An act to authorize the use of Great Lakes vessels on the oceans".

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 60–6.

CIVIL FUNCTIONS APPROPRIATION BILL—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 226)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

On August 28, 1959, I returned to the Congress without my approval H.R. 7509, a bill 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.

H.R. 9105, which is now before me, is identical to H.R. 7509 in all respects (including the 67 unbudgeted projects which will ultimately cost our taxpayers more than $800 million), except that each individual project and appropriation item has been reduced by 2½ percent. This only change not only fails to meet any of the objections I outlined in my message of August 28, 1959, accompanying H.R. 7509 but in addition could have the effect of impeding orderly work on going projects and result in an increase in cost instead of a saving.

Therefore, for the reasons outlined in such previous message, I am returning H.R. 9105 to the Congress without my approval.

Because the time before the probable adjournment of Congress may be too short to allow for deliberate reconsideration by the Congress of my objections, the Congress might well enact a continuing resolution, effective until January 31, 1960, so that work in progress may proceed in an orderly way.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 9, 1959.*

The SPEAKER. The objections of the President will be spread at large upon the Journal and without objection, the bill and message will be printed as a House document.

There was no objection.

The SPEAKER. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. Under the Constitution, this vote must be determined by the yeas and nays.

The question was taken; and there were—yeas 280, nays 121, not voting 35, as follows:

[Roll No. 174]

YEAS—280

Abernethy	Gathings	Moss
Addonizio	Gavin	Moulder
Albert	George	Multer
Alexander	Giaimo	Murphy
Alford	Grant	Natcher
Anderson, Mont.	Gray	Nix
	Green, Oreg.	Norblad
Andrews	Green, Pa.	Norrell
Ashley	Griffiths	O'Brien, Ill.
Ashmore	Hagen	O'Hara, Ill.
Aspinall	Haley	O'Hara, Mich.
Bailey	Hardy	O'Konski
Baring	Hargis	O'Neill
Barr	Harmon	Oliver
Barrett	Harris	Passman
Bass, Tenn.	Harrison	Patman
Beckworth	Hays	Perkins
Bennett, Fla.	Healey	Pfost
Betts	Hébert	Philbin
Blatnik	Hechler	Pilcher
Blitch	Hemphill	Porter
Boggs	Henderson	Preston
Boland	Herlong	Price
Bolling	Hogan	Prokop
Bonner	Holland	Pucinski
Bowles	Holtzman	Quigley
Boykin	Horan	Rabaut
Boyle	Huddleston	Rains
Brademas	Hull	Randall
Breeding	Ikard	Reuss
Brewster	Inouye	Rhodes, Pa.
Brock	Irwin	Riley
Brooks, La.	Jarman	Rivers, Alaska
Brooks, Tex.	Jennings	Rivers, S.C.
Brown, Ga.	Jensen	Roberts
Brown, Mo.	Johnson, Calif.	Rodino
Buckley	Johnson, Colo.	Rogers, Colo.
Burdick	Johnson, Md.	Rogers, Fla.
Burke, Ky.	Johnson, Wis.	Rogers, Mass.
Burke, Mass.	Jones, Ala.	Rogers, Tex.
Burleson	Karsten	Rooney
Byrne, Pa.	Karth	Roosevelt
Cannon	Kasem	Rostenkowski
Carnahan	Kastenmeier	Roush
Carter	Kearns	Rutherford
Casey	Kee	Santangelo
Celler	Kelly	Saund
Chelf	Keogh	Scott
Chenoweth	Kilday	Selden
Clark	Kilgore	Shelley
Coad	King, Calif.	Sheppard
Coffin	King, Utah	Shipley
Cohelan	Kirwan	Simpson, Ill.
Colmer	Kitchin	Sisk
Cook	Kluczynski	Slack
Corbett	Knox	Smith, Iowa
Curtin	Kowalski	Smith, Kans.
Daddario	Lane	Smith, Miss.
Daniels	Lankford	Spence
Davis, Ga.	Lennon	Staggers
Davis, Tenn.	Lesinski	Steed
Dawson	Levering	Stratton
Delaney	Libonati	Stubblefield
Dent	Loser	Sullivan
Denton	McCormack	Teague, Tex.
Dingell	McDowell	Teller
Dollinger	McFall	Thomas
Donohue	McGinley	Thompson, La.
Dorn, S.C.	McGovern	Thompson, N.J.
Dowdy	McMillan	Thompson, Tex.
Downing	Macdonald	Thomson, Wyo.
Doyle	Machrowicz	Thornberry
Dulski	Mack, Ill.	Toll
Edmondson	Madden	Trimble
Elliott	Magnuson	Udall
Everett	Mahon	Ullman
Fallon	Matthews	Vanik
Farbstein	May	Vinson
Fascell	Merrow	Walter
Feighan	Metcalf	Wampler
Fenton	Meyer	Watts
Fisher	Miller, Clem	Weaver
Flood	Miller, George P.	Whitener
Flynn		Whitten
Fogarty	Mills	Wier
Foley	Mitchell	Williams
Forand	Moeller	Willis
Forrester	Monagan	Winstead
Fountain	Montoya	Wolf
Frazier	Moorhead	Wright
Friedel	Morgan	Yates
Gallagher	Morris, N. Mex.	Young
Garmatz	Morris, Okla.	Zablocki
Gary	Morrison	Zelenko

NAYS—121

Abbitt	Devine	Milliken
Adair	Dixon	Moore
Alger	Dooley	Mumma
Allen	Dorn, N.Y.	Murray
Andersen, Minn.	Dwyer	Nelsen
	Fino	Osmers
Arends	Flynt	Ostertag
Auchincloss	Frelinghuysen	Pelly
Avery	Fulton	Pillion
Ayres	Glenn	Pirnie
Baker	Goodell	Poff
Baldwin	Griffin	Quie
Barry	Gross	Ray
Bass, N.H.	Gubser	Reece, Tenn.
Bates	Halleck	Rees, Kans.
Becker	Halpern	Rhodes, Ariz.
Belcher	Hess	Riehlman
Bennett, Mich.	Hiestand	Robison
Bentley	Hoeven	Saylor
Berry	Hoffman, Ill.	Schenck
Bolton	Holt	Scherer
Bosch	Hosmer	Schwengel
Bow	Jackson	Short
Broomfield	Johansen	Simpson, Pa.
Brown, Ohio	Jonas	Smith, Calif.
Budge	Judd	Smith, Va.
Bush	Keith	Springer
Byrnes, Wis.	Lafore	Taber
Cahill	Laird	Teague, Calif.
Cederberg	Langen	Tuck
Chamberlain	Latta	Utt
Chiperfield	Lindsay	Van Zandt
Church	Lipscomb	Wainwright
Collier	McCulloch	Wallhauser
Conte	McIntire	Weis
Cramer	Mack, Wash.	Wharton
Cunningham	Mailliard	Widnall
Curtis, Mass.	Martin	Wilson
Curtis, Mo.	Mason	Withrow
Dague	Meader	Younger
Derounian	Miller, N Y.	

NOT VOTING—35

Anfuso	Granahan	O'Brien, N.Y.
Barden	Hall	Poage
Baumhart	Hoffman, Mich.	Powell
Bray	Holifield	St. George
Broyhill	Jones, Mo.	Sikes
Canfield	Kilburn	Siler
Cooley	Landrum	Taylor
Derwinski	McDonough	Tollefson
Diggs	McSween	Van Pelt
Durham	Marshall	Westland
Evins	Michel	
Ford	Minshall	

So (two-thirds having voted in favor thereof) the bill was passed, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On this vote:

Mr. Anfuso and Mr. Sikes for, with Mr. Kilburn against.

Mr. Cooley and Mr. Hall for, with Mr. Derwinski against.

Mr. Poage and Mr. Jones of Missouri for, with Mr. Ford against.

Mr. Barden and Mr. Durham for, with Mr. Minshall against.

Mr. Landrum and Mr. Baumhart for, with Mr. Michel against.

Mr. Evins and Mr. O'Brien of New York for, with Mr. Taylor against.

Mr. Holifield and Mr. Powell for, with Mr. Van Pelt against.

Mrs. Granahan and Mr. McSween for, with Mr. Westland against.

Until further notice:

Mr. Marshall with Mr. Bray.

Mr. Diggs with Mr. Hoffman of Michigan.

Mr. CANNON. Mr. Speaker, is the vote close enough to warrant a recapitulation?

The SPEAKER. The vote is not close enough for that.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will notify the Senate of the action of the House.

HOUSING ACT OF 1959

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the 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 Clerk read as follows:

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

TITLE I—FHA INSURANCE PROGRAMS

Property improvement loans

SEC. 101. Section 2(a) of the National Housing Act is amended by striking out "September 30, 1959" and inserting in lieu thereof "October 1, 1960".

Section 203 residential housing insurance

SEC. 102. (a)(1) Section 203(b)(2) of the National Housing Act is amended by striking out all that precedes the first semicolon and inserting in lieu thereof the following:

"(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $22,500 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $25,000 in the case of a two-family residence (whether or not such one- or two-family residence may be intended to be rented temporarily for school purposes)".

(2) Section 203(b)(2) of such Act is further amended—

(A) by striking out "85 per centum" and inserting in lieu thereof "90 per centum"; and

(B) by striking out "$16,000" each place it appears and inserting in lieu thereof "$18,000".

(3) Section 203(b)(2) of such Act is further amended by inserting after "unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance" the following: "or the dwelling was approved for guaranty, insurance, or direct loan under chapter 37 of title 38, United States Code, prior to the beginning of construction".

(b) Section 203(b)(8) of such Act is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: *"Provided,* That such 85 per centum limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness."

Low-cost housing in outlaying areas

SEC. 103. Section 203(i) of the National Housing Act is amended—

(1) by striking out "$8,000" and inserting in lieu thereof "$9,000";

(2) by inserting after "97 per centum" the following: "(or, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance or the dwelling was approved for guaranty, insurance, or direct loan under chapter 37 of title 38, United States Code, prior to the beginning of construction, 90 per centum)";

(3) by striking out ", and which is approved for mortgage insurance prior to the beginning of construction" and "the construction of"; and

(4) by striking out the comma following the word "highway" and everything that follows and inserting a period in lieu thereof.

Section 207 rental housing insurance

SEC. 104. (a) Section 207(c)(1) of the National Housing Act is amended by striking out "$12,500,000" and inserting in lieu thereof "$20,000,000".

(b) Section 207(c)(3) of such Act as amended by striking out—

(1) "$2,250" each place it appears and inserting in lieu thereof "$2,500";

(2) "$8,100" each place it appears and inserting in lieu thereof "$9,000";

(3) "$2,700" and inserting in lieu thereof "$3,000";

(4) "$8,400" and inserting in lieu thereof "$9,400";

(5) "$1,000 per room" and inserting in lieu thereof "$1,250 per room";

(6) "$1,000 per space" and inserting in lieu thereof "$1,500 per space"; and

(7) "$300,000" and inserting in lieu thereof "$500,000".

(c) The last paragraph of section 207(c) of such Act is amended by striking out "4½ per centum per annum" and inserting in lieu thereof "5¼ per centum per annum".

(d) Section 207 of such Act is further amended by adding at the end thereof the following new subsection:

"(r) Notwithstanding any other provision of this Act, the Commissioner is authorized to include in any mortgage insured under any title of this Act after the effective date of the Housing Act of 1959 a provision requiring the mortgagor to pay a service charge to the Commissioner in the event such mortgage is assigned to and held by the Commissioner. Such service charge shall not exceed the amount prescribed by the Commissioner for mortgage insurance premiums applicable to such mortgage."

(e) Section 207 of such Act is further amended—

(1) by striking out "(except provisions relating to housing for elderly persons)" and "(except with respect to housing designed for elderly persons, with occupancy preference therefor, as provided in the paragraph following paragraph (3) of subsection (c))" in subsection (b);

(2) by striking out in subsection (c) the unnumbered paragraph following paragraph (3); and

(3) by striking out "section 210 and section 213" in both places where it appears in subsection (f) and inserting in lieu thereof the following: "sections 210, 213, 231, and 232".

Cooperative housing insurance

SEC. 105. (a) Section 213(b)(1) of the National Housing Act is amended by striking out "$12,500,000" and inserting in lieu thereof "$20,000,000".

(b) Section 213(b)(2) of such Act is amended to read as follows:

"(2) not to exceed, for such part of the property or project as may be attributable to dwelling use, $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit), and not to exceed 97 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *Provided*, That as to projects which consist of elevator-type structures the Commissioner may, in his discretion, increase the dollar amount limitation of $2,500 per room to not to exceed $3,000 per room and the dollar amount limitation of $9,000 per family unit to not to exceed $9,400 per family unit, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design: *Provided further*, That the Commissioner may, by regulation, increase any of the foregoing dollar amount limitations by not to exceed $1,250 per room, without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require: *Provided further*, That in the case of a mortgagor of the character described in paragraph (3) of subsection (a) the mortgage shall involve a principal obligation in an amount not to exceed 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *And provided further*, That upon the sale of a property or project by a mortgagor of the character described in paragraph (3) of subsection (a) to a nonprofit cooperative ownership housing corporation or trust within two years after the completion of such property or project the mortgage given to finance such sale shall involve a principal obligation in an amount not to exceed the maximum amount computed in accordance with this subsection without regard to the preceding proviso."

(c) Section 213(d) of such Act is amended by adding at the end thereof a new sentence as follows: "Property held by a corporation or trust of the character described in paragraph numbered (2) of subsection (a) of this section which is covered by a mortgage insured under this section may include such community facilities, and property held by a mortgagor of the character described in paragraph numbered (3) of subsection (a) of this section which is covered by a mortgage insured under this section may include such commercial and community facilities, as the Commissioner deems adequate to serve the occupants."

(d) The first sentence of section 213(d) of such Act is amended (1) by striking out "4½ per centum" and inserting in lieu thereof "5¼ per centum", and (2) by striking out "5 per centum" and inserting in lieu thereof "5¾ per centum".

(e) Section 213 of such Act is further amended by adding at the end thereof the following new subsection:

"(i) Nothing in this Act shall be construed to prevent the insurance of a mortgage executed by a mortgagor of the character described in paragraph (1) of subsection (a) of this section covering property upon which dwelling units and related facilities have been constructed prior to the filing of the application for mortgage insurance hereunder: *Provided*, That the Commissioner determines that the consumer interest is protected and that the mortgagor will be a consumer cooperative. In the case of properties other than new construction, the limitations in this section upon the amount of the mortgage shall be based upon the appraised value of the property for continued use as a cooperative rather than upon the Commissioner's estimate of the replacement cost. As to any project on which construction was commenced after the effective date of this subsection, the mortgage on such project shall be eligible for insurance under this section only in those cases where the construction was subject to inspection by the Commissioner and where there was compliance with the provisions of section 212 of this title. As to any project on which construction was commenced prior to the effective date of this subsection, such inspection, and compliance with the provisions of section 212 of this title, shall not be a prerequisite."

Increased mortgage amounts in Alaska, Guam, and Hawaii

SEC. 106. The first sentence of section 214 of the National Housing Act is amended by inserting after "maximum or maxima otherwise applicable" the following: "(including increased mortgage amounts in geographical areas where cost levels so require)".

FHA mortgage insurance authorization

SEC. 107. (a) Section 217 of the National Housing Act is amended by striking out "$7,000,000,000" and inserting in lieu thereof "$15,000,000,000".

(b) Section 217 of such Act is further amended by adding at the end thereof a new paragraph as follows:

"It is further the intent and purpose of this section to limit by law the aggregate amount of the balances of insured mortgages and the principal amount of all commitments to insure which may be outstanding under this Act (except section 2 and section 803). In the administration of this Act the Commissioner shall not hereafter enter into any type of agreement or other undertaking to insure a mortgage if a commitment to insure such mortgage would be unlawful under the limit so established."

Repeal of obsolete provision

SEC. 108. Section 218 of the National Housing Act is repealed.

Section 220 mortgage insurance

SEC. 109. (a)(1) Clause (i) of subsection (d)(3)(A) of section 220 of the National Housing Act is amended by striking out all that precedes the second semicolon and inserting in lieu thereof the following:

"(A) (i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $22,500 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $25,000 in the case of a two-family residence; or $30,000 in the case of a three-family residence".

(2) Clause (i) of subsection (d)(3)(A) of section 220 of such Act is further amended—

(A) by striking out "85 per centum" and inserting in lieu thereof "90 per centum"; and

(B) by striking out "$16,000" each place it appears and inserting in lieu thereof "$18,000".

(3) Subsection (d)(3)(A)(ii) of section 220 of such Act is amended by inserting before the semicolon at the end thereof a colon and the following: "*Provided*, That such 85 per centum limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness".

(b) Subsection (d)(3)(B)(i) of section 220 of such Act is amended by striking out "$12,500,000" and inserting in lieu thereof "$20,000,000".

(c) Subsection (d)(3)(B)(iii) of section 220 of such Act is amended—

(1) by striking out "$2,250" each place it appears and inserting in lieu thereof "$2,500";

(2) by striking out "$8,100" each place it appears and inserting in lieu thereof "$9,000";

(3) by striking out "$2,700" and inserting in lieu thereof "$3,000";

(4) by striking out "$8,400" and inserting in lieu thereof "$9,400"; and

(5) by striking out "$1,000" and inserting in lieu thereof "$1,250".

(d) Subsection (d)(3)(B)(iii) of section 220 of such Act is further amended by inserting after "dwelling use" the following: "(ex-

cluding exterior land improvements as defined by the Commissioner)".

(e) Subsection (d)(3)(B) of section 220 of such Act is further amended by striking out "and" at the end of clause (ii), by striking out the period at the end of clause (iii) and inserting in lieu thereof "; and", and by adding at the end thereof the following new clause:

"(iv) include such nondwelling facilities as the Commissioner deems adequate to serve the needs of the occupants of the property and of other housing in the neighborhood."

Section 221 relocation housing mortgage insurance

SEC. 110. (a)(1) The first paragraph of section 221(a) of the National Housing Act is amended to read as follows:

"This section is designed to supplement systems of mortgage insurance under other provisions of the National Housing Act in order to assist (1) in relocating families from urban renewal areas, (2) in relocating families to be displaced as the result of governmental action in a community respecting which (A) the Housing and Home Finance Administrator has made the certification to the Commissioner provided for by subsection 101(c) of the Housing Act of 1949, as amended, or (B) there is being carried out a project covered by a Federal aid contract executed, or prior approval granted, by the Housing and Home Finance Administrator under title I of the Housing Act of 1949, as amended, before the effective date of the Housing Act of 1954, or (C) there is being carried out an urban renewal project assisted under section 111 of the Housing Act of 1949, as amended, and (3) in relocating families residing in the environs of a community described in clause (2) which are to be displaced as the result of governmental action."

(2) The second paragraph of section 221(a) of such Act is amended—

(A) by striking out all that precedes the first colon and inserting in lieu thereof the following: "Mortgage insurance under this section shall be available only in those localities, communities, or environs of communities, which shall have requested such mortgage insurance to be provided";

(B) by striking out "in any such community" in the second proviso and inserting in lieu thereof "in or near any such community";

(C) by striking out "(1)" in the third proviso and inserting in lieu thereof "(2)(A)"; and

(D) by striking out "(1)", "(2)", and "(3)", wherever they appear in the last proviso, and inserting in lieu thereof respectively "(2)(A)", "(2)(B)", and "(2)(C)".

(3) Section 101(c) of the Housing Act of 1949 is amended by striking out "if the mortgaged property is in a community referred to in clause (2) of section 221(a) of said Act", and inserting in lieu thereof "if the mortgaged property is in an area described in clause (3) of section 221(a) of said Act, or in a community referred to in clause (2)(B) of said section".

(4) Section 101(c) of the Housing Act of 1949 is further amended by striking out "in a community" in clause (iii) of the last proviso.

(b) Section 221(d)(2) of the National Housing Act is amended to read as follows:

"(2) be secured by property upon which there is located a dwelling conforming to applicable standards prescribed by the Commissioner under subsection (f) of this section, and meeting the requirements of all State laws, or local ordinances or regulations, relating to the public health or safety, zoning, or otherwise, which may be applicable thereto, and shall involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount (A) not to exceed (i) $9,000 in the case of a property upon which there is located a dwelling designed principally for a single-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $12,000 in any geographical area where he finds that cost levels so require, (ii) $18,000 in the case of a property upon which there is located a dwelling designed principally for a two-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $20,000 in any geographical area where he finds that cost levels so require, (iii) $25,000 in the case of a property upon which there is located a dwelling designed principally for a three-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $27,500 in any geographical area where he finds that cost levels so require, (iv) $32,000 in the case of a property upon which there is located a dwelling designed principally for a four-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $35,000 in any geographical area where he finds that cost levels so require; and (B) not to exceed the appraised value (as of the date the mortgage is accepted for insurance) of any such property, less such amount, in the case of any mortgagor, as may be necessary to comply with the succeeding provisos: *Provided,* That if the mortgagor is the owner and an occupant of the property at the time of the insurance, he shall have paid on account of the property at least (i) $200 in the case of a single-family dwelling, (ii) $400 in the case of a two-family dwelling, (iii) $600 in the case of a three-family dwelling, and (iv) $800 in the case of a four-family dwelling, in cash or its equivalent, which amount may include amounts to cover settlement costs and initial payments for taxes, hazard insurance, mortgage insurance premium, and other prepaid expenses: *Provided further,* That nothing contained herein shall preclude the Commissioner from issuing a commitment to insure, and insuring a mortgage pursuant thereto, where the mortgagor is not the owner and an occupant of the property, if the property is to be built or acquired and repaired or rehabilitated for sale, and the insured mortgage financing is required to facilitate the construction, or the repair or rehabilitation, of the dwelling and to provide financing pending the subsequent sale thereof to a qualified owner who is also an occupant thereof, but in such instances the mortgage shall not exceed 85 per centum of the appraised value: *And provided further,* That the Commissioner shall prescribe such procedures as in his judgment are necessary to secure to families, referred to in subsection (a) above, priorities in occupancy of the remaining units of two-, three-, and four-family dwellings after occupancy of one unit by the owner; or".

(c) Section 221(d) of such Act is further amended—

(1) by striking out "$10,000" in paragraph (3) and inserting in lieu thereof "$12,000";

(2) by striking out of paragraph (3) "not in excess of the Commissioner's estimate of the value of the property or project when constructed, or repaired and rehabilitated, for use as rental accommodations for ten or more families eligible for occupancy as provided in this section; and", and inserting in lieu thereof "not in excess of (1) in the case of new construction, the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner), or (2) in the case of repair and rehabilitation, the Commissioner's estimate of the value of the property when the proposed repair and rehabilitation is completed: *Provided,* That such property or project, when constructed, or repaired and rehabilitated, shall be for use as rental accommodations for ten or more families eligible for occupancy as provided in this section; or"; and

(3) by redesignating paragraph (4) as paragraph (5) and inserting after paragraph (3) the following new paragraph:

"(4) if executed by a mortgagor which is not a nonprofit organization, and which is approved by the Commissioner—

"(i) not exceed $12,500,000;

"(ii) not exceed $9,000 per family unit for such part of such property or project as may be attributable to dwelling use, except that the Commissioner may by regulation increase this amount to not to exceed $12,000 in any geographical area where he finds that cost levels so require;

"(iii) not exceed (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 per centum of all of the foregoing items, except the land, unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage); and

"(iv) not exceed 90 per centum of the Commissioner's estimate of the value of the property or project when the proposed repair and rehabilitation is completed if the proceeds of the mortgage are to be used for the repair and rehabilitation of a property or project:

Provided, That such property or project when constructed, or repaired and rehabilitated, shall be for use as rental accommodations for ten or more families eligible for occupancy as provided in this section: *And provided further,* That the Commissioner may, in his discretion, require the mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation, and for such purpose the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations, with such stock or interest being paid for out of the Section 221 Housing Insurance Fund and being required to be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance; and".

(d) Section 221(f) of such Act is amended by inserting the following before the period at the end thereof: "and may include such commercial and community facilities as the Commissioner deems adequate to serve the occupants".

(e) Section 221(g)(2) of such Act is amended by striking out "paragraph (3)" and inserting in lieu thereof "paragraph (3) or (4)".

(f) Section 212(a) of such Act is amended by adding at the end thereof the following new sentence: "The provisions of this section shall apply to the insurance under section 221 of any mortgage described in subsection (d)(4) thereof."

Servicemen's housing mortgage insurance

SEC. 111. Section 222(b) of the National Housing Act is amended—

(1) by inserting "or 203(i)" after "203(b)" in paragraph (1); and

(2) by striking out "$17,100" in paragraph (2) and inserting in lieu thereof the following: "$20,000, except that in the case of a mortgage meeting the requirements of section 203(i) such principal obligation shall not exceed $9,000".

Builder's cost certification

SEC. 112. (a) Section 227(a) of the National Housing Act is amended by striking out clause (iv) and all that follows and inserting in lieu thereof the following: "(iv) under section 221 if the mortgage meets the requirements of paragraph (3) or paragraph (4) of subsection (d) thereof, (v) under section 231, or (vi) under section 810 if the mortgage meets the requirements of subsection (f)".

(b) The last two sentences of section 227 (c) of such Act are each amended by striking out "under section 220" and inserting in lieu thereof "under section 220, section 221 if the mortgage meets the requirements of paragraph (4) of subsection (d) thereof, or section 231,".

Voluntary termination of insurance

SEC. 113. Title II of the National Housing Act is further amended by adding at the end thereof the following new section:

"Voluntary termination of insurance

"SEC. 229. Notwithstanding any other provision of this Act and with respect to any mortgage covering a one-, two-, three-, or four-family residence heretofore or hereafter insured under this Act, the Commissioner is authorized to terminate any mortgage insurance contract upon request by the mortgagor and mortgagee and upon payment of such termination charge as the Commissioner determines to be equitable, taking into consideration the necessity of protecting the various insurance funds. Upon such termination mortgagors and mortgagees shall be entitled to the rights, if any, to which they would be entitled under this Act if the insurance contract were terminated by payment in full of the insured mortgage."

Avoidance of foreclosure

SEC. 114. (a) Title II of the National Housing Act is further amended by adding after section 229 (as added by section 113 of this Act) the following new section:

"Acquisition of mortgages to avoid foreclosure

"SEC. 230. Upon receiving notice of the default of any mortgage covering a one-, two-, three-, or four-family residence heretofore or hereafter insured under this Act, the Commissioner, in his discretion and for the purpose of avoiding foreclosure of the mortgage, may acquire the loan and the security therefor upon issuance to the mortgagee of debentures having a total face value equal to the unpaid principal balance of the loan plus any accrued interest and any proper advances theretofore made by the mortgagee under the provisions of the mortgage; and after the acquisition of such mortgage by the Commissioner such mortgagee shall have no further rights, liabilities, or obligations with respect thereto. The provisions of section 204 relating to the issuance of debentures incident to the acquisition of foreclosed properties shall apply with respect to debentures issued under this subsection, and the provisions of section 204 relating to the rights, liabilities, and obligations of a mortgagee shall apply with respect to the Commissioner when he has acquired an insured mortgage under this section, in accordance with and subject to regulations (modifying such provisions to the extent necessary to render their application for such purposes appropriate and effective) which shall be prescribed by the Commissioner."

(b) Section 204(a) of the National Housing Act is amended by inserting immediately before the last proviso the following: " : *And provided further*, That with respect to any mortgage covering a one-, two-, three-, or four-family residence insured under this Act, if the Commissioner finds, after notice of default, that the default was due to circumstances beyond the control of the mortgagor and it is probable that the mortgage will be restored to good standing within a reasonable period of time, he may, under such regulations and conditions as he may prescribe, extend the time for curing default and enter into an agreement with the mortgagee providing that if the mortgage is subsequently foreclosed, any interest accruing after the date of the agreement which is not paid by the mortgagor may be included in the debentures".

Mortgage insurance for nursing homes

SEC. 115. Title II of the National Housing Act is amended by adding after section 231 (as added by section 201 of this Act) the following new section:

"Mortgage insurance for nursing homes

"SEC. 232. (a) The purpose of this section is to assist the provision of urgently needed nursing homes for the care and treatment of convalescents and other persons who are not acutely ill and do not need hospital care but who require skilled nursing care and related medical services.

"(b) For the purposes of this section—

"(1) the term 'nursing home' means a proprietary facility, licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services, in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to provide such care or services in accordance with the laws of the State where the facility is located; and

"(2) the terms 'mortgage' and 'mortgagor' shall have the meanings respectively set forth in section 207(a) of this Act.

"(c) The Commissioner is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section the Commissioner is authorized to insure any mortgage which covers a new or rehabilitated nursing home, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Commissioner. The Commissioner may in his discretion require any such mortgagor to be regulated or restricted as to charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem paid for out of the Section 207 Housing Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $12,500,000, and not to exceed 75 per centum of the estimated value of the property or project when the proposed improvements are completed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such terms as the Commissioner shall prescribe; and

(B) bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 6 per centum as the Commissioner finds necessary to meet the mortgage market.

"(4) The Commissioner shall not insure any mortgage under this section unless he has received, from the State agency designated in accordance with section 612(a)(1) of the Public Health Service Act for the State in which is located the nursing home covered by the mortgage, a certification that (1) there is a need for such nursing home, and (2) there are in force in such State or other political subdivision of the State in which the proposed nursing home would be located reasonable minimum standards of licensure and methods of operation for nursing homes. No such mortgage shall be insured under this section unless the Commissioner has received such assurance as he may deem satisfactory from the State agency that such standards will be applied and enforced with respect to any nursing home located in the State for which mortgage insurance is provided under this section.

"(e) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

Technical amendments

SEC. 116. (a) Section 8(g) of the National Housing Act is amended by striking out "and (h) of section 204" and inserting in lieu thereof "(h), (j), and (k) of section 204".

(b) Sections 213(e), 220(f)(1), 221(g)(1), 222(e), and 809(e) of such Act are each amended by striking out "and (j) of section 204" and inserting in lieu thereof "(j), and (k) of section 204".

Inclusion of conveyance costs in debentures

SEC. 117. Section 204(k) of the National Housing Act is amended to read as follows:

"(k) Nothwithstanding ony other provision of this section or of section 604 or 904 and with respect to any debentures issued in exchange for properties conveyed to and accepted by the Commissioner after the effective date of the Housing Act of 1959 in accordance with such sections, the Commissioner may (1) include in debentures reasonable payments made by the mortgagee with the approval of the Commissioner for the purpose of protecting, operating, or preserving the property, and taxes imposed upon any deed or any other instrument by which the property was acquired by the mortgagee and transferred or conveyed to the Commissioner; (2) include in debentures as a portion of foreclosure costs (to the extent that foreclosure costs may be included in such debentures by any other provision of this Act) payments made by the mortgagee for the cost of acquiring the property and conveying and evidencing title to the property to the Commissioner; and (3) terminate the mortgagee's obligation to pay mortgage insurance premiums upon receipt of an application for debentures filed by the mortgagee, or in the event

the contract of insurance is terminated pursuant to section 229."

Investment insurance

SEC. 118. Section 701 of the National Housing Act is amended by striking out the colon at the end of the first proviso and everything that follows and inserting a period in lieu thereof.

Legal notification

SEC. 119. Section 512 of the National Housing Act is amended by adding the following at the end thereof: "For the purposes of compliance with this section the Commissioner's notice of a proposed determination under this section shall be considered to have been received by the interested person or firm if the notice is properly mailed to the last known address of such person or firm."

TITLE II—HOUSING FOR THE ELDERLY

Mortgage insurance program

SEC. 201. (a) Title II of the National Housing Act is amended by adding after section 230 (as added by section 114) the following new section:

"Housing for elderly persons

"SEC. 231. (a) The purpose of this section is to assist in relieving the shortage of housing for elderly persons and to increase the supply of rental housing for elderly persons.

"For the purposes of this section—

"(1) the term 'housing' means eight or more new or rehabilitated living units, not less than 50 per centum of which are specially designed for the use and occupancy of elderly persons;

"(2) the term 'elderly person' means any person, married or single, who is sixty-two years of age or over; and

"(3) the terms 'mortgage', 'mortgagee', 'mortgagor', and 'maturity date' shall have the meanings respectively set forth in section 207 of this Act.

"(b) The Commissioner is authorized to insure any mortgage (including advances on mortgages during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgages prior to the date of their execution or disbursement thereon.

"(c) To be eligible for insurance under this section, a mortgage to provide housing for elderly persons shall—

"(1) involve a principal obligation in an amount not to exceed $12,500,000 or, if executed by Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or nonprofit development or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structure, rate of return, or methods of operation, not to exceed $50,000,000;

"(2) not exceed, for such part of such property or project as may be attributable to dwelling use, $9,000 per dwelling unit: *Provided*, That the Commissioner may, in his discretion, increase the dollar amount limitation of $9,000 per unit to not to exceed $9,400 per unit to compensate for the higher costs incident to the construction of elevator-type structures and may increase each of the foregoing dollar amount limitations by not to exceed $1,250 per room in any geographical area where he finds that cost levels so require;

"(3) if executed by a mortgagor which is a public instrumentality or a private nonprofit corporation or association or other acceptable private nonprofit organization regulated or supervised under Federal or State laws or by political subdivisions of States, or agencies thereof, or by the Commissioner under a regulatory agreement or otherwise, as to rents, charges, and methods of operation, in such form and in such manner as, in the opinion of the Commissioner, will effectuate the purpose of this section, involve a principal obligation not in excess of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner): *Provided*, That in the case of properties other than new construction, the principal obligation shall not exceed the appraised value rather than the Commissioner's estimate of the replacement cost;

"(4) if executed by a mortgagor which is approved by the Commissioner but is not a public instrumentality or a private nonprofit organization, involve a principal obligation not in excess (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) of 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 per centum of all of the foregoing items except the land unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage): *Provided*, That in the case of properties other than new construction the principal obligation shall not exceed 90 per centum of the Commissioner's estimate of the value of the property or project: *And provided further*, That the Commissioner may in his discretion require such mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation, and for such purpose the Commissioner may make contracts with and acquire for not to exceed $100 such stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations; such stock or interest shall be paid for out of the Section 207 Housing Insurance Fund and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance;

"(5) provide for a complete amortization by periodic payments within such terms as the Commissioner shall prescribe;

"(6) bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 5½ per centum as the Commissioner finds necessary to meet the mortgage market; and

"(7) cover a property or project which is approved for mortgage insurance prior to the beginning of construction or rehabilitation, with 50 per centum or more of the units therein specially designed for the use and occupancy of elderly persons in accordance with standards established by the Commissioner, and which may include such commercial and special facilities as the Commissioner deems adequate to serve the occupants.

"(d) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe, and shall prescribe such procedures as in his judgment are necessary to secure to elderly persons a preference or priority of opportunity to rent the dwellings included in such property or project.

"(e) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

(b) Section 212(a) of such Act is amended by adding at the end thereof (after the sentence added by section 110(f) of this Act) the following: "The provisions of this section shall also apply to the insurance of any mortgage under section 231 or 232 except that compliance with such provisions may be waived by the Commissioner in cases or classes of cases where laborers or mechanics, not otherwise employed at any time on the project, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Commissioner determines that any amounts thereby saved are fully credited to the nonprofit corporation, association, or other organization undertaking the construction."

Loan program

SEC. 202. (a) (1) The purpose of this section is to assist private nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(2) In order to carry out the purpose of this section, the Administrator may make loans to any corporation (as defined in subsection (d)(2)) for the provision of rental housing and related facilities for elderly families and elderly persons, except that (A) no such loan shall be made unless the corporation shows that it is unable to secure the necessary funds from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this section, and (B) no such loan shall be made unless the Administrator finds that the construction will be undertaken in an economical manner, and that it will not be of elaborate or extravagant design or materials.

(3) A loan to a corporation under this section may be in an amount not exceeding 98 per centum of the total development cost (as defined in subsection (d)(3)), as determined by the Administrator; shall be secured in such manner and be repaid within such period, not exceeding fifty years, as may be determined by him; and shall bear interest at a rate determined by him which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum added to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date on which the loan is made and adjusted to the nearest one-eighth of 1 per centum.

(4) There is authorized to be appropriated not to exceed $50,000,000, which shall constitute a revolving fund to be used by the Administrator in carrying out this section. The amount outstanding from such fund at any one time for related facilities (as defined in subsection (d)(8)) shall not exceed $5,000,000.

(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this section the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (except subsection (c)(2)) of the Housing Act of 1950.

(c) (1) Housing constructed with a loan made under this section shall not be used for transient or hotel purposes while such loan is outstanding.

(2) As used in paragraph (1), the term "transient or hotel purposes" shall have such meaning as may be prescribed by the Administrator, but rental for any period less than thirty days shall in any event constitute use for such purposes. The provisions of subsections (f) through (j) of section 513 of the National Housing Act (as added by section 132 of the Housing Act of 1954) shall apply in the case of violations of paragraph (1) as though the housing described in such subsection were multifamily housing (as defined in section 513(e)(2) of the National Housing Act) with respect to which a mortgage is insured under such Act, except that for purposes of this subsection the Administrator shall perform the functions vested in the Commissioner by such section 513.

(3) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors and subcontractors in the construction of housing assisted under this section shall be paid wages at rates not less than those prevailing in the locality involved for the corresponding classes of laborers and mechanics employed on construction of a similar character, as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended (the Davis-Bacon Act); but the Administrator may waive the application of this paragraph in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of such housing, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Administrator determines that any amounts saved thereby are fully credited to the corporation undertaking the construction.

(d) As used in this section—

(1) The term "housing" means (A) new structures suitable for dwelling use by elderly families and new structures suitable for such use by one or more elderly persons, and (B) dwelling facilities provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for proposed dwelling use by such families and persons.

(2) The term "corporation" means any incorporated private institution or foundation no part of the net earnings of which inures to the benefit of any private shareholder, contributor, or individual, if such institution or foundation is approved by the Administrator as to financial responsibility.

(3) The term "development cost" means costs of construction of housing and of other related facilities, and of the land on which it is located, including necessary site improvement.

(4) The term "elderly families" means families the head of which (or his spouse) is sixty-two years of age or over; and the term "elderly persons" means persons who are sixty-two years of age or over. The Administrator shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing constructed with assistance under this section.

(5) The term "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(6) The term "Administrator" means the Housing and Home Finance Administrator.

(7) The term "construction" means erection of new structures, or rehabilitation, alteration, conversion, or improvement of existing structures.

(8) The term "related facilities" means (A) new structures suitable for use as cafeterias or dining halls, community rooms or buildings, or infirmaries or other inpatient or outpatient health facilities, or for other essential service facilities, and (B) structures suitable for the above uses provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for such uses.

TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

SEC. 301. Clause (3) of section 302(b) of the National Housing Act is amended to read as follows: "(3) the Association may not purchase any mortgage, except a mortgage insured under section 220 or 803, or a mortgage covering property located in Alaska, Guam, or Hawaii, if the original principal obligation thereof exceeds or exceeded $17,500 for each family residence or dwelling unit covered by the mortgage: *Provided*, That with respect to mortgages purchased under section 304 the principal obligation shall not exceed $20,000".

SEC. 302. The last sentence of section 304(a) of the National Housing Act is amended by striking out "advance planning of home construction" and inserting in lieu thereof "home financing".

SEC. 303. (a) Section 305(b) of the National Housing Act is amended by striking out everything following the first sentence and inserting in lieu thereof the following: "Subject to the provisions of this section, the prices to be paid by the Association for mortgages purchased in its operations under this section shall be established from time to time by the Association. The Association shall impose charges or fees for its services under this section with the objective that all costs and expenses of its operations under this section should be within its income derived from such operations and that such operations should be fully self-supporting."

(b) When the holder of a commitment contract entered into by the Federal National Mortgage Association prior to August 27, 1958, pursuant to section 305 of the National Housing Act, cannot deliver the mortgages covered thereby within the original commitment period, and establishes that hardship to such holder will result therefrom and that such inability to deliver the mortgages is a consequence of circumstances beyond the control of such holder, the Association shall reissue or extend such commitment for a reasonable additional period or periods, according to the circumstances, on terms not less favorable than were the terms of the original commitment.

SEC. 304. Section 305(e) of the National Housing Act is amended by adding at the end thereof the following new sentence: "On and after the date of enactment of the Housing Act of 1959, the Association is authorized to enter into advance commitment contracts and purchase transactions (in addition to those authorized by the preceding sentence) relating to mortgages with respect to which the Federal Housing Commissioner shall have issued pursuant to section 213 a commitment to insure or a statement of eligibility, without regard to any of the limitations contained in the preceding sentence; except that the total amount of the additional advance commitment contracts and purchase transactions authorized by this sentence which may be outstanding at any one time shall not exceed $25,000,000, of which the amount of $12,500,000 shall be available solely for commitments or purchases of mortgages where the management or sales-type cooperative involved is certified by the Federal Housing Commissioner as a consumer cooperative and the amount of $12,500,000 shall be available solely for commitments or purchases of mortgages where the cooperative involved is a builder-sponsor cooperative."

SEC. 305. (a) Sections 304(b) and 306(b) of the National Housing Act are amended by striking out "and bonds or other obligations of, or bonds or other obligations guaranteed as to principal and interest by, the United States" and inserting in lieu thereof "and obligations of the United States or guaranteed thereby, or obligations which are lawful investments for fiduciary, trust, or public funds".

(b) Section 310 of such Act is amended by striking out "in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States" and inserting in lieu thereof "in obligations of the United States or guaranteed thereby, or in obligations which are lawful investments for fiduciary, trust, or public funds".

SEC. 306. (a) Section 306 of the National Housing Act is amended by adding at the end thereof the following subsection:

"(e) Notwithstanding any of the provisions of this Act or of any other law, the Association is authorized, under the aforesaid separate accountability, to make commitments to purchase and to purchase, service, or sell any mortgages offered to it by the Housing and Home Finance Administrator or the Housing and Home Finance Agency, or by such Agency's constituent units or agencies or the heads thereof, after such Administrator has found the acquisition thereof by the Association to be in the interest of the efficient management and liquidation of the mortgages. There shall be excluded from the total amounts set forth in subsection (c) hereof the amounts of any mortgages purchased by the Association pursuant to this subsection."

(b) In connection with the sale of any mortgages to the Federal National Mortgage Association pursuant to section 306(e) of the Federal National Mortgage Association Charter Act, the Housing and Home Finance Administrator is authorized, and any other official, unit, or agency selling such mortgages thereunder is directed, to transfer to the Association from time to time, from authorizations, limitations, and funds available for administrative expenses of such official, unit, or agency in connection with the same mortgages, such amounts thereof as said Administrator determines to be required for administrative expenses of the Association in connection with the purchase, servicing, and sale of such mortgages: *Provided*, That no such transfer shall be made after a budget estimate of the Association with respect to the same mortgages has been submitted to and finally acted upon by the Congress.

TITLE IV—URBAN RENEWAL

Statewide planning

SEC. 401. Section 101(b) of the Housing Act of 1949 is amended by adding at the end thereof the following new sentence: "The Administrator shall particularly encourage the utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities within the State which are undertaking or propose to undertake urban renewal programs whenever that arrangement facilitates the undertaking of an urban renewal program by any such community, or provides an effective solution to community development or redevelopment problems in such communities, and is approved by resolution or ordinance of the governing bodies of the affected communities."

Clarifying amendments

SEC. 402. (a) Section 102(a) of the Housing Act of 1949 is amended by striking out in the second sentence the words "as part of the gross project cost" and inserting in lieu thereof "for such purposes".

(b) Section 102(c) of such Act is amended by striking out "repayment of" and inserting in lieu thereof "repayment of the principal of and the interest on".

Early land acquisition

SEC. 403. Section 102(a) of the Housing Act of 1949 is amended by adding at the end thereof the following new sentence: "In any

case where, in connection with its undertaking and carrying out of an urban renewal project, a local public agency is authorized (under the circumstances in which the temporary loan herein provided is requested) to acquire real property in the urban renewal area, the Administrator, in addition to all other authority under this title and notwithstanding any other provisions of this title, regardless of the stage of development of the urban renewal plan and whether before or after the approval thereof, may make a temporary loan or loans to any such local public agency to finance the acquisition of such real property: *Provided,* That no loan for such purpose shall be made unless (1) the governing body of the locality involved shall have approved by resolution or ordinance the acquisition of real property in the urban renewal area, and (2) either (A) the Administrator shall have determined that such loan is reasonably secured by a first mortgage or other prior lien upon such real property or is otherwise reasonably secured, or (B) the governing body of the locality shall have assumed the responsibility to bear any loss that may arise as the result of such acquisition in the event that the property so acquired is not used for urban renewal purposes because the urban renewal plan for the project is not approved, or is amended to omit any of the acquired property, or is abandoned for any reason: *Provided further,* That the Administrator may, in his discretion and subject to such conditions as he may impose, permit any structure so acquired to be demolished and removed, and may include in any loan authorized by this section the cost of such demolition and removal if the approval of the local governing body extends to such demolition and removal: *And provided further,* That the loan contract shall provide that the local public agency shall not dispose of such real property (except in lieu of foreclosure) until the local governing body of the locality involved shall have either approved the urban renewal plan for the project or consented to the disposal of such real property."

Loans

SEC. 404. Section 102(e) of the Housing Act of 1949 is amended to read as follows:

"(e) The total amount of loan contracts outstanding at any one time under this title shall not exceed the aggregate of the estimated expenditures to be made by local public agencies as part of the gross project cost of the projects assisted by such contracts. To obtain funds for advance and loan disbursements under this title, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount which shall not, unless authorized by the President, exceed $1,000,000,000. For the purpose of establishing unpaid obligations as of a given date against the authorization contained in the preceding sentence, the Administrator shall estimate the maximum amount to be required to be borrowed from the Treasury and outstanding at any one time with respect to loan commitments in effect on such date."

Grants

SEC. 405. Section 103 of the Housing Act of 1949 is amended—

(1) by amending the first sentence of subsection (b) to read as follows: "The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make grants under this title aggregating not to exceed $1,350,000,000, which limit shall be increased by $350,000,000 on the date of enactment of the Housing Act of 1959, and by $300,000,000 on July 1, 1960.";

(2) by striking out the period at the end of the second sentence of subsection (b) and inserting in lieu thereof a colon and the following: *"Provided,* That any amounts so appropriated shall also be available for repaying to the Secretary of the Treasury, for application to notes of the Administrator, the principal amounts of any funds advanced to local public agencies under this title which the Administrator determines to be uncollectible because of the termination of activities for which such advances were made, together with the interest paid or accrued to the Secretary (as determined by him) attributable to notes given by the Administrator in connection with such advances, but all such repayments shall constitute a charge against the authorization to make contracts for grants contained in this section: *Provided further,* That no such determination of the Administrator shall be construed to prejudice the rights of the United States with respect to any such advance."; and

(3) by adding at the end thereof the following new subsections:

"(c) Notwithstanding any other provision of this or any other Act, if financial assistance authorized by this title to be made available to a locality or local public agency may be made available to any locality or local public agency within the limitations provided in sections 102(e), 103(b), and 106(e), and the second paragraph following the paragraph numbered (6) of section 110(c), the amount of such financial assistance made available to any locality or local public agency upon submission and processing of proper application therefor shall not otherwise be restricted except on the basis of (1) urgency of need, and (2) feasibility, as determined by the Administrator.

"(d) The Administrator may contract to make grants for the preparation or completion of community renewal programs, which may include, without being limited to, (1) the identification of slum areas or blighted, deteriorated, or deteriorating areas in the community, (2) the measurement of the nature and degree of blight and blighting factors within such areas, (3) determination of the financial, relocation, and other resources needed and available to renew such areas, (4) the identification of potential project areas and, where feasible, types of urban renewal action contemplated within such areas, and (5) scheduling or programing of urban renewal activities. Such programs shall conform in the determination of the governing body of the locality, to the general plan of the locality as a whole. The Administrator may establish reasonable requirements respecting the scope and content of such programs. No contract for a grant pursuant to this subsection shall be made unless the governing body of the locality involved has approved the preparation or completion of the community renewal program and the submission by the local public agency of an application for such a grant. Notwithstanding section 110(h) or the use in any other provision of this title of the term 'local public agency' or 'local public agencies', the Administrator may make grants pursuant to this subsection for the preparation or completion of a community renewal program to a single local public body authorized to perform the planning work necessary to such preparation or completion. No grant made pursuant to this subsection shall exceed two-thirds of the cost (as such cost is determined or estimated by the Administrator) of the preparation or completion of the community renewal program for which such grant is made."

Public improvements by Federal agencies in urban renewal areas

SEC. 406. Section 105(b) of the Housing Act of 1949 is amended by adding the following before the semicolon at the end thereof: ": *And provided further,* That, with respect to any improvements of a type which it is otherwise authorized to undertake, any Federal agency (as defined in section 3(b) of the Federal Property and Administrative Services Act of 1949, as amended, and also including the District of Columbia or any agency thereof) is hereby authorized to become obligated in accordance with this subsection, except that clause (ii) of this subsection shall apply to such Federal agency only to the extent that it is authorized (and funds have been made available) to make the improvements involved".

Public disclosure by redevelopers

SEC. 407. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) No understanding with respect to, or contract for, the disposition of land within an urban renewal area shall be entered into by a local public agency unless the local public agency shall have first made public, in such form and manner as may be prescribed by the Administrator, (1) the name of the redeveloper, together with the names of its officers and principal members, shareholders and investors, and other interested parties, (2) the redeveloper's estimate of the cost of any residential redevelopment and rehabilitation, and (3) the redeveloper's estimate of rentals and sales prices of any proposed housing involved in such redevelopment and rehabilitation: *Provided,* That nothing in this subsection shall constitute a basis for contesting the conveyance of, or title to, such land.".

State loan ceiling

SEC. 408. Section 106(e) of the Housing Act of 1949 is amended by striking out all of the text before the proviso and inserting in lieu thereof the following: "Not more than 12½ per centum of the grant funds provided for in this title shall be expended in any one State".

Relocation payments

SEC. 409. (a)(1) The first sentence of section 106(f)(2) of the Housing Act of 1949 is amended to read as follows: "As used in this subsection, the term 'relocation payments' means payments by a local public agency to individuals, families, and business concerns for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after August 7, 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from an urban renewal area made necessary by (i) the acquisition of real property by a local public agency or by any other public body, (ii) code enforcement activities undertaken in connection with an urban renewal project, or (iii) a program of voluntary rehabilitation of buildings or other improvements in accordance with an urban renewal plan: *Provided,* That such payments shall not be made after completion of the project or if completion is deferred solely for the purpose of obtaining further relocation payments."

(2) No relocation payments under section 106(f) of the Housing Act of 1949 shall be made for expenses or losses incurred prior to the date of the enactment of the Housing Act of 1959, except to the extent that such payments were authorized by such section as it existed prior to such date.

(b) Section 106(f)(2) of such Act is further amended by striking out "$100" each place it appears and inserting in lieu thereof "$200", and by striking out "$2,500" and inserting in lieu thereof "$3,000".

Hotels and other transient housing

SEC. 410. Section 106 of the Housing Act of 1949 is further amended by adding at the end thereof the following new subsection:

"(g) No provision permitting the new construction of hotels or other housing for transient use in the redevelopment of any urban renewal area under this title shall be included in the urban renewal plan unless the community in which the project is

located, under regulations prescribed by the Administrator, has caused to be made a competent independent analysis of the local supply of transient housing and as a result thereof has determined that there exists in the area a need for additional units of such housing."

Low-rent housing in urban renewal areas

SEC. 411. Section 107 of the Housing Act of 1949 is amended to read as follows:

"Payment for land used for low-rent public housing

"SEC. 107. When it appears in the public interest that land to be acquired as part of an urban renewal project should be used in whole or in part as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, or under a State or local program found by the Administrator to have the same general purposes as the Federal program under such Act, the site shall be made available to the public housing agency undertaking the low-rent housing project at a price equal to the fair value of land to a private redeveloper who wants to buy a site in the community for private rental housing with physical characteristics similar to those of the proposed low-rent housing project, and such amount shall be included as part of the development cost of such low-rent housing project: *Provided,* That the local contribution in the form of tax exemption or tax remission required by section 10(h) of such Act, or by analagous provisions in legislation authorizing such State or local program, with respect to the low-rent housing project into which such land is incorporated shall (if covered by a contract which, in the determination of the Public Housing Commissioner, and without regard to the requirements of the first proviso of such section 10(h), will assure that such local contribution will be made during the entire period that the project is used as low-rent housing within the meaning of such Act, or by provisions found by the Administrator to give equivalent assurance in the case of State or local programs), be accepted as a local grant-in-aid equal in amount, as determined by the Administrator, to one-half (or one-third in the case of an urban renewal project on a three-fourths capital grant basis) of the difference between the cost of such site (including costs of land, clearance, site improvements, and a share, prorated on an area basis, of administrative, interest, and other project costs) and its sales price, and shall be considered a local grant-in-aid furnished in a form other than cash within the meaning of section 110(d) of this Act."

Requirements for urban renewal plan

SEC. 412. Section 110(b) of the Housing Act of 1949 is amended by inserting after "to indicate" in clause (2) the following: ", to the extent required by the Administrator for the making of loans and grants under this title,".

Nonresidential redevelopment

SEC. 413. Section 110(c) of the Housing Act of 1949 is amended by striking out the second paragraph following the paragraph numbered (6) and inserting in lieu thereof the following:

"Financial assistance shall not be extended under this title with respect to any urban renewal area which is not predominantly residential in character and which, under the urban renewal plan therefor, is not to be redeveloped for predominantly residential uses: *Provided,* That, if the governing body of the local public agency determines that the redevelopment of such an area for predominantly nonresidential uses is necessary for the proper development of the community, the Administrator may extend financial assistance under this title for such a project: *Provided further,* That the aggregate amount of capital grants contracted to be made pursuant to this title with respect to such projects after the date of the enactment of the Housing Act of 1959 shall not exceed 20 per centum of the aggregate amount of grants authorized by this title to be contracted for after such date."

Local grants

SEC. 414. (a) Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of this subsection, no donation or provision of a public improvement or public facility of a type falling within the purview of this subsection shall be deemed to be ineligible as a local grant-in-aid for any project solely on the basis that the construction of such improvement or facility was commenced without notification to the Administrator or prior to Federal recognition of such project, if such construction was commenced not more than three years prior to the authorization by the Administrator of a contract for loan or capital grant for the project."

(b) The requirement in section 110(d) of the Housing Act of 1949 that the assistance provided by a State, municipality, or other public body under that section, in order to qualify as a local grant-in-aid, shall be in connection with a project on which a contract for capital grant has been made under title I of that Act, shall not apply to assistance provided during the period from July 1, 1957, through December 31, 1957, in connection with urban renewal activities which were extended Federal recognition within sixty days after the provision of such assistance was initiated.

Credit for loss of interest

SEC. 415. Section 110(e) of the Housing Act of 1949 is amended by striking out the first sentence and inserting in lieu thereof the following: "'Gross project cost' shall comprise (1) the amount of the expenditures by the local public agency with respect to any and all undertakings necessary to carry out the project (including the payment of carrying charges, but not beyond the point where the project is completed), and (2) the amount of such local grants-in-aid as are furnished in forms other than cash. There may be included as part of the gross project cost, under any contract for loan or grant heretofore or hereafter executed under this title, with respect to moneys of the local public agency which are actually expended and outstanding for undertakings (other than in the form of local grants-in-aid) necessary to carry out the project, in the absence of carrying charges on such moneys, an amount in lieu of carrying charges which might otherwise have been payable thereon for the period such moneys are expended and outstanding but not beyond the point where the project is completed, computed for each six-month period or portion thereof, at an interest rate to be determined by the Administrator after taking into consideration for each preceding six-month period the average interest rate borne by any obligations of local public agencies for short-term funds obtained from sources other than the Federal Government in the manner provided in section 102(c): *Provided,* That such amount may be computed on the net total of all such moneys of the local public agency remaining expended and outstanding, less other moneys received from the project undertaken in excess of project expenditures, in all projects of the local public agency under this title, and allocated, as the Administrator may determine, to each of such projects. With respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103(a), gross project cost shall include, in lieu of the amount specified in clause (1) above, the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project:

"(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to acquiring land), disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of subsection (c); and

"(ii) the payment of carrying charges related to the undertakings in clause (i) (including amounts in lieu of carrying charges as determined above), exclusive of taxes and payments in lieu of taxes, but not beyond the point where such project is completed;

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project."

Uniform date for interest rate determination

SEC. 416. Section 110(g) of the Housing Act of 1949 is amended—

(1) by striking out of the first sentence "is approved" and inserting in lieu thereof "for any project under this title is authorized";

(2) by inserting in the second sentence after "Any" the word "such"; and

(3) by striking out of the second sentence "contract is revised or superseded by such later contract" and inserting in lieu thereof "later contract is authorized".

Conforming amendments

SEC. 417. The Housing Act of 1949 is amended—

(1) by striking out the word "capital" in section 100, in the second sentence of section 103(b), and in sections 106(a)(3), 106(b), 106(c)(6), 106(c)(8), and 106(e);

(2) by inserting in section 101(a) after the word "title" in the first place where it appears therein "or for grants pursuant to section 103(d)"; and

(3) by adding at the end of section 110 the following new subsection:

"(k) 'Federal recognition' means execution of any contract for financial assistance under this title or concurrence by the Administrator in the commencement, without such assistance, of surveys and plans."

Urban renewal areas involving colleges or universities

SEC. 418. Title I of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"Urban renewal areas involving colleges or universities

"SEC. 112. In any case where an educational institution is located in or near an urban renewal project area and the governing body of the locality determines that, in addition to the elimination of slums and blight from such area, the undertaking of an urban renewal project in such area will further promote the public welfare and the proper development of the community (1) by making land in such area available for disposition, for uses in accordance with the urban renewal plan, to such educational institutions for redevelopment in accordance with the use or uses specified in the urban renewal plan, (2) by providing, through the redevelopment of the area in accordance with the urban renewal plan, a cohesive neighborhood environment compatible with the functions and needs of such educational blight from such area, the undertaking of the foregoing, the Administrator is authorized to extend financial assistance under this title for an urban renewal project in such

area without regard to the requirements in section 110 hereof with respect to the predominantly residential character or predominantly residential reuse of urban renewal areas: *Provided,* That the aggregate expenditures made by such institution (directly or through a private redevelopment corporation) for the acquisition (from others than the local public agency), within, adjacent to, or in the immediate vicinity of the project area, of land, buildings, and structures to be redeveloped or rehabilitated by such institution for educational uses in accordance with the urban renewal plan (or with a development plan proposed by such institution or corporation, found acceptable by the Administrator after considering the standards specified in section 110(b), and approved under State or local law after public hearing), and for the demolition of such buildings and structures (including expenditures to assist in relocating tenants therefrom), if pursuant to such urban renewal or development plan, the land is to be cleared and redeveloped, as certified by such institution to the local public agency and approved by the Administrator, shall be a local grant-in-aid in connection with such urban renewal project: *Provided further,* That no such expenditures shall be deemed ineligible as a local grant-in-aid in connection with any such project if made not more than five years prior to the authorization by the Administrator of a contract for a loan or capital grant for such urban renewal project: *And provided further,* That the term 'educational institution' as used herein shall mean any educational institution of higher learning, including any public educational institution or any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual."

Urban planning

SEC. 419. Section 701 of the Housing Act of 1954 is amended to read as follows:

"Urban planning

"SEC. 701. (a) In order to assist State and local governments in solving planning problems resulting from increasing concentration of population in metropolitan and other urban areas, including smaller communities, to facilitate comprehensive planning for urban development by State and local governments on a continuing basis, and to encourage State and local governments to establish and develop planning staffs, the Administrator is authorized to make planning grants to—

"(1) State planning agencies, or (in States where no such planning agency exists) to agencies or instrumentalities of State government designated by the Governor of the State and acceptable to the Administrator as capable of carrying out the planning functions contemplated by this section, for the provision of planning assistance to (A) cities, other municipalities, and counties having a population of less than 50,000 according to the latest decennial census, (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related urban planning problems resulting from rapid urbanization, and (C) cities, other municipalities, and counties referred to in paragraph (3) of this subsection and areas referred to in paragraph (4) of this subsection;

"(2) official State, metropolitan, and regional planning agencies empowered under State or local laws or interstate compact to perform metropolitan or regional planning;

"(3) cities, other municipalities, and counties which have suffered substantial damage as a result of a catastrophe which the President, pursuant to section 2(a) of 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', has determined to be a major disaster;

"(4) to official governmental planning agencies for areas where rapid urbanization has resulted or is expected to result from the establishment or rapid and substantial expansion of a Federal installation; and

"(5) State planning agencies for State and interstate comprehensive planning (as defined in subsection (d)) and for research and coordination activity related thereto.

Planning assisted under this section shall, to the maximum extent feasible, cover entire urban areas having common or related urban development problems.

"(b) A grant made under this section shall not exceed 50 per centum of the estimated cost of the work for which the grant is made. All grants made under this section shall be subject to terms and conditions prescribed by the Administrator. No portion of any grant made under this section shall be used for the preparation of plans for specific public works. The Administrator is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advances or progress payments on account of any planning grant made under this section. There is hereby authorized to be appropriated not exceeding $20,000,000 to carry out the purposes of this section, and any amounts so appropriated shall remain available until expended.

"(c) The Administrator is authorized, in areas embracing several municipalities or other political subdivisions, to encourage planning on a unified metropolitan basis and to provide technical assistance for such planning and the solution of problems relating thereto.

"(d) It is the further intent of this section to encourage comprehensive planning for States, cities, counties, metropolitan areas, and urban regions and the establishment and development of the organizational units needed therefor. In extending financial assistance under this section, the Administrator may require such assurances as he deems adequate that the appropriate State and local agencies are making reasonable progress in the development of the elements of comprehensive planning. Comprehensive planning, as used in this section, includes the following, to the extent directly related to urban needs: (1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, together with long-range fiscal plans for such development; (2) programing of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program; (3) coordination of all related plans of the departments or subdivisions of the government concerned; (4) intergovernmental coordination of all related planned activities among the State and local governmental agencies concerned; and (5) preparation of regulatory and administrative measures in support of the foregoing.

"(e) In the exercise of his function of encouraging comprehensive planning by the States, the Administrator shall consult with those officials of the Federal Government responsible for the administration of programs of Federal assistance to the States and municipalities for various categories of public facilities."

Investment by banks in long-term obligations of local public agencies

SEC. 420. The next to the last sentence of paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by striking out "prior to the maturity of such obligations (which obligations shall have a maturity of not more than eighteen months), monies in an amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay the principal of such obligations with interest to maturity thereon, which monies under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such obligations at their maturity" the first place it appears and inserting in lieu thereof the following: "monies in an aggregate amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay, when due, the interest on and all installments (including the final installment) of the principal of such obligations, which monies under the terms of said agreement are required to be used for such payments".

TITLE V—LOW-RENT PUBLIC HOUSING

Declaration of policy

SEC. 501. Section 1 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new sentences: "In the development of low-rent housing it shall be the policy of the United States to make adequate provision for larger families and for families consisting of elderly persons. It is the policy of the United States to vest in the local public housing agencies the maximum amount of responsibility in the administration of the low-rent housing program, including responsibility for the establishment of rents and eligibility require (subject to the approval of the Authority), with due consideration to accomplishing the objectives of this Act while effecting economies."

Central administrative office facilities

SEC. 502. The last sentence of paragraph (5) of section 2 of the United States Housing Act of 1937 is amended—

(1) by inserting after "1949" the following: ", or in cases where the public housing agency and the local public agency for purposes of such title I operate under a combined central administrative office staff,"; and

(2) by striking out "its functions as such local public agency" each place it appears and inserting in lieu thereof "the functions of such local public agency".

Rents and income limits

SEC. 503. (a) Paragraph (1) of section 2 of the United States Housing Act of 1937 is amended to read as follows:

"(1) The term 'low-rent housing' means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing shall be available solely for families of low income. Income limits for occupancy and rents shall be fixed by the public housing agency and approved by the Authority after taking into consideration (A) the family size, composition, age, physical handicaps, and other factors which might affect the rent-paying ability of the family, and (B) the economic factors which affect the financial stability and solvency of the project."

(b) Paragraph (7)(b) of section 15 of such Act is amended by inserting after "a gap of at least 20 per centum" the following "(or 5 per centum in the case of any family entitled to a first preference as provided in section 10(g)".

Minimum age for admission of single persons and elderly families to low-rent projects

SEC. 504. The second and third sentences of paragraph (2) of section 2 of the United States Housing Act of 1937 are amended to read as follows: "The term 'families' means families consisting of two or more persons, a single person who has attained retirement age as defined in section 216(a) of the Social

Security Act or who has attained the age of fifty and is under a disability as defined in section 223 of that Act, or the remaining member of a tenant family. The term 'elderly families' means families the head of which (or his spouse) has attained retirement age as defined in section 216(a) of the Social Security Act or has attained the age of fifty and is under a disability as defined in section 223 of that Act."

Low-rent housing authorization

SEC. 505. (a) Section 10(i) of the United States Housing Act of 1937 is amended by striking out all that precedes the third proviso and inserting in lieu thereof the following:

"(i) Notwithstanding any other provision of law, the Authority may enter into new contracts for loans and annual contributions for (1) not more than such number of dwelling units as does not exceed the number of units which were covered by annual contribution contracts on the date of enactment of the Housing Act of 1959 and are not built, the contracts therefor being canceled; and (2) additional dwelling units which, together with the dwelling units covered by new contracts entered into under clause (1), do not exceed thirty-seven thousand units: *Provided,* That the Authority may enter into only such new contracts for preliminary loans as are consistent with the number of dwelling units for which contracts for annual contributions may be entered into hereunder".

(b) The last proviso under the heading "Public Housing Administration, Annual Contributions" in title I of the First Independent Offices Appropriation Act, 1954 (67 Stat. 307), is repealed.

Extension of waiver in case of veterans and servicemen

SEC. 506. The proviso in section 15(8)(b) of the United States Housing Act of 1937 is amended by striking out "March 1, 1959" and inserting in lieu thereof "October 1, 1961".

Payment for services

SEC. 507. Section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new paragraph:

"(10) Notwithstanding any other provision of law or any contract or other arrangement made pursuant thereto, any public housing agency which utilizes public services and facilities of a municipality or other local governmental agency making charges therefor separate from real and personal property taxes shall be authorized by the Authority (without any amendment to the contract for annual contributions or deductions from payments in lieu of taxes otherwise payable) to pay to such municipality or other local governmental agency the amount that would be charged private persons or dwellings similarly situated for such facilities and services."

TITLE VI—COLLEGE HOUSING

SEC. 601. Section 401(d) of the Housing Act of 1950 is amended to read as follows:

"(d) To obtain funds for loans under subsection (a) of this section, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $1,175,000,000: *Provided,* That the amount outstanding for other educational facilities, as defined herein, shall not exceed $125,000,000: *Provided further,* That the amount outstanding for hospitals, referred to in clause (2) of section 404(b) of this title, shall not exceed $50,000,000."

SEC. 602. Section 402 of the Housing Act of 1950 is amended by adding the following new subsections at the end thereof:

"(e) The provisions of section 309 of the Independent Offices Appropriation Act, 1950 (63 Stat. 662), which are applicable to corporations or agencies subject to the Government Corporation Control Act, shall also be applicable to the activities of the Administrator under this title.

"(f) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on any project assisted under this title, the construction or rehabilitation of which was commenced after the date of enactment of the Housing Act of 1959, (1) 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 (Davis-Bacon Act), as amended, and (2) shall be employed not more than forty hours in any one week unless the employee receives wages for his employment in excess of the hours specified above at a rate not less than one and one-half times the regular rate at which he is employed; but the Administrator may waive the application of this subsection in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of such project, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Administrator determines that any amounts saved thereby are fully credited to the educational institution undertaking the construction."

SEC. 603. (a) Section 404(b) of the Housing Act of 1950 is amended by striking out "and (4)" and inserting in lieu thereof "(4)" and by inserting before the period at the end thereof the following: ", and (5) any nonprofit student housing cooperative corporation established for the purpose of providing housing for students or students and faculty of any institution included in clause (1) of this subsection".

(b) Section 401 of such Act is amended by adding at the end thereof the following new subsection:

"(g) In the case of any loan made under this section to a nonprofit student housing cooperative corporation referred to in clause (5) of section 404(b), the Administrator shall require that the note securing such loan be co-signed by the educational institution (referred to in clause (1) of such section) at which such corporation is located; and in the event of the dissolution of such corporation, title to the housing constructed with such loan shall vest in such educational institution."

TITLE VII—ARMED SERVICES HOUSING

SEC. 701. (a) Section 803(a) of the National Housing Act is amended by striking out "September 30, 1960" and inserting in lieu thereof "October 1, 1961".

(b) The second sentence of section 803(b)(3) of such Act is amended by striking out "have a maturity not to exceed twenty-five years" and inserting in lieu thereof "but not to exceed thirty years from the beginning of amortization of the mortgage".

(c) Section 803(b)(3) of such Act is further amended by adding at the end thereof the following: "The property or project may include such nondwelling facilities as the Commissioner deems adequate to serve the occupants."

(d) Section 803(c) of such Act is amended by adding at the end thereof the following new sentence: "The Commissioner is further authorized to reduce the amount of the premium charge below one-half of 1 per centum per annum with respect to any mortgage on property acquired by the Secretary of Defense or his designee if the mortgage is insured pursuant to the provisions of this title as in effect prior to August 11, 1955."

(e) Section 803 of such Act is further amended by adding at the end thereof the following new subsection:

"(k) The Commissioner shall not insure any mortgage under this section unless the principal contractor or contractors engaged in the construction of the project involved file a certificate or certificates (at such times, in the course of construction or otherwise, as the Commissioner may prescribe) certifying that the laborers and mechanics employed in the construction of such project have been paid not less than one and one-half times the regular rate of pay for employment in excess of eight hours in any one day or in excess of forty hours in any one week."

SEC. 702. (a) The first sentence of section 404(a) of the Housing Amendments of 1955 is amended to read as follows: "Whenever the Secretary of Defense or his designee deems it necessary for the purpose of this title, he may acquire, by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) (1) any housing financed with mortgages insured under title VIII of the National Housing Act as in effect prior to August 11, 1955, or (2) any housing situated adjacent to a military installation which was (A) completed prior to July 1, 1952, (B) certified by the Department of Defense, prior to construction, as being necessary to meet an existing military family housing need and considered as military housing by the Federal Housing Commissioner, and (C) financed with mortgages insured under section 207 of the National Housing Act."

(b) Section 404(b) of the Housing Amendments of 1955 is amended to read as follows:

"(b) Notwithstanding any provision of subsection (a) to the contrary, the Secretary of Defense or his designee shall, in the manner provided in subsection (a), acquire by purchase, donation, or other means of transfer or, if the parties cannot agree upon terms for acquisition by such means, by condemnation, any housing described in clause (1) or (2) of subsection (a) of this section which is located at or near a military installation where the construction of housing under the Armed Services Housing Mortgage Insurance Program has been approved by the Secretary."

(c) Section 407(f) of the Act entitled "An Act to authorize certain construction at military installations, and for other purposes", approved August 30, 1957, is amended to read as follows:

"(f) This section shall have no application to any housing described in clause (1) or (2) of section 404(a) of the Housing Amendments of 1955, as amended."

SEC. 703. The third sentence of section 404(c)(2) of the Housing Amendments of 1955 is amended by striking out the matter preceding the first colon and inserting in lieu thereof the following: "The amount of such deposit in any case where the sponsor or owner has not certified the cost of the project to the Federal Housing Commissioner at the time of the enactment of the Military Construction Act of 1959 shall be determined by the Secretary of Defense, or his designee, in accordance with the Act of February 26, 1931 (46 Stat. 1421), with a view toward accurately estimating the equity of the sponsor or owner".

SEC. 704. (a) Title VIII of the National Housing Act is amended by adding at the end thereof the following new section:

"SEC. 810. (a) Notwithstanding any other provision of this title, the Commissioner may insure and make commitments to insure any mortgage under this section which meets the eligibility requirements hereinafter set forth.

"(b) No mortgage shall be insured under this section unless the Secretary of Defense or his designee shall have certified to the Commissioner that (1) the housing which is covered by the insured mortgage is necessary in the interest of national defense in order to provide adequate housing for military personnel and essential civilian personnel serv-

ing or employed in connection with an installation of one of the armed services of the United States, (2) there is no present intention to curtail substantially the number of such personnel assigned or to be assigned to the installation, (3) adequate housing is not available for such personnel at reasonable rentals within reasonable commuting distances of such installation, and (4) the mortgaged property will not so far as can be reasonably foreseen substantially curtail occupancy in any existing housing in the vicinity of the installation which is covered by mortgages insured under this Act. Any such certificate issued by the Secretary of Defense or his designee shall be conclusive evidence to the Commissioner of the eligibility of the mortgage for insurance in accordance with the requirements of this subsection.

"(c) The Commissioner may accept any mortgage for insurance under this section without regard to any requirement in any other section of this Act that the property or project be economically sound.

"(d) The Commissioner shall require each project covered by a mortgage insured under this section to be held for rental for a period of not less than five years after the project or dwelling is made available for initial occupancy or until advised by the Secretary of Defense or his designee that the housing may be released from such rental condition. The Commissioner shall prescribe such procedures as in his judgment are necessary to secure reasonable preference or priority in the sale or rental of dwellings covered by a mortgage insured under this section for military personnel and essential civilian employees of the armed services, and employees of contractors for the armed services, as evidenced by certification issued by the Secretary of Defense or his designee. Such certificate shall be conclusive evidence to the Commissioner of the employment status of the person requiring housing and of such person's need for the housing.

"(e) For the purpose of providing multifamily rental housing projects or housing projects consisting of individual single-family dwellings for sale, the Commissioner is authorized to insure mortgages (including advances on such mortgages during construction) which cover property held by a private corporation, association, cooperative society, or trust. Any such mortgagor shall possess powers necessary therefor and incidental thereto and shall until the termination of all obligations of the Commissioner under such insurance be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation to such extent and in such manner as to provide reasonable rentals to tenants and a reasonable return on the investment. The Commissioner may make such contracts with, and acquire for not to exceed $100 such stock or interest in, any such corporation, association, cooperative society, or trust as he may deem necessary to render effective such restriction or regulation. Such stock or interest shall be paid for out of the Armed Services Housing Mortgage Insurance Fund, and shall be redeemed by the corporation, association, cooperative society, or trust at par upon the termination of all obligations of the Commissioner under the insurance.

"(f) To be eligible for insurance under this section, a mortgage on any multifamily rental property or project shall involve a principal obligation in an amount (1) not to exceed $5,000,000 or (2) not to exceed, for such part of such property or project as may be attributable to dwelling use, $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit), and not to exceed 90 per centum of the estimated value of the property or project when the proposed physical improvements are completed. The Commissioner may increase any of the foregoing dollar amount limitations per room contained in this paragraph by not to exceed $1,000 per room in any geographical area where he finds that cost levels so require.

"(g) To be eligible for insurance under this section a mortgage on any property or project constructed for eventual sale of single-family dwellings shall involve a principal obligation in an amount not to exceed $5,000,000 and not to exceed a sum computed on the basis of a separate mortgage for each single-family dwelling (irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling or dwellings) comprising the property or project equal to the total of each of the maximum principal obligations of such mortgages which would meet the requirements of section 203(b)(2) of this Act if the mortgagor were the owner and occupant who had made the required payment on account of the property prescribed in such paragraph.

"(h) Any mortgage insured under this section shall provide for complete amortization by periodic payments within such terms as the Commissioner may prescribe but not to exceed the maximum term applicable to mortgages under section 207 of this Act and shall bear interest (exclusive of premium charges for insurance) at not to exceed the rate applicable to mortgages insured under section 207, except that individual mortgages of the character described in subsection (g) covering the individual dwellings in the project may have a term not in excess of the maximum term applicable to mortgages insured under section 203 of this Act or the unexpired term of the project mortgage at the time of the release of the mortgaged property from such project mortgage, whichever is the greater, and shall bear interest at not to exceed the rate applicable to mortgages insured under section 203. The Commissioner may consent to the release of a part or parts of the mortgaged property from the lien of the mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release, and a mortgage of the character described in subsection (g) of this section may provide that, at any time after the release of the project from the rental period prescribed by subsection (d), such mortgage may be replaced, in whole or in part, by individual mortgages covering each individual dwelling in the project in amounts not to exceed the unpaid balance of the blanket mortgage allocable to the individual property. Each such individual mortgage may be insured under this section. Property covered by a mortgage insured under this section may include eight or more family units and may include such commercial and community facilities as the Commissioner deems adequate to serve the occupants.

"(i) The aggregate number of dwelling units (including all units in multifamily projects or individual dwellings) covered by outstanding commitments to insure and mortgages insured under this section shall at no time exceed five thousand dwelling units.

"(j) The provisions of subsection (d), (e), (g), (h), (i), (j), (k), (l), (m), (n) and (p) of section 207 of this title shall be applicable to mortgages insured under this section except individual mortgages of the character described in subsection (g) of this section covering the individual dwelling in the project, and as to such individual mortgages the provisions of subsections (a), (c), (d), (e), (f), (g), (h), (j), and (k) of section 204 shall be applicable: *Provided*, That wherever the words 'Fund' 'Mutual Mortgage Insurance Fund', or 'Housing Insurance Fund' appear in section 204 or 207, such reference shall refer to the Armed Services Housing Mortgage Insurance Fund with respect to mortgages insured under this section.

"(k) The provisions of section 801, 802(c) 803(i), 803(j), 804(a), 804(b), and 807 and the provisions of section 803(a) relating to the aggregate amount of all mortgages insured and the expiration date of the Commissioner's authority to insure under this title shall be applicable to mortgages insured under this section.

"(l) If the Commissioner determines that insurance of mortgages on any housing of the type described in this section is not an acceptable risk, he may require the Secretary of Defense to guarantee the Armed Services Housing Mortgage Insurance Fund from loss with respect to mortgages insured pursuant to this section. There are hereby authorized to be appropriated such sums as may be necessary to provide for payment to meet losses arising from such guaranty."

(b) Section 808 of such Act is amended by striking out "The" and inserting in lieu thereof the following: "Except in the case of mortgages on multifamily rental housing projects insured under section 810, the".

(c) Section 212(a) of such Act is amended by striking out "or under title VIII" and inserting in lieu thereof "or under section 803 or 810 of title VIII".

TITLE VIII—MISCELLANEOUS

Surveys of public works planning

SEC. 801. Section 702 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

"(f) The Administrator is authorized to use during any fiscal year not to exceed $50,000 of the moneys in the revolving fund (established under subsection (e)) to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works: *Provided*, That the Administrator, in conducting any such survey, may utilize or act through any Federal department or agency with its consent."

Disposal of Passyunk and Newport war housing projects

SEC. 802. (a) The use of projects PA-36011 and PA-36012 (which were conveyed to the Housing Authority of Philadelphia, Pennsylvania, under section 406(c) of the Housing Act of 1956) for the housing of military personnel and civilians employed in defense activities without regard to their income and the giving of a preference in respect of 700 dwelling units in such projects for such military personnel as the Secretary of Defense or his designee prescribes, for a period of five years after the date of the conveyance of such projects, is hereby authorized; and such use and the giving of such preferences shall not deprive such projects of their status as "low-rent housing" as that term is used and defined in the United States Housing Act of 1937 and within the meaning of that term as used in section 606(b) 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, as amended. The Housing and Home Finance Administrator is authorized and directed to agree to any amendments to the instruments of conveyance which may be required to give effect to the purposes of this section.

(b) Section 406(c) of the Housing Act of 1956 is amended by striking out "three years" in the first proviso and inserting in lieu thereof "five years".

Farm housing research

SEC. 803. Section 603(c) of the Housing Act of 1957 is amended to read as follows:

"(c) The authority of the Housing and Home Finance Administrator to make grants under subsection (b) shall expire June 30, 1961. The total amount of such grants shall not exceed $300,000 during each of the fiscal

years ending June 30, 1958, and June 30, 1959, and shall not exceed $100,000 during the period beginning July 1, 1959, and ending June 30, 1961."

Hospital construction

SEC. 804. (a) Section 605(b) of the Housing Act of 1956 is amended by striking out "1958" and inserting in lieu thereof "1960".

(b) Section 605(c) of the Housing Act of 1956 is amended by inserting before the period at the end thereof the following: ", and the sum of $7,500,000 for the purposes of this section for each of the fiscal years ending June 30, 1960, and June 30, 1961".

Savings and loan associations

SEC. 805. (a) Section 5(c) of the Home Owners Loan Act of 1933 is amended by inserting before the colon at the end of the first proviso a comma and the following: "and additional sums not exceeding 20 per centum of the assets of an association may be used without regard to such area restriction for the making or purchase of participating interests in first liens on one- to four-family homes, except that the aggregate sums invested pursuant to the two exceptions in this proviso shall not exceed 30 per centum of the assets of such association".

(b) The second paragraph of section 5(c) of such Act is amended by adding at the end thereof the following new sentence: "Participating interests in loans secured by mortgages which have the benefit of insurance or guaranty (or a commitment therefor) under the National Housing Act, the Servicemen's Readjustment Act of 1944, or chapter 37 of title 38, United States Code, shall not be taken into account in determining the amount of loans which an association may make within any of the percentage limitations contained in the first proviso of this subsection."

(c) Section 5(c) of such Act is further amended by adding at the end thereof the following new paragraph:

"Without regard to any other provision of this subsection except the area restriction, any such association whose general reserves, surplus, and undivided profits aggregate a sum in excess of 5 per centum of its withdrawable accounts is authorized to invest an amount not exceeding at any one time 5 per centum of such withdrawable accounts in loans to finance the acquisition and development of land for primarily residential usage, subject to such rules and regulations as the Board may prescribe."

Voluntary Home Mortgage Credit Program

SEC. 806. Section 610(a) of the Housing Act of 1954 is amended by striking out "September 30, 1959" and inserting in lieu thereof "October 1, 1961".

Defense housing projects

SEC. 807. Section 606 of the Act of October 14, 1940, as amended (42 U.S.C. 1586), is amended—

(1) by inserting the following sentence after the first sentence of subsection (b): "If any such project is consolidated under a single annual contributions contract with any low-rent project being assisted with annual contributions under the said Act, the payment of any annual contribution on account of any project so assisted shall not be deemed to be a capital grant or annual contribution with respect to any project conveyed hereunder."; and

(2) by inserting the following proviso before the semicolon at the end of subsection (c)(3): ": *Provided*, That the provisions of this paragraph shall not be applicable to any project which is consolidated under a single contract with one or more low-rent projects being assisted under the United States Housing Act of 1937, and all income from any such project conveyed under this section may be commingled with funds of the project or projects with which it is consolidated and applied in accordance with the requirements of the consolidated contract and the provisions of section 10(c) of the said Act".

Disposal of project

SEC. 808. Notwithstanding any other provision of law, the Housing and Home Finance Administrator may, whenever he deems it desirable, in the public interest, and in the fulfillment of the purposes of title VI of the Act of October 14, 1940, as amended (42 U.S.C. 1587), with respect to a housing project known as the Southmore Mutual Housing Corporation Project of South Bend, Indiana, consent to the modification, with respect to purchase price, repayment period, rate of interest, time of payment of any installment on principal or interest, security, or any other term, of any contract, sale, mortgage, or other agreement with respect to such project or any part thereof.

Real estate loans by national banks

SEC. 809. Section 203 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(j) Loans secured by mortgages insured under this section shall not be taken into account in determining the amount of real estate loans which a national bank may make in relation to its capital and surplus or its time and savings deposits."

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, both parties in their national platforms have promised the people housing legislation. Here it is. It is unncessary to discuss the the bill at length. The Members are familiar with the questions involved. I yield such time as he may desire to the gentleman from Alabama [Mr. RAINS].

Mr. RAINS. Mr. Speaker, I agree with my distinguished chairman that this bill needs no further debate. So far as I am concerned, I do not intend to give it any further debate. I could go back and recite the long and tortuous history of housing legislation this year. I could view with alarm and point the finger of blame, but none of that I intend to do today. Instead, I want to tell you, so that you may know, that this is the same bill as the bill which the President vetoed, with three exceptions. I want you to keep in mind that you are voting on the same bill with three changes.

My idea of a housing bill was the first one we passed. And, I want to compliment this House. This is the most comprehensive housing bill since the 1949 act. The second housing bill that came out of the conference with the House and the Senate was a good bill, and we passed it by an outstanding majority. This bill is a fair bill. It has many, many good things in it. I repeat, it is not an ideal bill, but it is an exceptionally good bill under the circumstances under which we worked.

Now as to the three changes in the bill:

First, since the second veto message made the cutoff date for FHA financing its primary bone of contention, the bill before us has removed any finite cutoff date. The bill would add $8 billion outright to the overall authority of the FHA to insure mortgages under its various mortgage insurance programs. The provision that any unused portion of this $8 billion would lapse on October 1, 1960, has been stricken.

I would point out, however, Mr. Speaker, that we have retained the provision which would prohibit future use of the so-called agreements to insure, a highly questionable device which the administration has used for many months in place of true commitments as a means of conserving its insurance authority. It is my understanding that there are presently nearly $5½ billion of these agreements to insure outstanding and a substantial portion of the new $8 billion additional insurance authority would go to honor these outstanding agreements. The remainder would be available for FHA underwriting activity in future months.

I would emphasize that once the $8 billion has been utilized, the agency will be limited in future insurance activity to its rollover, which comes about through principal repayments on outstanding mortgages and the termination or cancellation of outstanding commitments. While practically all of the expert predictions in the past as to when FHA insurance authority would run out have been remarkably inaccurate, it is safe to say that the provision as now written in the bill will inevitably require Congress to renew FHA's insurance authorization in next year's housing bill.

The second concession involves a stretchout of the additional authorizations for sum clearance grants contained in title IV of the bill. The vetoed bill would have provided a total of $650 million with $100 million of that total to be used if necessary to assure the availability of funds to smaller cities. There was no time limit to this authorization and the President's second veto message objected that the total was excessive. Accordingly, the bill before us would make $350 million in slum clearance grants available immediately upon enactment, and an additional $300 million on July 1 of next year.

Frankly, there is no question in my mind that this total falls far short of the totals needed to sustain an effective slum clearance program. Undoubtedly the immediate authorization of $350 million will be almost immediately committed by cities with pending projects, and I can only hope that it will help to meet the needs of most applicants. In view of the vast amount of evidence accumulated by our committees which have demonstrated beyond doubt that we need an annual total of at least $500 million in slum clearance grants, we can be virtually certain that the Congress will be asked next year to provide substantial funds beyond those contemplated in the bill before the House today.

The third and final change in the bill is the complete deletion of the section which would have provided $50 million in long-term low-interest loans to colleges to build classrooms and scientific laboratories. This provision, for reasons which I find incomprehensible, seemed to

arouse the greatest wrath on the part of the administration. My support for the program to extend the college housing loan program to include classrooms and scientific laboratories stems from recognition of the urgency of the need to help our institutions of higher learning in coping with the great educational challenge which very probably can prove to be the crucial factor in our struggle for national survival. I am deeply hopeful that the Congress next year through some medium, whether or not a housing bill, will provide this form of aid vitally needed by our Nation's colleges and universities.

Mr. Speaker, even with the compromises we have been forced to make, I am convinced that we have a well-rounded and much-needed bill before us. First, it will provide the necessary funds to keep our present housing programs in operation at least until next year—the FHA insurance program can continue to play its vital role in the home building industry—the slum clearance program can be kept underway at least at a minimum level—the desperate needs of our lowest income families are recognized at least by the 37,000 public housing units which the bill would authorize—and $250 million additional in loans for the college housing program will prove of great value to our institutions of higher learning in meeting their present serious housing shortages.

In addition, Mr. Speaker, the bill makes a number of improving and perfecting amendments to help stimulate the production of more rental housing and the production of more cooperative housing. It also contains a number of important amendments to improve the operation of both the slum clearance and low-rent housing programs.

Other important amendments would extend the voluntary home mortgage credit program which helps provide FHA and GI financing in rural communities, and would extend the FHA title I home improvement loan program which is of immeasurable benefit in enabling home owners to improve their properties.

I am pleased that the bill would provide additional funds to continue the farm housing research program. Too often we forget that the problem of inferior housing is by no means confined to cities, and I think the farm housing research program has great potential in improving our housing in rural areas.

On the pioneering side, the bill makes the first real step forward toward meeting the special housing problem facing our elderly citizens. By authorizing $50 million in loan funds on liberal terms to nonprofit corporations to build housing for the elderly, we will for the first time provide housing in the rent ranges which most of our elderly families on social security can afford. Mr. Speaker, for 3 long years I have fought to make this program a reality and the thought that it may soon be on the statute books is most gratifying and heart warming to me personally.

Another new feature of the bill which deserves special mention is the provision to provide an FHA insurance program to encourage the construction of nursing homes. One of the greatest unmet needs in the country is for decent nursing homes. And we all hope that the new program will help reduce the misery and dangers suffered by the many unfortunates, particularly older people, who now must live in old, poorly equipped nursing homes.

Another new feature of the bill is the "avoidance of foreclosure" provision designed to prevent FHA homeowners from losing their homes because of economic difficulties beyond their control. I am proud to have sponsored this long needed reform in the FHA program.

Mr. Speaker, these are the salient features of the bill before us. The long and protracted debate on this year's housing legislation is now drawing to a close. Certainly the Congress has bent over backward in an attempt to provide the housing legislation needed for our public welfare. We have finally arrived at a product which preserves the essential outlines of the legislation proposed by Congress during this session and yet which has been tailored to meet most of the President's objections. I believe that we can finally look forward to the date next month when the bill before us will be signed and become a public law. I now strongly urge the immediate passage of the Housing Act of 1959.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. The public housing features of the bill were left as they were before the President vetoed the bill; is that right?

Mr. RAINS. Unchanged. Exactly as they were in the bill that the President vetoed.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from California.

Mr. COHELAN. Would the gentleman be willing to comment on what changes have been made in that portion of the bill on elderly housing?

Mr. RAINS. None at all.

Mr. WIDNALL. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the very able chairman of the Housing Subcommittee, the gentleman from Alabama [Mr. RAINS], has just told you that this is a fair bill. I myself believe that it is. I do think it should be pointed out, however, that the changes that have now been made are important and are substantially the ones that were incorporated in the motion to recommit offered by this side of the House. In that motion you will recall the effort was made to place the urban renewal program on a 2-year basis and it took out college classrooms. But, this has now been added, a very important feature, the elimination of the cutoff date of the FHA program. What has been accomplished by the legislative process and the workings of our Government's checks and balances and give and take compromise? There have been three stages in obtaining this housing program which I hope will pass the House today. It is easy to lose sight of the changes that have been made since the House first acted on a bill. The original bill called for $5.8 billion of Government expenditure. Today's bill calls for a total of $1.7 billion. In each case I have included the full cost of public housing, just as in the table appearing on the back page of the CONGRESSIONAL RECORD these past few days, the cost of the President's proposed 6-year housing program is compared with the last vetoed bill, and just as the President's 4-year airport program has been compared with the 2-year program passed by the Congress.

These are the major changes between the first housing bill and the one before us today.

First. Maximum maturity of FHA and VA mortgages have been retained at existing law limitation of 30 years.

Second. FHA insurance authority was retained on a revolving-fund basis without a cutoff or death sentence termination date.

Third. FNMA special assistance par purchase eliminated together with unwise restrictions on fees and charges.

Fourth. FNMA warehousing of FHA and VA loans has been eliminated.

Fifth. Urban renewal authorization has been approved for $50 million more than the 2-year program within the President's budget recommendations.

Sixth. The early acquisition of urban renewal sites has been put on a workable basis.

Seventh. Credit is given to the community for public improvements in an urban renewal project limited to those made within 3 years in place of 5 years.

Eighth. Public housing is cut from $3.7 billion Federal cost to $719 million.

Ninth. The new subsidized college classroom loan provision has been eliminated. Once started that could be a multi-billion dollar program.

Tenth. The mandatory acquisition of Wherry projects has been eliminated.

Eleventh. The migratory farmworkers rental housing program has been eliminated.

Twelfth. Planning scholarships to train people to spend Federal funds faster has been eliminated.

In closing, Mr. Speaker, I would like to pay my respects to the gentleman from Alabama, ALBERT RAINS, our Housing Subcommittee chairman, who has toiled so long to write this housing bill. All who have ever been privileged to serve with him on that committee know his dedication to the job, his complete and full knowledge of the subject, and his fairness as chairman. I am pleased that we have before us here today a bill on which I am sure there will be substantial agreement in the Congress.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 2654?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just

passed, at this point in the RECORD, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. TOLL. Mr. Speaker, I voted for the Housing Act of 1959 represented by S. 2654 because it is greatly needed at least insofar as the provisions which it contained and which are supported by the administration are concerned. I decry, however, the elimination of those provisions which apply to construction of classrooms for the education of American youth and to the training of American citizens. These eliminated provisions will restrict and delay the efforts which America must make to provide substantial aid to the educational program necessary to provide absolute superiority in American education and facilities over all competition. I hope that the Members of Congress and the administration will recognize the need for educational support and take favorable action before this Congress adjourns.

Mr. LINDSAY. Mr. Speaker, once again I wish to add my support to the bill S. 2654. From the very first, I have been urging this session of Congress to produce a housing bill which would not only keep alive the many fine aspects of the Federal housing program already in existence, but would also provide new legislative bases for dealing with the urgent housing needs of the Nation. It has become evident that such a bill can be attained only by cooperation between the President and the Congress. In my judgment, the present bill, our third attempt for adequate housing legislation, represents just such an approach. I urge my colleagues to give it their speedy approval.

I am particularly delighted to find that this bill contains, as did its two predecessors in the House, my public disclosure proposal. This measure, section 407 of the bill, would require prospective redevelopers to make public the details of their proposals before any commitment of any kind could be made to them by local authorities charged with responsibility for title I projects. This provision, which has the blessing of the administration and of the distinguished chairman of the Housing Subcommittee [Mr. RAINS], will do much to remedy the defects which have developed in the operation of title I of the Housing Act of 1949 in New York City and elsewhere.

ENTRY OF RELATIVES OF U.S. CITIZENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5896) to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, strike out "brothers or" and insert "brothers,".

Page 2, line 4, strike out "or the".

Page 2, line 13, strike out "the effective date of the said Act" and insert "December 31, 1953".

Page 2, lines 17, 18, and 19, 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".

Page 2, line 19, strike out "a nonquota immigrant" and insert "nonquota immigrants".

Page 2, lines 21 and 22, strike out "a nonquota immigrant visa" and insert "nonquota immigrant visas".

Page 3, strike out lines 1 to 19, inclusive, and 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 made 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.'"

Page 4, strike out lines 1 to 15, inclusive, and 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."

Page 5, line 2, after "amended" insert "*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 SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman from Pennsylvania this question, Are all the amendments to the bill germane to the bill?

Mr. WALTER. All amendments are germane to the bill. Actually, the only important amendment is a change of the date in section 4. It moves it up for a year and 7 or 8 days.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Rhode Island.

Mr. FORAND. Mr. Speaker, I believe this is the bill the gentleman has been working on so long to reunite families of people who were in this country who had part of their family overseas.

Mr. WALTER. That is correct. It is the bill that the gentleman from Rhode Island [Mr. FORAND] assisted me in preparing several years ago.

Mr. FORAND. It is a bill that any person who understands and who has any human feeling must be happy to see going through the Congress. I want to compliment the gentleman from Pennsylvania for the long and arduous work he has put in on this bill.

Mr. WALTER. I thank the gentleman. I think the enactment of this legislation into law will eliminate the need to consider a great many private bills, because the bill deals directly with the close relatives of American citizens and aliens lawfully in the United States.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Speaker, I am happy to support this bill, which is basically a bill to reunite families that we have been seeking to bring together. It is actually a breakthrough in some of the heartbreak which these divided families have been experiencing.

This bill will help people who have been waiting hopelessly, often for years, to join their mothers and fathers, brothers and sisters, here in the United States.

There is a huge backlog of these cases. Close relatives of Americans have been knocking on the doors of our consular offices throughout the world, without any chance of joining their families within a reasonable time, because the quotas of their respective countries have been filled. At long last, this bill offers some of these people the realization of their hopes.

Not only they, but all those American families which have been anxiously waiting and hoping for their arrival, will have their hearts lightened by this bill.

This measure firmly reasserts the principle that the reuniting of families shall be one of the basic and permanent cornerstones of our immigration policy. By passing this bill we show once again that America, even though she operates through the cold quotas and figures of the Immigration and Nationality Act, is willing to change those figures where human suffering is at stake. We demonstrate that, in the final analysis, our democratic feelings shape our decisions. In a limited way, this bill is a reaffirmation that America still believes in the words of Emma Lazarus.

I want to compliment the gentleman from Pennsylvania [Mr. WALTER], who

was the architect of the plan to provide for the reunification of families, and to whom we owe this bill. I would also like to call attention to the efforts of the gentleman from New York [Mr. CELLER], who cooperated in getting the bill out on the floor, and of Senator PASTORE, of Rhode Island, who assisted in the improving amendments added in the Senate.

I would like to insert into the RECORD at this point the following memorandum which explains exactly what this bill does:

BRIEF EXPLANATION OF H.R. 5896 AS PASSED BY THE HOUSE AND AMENDED BY THE SENATE

1. Alien unmarried sons and daughters (over 21 years of age) of citizens of the United States are moved up from the fourth to the second preference classification under the immigration quotas (now reserved for parents of United States citizens).

2. Alien unmarried sons and daughters (over 21 years of age) of immigrants admitted to the United States for permanent residence are placed in the third preference category under the immigration quotas, which is the same preference as that which minor children of such immigrants enjoy at the present time (the adult children of permanent residents have no preference status under existing law).

3. The spouses and minor children accompanying either brothers and sisters of U.S. citizens or alien adult married sons and daughters of U.S. citizens are being included into the fourth preference category under the immigration quotas. The inclusion of the immediate family of the preferential immigrant in the same category in which he is classified will permit the immigration of family units when the head of the family is reached for immigration under the quota system.

4. Preferential immigrants (parents, brothers, sisters, and adult children of U.S. citizens, and spouses and minor children of lawfully resident aliens) who are registered on consular waiting lists under dates preceding December 31, 1953, are made eligible for entry outside the quota, provided that the Attorney General has, prior to January 1, 1959, approved the petitions filed in their behalf by their relatives. The date of December 31, 1953, was inserted by the Senate as an amendment substituting it for the date of the enactment of the Immigration and Nationality Act which is December 24, 1952.

5. In order to prevent evasions of the immigration quota restrictions the bill voids a decision of the Board of Immigration Appeals under which children and even adult persons adopted by U.S. citizens were made eligible for fourth preference status under the quotas. (The matter of immigration of alien orphans under 14 years of age adopted by U.S. citizens is the subject of special legislation providing for the necessary safeguards.) The ruling of the Board of Immigration Appeals has not only misconstrued the law, but made it possible to evade quota restrictions by the obtaining of adoption decrees here or abroad, many of them based on rather doubtful good faith. Section 5(a) of the bill is designed to terminate this malpractice. In addition, the number of alien adopted children who may be brought without quota limitations by a U.S. citizen in whose custody they remained for over 2 years, is limited to 2 unless necessary to prevent the separation of brothers and sisters.

Spouses and minor children of persons admitted to the United States under the Refugee Relief Act of 1953 will be permitted to enter the United States outside of quota limitations if petitions in their behalf were filed by the eligible relative and approved by the Attorney General before January 1, 1959. This provision will permit the relatively small number of families separated by the arrival of the breadwinner prior to the coming of his dependents, to be reunited again.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I am happy to support H.R. 5896.

The Senate amendments do not change the bill which we formerly passed in any important respect and it remains a vital piece of legislation.

The main effect of the bill is to remove restrictions against the entry into this country of close relatives of citizens and permanent residents.

This will not only have a helpful procedural effect in Congress in eliminating the need for special bills, but it will also permit us to take a great, humane step forward in hastening the reunion of families who have been separated for years due to the present legislation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENDING AUTHORITY OF SURGEON GENERAL OVER AIR POLLUTION CONTROL

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 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 control, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. HARRIS, ROBERTS, RHODES of Pennsylvania, ROGERS of Florida, BENNETT of Michigan, SCHENCK, and DEVINE.

AMENDING FEDERAL CREDIT UNION ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8305) to amend the Federal Credit Union Act, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 15, line 8, strike out "$1,000" and insert "$750".

Page 15, line 9, strike out "$1,000" and insert "$750".

Page 30, strike out lines 3 to 6, inclusive, and 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 SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from Kentucky?

Mr. WIDNALL. Mr. Speaker, reserving the right to object, and I will not object, will the gentleman from Kentucky [Mr. SPENCE] explain the changes incorporated in this bill by the other body?

Mr. SPENCE. The Federal credit union bill, H.R. 8305, as originally passed, authorized unsecured loans to its members to the extent of $1,000 each. The Senate amendment reduces those loans to $750.

The other amendment changes the wording of a request that the administration make a study of the questions involved and report as to whether or not the establishment of a Federal Central Credit Union was advisable. The bill, as originally passed, directed the administration to prepare legislation and submit it to the Congress. The bill, as amended, provides that the administration shall make a study of this question and report at the next session of Congress. These are the only changes in the bill. They are very inconsequential.

Mr. WIDNALL. Mr. Speaker, I thank the gentleman from Kentucky for explaining the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may have permission to extend his remarks at this point in the RECORD and to include a letter.

The SPEAKER pro tempore. Without objection, it is so odered.

There was no objection.

CREDIT UNION ACT EXPANDED

Mr. PATMAN. Mr. Speaker, the passage of H.R. 8305 today to modernize the Federal Credit Union Act is indeed a historic occasion. Few people realized 25 years ago how pervasive the effects of a Federal credit union law would prove to be.

Today we see more than 19,000 credit unions in the United States serving more than 10 million American citizens. Roughly half of these credit unions operate under Federal charter and supervision.

Remarkable as these achievements may be. I would suggest that the Federal credit union law has made possible other changes in our way of life which are equally significant. The most important achievements of credit unions are those which cannot be measured by numbers. Over these many years credit

unions have demonstrated and made it possible for millions of our citizens to manage their financial affairs in a responsible manner, and at minimum cost. This record of service in helping our citizens solve their financial problems is perhaps the most important single achievement of credit unions.

Moreover, it is not only the members of credit unions who have benefited by these years of fine service; credit unions have brought about a tremendous change in the consumer financing habits of our citizens and the practices of most of our financial institutions. Through the force of example credit unions have ably demonstrated to other institutions that they can profitably serve the financial needs of the American workingman through low cost credit and convenient thrift facilities.

Thus, in all modesty, we must recognize that credit unions have either directly or indirectly benefited all the citizens of our country.

Although I commend the thousands of credit union leaders on this memorable record of achievement, let us not forget that there are still millions of our citizens who have not been able to avail themselves fully of low cost credit and convenient thrift facilities.

I am sure that the new credit union law when enacted will provide the legal structure within which this humanitarian crusade will continue to grow and enrich the lives of our citizens.

WHY THE ADMINISTRATION CANNOT SELL GOVERNMENT BONDS—HOUSING PROGRAM GREATLY AFFECTED BY HIGH INTEREST

Mr. PATMAN. Mr. Speaker, why is it that this administration cannot sell long-term Government bonds at the present maximum of 4¼-percent interest rate, which has been the legal maximum for more than 40 years?

The answer is that the administration's high-interest policy has frightened investors away from these bonds. The administration, with the help and cooperation of the Federal Reserve System, presumably an agency of Congress, has successively raised interest rates and successively reduced the market value of Government bonds previously issued. By raising interest rates, the administration has, in effect, repudiated about 20 percent of the long-term Federal debt.

Under the previous Democratic administrations, conservative investors and managers of investment accounts were glad to invest in Government bonds—and at a low rate of interest—for the very good reason that they could be confident that, should they need their money to pay off claims, or for other contingencies, they would be able to sell the bonds at approximately the price they had paid for them. Today that is no longer true. Just the reverse is true. After almost 7 years of experience with the administration's high-interest policy, any investor in his right mind knows that if he puts $100 into a Government bond today, the likelihood is that next month or next year he can get back only $90 or $80, or even less, should he need his money.

At previous times I have called attention to statements by dealers and brokers in securities, explaining the reluctance of investors to buy Government bonds just on this basis.

Today I want to call attention to a letter I received on September 9 of this year from the manager of an investment fund which holds some $5.5 million of Government bonds issued at earlier times at interest rates running between 2¼ percent and 3 percent. This fund has suffered a loss of over a million dollars, or almost 20 percent on its investment in Government bonds. No wonder the administration cannot sell bonds. Government bonds are today selling at the greatest discount in history. Yet the administration has shown that it is determined to move heaven and earth, if necessary, to raise interest rates still higher. This letter was written to me personally and I have not consulted the writer about making the letter public, so I will withhold his name. The letter is as follows:

DEAR MR. PATMAN: I have your five-page letter of August 12 and I agree thoroughly with you on the four points or legislative proposals which you outlined.

Please use all the power God has given you not to repeal the interest rate ceiling on Treasury bonds. Let it stay as is. Pass H.R. 8302, H.R. 8301, and H.R. 8416. I and thousands of others are with you.

I am commissioner of a fund that has $5,500,000 of Governments from 2¼ to 3 percent that shows a loss of over $1 million at today's market price. Every cent we have are in these securities and if Congress repeals the ceiling rate and puts out 5 or 5¼ percent long-term bonds, the bonds we now have would sink to this yield and would mean another $500,000 loss. The only reason we put everything in Governments was that when we needed cash we could just cash in at par, but today if we wanted to sell off $1 million of the 2½ percent, we would be lucky if we could get 82, or a loss of 18 points. There must be thousands of concerns situated like us. If you read some of the bank statements with Government bonds of long terms, and take the statement at market prices for these bonds, you will find hundreds of banks bankrupt.

Take the Dreyfus Fund, who have over $3 million in Government bonds and see how much loss they have. Electric Bond and Share Fund has $13,400,000 par value, Fidelity Fund has over $11 million with terrific losses.

In our own case, years back we made it a policy to put all cash not needed in the course of claims, etc., that we put it in Government bonds as at that time the Federal Reserve would purchase all Governments at par, but they later decided to let Governments seek its own price. This was absolutely a mistake. Chairman Martin should be ousted. He thinks he owns the Federal Reserve and that he can do anything he wants. Why should Congress allow Martin to hold over $1 billion of cash not needed? Look at the interest that could be saved on this item alone.

I am glad to note you are opposed to repealing the interest ceiling, with or without the amendment. Get your colleagues to stick with you and get a bill passed requiring the Federal Reserve to buy in bonds at par, and the market will then adjust itself and all Government bonds will be selling at par.

Kind warm regards, and more power to you,

Sincerely.

THE ADMINISTRATION IS IMPOSING HIGH INTEREST ON THE WHOLE FREE WORLD; NOW HAS FOUR INTEREST-RATE RACES GOING: A RACE BETWEEN RATES ON GOVERNMENT SECURITIES AND PRIVATE LOANS, A RACE BETWEEN SHORT-TERM RATES AND LONG-TERM RATES, A RACE BETWEEN RATES ON SAVINGS BONDS AND RATES ON MARKETABLE BONDS, AND A RACE BETWEEN U.S. INTEREST RATES AND INTEREST RATES IN OTHER FREE WORLD COUNTRIES

Mr. PATMAN. Mr. Speaker, this administration has been imposing higher and higher interest rates not just on the American people. It is imposing higher interest rates on the people of all the countries of the free world. I doubt if this is actually making friends for the United States among the great masses of people of the free world who have to pay these high interest rates.

Last week the high-interest policy of this Government finally had its effect in West Germany, which has been the one country most immune to the effects of our high interest rates, and the one country most reluctant to choke off expansion of its local economy by high interest rates. The West German Federal Bank finally raised its discount rate by one-quarter of a point, from 2¾ percent up to a new high of 3 percent. This was the first increase in the discount rate in West Germany since 1955. It compares with a discount rate of 3½ percent in the United States and, of course, all the speculation in the financial journals is that the Federal Reserve is about to raise the discount rate in this country to 4 percent. The New York banks are so confident that this will happen that they have already raised their prime rate to 5 percent, which is in itself something of a record.

Furthermore, another rise in the discount rate charged by the Bank of England hinges almost directly on the interest-rate policy of the U.S. Government. When the administration raises interest rates here, the effect is to shift investment funds from the sterling countries, unless the Bank of England promptly raises interest rates; and when the Bank of England raises interest rates it brings about a shift in investment funds from West Germany, unless the West German Government also raises interest rates.

The Wall Street Journal on September 4 announced the increase in the German rate in this fashion:

Borrowing costs rose in West Germany amidst speculation that the Bank of England may raise its discount rate.

Further, the Wall Street Journal said:

Speculation in London was that a rise in the discount rate, now 4½ percent, might be necessary to hold down a flow of British funds into higher yielding U.S. securities, especially if U.S. rates should move higher.

Now is not that a wonderful commentary on the contradictions and muddleheadedness of this administration's

monetary policies? On the one hand the administration's policy is to encourage investment of American capital abroad. It has created at least three new agencies to lend Federal funds in foreign friendly countries. To help build up the capital equipment of those countries, it has created at least one new agency to encourage investment of U.S. private capital in foreign friendly countries and to subsidize and sweeten such investments for the Wall Street bankers. Altogether this Government now has at least six agencies engaged in exporting capital to foreign friendly countries. Yet at the same time the administration is indirectly encouraging all the cries of alarm we read in the newspapers and in the financial journals about the outflow of gold from this country. At least no administration spokesman to my knowledge, and no official of the Federal Reserve System to my knowledge, has spoken out against these cries of alarm. On the contrary, the administration is taking advantage of the fears being expressed by this outflow of gold to help propagandize for its high interest program. On all sides we hear that we must have higher interest rates in this country in order to attract foreign capital which is otherwise going abroad, which means, of course, taking the gold. What nonsense. Why should we spend billions of dollars of the taxpayers' money in a program to export American capital and at the same time raise interest rates in order to attract foreign capital to this country? And, of course, raising interest rates will not attract foreign capital to this country. It only causes countries outside of the Iron Curtain to raise their interest rates.

This is just one more of this administration's races among interest rates. It jacks up one rate and then comes back to Congress asking permission to jack up another rate, saying it is absolutely necessary to make the other rate "competitive." It has created a race between short-term interest rates and long-term interest rates in this country. It has created a race between interest rates on Government securities and interest rates on private securities. It has created a race between rates paid by different agencies and on different forms of debt obligations of the Federal Government. And it has created a race between the general level of interest rates in this country and the general level of interest rates in all other countries of the free world.

The purpose in all this obviously is not to make one rate competitive with another rate. You cannot raise any individual rate without raising all the other rates. And you cannot raise rates in this country without raising rates throughout the free world. The purpose in all this piecemeal and step-by-step process of jacking all interest rates higher and higher is simply to obtain higher interest rates. And the only purpose of raising interest rates higher and higher is to give a bigger and bigger share of the national income to the big-money groups at the expense of the great masses of people.

I wonder how long it will be before enough people demand a halt to these interest-rate races that they will be stopped.

MINERAL LEASING ACT OF FEBRUARY 25, 1920

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1174)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, and 5, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment as follows: In lieu of the language inserted by the House insert:

"SEC. 2. The rights granted by the second and third sentences of the amendment contained within section 1 of this Act shall apply with respect to any proceeding now pending or initiated after the date of enactment of this Act."

And the House agree to the same.

WAYNE N. ASPINALL,
WALTER ROGERS,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
Managers on the Part of the House.

CLINTON P. ANDERSON,
FRANK E. MOSS,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

The House adopted six amendments to S. 2181. All were intended to be perfecting amendments which would not disturb in any way the basic provisions of the bill as it came to the House. The committee of conference has agreed to recommend acceptance of five of these amendments and to recommend acceptance of the sixth with a further clarifying amendment.

The effect of the sixth amendment, as amended, is to assure to lessees under the Mineral Leasing Act and to holders of interests in such leases both a right to be dismissed from cancellation or forfeiture proceedings, now pending or hereafter initiated, upon showing that they acquired their leases or interests as bona fide purchasers and without violating any provisions of the basic act and a right to have their leases extended if rights thereunder to drill and to assign are suspended or waived during such proceedings and if it is ultimately determined that they are not in violation of any provisions of the act.

The conference committee received a suggestion, in connection with this latter amendment, that the bill be further amended to provide for suspension of rental payments during any period when drilling and assignment rights are suspended or waived. The suggestion was not accepted for two reasons: first, the parliamentary situation would not permit this to be done; second, the matter is controversial and would require careful consideration both in the two Interior and Insular Affairs Committees and in the two Houses. Retention of the rental language heretofore agreed to by both Houses requires continued payment of rent during any suspension period but provides for an equivalent rent-free period at a later date in the circumstances covered by the bill.

WAYNE N. ASPINALL,
WALTER ROGERS,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. GROSS. I simply wanted to ask the gentleman the same question that I addressed to the gentleman from Pennsylvania [Mr. WALTER] on another bill, if all the amendments to this bill on the part of the other body are germane to the substance of the bill.

Mr. ASPINALL. These amendments are all germane. May I advise my colleagues that the committee of conference accepted five amendments which the House put in the bill and accepted the sixth amendment with an amendment. So the House has won the conference.

Mr. GROSS. Mr. Speaker, I have asked this question because the gentleman well knows that the rule of germaneness does not apply on bills now pending in the other body, and they are being cluttered with amendments, some of which have no relation to the bill that the House sends to the other body.

Mr. Speaker, I intend to make the same inquiry on any other bills that are brought up.

I thank the gentleman for explaining the matter.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING RECLAMATION PROJECT ACT OF 1939

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1778) to amend section 17(b) of the Reclamation Project Act of 1939, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 18, after "such" insert "amendatory."

Page 2, line 24, strike out "arrangements." " and insert "arrangements. The Secretary shall report to the Congress all deferments granted under this subsection." "

Mr. HALLECK. Mr. Speaker, reserving the right to object, I understand the gentleman from Colorado conferred with the gentleman from Pennsylvania [Mr. SAYLOR] with respect to this matter.

Mr. ASPINALL. The gentleman from Colorado did confer with the gentleman from Pennsylvania and the gentleman from Pennsylvania said he would speak to the minority leadership.

Mr. HALLECK. I just wanted to be sure this was the same proposition about which he spoke.

Mr. ASPINALL. The gentleman is correct.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEASES OF INDIAN LANDS ON AGUA CALIENTE RESERVATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, with a Senate amendment thereto, disagree to the amendment of the Senate and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ASPINALL, HALEY, SISK, LANGEN, and Mrs. SIMPSON of Illinois.

COMPACT BETWEEN THE STATE OF NEW YORK AND THE STATE OF NEW JERSEY FOR THE CREATION OF THE NEW YORK-NEW JERSEY TRANSPORTATION AGENCY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 403 granting 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, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the House joint resolution.

The Clerk read the Senate amendment, as follows:

Page 19, strike out lines 11 to 16, inclusive, and 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.

"(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 SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from New York?

Mr. HALLECK. Mr. Speaker, reserving the right to object, may I inquire whether or not this has been cleared with the minority Members?

Mr. CELLER. Yes; it has been cleared.

Mr. HALLECK. I have no information about it myself.

Mr. CELLER. It has been cleared. I spoke to the gentleman from Ohio [Mr. MCCULLOCH], and the gentleman from Massachusetts [Mr. MCCORMACK].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GREAT LAKES VESSELS

Mr. BONNER. Mr. Speaker, I call up the conference report on the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 990)

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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That, notwithstanding the provisions of the Merchant Ship Sales Act of 1946, as amended (60 Stat. 41, 50 U.S.C. 1735, as amended by Public Law 856, Eighty-first Congress), and contracts executed thereunder, vessels purchased from the United States for exclusive use on the Great Lakes, including the Saint Lawrence River and Gulf, and their connecting waterways, may be operated in any trades and in any manner permitted to other vessels documented under the laws of the United States."

And the Senate agree to the same.

GEORGE P. MILLER,
HERBERT C. BONNER,
THOMAS LUDLOW ASHLEY,
THOR C. TOLLEFSON,
W. S. MAILLIARD,
Managers on the Part of the House.

CLAIR ENGLE,
E. L. BARTLETT,
JOHN M. BUTLER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

AMENDMENT OF THE SENATE TO THE BILL H.R. 4002

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 their 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.

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.

The conference agreement retains the provisions of the House bill without change and does not contain any provisions comparable to title II as added by the Senate amendment.

GEORGE P. MILLER,
HERBERT C. BONNER,
THOMAS LUDLOW ASHLEY,
THOR C. TOLLEFSON,
W. S. MAILLIARD,
Managers on the Part of the House.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

PRESIDENT'S VETO OF PUBLIC WORKS BILL

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, many Members of Congress, Republicans and Democrats alike, are dismayed with the President's second veto of the public works appropriation bill.

It would almost appear that the White House is trying to take over the legislative process.

The measure vetoed by the President actually calls for $97,000 less than originally requested for public works by the administration.

Included in this bill are funds for South Dakota's Big Bend, Oahe, and Fort Randall Dams, and the Sioux Falls flood control project.

The amazing thing about the Presitiondent's refusal to OK this measure is the fact that he has insisted on legislation that calls for the granting of American tax funds for 1,450 public work projects in foreign countries.

Many of these foreign-aid projects are not nearly as sound economically as the home projects in the bill objected to by the White House.

I personally believe that after an experienced congressional committee has carefully studied the feasibility of a water project here in the United States and has made every reasonable effort to stay within the budget, the President should exercise great restraint in vetoing the overwhelming action of the legislative branch.

A dollar invested in developing America's God-given resources will be returned several times over to the American people.

I trust that the Congress will override this unfortunate veto.

CRIME AND THE JUDICIAL PROCEDURES FOLLOWED IN THE PROSECUTION OF JUSTICE

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include editorials.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, on July 13, 1959, I introduced H.R. 8180, a bill to require the collection of various statistics related to crime and the judicial procedures followed in the prosecution of justice. The bill was drafted along the lines suggested in an article by former President Herbert Hoover in This Week magazine dated June 7, 1959.

The urgent need for such a study and the soundness of President Hoover's proposal is confirmed by the strongly favorable editorial comment from all across the Nation. Under unanimous consent, I include a number of these editorials herewith:

[From the Oakland (Calif.) Tribune, June 9, 1959]

HOOVER'S CRIME CENSUS OFFERS INTELLIGENT APPROACH TO PROBLEM

Herbert Hoover's newspaper article this week urging a crime census as a new weapon is an important contribution to the subject and deserves favorable consideration in the highest places.

The FBI of course reports on crimes committed. This covers about 85 percent of the population. The figures show that from 1947 to 1957 major crimes have increased three times faster than the rise in population.

What concerns Mr. Hoover is not only that this is an appalling figure but that there is a vast area of information about crime that we don't know. He says:

"What we do not know is what happens after those crimes are committed. In other words, how efficient are our procedures and methods of justice in stemming this rising flood of crime? That is the major question in determining any plans for better protection of our people."

On this phase the FBI has only data that is sent to it and this report covers only about 25 percent of the total population. Mr. Hoover himself compiled some figures, a few of which follow:

Murder and nonnegligent manslaughter: There were 6,920 known offenses and only 48 executed.

Murder by negligence: There were 5,740 known offenses and about 1,400 found guilty.

Burglary: There were 590,020 known offenses and 72,000 found guilty, which is 12 percent.

And so on down the list of crimes.

In order to determine where our governmental machinery fails to support our constitutional right to be secure in our persons, Mr. Hoover proposes that the Census Bureau be instructed by Congress to conduct a special and separate census by examining the police and prison records.

This information, which is not available now, would indicate whether our courts are being lax or effective. It would give invaluable insights into juvenile delinquency, its relation to family situations, etc.; and provide the basis for judging the parole and probation systems. Such a report would help every local, State, and Federal agency concerned with crime prevention. It would contribute to a more intelligent and constructive approach to a problem about which we know too little.

[From the Santa Barbara (Calif.) News-Press, June 15, 1959]

HERBERT HOOVER PUTS SPOTLIGHT ON CRIME

Freedom in the United States is in more jeopardy from crime than from all the Communist conspiracies within our borders.

That startling statement came from former President Herbert Hoover. He added that something has to be done about it, and made a few specific suggestions.

To bolster his statement, Hoover cited a set of shocking statistics. He said FBI reports show that major known crimes have grown from 1,685,000 in 1946 to approximately 2,800,000 in 1957, or three times as fast as the increase in population. Other FBI reports indicate increases in the number of major offenses in 1958 alone all the way from 2 percent to 14 percent. Rape offenses alone increased 10 percent.

The most heartbreaking increase is among teenagers under 18 years of age. During 1957, there were 740,000 of these youngsters arrested. Since 1952, the population group under 18 years of age has increased 22 percent while arrests of persons under 18 have increased 55 percent.

Are police and the courts keeping up with the rising tide of crime? Hoover points to these percentages of people found guilty in 1 year, compared with the number of offenses: Manslaughter by negligence, 24 percent; rape, 37 percent; robbery, 26 percent; aggravated assault, 27 percent; larceny, 10 percent; auto thefts, 14 percent, and burglary, 12 percent.

Before much of a constructive nature can be done, we need more facts, Hoover contends. So he proposes that the Census Bureau be instructed by Congress to conduct a special and separate census by canvassing police and prison records. The purpose would be to get a clearer picture of crime and punishment—in what crime categories detection and enforcement are inadequate. The survey would tell us in a broad way what happens to men and women convicted of specific types of crime, how long they are imprisoned, how many repeat their crimes, and the like. From such data, Hoover says, we could judge whether the courts are being lax or effective.

The teenage results would show the family situations of teenagers who are arrested—how many have lost one or both parents, how many have parents who are divorced, how many have had religious training.

There can be no question of the seriousness of the crime situation. The figure of 2,800,000 major crimes a year is staggering. Let us hope that the spotlighting of the tragedy by the former President will start others thinking and acting on solutions.

[From the Pueblo (Colo.) Star Journal, June 21, 1959]

HOOVER'S CRIME CENSUS PLAN IS SOUND

Crime has grown to the point in the United States where it threatens to destroy one of our rights in the Bill of Rights—the right which guarantees all Americans "to be secure in their persons." That's the warning sounded by Herbert Hoover, former President.

The Nation, according to Mr. Hoover, possesses much information pertaining to crimes, but "there remains a vast area of things about crime which we don't know." Among the things we don't know, he writes, is what happens after crimes are committed. How efficient are our procedures and methods of justice in stemming the rise of crime?

Mr. Hoover recommends that Congress instruct the Census Bureau to take a special census of crime by examining police records in order to help find the answers. Names of every person arrested in a 2-year period would be listed, but held confidential, and every pertinent fact about the crime and disposal of the case reported.

It is recalled that Mr. Hoover is an experienced engineer and he is adopting the engineer's procedure of learning the full dimensions of the job to be done before tackling ways to do the job. In this case, the task is to reduce the amount of crime.

It strikes us that he is on the right track, and his suggestion is commanding support. His interest in the youthful criminal is typical of his humanitarian understanding. He wants the complete family background of each young offender analyzed, an examination that will help to fix the blame when young people go bad.

It is the belief of Mr. Hoover that if a crime census is taken, publication of the facts will convince Americans that crime menaces their freedom and security more than the Reds. It also will convince Americans, as the former President says, that it surely is time to get tough.

[From the Meriden (Conn.) Journal, June 8, 1959]

CRIME CENSUS PROPOSED

Ex-President Herbert Hoover has proposed that the United States conduct a crime census, through the Census Bureau as a means of showing how "our freedoms are eaten away by criminals."

The crime census, taken separately by canvassing police and prison records, would list the name of every person who had been arrested for a crime during the last 2 years, but the names would be kept confidential so

as not to reflect on persons who had reformed. It would give the date of the crime and its nature, the date of arrest, amount of bail set, number of instances when bail was jumped, crimes committed by persons out on bail, whether tried or not, the date of the trial, whether convicted or not, date of the sentences and the sentence imposed. Facts would be recorded about fine and imprisonment, appeals, modification of sentences, time served in prison, paroles granted, persons placed on probation and suspended sentences. All of this information should be placed on cards, Mr. Hoover states. The cards would be punched according to a code, and could then be sorted to give the complete national crime picture.

From the data, it could be determined whether our courts are lax or effective. The crime census would point out facts which might be of great assistance in reducing crime. The teenage cards would show the extent to which unhappy family situations influence crime. Flaws in governmental machinery for protecting our fundamental constitutional rights would stand out under such an analysis.

Mr. Hoover makes no estimate of the cost of conducting such a census, but the Census Bureau machinery, as it is set up, should be adequate for the purpose. Whatever the cost, it would be justified if the information obtained pointed the way toward reform.

There is good reason to suspect that criminals are multiplying too fast for our present law enforcement agencies to cope with them effectively. The underworld is getting out of control, and actually threatens to take over parts of our Government. We should know exactly where we stand, and Mr. Hoover's crime census would be one way of accomplishing this. Like most of his ideas it is sound and practical.

Legislation should be introduced in Congress to authorize a crime census to be gathered along the lines proposed.

[From the New Orleans (La.) States and Item, June 13, 1959]

CRIME CENSUS URGED

Herbert Hoover, who has gained added prestige for his dedication to economy in government, turns his critical eye on the matter of crime in America.

Writing in last Sunday's This Week magazine, the former President was appalled over the fact that major known crimes have grown in the United States from 1,685,000 in 1946 to 2,800,000 in 1957, "or three times as fast as the increase in population."

These major crimes include murder, manslaughter, rape, robbery, aggravated assault, larceny, automobile theft and burglary.

Even more alarming is Mr. Hoover's disclosure that during 1957 a total of 740,000 teenagers under 18 were arrested.

"Since 1952," he pointed out, "the population group under 18 years of age has increased 22 percent while arrests of persons under 18 years have increased 55 percent."

Mr. Hoover wonders: How adequate are our files on crimes and criminals and how efficient is our legal system in stemming the rising flood of lawlessness?

Toward satisfying this curiosity, he makes a recommendation:

"My proposal is that the Census Bureau be instructed by Congress to conduct a separate and special census by canvassing the police and prison records."

This survey, as envisioned by Mr. Hoover, would not only provide a complete, central file on the lawless component of our population, but would also point up deficiencies in our court system.

His recommendation is certainly worthy of study as a possible means of stamping out the mounting blight of crime.

[From the Detroit (Mich.) News, June 17, 1959]

CRIMINAL NOSE COUNT

Herbert Hoover has proposed a massive, nationwide count of criminal noses by the Census Bureau. The idea is not to have the census takers go skulking through the shadier saloons and gambling joints in search of uncounted thugs, but to canvass police and prison records.

The need for such an accounting is clearly demonstrated by the startling discrepancy between the number of known crimes and the number of criminals caught. The depredations of organized crime, its outrageous success in outsmarting existing devices to control it, are familiar to anyone who reads the newspapers.

But what happens to these outlaws when they do get nabbed? How many jump bail and head for greener pastures where the wolves are asleep, or on the take? What happens to those who are convicted? How efficient are the police in keeping track of all these criminals, and how effective are prosecutors in obtaining convictions?

The answers now lie a-mouldering in police stations and courthouses throughout the country. The FBI manages to sweep up mountains of information about crime and criminals, but much of the dirt remains in nooks and crannies beyond its reach. This was tolerable when most crime was by local option. Lately, it's become a national affair.

Hoover's census could fill in the blanks on the American criminal form. We have only one reservation: There should be no file of dossiers on the innocent. A central file on convicted criminals could reduce their ranks. One which included the innocent—the suspect who is arrested and released—could reduce our liberty.

[From the Jackson (Mich.) Citizen Patriot, June 8, 1959]

HERBERT HOOVER ON CRIME

An extremely thought-provoking comment on one of the Nation's most pressing problems—its rapidly growing crime rate—comes from Herbert Hoover who calls attention to the "vast area of things about crime which we don't know."

Quoting the statistics supplied by another famous Hoover, J. Edgar of the FBI, the former President shows that major known crimes have jumped from 1,685,000 in 1947 to 2,800,00 in 1957, or three times as fast as the increase in population.

This upswing in the crime rate, with its concentration in the younger age groups, has been the subject of many studies and has brought forth numerous recommendations for action.

Mr. Hoover—Herbert, that is—suggests that the one great gap in crime statistics is a survey of "what happens after those crimes are committed."

"In other words," he writes, "how efficient are our procedures and methods of justice in stemming this rising flood of crime? That is the major question in determining any plans for the better protection of our people."

He gives point to his question by using fragmentary statistics based on samplings taken by the FBI.

His estimates indicate, for example, that in 1 year there were 21,080 known cases of rape and that only about 7,900 persons, or or 37 percent were found guilty. In the aggravated assault category, there were 100,-110 offenses and 27,000 found guilty, or 27 percent. There were 1,721,170 larceny offenses known to the FBI and an estimated 171,000, or 10 percent, found guilty.

On the face of these figures, which are admittedly estimates based on limited samplings, it is possible to reach the conclusion that something is wrong with the enforcement and prosecution processes. It might be said that the rights of criminals are being protected to such a degree that the right of the public to protection from wrongdoers is being shamefully abused.

The problem isn't that simple, however, in the view of Mr. Herbert Hoover. More must be known, as he says, about what happens after the crimes are committed.

His recommendation is for a nationwide survey, conducted by the Census Bureau, to fill in the gaps in the knowledge of crime. This, he believes, should include such details as the nature of each crime, the date of arrest, if any, the amount of bail set, how many jumped bail or committed other crimes while free under bond, the nature of the charge brought, the date of the trial, the outcome, the date and nature of the sentence; appeals, if any, and the time served in prison.

With that statistical matter at hand, it would be possible to reach definte conclusions about the procedures and methods of justice rather than sweeping conclusions which may be drawn from the broader figures.

This certainly should be done. At the present rate of increase, the flood of crime literally is threatening to engulf the American people. This is a disease which feeds on itself. Each unpunished crime only encourages more wrong-doing.

The former President again has made another significant contribution to the Nation he has served so well. He has provided the blueprint for getting to the root of the crime problem. It will be a shame if his suggestion is ignored.

[From the Mankato (Minn.) Free Press, June 8, 1959]

CENSUS OF CRIME

Former President Herbert Hoover has proposed a "census of crime" to aid the battle against what he calls the "eating away of our freedoms by criminals."

At first glance the suggestion doesn't appear important, but when the full scope of Mr. Hoover's proposal is taken into consideration, it is evident that such a census might well be beneficial. In itself it would do nothing to deter criminals, but it would give the American people as a whole, and law enforcement agencies in particular, valuable data from which to map an effective campaign against the lawbreakers.

As Mr. Hoover pointed out, major crimes grew three times as fast as the population during the years between 1946 and 1957. There were 2,800,000 instances of major lawbreaking in the latter year.

It is evident that, with this kind of increase, not a very good job is being done in combating major law violations. With the facts and figures collected under Mr. Hoover's plan, a wide variety of information would be available. And if it were used right, it could provide an insight into the problem which might bring better crime prevention.

The increase in major criminal acts since World War II has been shocking, but even more than that. It is threatening the life and welfare of every American citizen.

[From the Winona (Minn.) News, June 8, 1959]

WE MUST KNOW MORE ABOUT CRIME

They say crime doesn't pay, but former President Herbert Hoover has grave doubts about that.

In an article released Sunday on the rise of crime, Hoover deplores the lack of statistical information on how the police, courts, and prisons handle crime. Hoover wonders "whether we have elevated crime into a

pastime with occasional free board and lodging."

Major known crimes have increased from 1,685,000 in 1946 to 2,800,000 in 1957—rising three times faster than the increase in population. These figures are based on reports that local law enforcement officials around the Nation send to the FBI. Although Hoover commends the FBI for rounding up this information, he says these statistics cover only perhaps 85 percent of the Nation. Hoover would like to see the whole Nation covered and he'd like the statistical study to go into more detail.

Hoover proposes that the U.S. Bureau of the Census do the job. This bureau, which counts noses throughout the Nation every 10 years, is of course well equipped to handle such an assignment.

It would be easy for us in the Winona area to dismiss Hoover's concern about crime as being of little local interest. After all, major crime is practically nonexistent here. Most of the major crime news this newspaper reports originates in distant big cities. But let's remember that the Nation's crime problem could become our problem too. It would take only one major crime of violence to give Winona a black eye.

Now, getting back to Herbert Hoover. He asks, "How can we fight crime if we know so little about it statistically?" And what we do know seems to indicate to Hoover that many criminals go uncaught or receive mild treatment at the hands of the law. He finds available statistics on teen-age crime cause for alarm.

"During 1957 there were 740,000 of these youngsters (under 18) arrested," Hoover says. "Since 1952 the population group under 18 years of age has increased 22 percent while arrests of persons under 18 years have increased 55 percent."

Hoover estimates that of 1,721,170 known larceny cases (year not given), only about 171,000 persons were convicted—about 10 percent of the total cases. Maybe crime does pay after all!

Here's the kind of information about crime Hoover would like to see the Census Bureau collect—from police and prison records, not from persons.

Names of persons arrested on criminal charges during the past 2 years.

Nature of crime, date of the crime, and date of arrest.

Amount of bail, how many defendants jumped bail, and how many committed crimes while on bail.

Date of trial and disposition of the case.

Details about fine or imprisonment, time actually served in jail, whether paroled, and whether the exconvict committed a crime during his parole.

Hoover says the FBI could continue to collect crime figures and that these could be turned over to the Census Bureau, making the Census Bureau's crime survey much easier than would be expected.

If the Census Bureau's crime information were transferred to punched cards and run through machines, here's what Hoover says we'd learn:

"The machines would tell us how many of the known offenses resulted in arrests, how long it took from the discovery of the crime until a perpetrator was tried, how long it took from conviction to prison, and how long was the average length of time in prison for each category of crime.

"From such data we could judge whether the courts were being lax or effective.

"A report of the type I suggest would help every local, State, and Federal agency concerned with the prevention of crime to do a better job.

"And such a census would take a load of blame from our generally courageous and efficient police forces and would help relieve their too-frequent frustration."

[From the St. Louis (Mo.) Globe-Democrat, June 9, 1959]

NEED FOR HOOVER CRIME CENSUS

Last May 5 St. Louisans were murdered; 17 St. Louis women were raped and 240 St. Louisans were set upon and badly beaten. Each crime meant a personal tragedy to some family.

Some victims of assault may have to spend weeks or months in a hospital or under a doctor's care. Some children may have lost a father or mother at the murderer's hand. Some women may have suffered mental or emotional scars that will mark them for life.

When crime is translated from the cold impersonal figures of the FBI statistics to the lives of those it touches, we realize vividly that it is "heartbreaking." This is the word that former President Herbert Hoover used when he called Sunday for a national crime census.

Most police departments report the number of major crimes committed within their jurisdiction to the FBI. As Mr. Hoover pointed out in This Week magazine:

"These reports show that major known crimes have grown from approximately 1,685,000 in 1946 to approximately 2,800,000 in 1957, of three times as fast as the increase in population."

The reports also reflect the alarming rise in juvenile crime. Since 1952 the number of boys and girls 18 and under has increased 22 percent, but the number of them arrested has increased 55 percent.

While the FBI figures do tell us how many major crimes are committed, they leave us in the dark about many other important details. So do all our other sources of information.

We do not know, for example, how many sex crimes are committed by repeaters.

We do not know how long criminals are out on bail awaiting trial, nor how many crimes they commit while in this status.

Most important of all, we do not know if the total effort of our police, our prosecutors, our courts and our prisons is adequate to curb our crime rate which is climbing like a skyrocket.

Mr. Hoover suggests that Congress order the Census Bureau to "conduct" a special and separate crime census by canvassing the police and the prison records in every city and hamlet in the United States to collect complete data.

Minor offenses could be omitted and the records on juvenile delinquents would be kept separately.

If the data from such a census were recorded on punch cards, electronic sorting machines could quickly run through them to provide a detailed, accurate report on every aspect of our crime problem.

The Hoover suggestion was warmly applauded by St. Louis Circuit Attorney Eagleton. He said:

"Despite the best efforts of police and prosecutors, crime has steadily increased and, unfortunately, will continue to do so unless the public becomes aroused.

"If a National Crime Census Bureau were to publicize the true facts of the crime situation, I believe the public would drop its attitude of complacent smugness."

Mr. Hoover warns that we have reached a time when decent Americans have an "imperative duty to mobilize all our resources of knowledge and power to check the inner blight of crime."

No one ever can hope to win a war unless he understands the enemy.

A national crime census would give Americans the information they need to be kept "secure the persons," safe from the shocking assaults that the criminal population now makes on their property, their safety, their lives.

[From the Towanda (Pa.) Review, June 18, 1959]

WE'VE HELPED SET THIS RECORD

In a recent article Herbert Hoover pointed up something which has been causing great concern of late, even in rural communities like those in which we live. He showed by cold statistics how crime increases as those who violate the law escape punishment by one means or another.

In 1957 alone the Federal Bureau of Investigation compiled a list of 2,800,000 known major crimes yet on January 1, 1958, only 195,414 persons were in Federal and State prisons and only 80,408 were received from the courts the previous years.

The Bureau of Prisons also reports that in the previous year 43,357 prisoners were paroled * * * crimes committed when on parole or other reasons.

There were 6,920 known cases of murder and non-negligent manslaughter but only 48 persons were executed.

Of 61,410 known cases of robbery, about 16,000 were found guilty—only 26 percent.

There were 100,110 known cases of assault and battery but only 27,000 were found guilty.

About 171,000 out of 1,721,170 brought into court for larceny were convicted—only about 10 percent.

There were 289,950 caught for auto thefts but only 41,000 were found guilty. The record for burglary cases was even worse—72,000 offenders convicted out of 590,020.

Those figures are quite an indictment of our jury system. All too often weak-kneed men and women are chosen for jury duty. They are swayed by their personal likes and dislikes, by the persuasiveness of an attorney, by the thought that they themselves might some day be the one sitting as a defendant. This last is often the reason for acquittal of defendants in drunken driving cases. Another reason, jurors have told us, is failure of the Commonwealth to present the case in a manner blocking loopholes which a keen attorney can discover and use to good advantage. Jurors have said they wish to uphold the law but feel, and justifiably, that if a guilty verdict is to be returned, the case against the defendant must be proved beyond a reasonable doubt.

Nevertheless, no matter how hard the officers of the law try to make it safe for motorists, their labor is to no avail when juries make a mockery of the law prohibiting drunks from getting behind the wheel and starting down the road. Just so long as juries fail to do their sworn duty in such cases, this menace on the highway will increase.

The Bill of Rights guarantees to all Americans the right to be secure in their persons.

As the former President pointed out, that surely must include the right of our people to walk the streets free from holdups, muggers, murderers, hoodlums, and teen-age gangs, and to drive on the highways free from intoxicated persons unable to properly operate their machines.

Hoover says freedom in the United States is in more jeopardy from crime than from all the Communist conspiracies within our borders. He fears we are elevating crime into a pastime with occasional free board and lodging.

The ex-President is right. Remember that the enemies of our civilization numbered over 2,800,000 in 1957 alone.

It's time to get tough. It's time for all decent Americans to demand that law enforcement officers be upheld to the fullest measure. More than that, it's an imperative duty for each of us to stand unflinchingly for the right whenever we ourselves are called upon to sit in the jury box. No innocent person should ever be convicted but by the same token, those who break the law should not be coddled or permitted to go

scot-free. It's that which breaks down the morale of those commissioned to protect us and which encourages others to break the laws with impugnity.

We must check this inner blight of crime. There's no better place to start than with ourselves.

[From the Wilkes-Barre (Pa.) Record, June 10, 1959]

FOR CRIME CENSUS

A new kind of national crime census has been proposed by Herbert Hoover. It implies no lapse on the part of the FBI. The former President of the United States credits J. Edgar Hoover, head of the FBI, as being a magnificent voice crying in a wilderness of multiplying criminals.

In Herbert Hoover's mind is not a proposal to reform criminals, but a proposal to publicly illuminate some of the spots where our governmental machinery fails to provide our constitutional rights of protection. He would have the Census Bureau instructed by Congress to conduct a special and separate census by canvassing the police and the prison records.

Both as a sidelight and as a persuasive reason for having the Census Bureau do the job, Mr. Hoover remarks that, when it collects such massive information it punches holes in a card. "Each hole indicates an item collected. Then when they pass these cards through batteries of machines the total can be obtained on any item wanted."

As to detail, we quote Mr. Hoover: "Such a census should include the following: The name of each person who has been arrested for a crime during the past 2 years (these names should be held confidential so as not to reflect on reformed persons); a record of the nature of the crime; the date of the crime; the date of arrest; the amount of bail set; how many jumped bail; how many committed crime when out on bail; whether tried or not; the date of the trial; whether convicted or not; the date of the sentence; the sentence imposed."

Like a host of other suggestions from our tireless elder statesman, this latest proposal has a background—in this case rising crime—that makes the suggestion timely. Its promise of usefulness is self-evident.

[From the Maryville (Tenn.) Times, June 26, 1959]

CRIME AND PUNISHMENT

For some reason that a psychiatrist could probably understand but which we are unable to realize, there seems to have been more prison riots and bank robberies during the past several months than we have known to have occurred in recent years.

A bank robbery took place in Mountain City, Tenn. Wednesday's and Tuesday's newspapers carried stories of a bank robbery in Virginia not far from the border of Tennessee. Just 2 weeks ago there was another bank robbery between Cleveland and Athens at the Hiwassee Bank in Charleston, Tenn. This is getting somewhat too close for it not to have some local significance.

Several months ago there were two prison riots in rapid succession and Monday night another group of prisoners seized their guards to take over a wing of the prison at Springfield, Mo.

Perhaps it is a sign of the times when, in the middle of the land of plenty of money and luxury, there are those who are denied these things and they rebel.

The other day we read of a novel prison where a brandnew theory of punishment was meted out. The prison was more of a barracks than anything else where an inmate could set up housekeeping with his wife. He worked at hard labor but for a price that could keep his home together while he served out his sentence.

Reports have shown that major crimes have grown from 1½ million a year in 1946 to over 2½ million a year in 1957, some three times the increase in population. There were some 61,400 cases of robbery of which some 26 percent were found guilty.

A recent proposal by Herbert Hoover would have a National Crime Census set up to gather the number and analyze the various reasons for crime in the United States. Hoover has stated that we do not know enough about crime to punish it adequately. This is indicated by the increasing number of repeated offenders.

It seems an excellent idea, for, before a problem can be licked, it must be recognized. The total number of crimes in each category must be obtained and the nature of each described.

Facts obtained from the study of reports, of the punishment meted out and the rehabilitation of the offender would give some key to the exact characteristics of crime and help in finding a way to treat this disorder of society.

[From the Cuero (Tex.) Record, June 16, 1959]

TOWN TALK

Shocking indeed were the Crime versus Punishment statistics compiled by Herbert Hoover and released to the press on Sunday, June 7.

Hoover wrote, "The Bill of Rights guarantees to all Americans the right to be secure in their persons."

But in actual fact, how secure are we? What do we know about the crimes being committed in our country? What happens to these criminals? And, what do we do about it?

Hoover continues—the most heartbreaking increase of crime is among the teenagers under 18 years. During 1957 there were 740,000 of these youngsters arrested. Since 1952 the population group under 18 years of age has increased 22 percent while arrests of persons under 18 years have increased 55 percent.

With the help of data from the FBI, Mr. Hoover released the following figures on crimes classified in eight categories.

Murder and nonnegligent manslaughter—there were 6,920 known offenses. Only 48 persons were executed. (No records can be found on how many were serving life sentences.)

Manslaughter by negligence—There were 5,740 offenses known. About 1,400 defendants were found guilty, or 24 percent.

Rape—Of the 21,080 offenses known, there were about 7,900 found guilty or approximately 37 percent.

Robbery—Of the 61,410 offenses known there were about 16,000 found guilty, or 26 percent.

Aggravated assault—There were 100,110 offenses known and of these 27,000 were found guilty, which is 27 percent.

Larceny—There were 1,721,170 offenses known to the FBI. Only about 171,000 of these offenders were found guilty. This is approximately 10 percent of the total.

Automobile thefts—There were 289,950 offenses known with about 41,000 of the offenders found guilty, or 14 percent.

Burglary—There were 590,020 offenses known and 72,000 offenders found guilty, or 12 percent.

Are not those statistics enough to jar even the most complacent of us into just how bad the situation has really become? Where does the fault lie? Are parents delinquent? Are law-enforcement agencies falling down on their jobs? Are the courts too lenient?

We would like to know the answer.

[From the Elkins (W. Va.) Inter-Mountain, June 18, 1959]

NEW CRIME WEAPON

Ex-President Herbert Hoover, with his usual capacity for going to the heart of a problem, has proposed a new census to expose the facts behind the crime statistics in periodic FBI reports.

Gathering their figures from local law enforcement agencies, FBI statisticians have been reporting a steady and disheartening increase in the American crime rate. Their records reveal that major known crimes have increased from 1,685,000 in 1946 to 2,800,000 in 1957, a rate of growth three times that of the population.

The ex-President points out, however, in an article in This Week magazine, that the bare figures of the crime record are about all we know. "What we do not know," he says, "is what happens after those crimes are committed. In other words, how efficient are our procedures and methods of justice in stemming this rising flood of crime?" His own research indicates that relatively few of the persons responsible for these offenses are apprehended and that fewer still are punished. So he proposes that the Census Bureau assume the task of scrutinizing all local records to ascertain, among other things, "how many of the known offenses resulted in arrests, how long it took from the discovery of the crime until a perpetrator was tried, how long it took from conviction to prison, and how long was the average length of time in prison for each category of crime."

It is an ambitious operation Mr. Hoover has in mind. But if it would expose the weak spots in our system of crime prevention, if it would provide information which would help the fight of society against an ever-mounting crime rate, the effort and expense would be well worthwhile.

[From the Sheboygan (Wis.) Press, June 15, 1959]

URGES CRIME CENSUS

Former President Herbert Hoover suggests that a thorough crime census might bring realization to the American people that freedom in the United States is more in jeopardy from crime than from all the Communist conspiracies.

If true, it will come as no surprise, since Federal Bureau of Investigation figures on crime already indicate that.

To know exactly where we stand, Mr. Hoover has suggested that the Census Bureau be instructed by Congress to conduct a special and separate crime census by canvassing the police and prison records. It would include almost everything from the nature of the crime to the religious training and family situations of those arrested.

Mr. Hoover says such a census would point up many of the weaknesses in the Nation's fight against crime. His idea is that the information gained through the census would point the way to greater effectiveness in combating crime.

Mr. Hoover's suggestion deserves public support so that the Nation can be freed from the menace of a growing criminal element.

INVITATION TO KHRUSHCHEV—FORCED BY MISSILE BLACKMAIL?

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr Speaker, the sudden switch in White House strategy, gam-

bling on the invitation to Khrushchev, has surprised and stunned the Nation.

Consider the vague statements that have been issued to justify this strange move:

"What harm will it do?"

"Maybe it will do some good."

"Khrushchev might be impressed."

Do these ring true as solid and substantial reasons? Or do they sound like confused, spur-of-the-moment improvisations?

If the granite confidence of the Soviet Union at Geneva was a bluff, it has succeeded so far. Khrushchev has induced the White House to give in, and invite him to visit the United States.

If it is not a bluff, then the activity at the White House is a secret admission of the shift in the balance of power that has finally aroused official concern.

What is the key to the mystery surrounding the invitation to Khrushchev?

It is a diplomatic holding action because we are not prepared, in our minds or in our missiles, to take a firm stand for freedom.

Remember sputnik?

How many officials of our Government actually saw it?

It will be 2 years on October 4 since the Soviet Union led the world into the space age.

The American Government had been caught napping.

There was a hue and cry from all quarters of our land demanding that our Government get going.

How long did that awakening, that sense of urgency and new purpose, last?

The new programs so necessary for the space age—accelerated missile development, genuine aid to education, and the expansion of our economy to meet our growing needs—all these were seriously discussed for about 3 months. Under the impact of the threat to our survival there was some quickening in our missile and space programs, but proposals to help education and the economy were pigeonholed.

The White House, supported by those who cling to yesterday, went back to business as usual.

The Soviet Union did not.

Obsessed by the tyranny of the budget, but ignoring assistance for economic growth; believing that a little unemployment is good in order to keep people in their places; praising education but pennypinching it at the same time; the administration relaxed into the comfortable but outmoded procedures of a distant yesterday.

Khrushchev was advised of this sleepwalking complacency and pushed on ahead.

He calculated, from reports on the whole American scene, that we were becoming flabby of will and too indifferent to pioneer.

After all, did we not have the nuclear-powered, missile-firing submarines? A few of them would do, if the budget permitted. And there was no indication that the Soviets had developed a reliable intercontinental ballistic missile. Our scientists warned the Government, but the budgeteers silenced them.

The power balance, once in our favor, was shifting against us.

If you read between the lines of the Geneva Conference, you will note the advantage we have dissipated.

Then came the invitation to Khruschev.

And the secret, but long-deferred admission within the White House that holding the line on the budget has diminished our strength.

The cheers of hopeful people abroad are good, as an expression of faith in American ideals and as an incentive to courage. But, unaided they will not compensate for our deficiencies in the nuclear-missile space age.

More and more the invitation to Khrushchev looks like a disguised payment to the missile blackmailer.

Only the American people, by mental and physical effort and moral backbone, can reverse this shameful turn of events.

"THE AMERICAN FLAG"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized.

Mr. CURTIN. Mr. Speaker, the name of the fine community of Fairless Hills, Bucks County, in the Pennsylvania district which I have the honor and privilege to represent, has come in for some unfortunate publicity and headlining these past few weeks. It would be most unfair to permit any impression to be created that would impugn upon the patriotism and the loyalty of the good people who live in Fairless Hills.

Specifically, the incident arose in connection with an interpretation over alleged restrictions concerning the erection of a flagpole at the Fairless Hills Post Office, the Fairless Hills Shopping Center, and the community generally. I was rather startled, to say the least, to note the speech inserted in the CONGRESSIONAL RECORD of August 20 by my respected colleague, the gentleman from Pennsylvania [Mr. FLOOD], under the heading "The American Flag."

The CONGRESSIONAL RECORD insertion to which I just referred makes the statement that—and I quote:

> In Fairless Hills * * * the inhabitants are not permitted to erect flagpoles. Thus, without flagpoles the flag may not be flown on patriotic holidays or any other day. * * * This restriction is carried to the extent that there is no flag even above the U.S. post office.

This, if true, would be a grave state of affairs, indeed. Such is not the case, however. To place things in their proper perspective, Mr. Speaker, I immediately contacted Vice President Gordon K. Bolon, an officer of the Danherst Corp., whose firm and whose own name is mentioned in the aforesaid CONGRESSIONAL RECORD insertion. I take this time to quote from the letter I have received in reply to my inquiry:

DANHERST CORP.,
Fairless Hills, Pa., August 20, 1959.

Hon. WILLARD S. CURTIN,
Congress of the United States,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: In reply to your letter of August 18, 1959, regarding the fanfare which has developed over the flag-pole situation in the shopping center, I am pleased to report it has been settled to the satisfaction of all parties concerned.

Actually, the shopping center area never has had a restriction on the use of flagpoles or flags on any of the buildings or in the entire shopping center area. The lease between Danherst Corp. and the U.S. Government covering the post office contains no restriction on displaying the American flag. In fact, the lease specifically provides that a flagstaff may be erected on the site of the demised building. However, the Post Office Department has at no time requested that a flagstaff be erected. The only possible restriction against the erection of a flagpole would be on the basis that a proposed flagpole would be a hazard to the structural strength of the building. In other words, the pole would, of necessity, have to be located in such a place and constructed in such a manner as to not constitute a hazard to the building or any occupants.

Danherst Corp. has at no time indicated that its position would be any different from the above. In fact, several weeks ago we contacted our architect regarding the location of a suitable site for a flagpole to be erected in the shopping center which would complement the entire community as well as the shopping center. We also intend to install a flagpole on the post office building for the use of the post office.

I have talked with the Honorable Michael A. Musmanno and advised him of our intentions so I assume that the incident is closed.

Very truly yours,

DANHERST CORP.,
GORDON K. BOLON.

Mr. Speaker, I also asked the Post Office Department to furnish me a report on this matter, and I have received from the Philadelphia Regional Office a copy of a letter written by that office to Justice Musmanno. This letter is as follows:

POST OFFICE DEPARTMENT,
PHILADELPHIA REGIONAL OFFICE,
Philadelphia, Pa., August 28, 1959.

Hon. MICHAEL A. MUSMANNO,
Justice of the Pennsylvania Supreme Court,
Supreme Court Chambers, Pittsburgh, Pa.

DEAR JUSTICE: The Honorable Arthur E. Summerfield, Postmaster General of the United States, has referred to me your telegram for immediate attention and reply.

At the direction of the Postmaster General I have caused to be made a complete investigation of the display of the flag of the United States at the U.S. Post Office, located at Fairless Hills, Pa., which comes under the jurisdiction of this region.

The facts are as follows:

1. The U.S. Post Office Department, in opening up a new post office for the new community of Fairless Hills, determined that the most satisfactory location, from a service point of view, was in the Fairless Hills Shopping Center and, accordingly, entered into a lease with the owners thereof, the Danherst Corp., on March 23, 1954.

2. The lease entered into between the Post Office Department and the Danherst Corp. did not and does not prevent or restrict the display of the flag of the United States, either on staff or pole, inside or outside of this leased property.

3. The field negotiations on this lease were conducted by the Postal Inspection Service, U.S. Post Office Department, and the annual inspections of this facility have been conducted by the Postal Inspection Service.

4. Mrs. Catharine B. Wright has been postmaster since the office was opened at Fairless Hills.

5. During the period of Postmaster Wright's incumbency, she has displayed the

flag of the United States, with great reverence and respect, at her Post Office in accordance with the Flag Code of the United States, and the provisions of the Postal Manual.

6. The patriotism of Postmaster Wright has been unquestioned. She has been active throughout her lifetime in patriotic organizations. Her brother has been a patient in a veterans' hospital since World War II. Her nephew was shot down and killed by the enemy at Iwo Jima.

7. The patriotism of the Assistant Postmaster, Henry T. Shelley, has been unquestioned. He is a Commander, U.S. Navy Reserve, and is an active Reservist as of now. He recently completed his annual tour of active duty with the U.S. Navy.

The Post Office Department is reverently dedicated to the display of the flag of the United States. Under the present management, we have gone far beyond the past customs of previous management in display of the flag of the United States in order to more prominently pay tribute to this sacred emblem of our Nation. For the past several years we have caused to be erected separate outside flagpoles, unattached to the buildings, at all new postal installations, both owned and leased. We are also erecting such flagpoles at many old establishments.

Two flags are now being reverently displayed at the U.S. Post Office, Fairless Hills, Pa. One flag is being displayed in the lobby and the other flag is being displayed from the top of this leased property.

I believe it goes without saying that the U.S. Post Office Department, the traditional custodian in civilian life of the flag of the United States, has and will always proudly cherish its responsibility in displaying our flag.

The present Postmaster General has given this subject the highest of all priorities.

Sincerely yours,

LEROY V. GREENE.

All of us, I am sure, certainly feel that there should be no restrictions on the right to fly the American flag any place in these United States, its territories, or possessions. The flag flies high in Fairless Hills, Mr. Speaker.

THE LATE EDMUND P. RADWAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. DULSKI] is recognized for 1 hour.

Mr. DULSKI. Mr. Speaker, all of us who have had the privilege of knowing the late Honorable Edmund P. Radwan were immeasurably saddened when we heard of his untimely passing. He served four terms in Congress as a Representative from the old 43d and present 41 Districts of New York, and completed his final term last December. Because of ill health, he did not seek reelection in 1958 and retired from active service at the end of his congressional term.

When he announced his decision not to seek reelection, he stated: "When I can no longer give 100 percent service to those I represent, I no longer wish to serve." This is the kind of a man Ed Radwan was, as many of you came to know personally. He insisted on giving his all to a job and nothing less.

Mr. Radwan won his first elective office in 1945 when he was a corporal in the Army, and became recognized as one of the Republican Party's most consistent vote-getters.

He was born in Buffalo on September 22, 1911, where he attended East High School. He was an outstanding athlete and served as captain of the hockey team. He was also a cross-country runner and all-star track man. He used to recall how his mother had forbidden him to play football because it was too rough. Fortunately, he added, she never saw him in action as a hockey player.

While attending Canisius College, he did summer work as a playground instructor at School 74. He was also coach of East High's hockey and tennis teams, producing championship teams in both sports.

Mr. Radwan was graduated from the University of Buffalo Law School in 1934, and admitted to the bar the following year. He and his brother, Ralph, now a Cheektowaga justice of the peace, established a law office at 906 Broadway.

Mr. Radwan entered public life in 1938 when he was appointed village attorney of Sloan, serving through 1940.

In 1940 he attended courses in military science and tactics in Plattsburgh, N.Y., at his own expense. In November 1943 he entered the Army and was stationed for a year at Camp Wolters, Tex. Later he was attached to the Army War College as a social service worker and was placed on temporary duty at Battey General Hospital in Rome, Ga. While he was there, friends entered his name, without his knowledge, in the Republican primary as a candidate for State senator in the 54th District of New York. Without making a campaign speech or statement, he won in the primary and was subsequently elected to the New York State Senate. He was reelected State senator in 1946 and 1948, serving on the finance committee and as chairman of the public relief and welfare committee.

Mr. Radwan was elected to Congress in 1950 and served four terms, where he compiled an admirable record. Reviewing his own record in Congress, he once said:

> As I look back, I am satisfied that I have never forsaken the public when it came to choosing between the wishes of the public and those of any political leader. * * * I do not think I was elected a Member of Congress to be a rubberstamp.

In his first term, he had the distinction of being named to two important committees—the Foreign Affairs Committee and the Veterans' Affairs Committee, serving the latter as chairman of the Subcommittee on Pensions and Claims. He sponsored numerous bills personally and conducted a series of hearings on proposals to improve veterans' benefits.

Mr. Radwan devoted much of his time to work with young people. At one time, he served as counselor in civics to the Buffalo Boy Scout Council and was associated with Troop 75 as troop committeeman. But his two chief interests were his family and politics. He liked to take his family to the beach or to skating rinks.

Ed Radwan was indeed a good man, a sincere, earnest, able, and hard-working legislator, who served his people and his Nation well. His death is a great loss to all of us and I join with his friends in expressing the deepest regrets to his family. May we take comfort in the fact that his accomplishments during his lifetime and his fine spirit will be remembered as an example for others to follow.

THE LATE EDMUND P. RADWAN

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was deeply grieved at the passing of the late Congressman Radwan of the State of New York. He was a member of the Committee on Veterans' Affairs of the House when I was chairman. He was chairman of a subcommittee of that committee.

Mr. Speaker, I shall never forget how hard Mr. Radwan worked, I shall always remember his loyalty to the veterans, his helpfulness to everyone who went to him with a problem.

I went with him to several Government departments, including the White House, in connection with legislation. I was very much struck with his forcefulness and his gentleness and his courtesy. He made friends everywhere he went. I do not believe that the Members of the House know how much he helped the veterans and how he handled one very difficult bill for a Member. I think he was the only member on the committee that would have succeeded with the passage of that bill. He worked tirelessly and unselfishly and patriotically. He later became a very fine member of the Committee on Foreign Affairs, and I regretted very deeply that he was no longer a member of my committee. I do not know of anyone who ever worked more unselfishly and more quietly or who was a finer gentleman.

Mr. ADAIR. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Indiana.

Mr. ADAIR. I would like to join the gentlewoman in expressing deep regret at the death of Congressman Radwan. As the gentlewoman has said, he served on the Committee on Veterans' Affairs, and then I later served with him also on the Committee on Foreign Affairs. We came to the Congress in the same class, and I formed a very strong attachment for him and a very high regard for his ability and his zeal. I am sure that all Members who knew him will join with us in expressing our sympathy at his passing.

Mrs. ROGERS of Massachusetts. His death is a great loss to the Congress and to the Nation. It has been said that people, politicians, cannot be elected to the Congress without being rough and discourteous. Certainly, our late colleague, Mr. Radwan, proved that that was not true. I mourn with his family, his friends, and his State at his passing. I mourn with the Congress, because we can ill spare men of his type, men of his stature, men of his dedication.

MOVING COSTS

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4656) to amend section 401b of the act of July

14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 21, insert:

"SEC. 2. The amendment made by this Act shall take effect as of January 1, 1959."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. ROBISON. Mr. Speaker, reserving the right to object, would the gentleman tell me if this matter has been cleared with the minority leadership?

Mr. VINSON. It has. It has been cleared with the gentleman from Indiana and the gentleman from Ohio.

Mr. ROBISON. I thank the gentleman.

Mr. VINSON. Mr. Speaker, several years ago Congress enacted the so-called Abernethy amendment which permits the owners of property acquired by the Government to be paid for their moving costs.

The amount which a landowner may receive may not exceed 25 percent of the value of the property acquired.

Under that law the property owner is required to file an application for his moving costs within 1 year of the date of acquisition.

Frequently it is the desire of the military departments that individuals remain on the property for some period after the land is acquired in order to protect the property from fire, vandalism, and other things of this kind. If the landowner does this, however, he may be unable to file his application for moving costs within the 1-year period, and this will cause him to lose his moving costs.

Because of some inequities which arose from this situation the gentleman from Kentucky [Mr. STUBBLEFIELD] introduced H.R. 4656. This bill, as it passed the House, authorized the period within which the application for moving costs could be made to 1 year from the date of acquisition or 1 year from the date of vacating the property.

I might say that the bill has the full approval of the executive branch and the Bureau of the Budget.

The bill was reported out of the Senate committee with exactly the same language as appeared in the House version. However, on the floor an amendment was offered to make the bill effective as of January 1, 1959, rather than the date of enactment of the law.

I am advised that this amendment will encompass some eight or nine very deserving cases which would otherwise not be covered by the bill.

The author of the bill, the gentleman from Kentucky [Mr. STUBBLEFIELD], has no objection to the amendment, the Department of Defense has no objection, and the Armed Services Committee has no objection to the amendment.

The cost of the bill cannot be estimated with any accuracy, but it involved in the first instance some 10 or 12 cases and, as amended, would involve only some 9 or 10 more. The cost, I can assure you, is very small, and the circumstances make it a particularly equitable measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FANTASIES IN THE TABLES OF FABLES ON THE BACK OF THE CONGRESSIONAL RECORD

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes, to revise and extend my remarks, and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, on September 7—page 18455 of CONGRESSIONAL RECORD—I pointed out the fantasies in the tables of fables on the back of the CONGRESSIONAL RECORD. These tables, I repeat, are an apparent attempt to bamboozle the public into believing that the Congress has cut the President's budget.

It is highly regrettable that the Daily Digest portion of the RECORD which is intended to be a brief and factual summary has been converted into a political device filled with inaccuracies.

To document further my remarks of last Monday, I include in the RECORD three sets of corrections for table I on appropriations, a revised table II which compares like periods of time in the President's request with corresponding actions of the Congress, and lastly, a table III which includes $1,683,900,000 in spending increases not requested by the President and blithely skipped over by the other two tables:

[Correction A in table I as of Sept. 8, 1959]

Amounts for other than the fiscal year 1960 included in table I

	President's budget estimate	Amount agreed to by conferees	Increase or decrease
1959 second supplemental	$2,900,799,370	$2,764,500,380	−$136,298,990
Included in 1960 appropriation bills:			
Labor-HEW		384,000	+384,000
Mutual Security:			
Development Loan Fund	500,000,000	590,000,000	+90,000,000
Supplemental	341,627,072	117,342,000	−224,285,072

[Correction B in table I as of Sept. 8, 1959]

Authorizations to expend from public debt receipts in appropriation bills that are not included in table I

	President's budget estimate	Amount agreed to by conferees	Increase or decrease
Department of Agriculture:			
Rural Electrification Administration	$215,000,000	$215,000,000	
Farmers Home Administration	173,000,000	206,000,000	+$33,000,000
Total	388,000,000	421,000,000	+33,000,000

[Correction C in table I as of Sept. 8, 1959]

Reported reductions in 1960 annual appropriation acts which will probably have to be restored in future sessions

Department of Agriculture and Farm Credit Administration Appropriation Act: Commodity Credit Corporation: Restoration of capital impairment	$100,000,000
Department of Commerce and Related Agencies Appropriation Act: Maritime activities, operating-differential subsidies	1,250,000
Independent Offices Appropriation Act:	
Civil Aeronautics Board, payments to air carriers	$4,118,000
Federal Aviation Agency: Grants-in-aid for airports (liquidation of contract authorization)	2,500,000
Housing and Home Finance Agency: Annual contributions, Public Housing Administration	4,000,000
Veterans' Administration: Compensation and pensions	7,000,000
Department of the Interior and Related Agencies Appropriation Act: Bureau of Land Management, construction	5,000,000
Department of State: Rama Road	3,500,000
Foreign currency	24,635,875

CORRECTED TABLE II.—*New obligational authority provided outside the appropriation process*

Bill No.	Title	President's request	Amount agreed to by conferees	Increase or decrease made by the Congress
H.R. 4452 S. 1094	Bretton Woods Agreement.	$4,550,000,000	$4,500,000,000	
S. 57	Housing Act of 1959:			
	1959–61	800,000,000	1,300,000,000	+$500,000,000
	1962–65	(850,000,000)	0	
S. 2539	Housing Act of 1959:			
	1959–60	550,000,000	(825,000,000)	(+275,000,000)
S. 1 H.R. 1011	Aid to Airports:			
	1960–61	120,000,000	126,000,000	+6,000,000
	1962–63	(80,000,000)	0	
H.R. 2256	Veterans' Housing Loan Act.		$100,000,000	+$100,000,000
	Total, 1959–61	$5,470,000,000	6,076,000,000	+606,000,000

TABLE III.—*Other measures affecting spending in 1960 and future years, as of Sept. 8, 1959*

Bill No.	Title	President's requests	Amount agreed to by conferees	Increases or decreases made by the Congress	Remarks
	ENACTED BY CONGRESS				
H.R. 7650	Veterans pension bill	$100,000,000	$308,000,000	+$208,000,000	Estimated 1961 costs only.
S. 57	Public Housing Act of 1959:				
	Public Housing—Annual contributions	0	874,500,000	+874,500,000	Estimated future appropriation requirements on 45,000 units of public housing.
	All other authorizations for appropriations	10,000,000	75,400,000	+65,400,000	
H.R. 7175	Agriculture appropriation bill—Agriculture conservation program.	100,000,000	250,000,000	+150,000,000	Authorization for 1960 crop year, requiring appropriations in fiscal year 1961.
	FAILURE TO ENACT				
	Postal rate increases	−350,000,000		+350,000,000	Proposed increase in postal rates.
	Forest and public lands highways	−36,000,000		+36,000,000	President's request contemplated financing rom the highway trust fund.
	Total (net)	−176,000,000	1,507,900,000	+1,683,900,000	

Mr. Speaker, I would like to make this statement, that tomorrow, if I have the opportunity, I am going to document some of the skulduggery that went on in misusing the CONGRESSIONAL RECORD for this political purpose. That has me very greatly disturbed because it involves some of the employees of the House.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from California.

Mr. HIESTAND. Mr. Speaker, I am in hearty agreement with the remarks of the gentleman from Missouri.

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include tables.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Speaker, I have been astonished by the ridiculous attempt of the phony tables on the back of the CONGRESSIONAL RECORD to trick the public into thinking that the actions of this Congress have cut rather than increased the President's budgetary requests.

The gentleman from Missouri [Mr. CURTIS] has thoroughly exposed this sidedoor mathematics and I praise him for submitting the corrections for those tables of fables. I also deplore the use of the Daily Digest section of the RECORD for partisan political propaganda.

What especially worries me is that some of the gentlemen from the other side of the aisle seem to have "bamboozled" themselves into thinking this Congress has saved money.

I have two tables to sober their thoughts.

The first table reveals the effect of congressional spending actions on the President's 1960 budget. House actions on the President's budget have turned the proposed $70 million surplus into a $790 million deficit. Senate action would create a deficit of $1,174 million.

The second table considers the effect of spending actions on the President's budgets for 1959 and thereafter. It shows that this body has increased the President's requests by $742 million and the Senate action has increased the President's requests by $1,249 million.

Mr. Speaker, under unanimous consent, I include in the RECORD these two tables.

Effect of congressional action on President's 1960 budget as of Sept. 8, 1959

[In millions]

	Inaction	Action
House of Representatives:		
H.R. 8678: Motor fuel taxes		$160
S. 1923: Increase in postal rates	$350	
H.R. 10: Voluntary pension plan for self-employed persons		320
Public Law 86-73: Veterans' housing loans		100
Public Law 86-72: Aid to airports		−5
H.R. 3610: Federal Water Pollution Control Act		5
Public Law 86-163: School milk extension		6
Subtotal	350	586
Appropriation bills:		
Public Law 86-104: District of Columbia, 1960		−7
Public Law 86-39: Treasury-Post Office, 1960		−44
Public Law 86-60: Interior and related agencies, 1960		−6
Public Law 86-30: Second supplemental, 1959		13
Public Law 86-158: Labor and Health, Education, and Welfare, 1960		103
H.R. 7040: Independent offices, 1960		−63
Public Law 86-76: Agriculture and Farm Credit Administration		30
Public Law 86-84: State, Justice, Judiciary, and related agencies, 1960		−21
Public Law 86-88: Commerce and related agencies, 1960		38
Public Law 86-176: Legislative branch, 1960		−$5
Public Law 86-166: Defense, 1960		50
Public Law 86-213: The supplemental, 1960		−52
Public Law 86-164: Atomic Energy Commission, 1960		−18
H.R. 8385: Mutual security, 1960		−100
H.R. 8575: Military construction, 1960		0
Total, appropriation bills		−76
Grand total	$350	510
Summary effect of action by House of Representatives on 1960 budget:		
Surplus proposed by President's budget		+70
Effect of inaction		−350
Effect of action		−510
Deficit resulting from House action		790

Effect of congressional action on President's 1960 budget as of Sept. 8, 1959—Continued

[In millions]

	Inaction	Action
Senate:		
H.R. 8678: Motor fuel taxes	490	
S. 1923: Increase in postal rates	350	
Public Law 86-72: Aid to airports		−5
S. 722: Area redevelopment		35
S. 12: Grants to States for educational TV		45
Public Law 86-163: School milk extension		5
S.J. Res. 41: International medical research		50
Public Law 86-73: Veterans' housing loans		100
S. 1138: Peacetime ex-servicemen's readjustment benefits		100
S. 812: Youth Conservation Corps		50
Subtotal	840	380
Appropriation bills:		
Public Law 86-104: District of Columbia, 1960		−7
Public Law 86-39: Treasury Post Office, 1960		−44
Public Law 86-60: Interior and related agencies, 1960		−6
Public Law 86-30: Second supplemental, 1959		13
Public Law 86-158: Labor and Health, Education, and Welfare, 1960		103
H.R. 7040: Independent offices, 1960		−63
Public Law 86-76: Agriculture and Farm Credit Administration, 1960		36
Public Law 86-84: State, justice, judiciary, and related agencies, 1960		−21
Public Law 86-88: Commerce and related agencies, 1960		38
Public Law 86-176: Legislative branch, 1960		−5
Public Law 86-166: Defense, 1960		50
Public Law 86-213: The supplemental, 1960		−52
Public Law 86-164: Atomic Energy Commission, 1960		−18
H.R. 8575: Military construction, 1960		0
Total, appropriation bills		24
Grand total	840	404
Summary effect of action by Senate on 1960 budget:		
Surplus proposed by President's budget		+70
Effect of inaction		−840
Effect of action		−404
Deficit resulting from Senate action		1,174

The following presents the effect of congressional action on the President's budgets for 1959 and subsequent years (as of Sept. 6, 1959):

HOUSE OF REPRESENTATIVES

The President proposed that Congress enact legislation to increase postal rates. Congress has taken no action and the Democratic leadership indicates none is planned.	Denies $350 million in needed revenues.
Passed gasoline tax of 1 cent a gallon instead of 1½ cents as proposed by the President. (Status: Reported by Senate Finance Committee.)	$160 million loss in revenue.
The House has passed a voluntary pension plan for self-employed persons which would reduce receipts by $365-million.	Reduces Government's revenues by $365 million.

On the other hand, the House has taken the following spending action:

Passed veterans housing loan act for $100 million. (Status: Law.)	$100 million more than President's budget.
Passed $126 million aid-to-airports bill. (Status: Law.)	$6 million more than President's budget.
Extended temporary unemployment compensation for fiscal year 1959, adding $75 million to 1959 expenditures. (Status: Law.)	$75 million more than President's budget.
Passed Federal Water Pollution Control Act. (Status: Reported by Senate Public Works Committee.)	$840 million more than President's budget.
Passed veterans' pension bill. (Status: Law.)	$208 million more than President's budget.
Passed extension of school milk program for fiscal years 1960 and 1961. (Status: Law.)	$11 million more than President's budget.
Appropriation actions have reduced new obligational authority by $1,373 million.	$1,373 million less than requested.

SENATE

Failure to act on President's proposed postal rate increase and certain tax increases.	Denies $840 million in needed revenues.
Passed aid-to-airports bill. (Status: Law.)	$6 million more than President's budget.
Passed veterans' pension bill. (Status: Law.)	$208 million more than President's budget.
Area Redevelopment Act. (Status: House Banking and Currency Committee.)	$337 million more than President's budget.
Extended temporary unemployment compensation for fiscal year 1959, adding $75 million to 1959 expenditures. (Status: Law.)	$75 million more than President's budget.
Passed grants to States for education TV. (Status: House Interstate and Foreign Commerce Committee.)	$50 million more than President's budget.
Passed extension of school milk program for fiscal years 1960 and 1961. (Status: Law.)	$11 million more than President's budget.
International medical research: $50 million annually. (Status: House Interstate and Foreign Commerce Committee.)	$50 million more than President's budget.
Passed Veterans' Housing Loan Act. (Status: Law.)	$100 million more than President's budget.
Passed Youth Conservation Corps measure. (Status: House Education and Labor Committee.)	$100 million more than President's budget. (Estimate for first year.)
Passed peacetime ex-servicemen's readjustment benefits, $100 million first year; $500 million by fourth year. (Status: House Veterans' Affairs Committee.)	$100 million more than President's budget. (First year only.)
Appropriation action has decreased new obligational authority by $628 million.	$628 million less than requested.

Note.—Excludes second housing bill, vetoed by President, which was $959 million more than President's budget.

SUMMARY

After more than 8 months of this session of Congress, the House of Representatives has taken actions that increased the President's requests by $742 million.	+$742 million.
All Senate action to date has increased the President's requests by $1,249 million.	+$1,249 million.

SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. ALBERT. Mr. Speaker, I desire to announce that on tomorrow it is possible that the bill (H.R. 8121) to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees may be brought up under suspension of the rules.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. GRANAHAN (at the request of Mr. WALTER), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 30 minutes, tomorrow.

Mr. FLYNN, for 15 minutes, tomorrow.

Mrs. ROGERS of Massachusetts, for 10 minutes, today, and 10 minutes, tomorrow.

Mr. PORTER (at the request of Mr. ALBERT), for 30 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HECHLER and to include extraneous matter.

Mr. CAHILL.

Mr. GARY and to include an article by Hon. PORTER HARDY, of Virginia.

Mr. BOWLES.

(At the request of Mr. ROBISON, and to include extraneous matter, the following:)

Mr. CONTE.

Mr. RHODES of Arizona.

Mr. LAFORE.

Mr. SAYLOR.

(At the request of Mr. ALBERT, and to include extraneous matter, the following:)

Mr. CASEY.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 8678. An act to amend the Federal-Aid Highways Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes p.m.) the House adjourned until tomorrow, Friday, September 11, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1366. A letter from the Comptroller of the Currency, transmitting a copy of the annual report of the Comptroller of the Currency for the year 1958, pursuant to section 333 of the U.S. Revised Statutes; to the Committee on Banking and Currency.

1367. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "a bill to amend section 1114 of title 18 of the United States Code by including certain employees of the Federal Communications Commission"; to the Committee on the Judiciary.

1368. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 3, 1959, submitting a report, together

with accompanying papers and an illustration on a review of reports on St. Marks River, Fla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 9, 1957 (H. Doc. No. 224); to the Committee on Public Works and ordered to be printed with illustrations.

1369. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, U.S. Department of the Army, dated July 28, 1959, submitting a report, together with accompanying papers and illustrations, on a review of report on Village Creek, White River, and Mayberry Levee Districts, Arkansas, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted July 23, 1946 (H. Doc. No. 225); to the Committee on Public Works and ordered to be printed with six illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1175. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. House Resolution 384. Resolution opposing the granting of permanent residence in the United States to Fu Sheng Cheng and Fu-Mei Lin; without amendment (Rept. No. 1176). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BONNER (by request):

H.R. 9172. A bill to amend section 502(d) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. BRADEMAS:

H.R. 9173. A bill to make permanent certain temporary increases in rates of compensation of employees of the Postal Field Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 9174. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a personal exemption for a foreign student who resides in his home while in the United States under an international student exchange program; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 9175. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 9176. A bill to authorize the National Labor Relations Board to assert jurisdiction over all labor disputes arising under the National Labor Relations Act and for other purposes; to the Committee on Education and Labor.

H.R. 9177. A bill to amend section 204(a) of the Interstate Commerce Act so as to authorize the Interstate Commerce Commission to encourage the adoption by the several States of laws in conformance with the Uniform Vehicle Code, published by the National Committee on Uniform Traffic Laws and Ordinances, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.R. 9178. A bill to amend sections 2322 of title 28, United States Code, relating to the defense of Interstate Commerce Commission orders in the Federal courts; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 9179. A bill to amend title 23, United States Code, to provide for participation of Federal-aid highway funds in the construction of approach roads to ferry facilities on the Federal-aid systems; to the Committee on Public Works.

By Mr. JONAS:

H.R. 9180. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 9181. A bill to amend section 3731 of title 18 of the United States Code relating to appeals by the United States; to the Committee on the Judiciary.

By Mr. McGOVERN:

H.R. 9182. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture.

By Mr. MAILLIARD:

H.R. 9183. A bill to amend section 502(d) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. MULTER:

H.R. 9184. A bill to amend section 9 of the Federal Reserve Act, as amended, section 18(d) of the Federal Deposit Insurance Act, and section 5155 of the Revised Statutes, as amended; to the Committee on Banking and Currency.

By Mr. SAYLOR:

H.R. 9185. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

H.R. 9186. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. TEAGUE of California:

H.R. 9187. A bill to permit the Department of Agriculture to cooperate with the meat inspection services of the various States; to the Committee on Agriculture.

By Mr. TOLLEFSON (by request):

H.R. 9188. A bill to amend section 502(d) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. WILSON:

H.R. 9189. A bill to authorize and direct the Secretary of the Navy to convey certain property to the city of San Diego, Calif.; to the Committee on Armed Services.

H.R. 9190. A bill to clarify the authority of the Commissioner of Patents to compile, publish, and disseminate certain information relating to patents; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 9191. A bill to establish a commission to conduct an impartial and scientific study and investigation to determine the effects on the public health of the practice of adding various chemicals to water supplies and food products; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADEMAS:

H.J. Res. 524. Joint resolution to establish a free and universal franchise throughout the United States; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 525. Joint resolution authorizing the President to invite foreign countries to participate in a world's fair, New York, 1964; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H.J. Res. 526. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. PATMAN:

H.J. Res. 527. Joint resolution amending the act of March 3, 1933, to remove the authority of heads of departments and establishments in the executive branch of the Government to make exceptions under that act, and for other purposes; to the Committee on Public Works.

By Mr. WOLF:

H.J. Res. 528. Joint Resolution to prohibit officers and employees of the United States from treating communal water supplies with fluoride compounds, until a report from the Commission on Food and Water Contamination shall have been submitted to the Congress of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. JONAS:

H. Con. Res. 437. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. AVERY:

H. Res. 385. Resolution to express the sense of the House with respect to the issuance by the Secretary of Labor of regulations relating to the interstate recruitment of agricultural workers and placement policy; to the Committee on Education and Labor.

By Mr. KASEM:

H. Res. 386. Resolution creating a select committee to conduct an investigation and study of the feasibility of establishing a floating university with surplus warships owned by the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 9192. A bill for the relief of Robert L. Garvey; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9193. A bill for the relief of Vincenzo Di Raco; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H.R. 9194. A bill for the relief of Feliciano Fajardo Miravite; to the Committee on the Judiciary.

H.R. 9195. A bill for the relief of the Jefferson Loan Co., Inc., and Jefferson Mortgage Co., Inc.; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 9196. A bill for the relief of Enid (Ballantine) Dennis; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 9197. A bill for the relief of Sergiusz Rudczenko; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 9198. A bill for the relief of Sait D. Ermete; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 9199. A bill for the relief of Sirvart Kasabian; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 9200. A bill to provide for the conveyance of certain real property of the United States situated in the State of Louisiana to Robert Sibley and his heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

By Mr. SAUND:

H.R. 9201. A bill to validate certain mining claims in California; to the Committee on the Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

277. The SPEAKER presented a petition of the president, Free World Committee, Chicago, Ill., petitioning consideration of their resolution with reference to House Resolution 337, and requesting that a number of the thousands of former prisoners of Soviet slave-labor camps be called as witnesses, etc.; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

The Bluebonnet Bowl

EXTENSION OF REMARKS

OF

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. CASEY. Mr. Speaker, in a few short days, the great American collegiate football season will open throughout our Nation .

Millions of football fans will support their favorite teams as they begin the long, grueling contest which is climaxed by the annual classics, the postseason bowl games.

I am extremely proud and happy that Houston, Tex., has added another to the great list of such postseason bowl games, one that will rank high with the sports-minded in our Nation.

Scores of civic and business leaders in Houston have formed the Greater Houston Bowl Association, which will sponsor these annual classics.

The official flower of our fair State was chosen as the name for this great contest: the Bluebonnet Bowl. And on December 19, and on each succeeding year, two of the Nation's outstanding college football teams will gather on the gridiron of the 70,000-seat Rice Institute stadium to play in this great bowl game I know that through the years, you will hear much of the Bluebonnet Bowl, and that it will stand in your mind with such favorities as the Cotton Bowl, the Sugar Bowl, the Orange and the Rose Bowls.

I want to invite all of you not only to see this great football game, but to take the opportunity to share in the warm hospitality and view the industrial assets of this great Queen City of the South.

While I urge you not to miss this initial game, I am also happy to tell you that CBS television network has completed arrangements to telecast the game over a nationwide hookup.

To the great sports-minded and public-spirited citizens who formed the Greater Houston Bowl Association goes the credit for this wonderful achievement. It is fitting that the net proceeds of this game—and I assure you it will be a sell-out—will go to charitable and educational purposes within the Greater Houston area.

The formation of the Greater Houston Bowl Association, and sponsorship of the Bluebonnet Bowl, exemplifies the type of public spirit which has made Houston the largest, greatest, and most progressive city in the South. Residents of our area—and I am sure that football fans throughout our country—are especially grateful to the 99 directors and the officers of the association, Elvin M. Smith, president; J. K. Butler, executive vice president; Charles Fleetwood, Dan M. Moody, and Corbin J. Robertson, vice presidents; John B. Holmes, treasurer; and A. Frank Smith, Jr., secretary.

How We Should Greet Mr. Khrushchev

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. CAHILL. Mr. Speaker, while some people are questioning the advisability of Khrushchev's visit to the United States, all of us are concerned with the way he should be greeted in the cities and towns he will visit. All Americans want to be courteous, yet do not by their good conduct wish to give approval of Khrushchev's past actions and the philosophies for which he stands. How then should we greet him? By cheers and applause, by boos and jeers? May I suggest that we as Americans should view Khrushchev's visit as an opportunity to show him and the world the unity, strength, and patriotism of the American people regardless of their ancestry, be it Polish, Hungarian, German, Italian, or Czech. Regardless of their religion, be it Protestant, Catholic, or Jew. And how do we do this and still carry the American tradition of fair-play, of courtesy toward visiting heads of States? By the simple method of displaying and waving the American flag. Hands that wave a flag need not applaud. This gesture would indicate welcome without approval; friendship without surrendering our own faith and beliefs—but above all, it would forcefully demonstrate the strength and unity of all Americans. It would also show to the world as a result of the photographs, television, and movies that are taken of Mr. Khrushchev, through the medium of a backdrop of red, white, and blue, that the American people, while holding the hand of friendship, also possess the fists of determination, unity, and strength.

I hope, therefore, that every factory and business, home and office, native and foreign-born citizen will display the Stars and Stripes in the cities and towns in America that are to be visited by Mr. Khrushchev. Let the steel companies and the pickets, the farmers and the factory workers, the corporations and the labor unions demonstrate by the symbolic display of the American flag the lesson that all of us want Khrushchev to learn, namely: that while we want friendship and peace, we are united behind the President of the United States and the Congress of the United States in their firm stand for justice to all people throughout the world.

West Virginia Is Getting Shortchanged

EXTENSION OF REMARKS

OF

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. HECHLER. Mr. Speaker, for the third time in as many days I wish to protest the fact that the State of West Virginia has the scales weighted against it in an unfair way.

I have previously pointed out that West Virginia, on a per capita basis, ranks 50th among the 50 States in employment of Commerce Department personnel. I have further explained how this actually can inhibit industrial expansion, in a State which needs such growth badly, by denying valuable Federal assistance and advice and by making helpful Federal officials inaccessible.

The expression "the rich get richer and the poor get poorer" is best remembered as a phrase characteristic of the cynical atmosphere that pervaded this Nation during the depths of depression. Yet, it would appear that this is the very policy that governs placement of Department of Commerce facilities.

Previously I presented figures to show that West Virginia had but 37 employees

of the Commerce Department in the entire State, and these included only employees of the Weather Bureau and Bureau of Public Roads.

Coastal States and other strategic areas have natural advantages for certain Commerce activities, but two inland States, Idaho and Colorado, have geographical characteristics similar to West Virginia's; yet one (Idaho) has 5 times as many Commerce employees, while the other (Colorado) has exactly 10 times as many.

I am puzzled as to why Idaho needs 42 Weather Bureau employees to serve 588,637 population while West Virginia has only 10 to serve 2,005,553. Or why the Weather Bureau has 73 employees in Colorado, with 1,325,089 population.

I also marvel that West Virginia can get along with only 27 employees in the Bureau of Public Roads, while 166 persons are employed at Boise, Idaho, and 297 at Denver, Colo.

I must admit that the figures I have presented on Tuesday are subject to change. In fact, I have a graphic illustration of that—but it only serves to accentuate the Commerce Department's discrimination against West Virginia.

For example, my Monday figures list Indiana as having a total of only 504 Commerce employees. But today, on Thursday, I received statistics from the Commerce Department itself indicating that a Census Bureau installation suddenly has started to employ a whopping total of 1,256 persons at Jeffersonville, Ind.

On further inquiry, I learned that this installation is handling the processing of data gathered in the 1958 Business, Manufacturing, and Mining Census on a national basis, supplanting the Washington office to some extent in that field. I also found that this same office will be a central point for processing information gathered in the big 1960 population census, and will probably employ many times its present personnel figures again on a national basis.

Now, I ask you, Mr. Speaker, does this not appear to be discrimination of the rankest sort to locate such a facility in a State where unemployment is relatively low, below the national average, and overlook a State which has the highest level of unemployment in the entire Nation?

I should like to submit statistics to show that the State which has been most neglected by the Department of Defense—I have dwelt at length on this Department in previous statements—and the Department of Commerce, has the highest unemployment percentage in the country?

Does there not seem to be a correlation here? Is there not some way in which West Virginia can be assured a fair break, so that the rich no longer get richer while the poor get poorer?

The following State-by-State unemployment figures cover the number of insured unemployed. Leading statisticians estimate that the insured unemployed figure represents only about 60 percent of the total unemployed, which would mean that West Virginia's total unemployment remains, as it has for months, more than 13 percent of the total work force, or one out of every eight of our citizens.

State	Total insured unemployed (except railroad), week Aug 22, 1959	Percentage which insured unemployed relates to insured total work force (based on average of 12-month period ending December 1958)
West Virginia	26,959	7.9
Michigan	107,399	6.4
Pennsylvania	165,718	5.7
Maine	9,000	4.9
Alabama	24,599	4.8
Alaska	1,309	4.7
Kentucky	20,059	4.7
New Jersey	58,818	4.0
Louisiana	21,386	3.9
Mississippi	9,812	3.9
Rhode Island	8,919	3.9
Washington	23,081	3.9
Arizona	7,775	3.8
Delaware	4,705	3.8
Maryland	24,707	3.8
Tennessee	23,346	3.8
New York	179,721	3.7
Connecticut	25,667	3.6
Florida	29,081	3.5
Arkansas	8,551	3.4
Georgia	23,345	3.3
Oklahoma	11,175	3.1
Massachusetts	43,427	3.0
North Carolina	24,531	3.0
Utah	4,736	3.0
California	100,760	2.9
Nevada	1,891	2.9
New Hampshire	4,155	2.9
New Mexico	4,046	2.7
Missouri	24,076	2.6
South Carolina	10,247	2.6
Wisconsin	21,572	2.5
Indiana	24,251	2.4
Illinois	58,911	2.3
Texas	39,020	2.3
Kansas	7,456	2.2
Ohio	52,011	2.2
Vermont	1,466	2.2
Idaho	2,218	2.1
Montana	2,281	2.1
Hawaii	2,331	2.0
Oregon	7,372	2.0
Virginia	13,331	2.0
Minnesota	12,865	1.9
Colorado	4,754	1.6
District of Columbia	3,747	1.5
Iowa	4,184	1.0
North Dakota	647	1.0
Wyoming	544	.9
Nebraska	1,649	.8
South Dakota	456	.6
National totals and average	1,294,068	3.4

Mr. Speaker, we see from the foregoing figures that West Virginia ranks far and away the first in the Nation in the percentage of unemployed, yet ranks last in the nation in Department of Commerce employees within West Virginia. And not a single one of the paltry 37 Commerce Department employees in the State is assigned to work on those phases of Commerce Department activities designed to reduce unemployment through industrial development and services to business.

One Hundred and Seventy-fifth Anniversary of Montgomery County, Pa.

EXTENSION OF REMARKS

OF

HON. JOHN A. LAFORE, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. LAFORE. Mr. Speaker, today, September 10, 1959, Montgomery County, Pa., which is also the 13th Congressional District, celebrates the 175th anniversary of its founding.

On the occasion of this anniversary, it is with great pleasure that I join with my friends and neighbors, in extending birthday greetings.

This milestone in the county's history clearly demonstrates the ability and dynamic purposefulness of our citizens to work together for a cause that is beneficial to all. We are very proud of our county and its development over the 175 years of its existence, and I am sure that with high enthusiasm and will, bent on continued success, we can look forward with confidence to even greater things in the future.

Under leave to extend my remarks in the RECORD, I include a proclamation for Montgomery County Day, Thursday, September 10, 1959. Congratulatory communications from President Eisenhower, Vice President Nixon, and the Senators from Pennsylvania, Hon. Hugh Scott, and Hon. Joseph S. Clark as follows:

PROCLAMATION FOR MONTGOMERY COUNTY DAY, THURSDAY, SEPTEMBER 10, 1959

Whereas Montgomery County has reflected dynamic advancements in industry, government, health, commerce, transportation and communications during the development of our Nation; and

Whereas Montgomery County has ever encouraged self-reliance and fostered freedom of opportunity for its men and women; and

Whereas our citizens can take pride in Montgomery County's vast resources, her versatility and manifold attainments in industry, health, and her amazing diversity of products; and

Whereas it was on Montgomery County soil that the forces of Gen. George Washington withstood their most severe test in the Nation's successful fight for freedom; and

Whereas Montgomery County must look to the future, ever searching for new endeavors which will mean continued growth and prosperity; and

Whereas the occasion arises to appropriately observe our heritage and impress upon the world that it will be preserved in enriched form for generations to come: Now, therefore,

We, J. Walter Hammonds, Warren M. Cornell, Jr., and Forrest J. Henry, the Commissioners of Montgomery County, do hereby designate and proclaim Thursday, September 10, 1959, as Montgomery County Day to commemorate the 175th anniversary of the founding of Montgomery County.

We call upon our citizens to seize upon this opportunity to acquaint themselves more fully with the resources, development, history and potentialities of their county, and ask that the occasion be marked by appropriate exercises in the schools and by business, civic, religious, patriotic and fraternal organizations within Montgomery County.

THE WHITE HOUSE,
Washington.

HON. J. WALTER HAMMONDS,
HON. M. CORNELL, JR.,
HON. FORREST J. HENRY,
Commissioners of Montgomery County, Courthouse,
Norristown, Pa.:

Through Congressman JOHN A. LAFORE, JR., I have learned of the 175th anniversary of the founding of Montgomery County, and it is a pleasure to send greetings to all joined in the observance of this event.

Montgomery County, including the hallowed land of Valley Forge, enjoys a proud history. Its people, strengthened by a tradition of enterprising and responsible citizenship, can face the future with confidence.

Congratulations and best wishes.

DWIGHT D. EISENHOWER.

OFFICE OF THE VICE PRESIDENT,
Washington.

COUNTY COMMISSIONERS,
Montgomery County,
Norristown, Pa.:

It is a pleasure to extend greetings to the citizens of Montgomery County, Pa., on the 175th anniversary of the founding of their county. The United States has expanded enormously since 1784 and in these 175 years Montgomery County has contributed much to the cultural, political, and industrial development of the Nation. I also know of the excellent reputation Montgomery County has for providing efficient and progressive government as well as a low tax rate. Your county could well be considered a model for all of us. With best wishes for the next 175 years.

Sincerely,

RICHARD NIXON.

Congratulations to Montgomery County on the 175th anniversary of its founding.

These days when our society devotes so much emphasis to those things which are changing, it is heartening to have people call attention to the things which have not changed—our heritage, and the principles which guided our forebears and continues to guide us today.

People who are interested in their own past, almost always are those who are also planning for the future. They live a fuller life and conduct their civic affairs in a manner which will make their children proud to inherit the community.

This has contributed to making Montgomery County so vigorous an area and one which is a credit to the whole Commonwealth.

U.S. Senator HUGH SCOTT.

Messers J. WALTER HAMMONDS,
WARREN M. CORNELL, JR.,
FORREST J. HENRY,
Commissioners of Montgomery County,
Norristown, Pa.

GENTLEMEN: It is a pleasure to salute Montgomery County on its 175th birthday. I have many special reasons for particularly warm feelings for Montgomery—one being that my daughter attends Bryn Mawr; another than a key member of my Senate staff is from Conshohocken.

Your continuing prosperity and growth, your rich history, your diversity of resources and industrial development—all these make Montgomery a cornerstone on which the welfare of Pennsylvania is built.

Best wishes for 175 more years of steady progress.

Sincerely yours,

JOSEPH S. CLARK.

Import-Export Trade Policy

EXTENSION OF REMARKS
OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. SAYLOR. Mr. Speaker, the August 17 issue of the Washington Post and Times-Herald contained a news story on imports and exports that merits the diligent attention of every Member of Congress. I therefore ask that it be inserted in the RECORD at this point.

[From the Washington Post and Times Herald, Aug. 17, 1959]

NINETEEN HUNDRED AND FIFTY-NINE IMPORTS OF EUROPE GOODS SOAR

(By Harry W. Frantz)

U.S. imports from Europe in the first half of 1959 were sharply higher than in the same period of 1958, while exports declined. As a result, the international merchandise trade balance turned favorable to Europe.

The United Kingdom ranked first and West Germany second in both the imports and exports of the United States.

According to unpublished Commerce Department statistics obtained by United Press International, U.S. imports from Europe in January–June 1959 were valued at $2,192,813,000 compared with $1,544,119,000 in the same period of 1958.

U.S. exports to Europe in January–June 1959 were valued at $2,075,214,000 compared with $2,293,258,000 in the same period of 1958.

The Department classifies "Europe" as comprising continental countries including the Communist bloc, and also the United Kingdom, Ireland, and Iceland.

Mr. Speaker, here is another chapter in the accounting on an international trade program that subordinates the welfare of American industry and labor to the market desires of nations specializing in low wage scales. For years supporters of this program have defended their position with charts and tables aimed at convincing Congress that a favorable dollar balance was proof enough of the advisability of their scheme. They chose to ignore the fact that U.S. foreign handouts and other gratuities provided buying power for much of the business enjoyed by the Nation's exporting industries. They contended that the thousands of workers shoved out of jobs by products entering our shores from abroad had to accept this fate as a contribution to the overall benefits of free exchange of goods.

Now even this argument has been dissipated. Despite all the billions of dollars that continue to pour out of the U.S. Treasury to foreign indigents, we are buying more than we are selling in European trade. Last year America's gold deficit amounted to $2.3 billion, and the unfavorable trend is continuing. Meanwhile the invasion of our markets threatens an ever-increasing number of jobs in this country.

One of the most vicious consequences of the current foreign trade program is that more and more American capital is being shipped abroad to build plants that will provide further competition in domestic markets. Unable to compete with products of cheap foreign labor, American manufacturers are investing overseas for the purpose of, first, capturing foreign markets that would normally be supplied, at least in part, by U.S. exports, and second, taking advantage of America's easy entry to crowd out the production of this country's labor force.

I submit, Mr. Speaker, that the economic difficulties that are responsible for so many surplus labor areas in this country are never going to be solved by taking mills and factories out of the United States and setting them up in Europe, Asia, Africa, and South America. The distressed areas of Pennsylvania could quickly become prosperous regions if only a small percentage of the capital going overseas were invested in our State. Under present conditions, many of our communities are unable to meet obligations because families without incomes cannot pay taxes or make normal voluntary contributions to civic activities. The loss is also felt at the State and national levels.

For a decade the State of Pennsylvania has been plagued with considerable unemployment occasioned by foreign competition. One coal mine after another has closed because foreign residual oil was allowed to flow into east coast fuel markets without respect to its impact on the domestic economy. The President wisely placed a limit on residual oil imports when it became evident that the national defense structure was being eroded. But Congress is going to have to meet the issue of economic damage caused by imports, and I hope that the shocking data on the developing unfavorable picture on imports and exports will stimulate action in this regard.

While I am not unmindful of the other States whose working men have been deprived of jobs because of the surging volumes of imports deluging our markets, Pennsylvania has without doubt been a principal victim. We have lost heavily to foreign glassware, pottery and ceramics, clothing, machine tools, turbines and generators, and many other products. Now steel—another of our major industries—is threatened. Steel Facts for August reports that foreign competition has been more intense this year than ever before. For the first 5 months of 1959, the United States imported 1,501,792 net tons of steel as compared to an export total of only 850,747 net tons. Steel mill product exports are also pointing downward, and of course we lose in our domestic markets every time a foreign car or other steel product enters the country. Our disadvantage extends to barbed wire, nails, reinforcing bars, and other items.

Recently the Sporting Arms and Ammunition Manufacturers' Institute filed a petition with the Office of Civil and Defense Mobilization for relief from imports of surplus military firearms. The premise for this petition is that the American firearms industry is vital to national defense, a position which can hardly be contested. The fact remains, however, that defense considerations alone should not dictate the Nation's foreign trade policies. Congress has a responsibility to all citizens regardless of whether they belong to so-called defense industries. To permit unnecessary deterioration of domestic industry constitutes grave dereliction of duty on the part of Congress, which is going to have to face up to its responsibility on the foreign trade fiasco if economic catastrophe is to be averted.

There is an important lesson in the latest import-export data. It should be studied conscientiously in the coming months with a view to taking corrective action when the next session convenes in

January. I personally would prefer to withhold adjournment until legislation is enacted to protect domestic industry and labor, and to discourage further exodus of industry to foreign fields, yet I am practical enough to realize that—for the time being—our only hope of relief is through the national defense amendment to the Trade Agreements Act. If import-export statistics continue to follow the pattern established through the first 6 months of this year, then surely the opposition to a sane foreign trade program will admit to the folly and futility of its position. In any case, Congress has a moral and constitutional obligation to stop this cruel and needless exportation of American jobs.

Congressman Wolf Says United States Has Much To Show Khrushchev

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 10, 1959

Mr. BOWLES. Mr. Speaker, the newspapers have been full of various comments on Mr. Khrushchev's pending visit to the United States. One of the most intelligent comments I have seen on this subject appeared in the Waterloo (Iowa) Courier for September 3. In a guest editorial in that paper, our vigorous, young, and effective colleague, LEONARD WOLF, discusses the prospects for the Khrushchev visit and the opportunity that is facing us.

Under leave to extend my remarks, I include his editorial as follows:

WOLF SAYS UNITED STATES HAS MUCH TO SHOW RUSSIA'S KHRUSHCHEV

(By Representative LEONARD G. WOLF, Second Iowa District)

The contemplated exchange of visits between Khrushchev and Eisenhower this fall has raised the hopes of the American people and the peoples of the world. This optimism has not decreased although many people after a second look question the good that can come from such an exchange of visits.

It is, of course, unreasonable to expect too much from such an exchange of visits. For even powerful leaders such as Eisenhower and Khrushchev do not have it within their power to turn back the tide of the cold war which has been raging for at least 12 years. The philosophic differences are great between the two nations. Much misunderstanding and mistrust on both sides have resulted in great ill feeling. Each country is committed to great armaments and military spending. These drawbacks cannot be expected to be overcome by two men who will visit each other's country for, at most, 2 weeks.

This does not mean that such visits are wrong or cannot accomplish any good end. Winston Churchill once pointed out that it is "better to jaw-jaw than to war-war." And he is right. The costs of war today are prohibitive. All rational men know this. The world would possibly be destroyed or at least civilization would be turned back to the darkest cave man days.

Consequently, discussion and negotiation are welcomed so that the chances of fighting an atomic war are lessened.

Many people in the United States will not take kindly to the coming of Khrushchev. This is quite understandable. The record of Khrushchev is, to say the least, not spotless. He has on his hands the blood bath of Hungary and the cruel and unexplainable murder of two heroes of Hungarian freedom, Pal Maleter and Imre Nagy. This is not something that can be forgotten and should not be forgotten. The Russian advance in science by putting sputnik in the air does not wipe out the cruelty of the Soviets in Hungary.

We should not forget the threats of Khrushchev and his saber-rattling, nor his reckless playing with destruction over the question of Berlin.

On the other hand, the President of the United States has invited Khrushchev in an effort to lessen tensions in the world and the Russian leaders at least seem more amenable to reason and negotiation. And the Vice President has shown us that the Soviet people themselves want peace and are very friendly to the United States. Thus, it is the duty of the American people to do all in their power to impress on the Soviet leader two ideas: That the American people want peace, and that the American people love freedom and are willing to fight for it and have the capability of fighting for it.

We must not try to cover up the shortcomings that we have. But we can show great and hitherto unparalleled progress in such areas as human relations in which people of different backgrounds live together in harmony. We can show Khrushchev our great economic wealth in which, because of our free enterprise system governed by societal responsibility, the people have reached economic heights that are unparalleled in the history of man. We can show Khrushchev our great strides in culture in which our artists are free to paint and write what they please without fear of Government interference as was the case, for example, with the great Russian writer, Boris Pasternak.

I do not fear a visit from Khrushchev. We have a great civilization. Certainly the greatest since the Athenian civilization over 2,400 years ago. We have much to be proud of. And we must rid Khrushchev of his appalling conceptions of American life and the great misrepresentations of our policies which the Soviet Government feeds the Russian people. These misunderstandings and misconceptions must be corrected lest Khrushchev make a serious mistake and plunge the entire world into an atomic holocaust which the Russian people and the American people surely do not want.

The Real Democrat Spending Record

EXTENSION OF REMARKS
OF
HON. JOHN J. RHODES
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 10, 1959

Mr. RHODES of Arizona. Mr. Speaker, it is a matter of common knowledge that the Republican administration since 1953 has been far more concerned with controlling spending and inflation than the preceding Democrat administrations. The record of the two parties in Congress is equally evident, and recent efforts to create confusion by publishing misleading tables on the last page of the CONGRESSIONAL RECORD should fool no one.

Clear evidence of the Democrat spending record and the real record of Republican responsibility is unmistakable when we use "constant dollar" figures for comparison instead of fluctuating, inflated dollars. To do this we select some particular year as an anchor, and express expenditures for all other years in terms of that year's dollars. For example, let us use 1954 dollars and see how much the budget has actually gone up or down each year.

Table No. 1 which I am inserting in the RECORD shows that from 1933 to 1953 Federal spending in constant dollars rose 524 percent.

Let us subdivide this 20-year period of the New Deal-Fair Deal and look more closely at the runaway spending trend.

In the first 6 years to 1939, spending rose 57 percent. In the next 10 years to 1949, it rose 137 percent. In the final 4 years to 1953, it rose another 68 percent.

But, a dramatic reversal occurred under the Republican administration. By fiscal year 1959, Federal spending in these real terms, had been cut a sharp 10 percent.

Another basis of comparison would take into considearation the annual increase in population. In other words we should look at the number of citizens for whom the Federal Government must provide services, and who are available to share the burden of the expenses involved. Table No. 2, which I am inserting in the RECORD, shows that under Democrat administrations the Federal budget outlays per capita rose nearly 400 percent. Under the present Republican administration nearly one-fifth of that rise has been cut back. This is a remarkable and immediate reversal of the preceding trend.

Now, what is the outlook for fiscal year 1960? The President's budget proposes expenditures of $77,030 million. If this Congress has not exceeded that budget, Federal spending per capita this year will be cut by nearly one-fourth of what it was in 1953.

Mr. Speaker, the Republicans have a program of fiscal responsibility. If the spenders will not cooperate in keeping the Federal budget and the national economy on a sound basis, they should at least agree to the validity of the changing dollar value as an element to be considered when comparing spending records.

The validity of the comparison I am making here should be clearly evident when we remember that we are living on an inflationary plateau built by the Democrats. The administration now responsible for Federal budgets has no choice but to construct its program on that plateau. I am simply stating that the only way to make accurate and reliable comparisons of Democrat and Republican spending is by including the vast inflationary accumulations in the

economy put there during and by Democrat administrations, with which this Republican administration must live.

TABLE 1

Time period	Change in total Federal budget expenditures in dollars of constant purchasing power	Change in per capita Federal budget expenditures in dollars of constant purchasing power
1933–39	Up 57 percent in 6 years	Up 50 percent.
1939–49	Up 137 percent in 10 years	Up 109 percent.
1949–53	Up 68 percent in 4 years	Up 58 percent.
1953–58	Down 19 percent in 5 years	Down 26 percent.
1953–59	Down 10 percent in 6 years	Down 19 percent.
1953–60 [1]	Down 14 percent in 7 years	Down 24 percent.

[1] Based on budget estimate.

TABLE 2

Fiscal year	Total Federal budget expenditures in millions of current dollars	Total Federal budget expenditures in millions of 1954 dollars	Federal budget expenditures per capita in 1954 dollars	Total population residing in the United States (thousands)
1929	$3,127	$7,027	$57.71	121,770
1930	3,320	7,943	64.54	123,077
1931	3,577	8,578	69.16	124,040
1932	4,659	12,196	97.69	124,840
1933	4,623	12,070	96.11	125,579
1934	6,694	15,495	122.61	126,374
1935	6,521	14,922	117.27	127,250
1936	8,493	18,109	141.42	128,053
1937	7,756	16,397	127.28	128,825
1938	6,792	14,733	113.48	129,825
1939	8,858	18,927	144.61	130,880
1940	9,062	19,281	146.12	131,954
1941	13,262	24,069	180.81	133,121
1942	34,046	55,450	414.05	133,920
1943	79,407	121,047	901.68	134,245
1944	95,059	147,836	1,112.51	132,885
1945	98,416	154,016	1,162.55	132,481
1946	60,448	82,805	591.24	140,054
1947	39,032	48,307	336.76	143,446
1948	33,069	39,181	268.19	146,093
1949	39,507	44,894	301.98	148,665
1950	39,617	44,215	292.36	151,234
1951	44,058	44,638	291.02	153,384
1952	65,408	65,935	423.31	155,761
1953	74,274	75,329	475.82	158,313
1954	67,772	67,772	420.45	161,191
1955	64,570	62,027	377.52	164,303
1956	66,540	61,158	365.80	167,191
1957	69,433	60,063	352.70	170,293
1958	71,936	61,014	352.15	173,260
1959	80,699	[1] 68,100	[2] 385.99	[2] 176,428
1960	[3] 77,030	[1] 64,677	[2] 360.12	[2] 179,600

[1] Projected on assumed price rise of 0.5 percent per year.
[2] Projected.
[3] Estimated in fiscal year 1960 Budget document.

Explanation of tables: The second column, "Total Federal budget expenditures millions of 1954 dollars," is obtained by dividing the first column by the implicit deflator or Federal purchases of goods and services for the corresponding calendar year. The expenditures and the deflators are obtainable from the economic report except for the latest years. There, the expenditures can be obtained from the budget document, but the deflators have to be projected.

The final column is the population residing in the United States. It is obtainable from the statistical abstract of the United States, except for the most recent years, which can be obtained from the census. The last 2 years have to be projected.

The third column is the second divided by the fourth.

The smaller table of percentages is computed from the larger table.

Our Lady of Czestochowa Parish Celebrates 50th Anniversary

EXTENSION OF REMARKS
OF
HON. SILVIO O. CONTE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. CONTE. Mr. Speaker, on Sunday the 30th of August I had the great privilege of being present as a speaker at the Golden Jubilee Banquet of Our Lady of Czestochowa Church in Turners Falls, Mass.

Under leave to extend my remarks, I wish to include the text of my remarks in the RECORD:

I want you to know how greatly honored I am to have been asked to participate with you in the 50th anniversary of Our Lady of Czestochowa. How proud all of you must be to see how wonderfully this parish has flourished, and the fine group of men and women who today call it their own. For half a century now, your church has served the people of this wonderful community as a house of worship and a spiritual home. In times of trouble and sorrow it has been a source of strength and a beacon of hope; in times of happiness it has been the center of rejoicing for family and friends; and throughout each year, it has added understanding to life and provided a guideline for true Catholic living.

As you know, I come from another heritage than yours. My family came from Italy and your families from Poland. But in many ways, I feel a real brotherhood with each and every one of you. My parents, like yours, came to America and lived in great hardship during their first years in a new country. Both my parents and yours learned what a wonderful blessing it is to enjoy the fruits of American liberty. Both my parents and yours brought with them a fervent religious tradition which enabled them to go through the hardest years and finally vanquish the difficulties in their paths.

Let me say to you today that the 50 years of service and growth of this church are a tribute to the religious devotion of you, its members and clergy, and to the deep faith of the Polish people and Americans of Polish descent. Wherever the Polish people have settled in America they have brought their great faith with them, building new churches with priests of Polish descent and following their time-honored customs. This deep-rooted religious faith and conscientious fulfillment of religious obligations, together with your love of family and willingness to work long and hard, are the chief among the reasons that you have become such a vital and beloved part of America.

It is the same deep faith demonstrated by the 50th anniversary of this church which has sustained the Polish people in the old country through the many wars and partitions to which their land has fallen victim. For many centuries there have been many invasions, occupations and partitions, but no matter how determined the aggressors, they have not been able to suppress the freedom-loving spirit of the people of Poland. Never has this been more vividly illustrated than in the Poland of today, and never has religion played a more important role in the defense of Polish freedom than it does now.

Today Poland suffers under perhaps the cruelest tyranny of the many which have afflicted her over the centuries. But the Communist government imposed upon the Polish nation by Russia has had a difficult job in stamping out the liberties of the Polish people. In many other parts of the Communist world, all freedom of speech, all freedom of religion have been stamped out. But not in Poland. The Polish love of freedom, strengthened by religious convictions and guided by the clergy, is simply too strong to deal with so quickly and easily.

A few weeks ago we saw a wonderful demonstration of the true will and feeling of the Polish people. Admiral Rickover, who was along on the trip made by Vice President NIXON, told our committee in Congress that the people of Warsaw lined the streets, tears in their eyes, to welcome the American party. The welcome given Khrushchev a few weeks before was meager in comparison. The Nixon visit gave the people of Poland an opportunity to demonstrate once more their great and unquenchable love of freedom.

The people of Poland are in a difficult position today. To the east stands Soviet Russia, with the mightiest land army in the world, ready to crush the Polish nation once more if a dangerous rebellion begins. To the west is the Soviet puppet regime in East Germany, where almost 400,000 Soviet troops are stationed. The people of Poland must steer a careful course, or Russian tanks will once more rumble through their streets and they will suffer the cruel fate of the people of Hungary.

One of the most important factors aiding the Polish people to maintain their spirit and resist communism is the church. In their worship the Polish people continually assert their support of a cause greater and finer than that of the Communist empire.

A key figure in this great struggle is Cardinal Wyszynski. He symbolizes the important role of the church in the fight to keep liberty alive. A priest since 1924, Cardinal Wyszynski's first work was among the labor unions. I am sure that his close association with the working people and economic problems gave him special insight which would later help him to see through the Communist myth and fight it effectively.

In 1948, at the very time that Communists were making intense efforts to remake Poland in the image of the Soviet Union, this man became Archbishop and Primate of Poland, and 4 years later, he received the red hat. No sooner had he become Primate, however, than the Communist government in Poland moved to take all economic and political rights away from the church, seizing much of its property and creating no end of hardships for the church. For years the Cardinal fought against these violations of the rights of the church. The government never lived up to its agreements. Instead, Catholic papers were closed down. Priests were arrested. The church's great charitable organization was taken over. And the Communists even tried to set up an organization known as PAX, a practical competitor to the church, trying to divert the faithful from the fold.

This train of events culminated in September 1953 when the state secret police appeared in the courtyard of the Cardinal's residence, and for the next 3 years held him virtually as a prisoner.

But the Communists miscalculated. They did not understand the real spirit of the Polish people. Unrest began to mount throughout the land. It was clear that the old regime was fighting a losing battle to keep control of the people. In the famous month of October 1956, Gomulka returned to power and Cardinal Wyszynski was released. The Communists realized that in order to prevent a great uprising they must grant liberties, particularly to the church.

No one can say that the people of Poland are enjoying full and real liberties today. But they are enjoying a few more liberties than the people of most of the other satellite nations. The reason is that they have frightened the Communist powers that be into letting them have those liberties and religious freedom.

Cardinal Wyszynski is not deceived about the basic struggle between catholicism and communism. He has said that because communism, like an evil cancer, is dangerous to all parts of man's life, it must be combated by the united efforts of the whole society. He believes, that someday there must be a decision between Christianity and communism, and that the whole Polish nation and the whole world must prepare for that final decision.

Nevertheless, this brave cardinal also wishes to keep Russia from using turmoil in Poland as an excuse for intervention. He wishes to keep the church alive. In this difficult task I know he has the prayers of peoples of all religions throughout the free world, and especially of those, like yourselves, who have Polish ancestry and love the land of Poland so much.

As for the Communist leaders in Poland, they realize that the teachings of the Catholic Church contradict all that they claim, and that Cardinal Wyszynski is their mortal enemy. In the past year they have made repeated efforts to suppress the church, but with limited success. In fact, there is much evidence that the Communists are fighting a losing battle, especially in the town of Czestochowa for which this church is named.

For more than 300 years a picture of the blessed virgin, believed to have been painted by St. Luke, has hung in the monastery of Yasna Gora at Czestochowa. As you know, this is the holiest shrine of Polish catholicism. Every year in August there is a great pilgrimage to this monastery to celebrate the assumption of the virgin. These pilgrimages have continued throughout the Communist reign. The city of Czestochowa has become a symbol of the great and lasting influence of the church in Poland and a great spiritual center.

Last year, just before the time of the annual pilgrimage, the sanctuary of Yasna Gora was searched by police for the first time in its history, supposedly to halt the printing of what were called illegal publications in the Pauline Brothers Monastery. Following the Yasna Gora raid the smoldering conflict between church and state flared into the open. The government barred nuns, monks and priests who belonged to religious orders from teaching religion in the schools.

Nevertheless, the pilgrimage took place as always. On August 15, from every part of Poland, pilgrims journeyed to Czestochowa on foot, on bicycles, by bus and by train. This, my friends, is the deep and lasting type of devotion which the Communists cannot suppress as long as the Polish people have life and strength to express their deep will.

It is the same type of deep and lasting faith which has made this parish here in America so successful during its first half century. I am confident that this same abiding religious faith will be a source of rebirth for the Polish people even in times of deepest despair. It will continue to bind the faithful in Poland with the faithful here in America and other nations, in eternal dedication to common ideals and the great common belief. It will be the inspiration for wisdom and courage until the shackles of Communist tyranny are thrown off—not only in Poland, but wherever they may exist in our world.

Once more, my friends, my warmest congratulations to you on this great anniversary. May the good Lord continue to bless your wonderful undertaking in the years ahead, just as he has during the first glorious half century of our lady of Czestochowa here on American soil.

A Congressman's View of Technical Cooperation

EXTENSION OF REMARKS
OF
HON. J. VAUGHAN GARY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 10, 1959

Mr. GARY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include an article published in the May issue of the Annals of the American Academy of Political and Social Science, entitled "A Congressman's View of Technical Cooperation."

The title of the article really does not do it justice, because it does not convey the important fact that the author is a Congressman who is uniquely qualified to write on technical cooperation. The author is the Honorable PORTER HARDY JR., the distinguished and exceedingly able Member of this House from the Second Congressional District of Virginia. He is the energetic and capable chairman of the Subcommittee on International Operations of the House Committee on Operations. This subcommittee has done outstanding work in investigating our Government's operations abroad, and the disclosures which his subcommittee has developed have been most helpful to the Congress in evaluating our foreign aid program. Representative HARDY'S article points out that the technical cooperation program has been a wonderful success in many places, and he makes clear that it is out of a sincere belief in our technical cooperation programs, and his concern for their success, that he has found himself in the role of a critic. I add, however, that in my view he is a most constructive critic.

The article follows:

A CONGRESSMAN'S VIEW OF TECHNICAL COOPERATION

(BY PORTER HARDY, JR.)

Advocates of particular points of view commonly characterize as opponents those who are not enthusiastic supporters. For example, if a Congressman makes a speech or writes an article criticizing the conduct of a particular Government program, he is forthwith considered as against it. When, as is often the case, he couples with his criticisms a pledge of support for the program he is apt to be accused, as politicians sometimes are, of talking out of both sides of his mouth at once, doubtless with an eye on the next election.

More careful observers recognize constructive criticism. They know that the adverse comments which Congressmen make about given activities of Government do not always have ulterior motives. Instead, critical observations by Congressmen may often arise out of a sincere belief in and a profound concern for the very things being criticized. It is out of a concern for the success of our technical cooperation programs that I find myself in the role of critic.

We in the Congress have listened carefully year after year to the reports of performance and claims of accomplishment for these programs which are sent up by the International Cooperation Administration and the Department of State. Along with most of my colleagues from both sides of the aisle I have consistently voted funds for their continuance. But, as chairman of a House subcommittee charged with the duty of studying U.S. international operations, I have also had some special opportunities to observe their day-to-day conduct, and I have not always been gratified by what I saw. It is out of the experience of the past 4 years, in which I have studied at close hand technical cooperation programs from Iran to Uruguay, and from Cambodia to Mexico, that my judgments have been formed.

AIMS AND PHILOSOPHY OF PROGRAM

The objectives of this program are most inspiring and unselfish, particularly for an activity undertaken by one government on behalf of another. The technical cooperation program is founded in hope and optimism. It envisions a future in which, through the sharing of technical knowledge and skills, a better life can be created for millions of people in other lands—people for whom over the centuries tomorrow has always been bleak.

It is by no means accidental that the United States has led the way in this bold and imaginative undertaking. The stoic acceptance of life as it is has never been an American characteristic. We have always considered ourselves masters of our fate. Coupled with this confidence is a deep humanitarian urge which impels Americans into action whenever they see human misery caused by poverty, starvation, disease, and ignorance.

Moreover, when such conditions exist in lands with untapped resources, to an American it appears that what is needed is the application of American know-how to make the stubborn earth yield its stored abundance, to push back the ancient enemy of disease, to feed and clothe and house the people and give them the hope for tomorrow which seems so tragically lacking.

This is the central objective of the technical cooperation program. This is the valid element which finds a response in the heart of every American. This is why Congress so consistently supports this effort.

A praiseworthy objective, however, does not by itself assure success. Good intentions must be matched by wise actions. It is from this standpoint that it becomes the duty of even the most ardent supporters of technical cooperation programs carefully and coolly to examine the nature of these activities and the way they are carried out.

Section 418(a) of the Act for International Development of 1950 defines technical cooperation programs as "programs for the international interchange of technical knowledge and skills designed to contribute to the balanced and integrated development of the economic resources and productive capacities of economically underdeveloped areas."

The United States contributes to this effort in three ways; by sending U.S. technicians to work in the host countries, by bringing host country personnel to the United States for training, and by contributing to the support of special joint bureaus set up within the host governments to carry out technical assistance programs. The emphasis throughout is intended to be upon the transfer of skills and know-how. Any expenditure for capital equipment is sup-

posed to be limited to that needed for demonstration purposes only. It is, in other words, intended to be a program of education, not of economic aid.

The implications of this form of foreign aid are worth noting. One of the presuppositions of technical cooperation programs is that there are human and physical resources in the host country which will be employed as soon as the necessary know-how is made available. Another presupposition is that the host country can and will initiate, or take over and continue on its own, a given activity once the method of doing it has been adequately demonstrated. Finally, the concept presupposes that technical cooperation funds will not be employed to continue a given activity after know-how has been acquired by the host country. If additional U.S. dollars are necessary, they should either be provided through private sources or through other categories of the mutual security program.

Out of a total of nearly $4 billion of the President's budget request for the fiscal year 1959 mutual security program, $164 million—about 4 percent—was for technical cooperation. Thus the technical cooperation programs do not involve large sums of money when compared to the billions which we spend each year on other foreign aid activities. A portion of this amount represented U.S. contributions to technical cooperation programs carried out through international organizations like the United Nations and the Organization of American States. Of the total, however, $142 million was for bilateral programs set up by agreement between the United States and individual host countries. The following comments relate principally to the bilateral programs.

I have already expressed myself as being impressed with the inspirational aspects of technical cooperation. It provides people-to-people contact—an element which should be supplied but is generally lacking in other aspects of our foreign aid program. Military assistance programs all over the world serve to protect the freedom of countries and their citizens—but the impact of such programs is not felt directly by the people. Military hardware does not fill empty stomachs. Economic assistance dollars too often are used for monumental projects such as dams and roads—projects which are primarily dedications to national pride. Although over a long period of time they contribute to an improved economy, they have little or no significance in the here and now for the ordinary man. The only programs that immediately encourage and directly help the individual are those embraced under the point 4 concept—that is, technical cooperation. Through these programs, individuals are helped to better health, to useful and enlightening education, to a more adequate diet, and to improved sanitation and housing.

In the current year over 3,000 American technicians are working abroad in some 50 countries. Most of these technicians are working with their counterparts overseas in the fields of food production, public health, and education. These are basic areas for the improvement of living standards. Some programs have been broadened, in response to changing needs, to help solve problems of transportation, housing, industrial management, public administration, and community development.

AGRICULTURE

In many countries technical cooperation programs have shown the way to better methods of cultivation, improved plant varieties and breeds of farm animals. Through these and the application of fertilizer to crops, improved tools and implements, control of plant diseases and insect pests, the production of food for hungry and growing populations has been vastly increased.

Even slightly improved tools or better methods of cultivation often make immediate and striking improvement. In Iran, a demonstration of the advantages of using a moldboard plow instead of a pointed stick in sugar beet cultivation resulted in three times the yield. In Ethiopia, a simple change to row planting of corn instead of broadcast planting increased production from 18 bushels an acre to 30 bushels.

Agricultural vocational schools and colleges have been opened in a dozen countries as a result of technical cooperation. Through agricultural extension activities, additional channels have been opened through which a continuous supply of scientific information flows to the farmers themselves in a form which they can understand and apply.

HEALTH AND EDUCATION

The original activity of technical cooperation in Venezuela was in malaria control. In 3 years, malaria dropped from third place to sixth among causes of death. In the Philippines, malaria incidence fell 68 percent as a result of DDT spraying. The malaria control program, in addition to its striking accomplishments toward better health, had the important side effect of tremendous expansion in food production—particularly in Indonesia and Iran. Mosquito control restored to cultivation much highly productive land which previously had been abandoned because of malaria.

The surge of interest in education in all newly developing countries is a phenomenon of the present era. In 1946–47 in Cambodia there were 38,000 children in primary schools; in 1955–56 attendance was 241,000. In Iran, since the U.S. technical cooperation program began in that country, school enrollment has increased from 20,000 in 1948 to 45,000 in 1955. The great need everywhere is for trained teachers, and technical cooperation projects in education have concentrated on filling this need, helping to give preservice training to more than 17,000 teachers and in-service training to more than 46,000.

I have given only a few examples to illustrate the operation of this program and the benefits it has produced.

Let us consider in more detail another example of accomplishment, in order to discuss the criteria applicable to a technical cooperation activity. In Chile, the Government had sought over many years to establish a satisfactory program of preventive medicine. As part of the U.S. technical cooperation program in the field of health, during the period from 1943 to 1953, five health centers were established and operated in strategic locations. These centers have since been turned over to the Chilean Government, which continues to operate them today. More important, using these original centers as a pattern, the Chilean Government has constructed ten additional health centers in Santiago Province alone and has made such centers the basic field unit in a reorganization of the Chilean National Health Service.

All the elements of a successful technical cooperation project were present in this case: (1) The project dealt with a problem which had been of concern to the host government; (2) it involved a demonstration of a method of solving the problem; (3) it resulted not only in an activity which could be and was turned over to the host government, but it stimulated expanded and continuing action by the host government in this particular field.

We have, as a matter of U.S. policy, sought to insure the presence of these elements by stipulating three conditions to be met in carrying out a technical cooperation activity. First, the host country must request it. Second, the host country must pay a fair share of its cost. Third, it must be related to efforts being made by the host country itself.

HOST COUNTRY REQUEST

These are wise provisions which, if adhered to with reasonable consistency, would guarantee that every program and project was a truly cooperative undertaking. If we conduct only those programs which the host country requests we can be sure that we are responding to a genuinely felt need; by the contribution of host country funds, local interest in a program's success can be both measured and sustained; and by establishing a relationship with other activities and plans of the host country not only can we contribute to balanced progress and development but the encouraging effect of our help can spread beyond the individual programs.

Unfortunately, in altogether too many instances, these sensible rules have been broken. Investigations by our subcommittee disclosed that some projects were being implemented where host country approval had been obtained through insistence by U.S. representatives rather than as a result of a bona fide interest on the part of the host government. To be sure, a formal request by the host government was on file, but it was little more than a piece of paper drawn up to meet technical requirements. Sometimes these projects originated simply because particular U.S. specialists were available and wanted to undertake them. In other instances, pressure from Washington was put upon U.S. field personnel to get certain types of projects underway. Almost invariably, as might be expected, such projects ultimately were financed almost entirely with U.S. funds. The interest of the host countries was as small as their contributions.

HOST COUNTRY CONTRIBUTION

The second requirement, that the host country contribute a fair share to the support of projects, has also been applied very unevenly. In one country we found that the United States has been paying over $1 million a year to support an agricultural program on the basis, not that the host country could not support it, but that it would not. In another, our technical cooperation funds were being used not to supply know-how but to underwrite a routine Government activity, which is not in the spirit of the technical cooperation legislation. In a third country; a major agricultural project was of such little interest to the host country that when the time came to put in its contribution it refused to do so, even though we had allocated more than three-quarters of a million U.S. dollars to it.

The proportion of local support for individual programs and projects varies widely even within a single country. What appears to emerge is that host country contributions have been made to some projects and not to others, depending on the extent of host country interest in them. This, of course, is why the fair share requirement was instituted in the first place, but it has not been fully or adequately adhered to by U.S. administrators.

The importance of the level of host country contributions cannot be overemphasized. It is not a matter of specific amounts of money, for these might vary considerably from country to country and even from time to time within a given country, depending on the local financial situation. What is crucial is that the most reliable index of a host country's interest in a program or project is not how much it is willing to have the United States invest in it, but how much the country itself is willing to contribute.

The heart of technical cooperation is the idea of self-help. There is little to be gained by imposing on others plans and ideas in which they have no interest. These programs are intended to be cooperative efforts. Unless the recipient country wants and believes in a project or program, enough to put its own funds into it at whatever level it can afford, the cooperation aspect is lost.

In this connection, reports given to the Congress on the extent of host country contributions have been more than a little misleading. These are usually expressed for comparative purposes in terms of equivalent dollars. Yet, by the use of par-value exchange rates which have no current significance, the contributions of some countries have been greatly exaggerated. We found, for example, one country where local contributions as presented to Congress had been magnified in this way by a factor of 20. In other instances, under a category called contributions in kind, a dollar value had been placed on a number of intangibles and everything conceivable has been counted as a host country contribution, including duties they had waived collecting on imports for the program. Most ridiculous of all was reporting, as a host country cash contribution, the local currency obtained by the sale of U.S. commodities we had given them.

As I have pointed out earlier, local contributions, when account is taken of the general financial situation of the host country, can be most revealing about local acceptance of programs and projects. I therefore believe that more effort must be made to adhere to the "fair share" rule than is now the case. I make this observation out of a conviction that the planning of programs, their day-to-day conduct, and their chance of achieving their ultimate goals will be improved thereby.

PROJECT PLANNING

The third requirement, that programs be related to efforts being made by the host country itself, brings up the question of planning. What seems to be absent in most cases is a realistic estimate of the situation. Projects are often initiated with only the most hazy idea of how extensive a problem is involved, without determining in advance the availability of the technical personnel who will be needed, and without fixing a goal by which progress toward completion can be measured. Few projects are based on the kind of preliminary survey and analysis which would determine how much of what kind of technical knowledge or skill needs to be and can be supplied over what period of time. In place of careful planning, the tendency is simply to initiate and to expand programs, in the words of one oversea U.S. program officer, "to provide facilities which haven't been provided heretofore."

It is this approach which leads to pressures from Washington and even from officials in the field to get projects underway, not so much because they are relevant to local needs, but because a similar activity is underway in some adjacent country. This is hardly a sound basis for relating programs to activities of the host country, and it has accounted for a number of notable failures. Fits and starts in other cases have occurred because the problem of recruiting technical personnel to carry out the work was not adequately considered. In Uruguay, for example, a program in health was delayed for more than a year after the chief of the program arrived because four or five technicians could not be supplied.

CONCLUSION

Reviewing these observations, it is clear that most of the faults in technical cooperation programs are matters of administration. Yet, paradoxically, some of them are at the same time tributes to the good intentions and zeal of the administrators who have been activated by a strong desire to obtain tangible results and impatient in their haste to reach ultimate goals. One can applaud enthusiasm—but not when it initiates action with inadequate planning and results in wasteful errors caused by hasty judgments.

A basic trouble, I am coming to believe, lies in a failure to appreciate the fact that there are significant limits to the rate at which technical knowledge and skill can be absorbed by an underdeveloped economy. As Americans we are attuned to a dynamic and open society in which technological change is rapidly assimilated. We must keep in mind the fact that the differing societies of many underdeveloped lands cannot now make use of all the skills we can offer them. First, some far-reaching changes must take place in the nature of the societies themselves. What I am referring to, of course, is the problem generally called cultural lag. For example, it may be possible in a given country to suggest improved methods of agriculture and yet have few of them adopted because to do so may require a revision of age-old traditions of land tenure and ownership and perhaps even of family relationships. Similarly, technical improvements in tax administration may require a totally different view of the role of government within a given culture. Such changes do not come about quickly nor do they result from the availability of technical knowledge. The need for improved skills may be apparent now, but the demand for them may require cultural changes which time alone can bring.

No one is better fitted to take such considerations into account than host country officials who, of necessity, are representative of their own culture. This is why the participation of the host government in planning and carrying out technical cooperation programs is of such paramount importance. This is why unilateral judgments by U.S. officials of what projects are to be undertaken should be discouraged.

It can, of course, be argued that adhering strictly to the rules might result in a reduction in the number and scope of activities now underway. This, indeed, might prove to be the case and in some instances it might be wise. It is also possible that sounder programs might result. In addition, there is a real possibility that when full account is taken of the limits imposed by cultural lag, to say nothing of administrative matters like the recruitment of adequate numbers and kinds of U.S. technical personnel, the seemingly modest level at which these activities are operating may turn out to be very nearly the maximum which is currently feasible.

I have not commented on the relationship of these programs to our more costly undertakings in the fields of outright economic assistance and military aid. Obviously they are related, since improved economies and greater military strength require added technical knowledge and skills. Conversely, the full use of such knowledge and skills may depend upon the addition of considerable amounts of physical capital.

Technical cooperation is basically education, and it is as an educational activity that it must be assessed. In my view, its fundamental concept is sound. The broad policy guides which have been set up for its conduct are inherently wise. If to the good intentions of the U.S. officials administering these programs there can be added sounder judgment, and a greater degree of common sense, I believe we will more fully accomplish our purpose.

For its part, Congress, I am sure, will continue to give this activity its strong support. It is to be expected, however, that a careful congressional eye will be kept on technical cooperation operations, and that the sharpest criticisms will still come from those Members of Congress who most devoutly want these programs to succeed.

SENATE

FRIDAY, SEPTEMBER 11, 1959

(Legislative day of Saturday, September 5, 1959)

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

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

Our fathers' God and ours, our help in ages past, our hope for years to come: In the whelming waters of tribulations and abominations which this day flood the earth, Thou art as a shelter from the storm, a covert from the wind, and the shadow of a great rock in a weary land.

Give us to realize that Thou art our challenge, as well as our shelter and refuge; and that in the crises of these days, Thy voice to us is calling, in all the want and woe, in all the hunger and misery, of our fellows under all skies.

May our hearts be moved with a compassion that will fit us to be the dedicated heralds of Thy healing.

Teach us to toil and to serve, that we may so play our part in this age on ages telling that we may face with clear conscience the gaze of our contemporaries and the judgment of posterity, and may, at last, hear Thy "Well done. Thou hast been faithful."

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 10, 1959, the President had approved and signed the act (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 2 years, which nominating messages were referred to the appropriate committees.

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